

DELEGATED REPORT

Report by Mo Warsame	Date of report: 19/12/2023	Ref: 70180/FUL
Registration: 20/10/2023	LDfC: 21/11/2023	Expiry Date: 15/12/2023
Site Visit: 08/12/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two/single storey rear extension

Location: 23 Parkstone Avenue, Whitefield, Manchester, M45 7GF

Description

The application property is a semi-detached property with a drive to the front and garden to the rear. The adjacent properties on either side are No.21 Parkstone Ave and No.25 Parkstone Ave (attached). To the rear, the site shares boundary with No.13 and No.15 Lindrick Ave.

The applicant proposes to build a part single, part two-storey extension. On the ground floor the extension would project 4.3m from the original rear elevation and run the entire width of the property. On the first-floor level, the extension would also project 4.3m to the rear but only run for 4.1m to the side. The proposed development would have a mono-pitched roof over the ground floor level and a gable pitched roof over the proposed two-storey extension. The proposal would facilitate an office on the ground floor level and additional bedroom on the first-floor level. The proposal would utilise the use of matching materials.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections received but one comment of support received.

Comments

One comment of support received stating no objections to the extension plans but would like to request consideration for the following:

Maintaining privacy between the properties by retaining existing trees or similar barriers.

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

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

The part single, part two-storey rear extension would be built with matching materials that would complement the existing building. This is a design which is commonly found on this type of property and as such, there are number of properties with similar developments within this area. The proposed development would be built in the rear of the property and would not be visible in the street scene.

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 H2/3 and SPD 6 seeks to reduce the impact of developments on the residential amenity of neighbouring properties.

- There would be two proposed side windows on the ground floor. However, the proposed windows would be shaded by the existing high fencing on the shared boundary. Therefore, this would not lead to any outlook and privacy issues.
- In relation to the attached dwelling, the proposed single storey aspect of the extension would project 4.3 metres from the principal rear elevation. This is slightly over the 3 metres set out within SPD6 however, the development would fall under permitted development for larger home extensions and with no objection from the neighbours the proposed single storey rear extension is deemed residentially acceptable.
- The proposed two storey rear extension would not encroach the 45° angle when taken from the 1 metre point.
- The development would be 5.2 metres to the rear boundary which fails to meet the 7 metres required in SPD6. However, there would be a sufficient distance to the property beyond the shared rear boundary.
- The proposed first floor rear window would be 17.5 metres to the habitable room from the property directly rear of the site. Therefore, this would not lead to an outlook that is much different to the existing view. Furthermore, the proposed rear window on the first floor would be conditioned to be obscure glazed up to 1.7m high. This, along with the existing trees and scrubs would further reduce any privacy and outlook implications (see site photos).

Parking

The proposal will result in one additional bedroom. However, there will be no changes to site access or parking. The current parking conditions meets the maximum parking requirements.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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. 001, Dwg No. 002, Dwg No. 003 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.
- 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 first floor window at the rear shall be fitted with obscured glazing up to 1.7m high 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	19/12/2023		