

DELEGATED REPORT

Report by Mo Warsame	Date of report: 22/01/2024	Ref: 70299/FUL
Registration: 01/12/2023	LDFC: 30/12/2023	Expiry Date: 26/01/2024
Site Visit: 15/12/2023	Site Notice: N/A	Press Date: N/A
09:00:00		
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey rear extension

Location: 2 Taunton Grove, Whitefield, Manchester, M45 6TJ

Description

The property is situated on Taunton Grove. It has an integral garage and a drive to the front and gardens to the front and rear. The attached property is No.4 Taunton Grove, and a back street that separate the site and the properties on Bury Old Road runs on the opposite side. To the rear the house shares a site boundary with No.1 Ludlow Avenue.

Planning permission is sought for the erection of a two-storey rear extension along with external and internal alterations.

The two-storey rear extension would infill the existing enclave to the rear of the property and would not project beyond the existing rear elevation. The development would facilitate a new utility arear on the ground floor and a bedroom extension on the first floor. The proposal would also include internal and external alterations such the garage conversion which would result in the replacement of existing garage door with a new window along with an additional proposed window to the side on the ground floor. The development would have a pitched roof and would be constructed using matching materials.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning

considerations, including relevant policies in the emerging Places for Everyone Joint Development Plan.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Visual Amenity -

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

The proposed two-storey infill rear extension would not project out beyond the principal rear elevation. The development would be modest structure with a pitched roof replicating the shape and style of the host dwelling. Furthermore, the extension would be constructed using matching materials. Therefore, the proposed two storey rear extension would be acceptable and as such would have no detrimental impact on the street scene.

The proposal would also include the conversion of existing garage to habitable room. This would result in a new proposed window to the front replacing the existing garage door along with an additional window to the side. However, the proposed side window would be obscure as indicated on the proposed plans. Overall, the development would not project beyond any of the principal elevations and therefore, would have no detrimental impact of the street scene or the character of the host dwelling.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity.

Residential Amenity -

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The proposed rear infill extension would not project beyond the existing dwelling and would not be visible from the attached property (No. 4).
- Situated to the side and facing toward a back street, the proposed window to the side would have no detrimental impact on the residential amenity of the adjacent properties. Moreover, it would be conditioned to be obscure glazed as indicated on the submitted plans.
- There would be sufficient distance to the properties in front and rear.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways

There will be no changes to the parking layout. Therefore, the driveway at its current condition would meet the maximum parking requirements.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered Dwg No. PL01 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

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- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 Before the first occupation of the extension hereby permitted the proposed side window on the ground floor shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	22/01/2024	DM	23/01/23