

DELEGATED REPORT

Report by Helen

Date of report: 04/11/2020

Ref:65942/FUL

Goldsbrough

Registration: 25/09/2020

LDfC: 15/10/2020

Expiry Date: 20/11/2020

Site Visit: 01/10/2020

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: First floor extension at side and front porch extension; Alterations to car hardstanding at front

Location: 16 Eight Acre, Whitefield, Manchester, M45 7LW

Description

The application relates to a detached dwelling house located on Eight Acre. The site has a driveway to the front, with an area of private residential amenity space located to the rear. The premises has been previously extended at single storey to the side, and single storey to the front.

Planning permission is sought for the construction of a first floor side extension over the existing single storey side extension that projects approximately 5000mm to the side of the dwelling. A front porch extension is also proposed that projects approximately 2000mm to the side of the existing porch. To the front it also proposed to amend the existing parking arrangements with the introduction of a retaining wall and steps to allow pedestrian access to the property.

Relevant Planning History

47258 - New replacement porch extension - Approve with Conditions 09/01/2007

53744 - Single storey side extension - Approve with Conditions 19/04/2011

65556 - Front extension and dormer and new first floor window at side (south west elevation); New retaining wall and levelling off of existing driveway incorporating new entrance steps - Withdrawn by Applicant 10/07/2020

Publicity

Neighbour letters sent 25/09/2020. No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - no objections subject to condition relating to driveway being implemented.

Pre-start Conditions - not relevant

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

SPD11 Parking Standards in Bury

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. 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 victimization;

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.

SPD 6 seeks to prevent first floor side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. In this instance the dwelling next door is a bungalow, that is set at an angle from the proposal site and as such it is considered that the proposal would not lead to the uncharacteristic linking up of dwellings.

From the front the proposed first floor extension would maintain the catslide style roof of the

main dwelling, with roof lights that are suitably aligned in relation to the existing front window arrangements. To the rear, again the proposed extension would maintain the shape and style of the existing dwelling and would maintain the alignment of the existing window arrangements. The use of matching materials is considered to be acceptable.

The proposed porch would infill a space to the side of the existing porch, and would tie in with the roof of the existing dwelling. The proposed door and glazed panel are considered to be suitably aligned when viewed in relation to the existing openings on this principal front elevation.

The front of the dwelling is already hard landscaped to enable off street parking. The amendments to the existing parking arrangements, and introduction of a retaining wall would therefore have minimal impact on the character of the street scene and are therefore considered to be acceptable.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties

- Proposed first floor extension located adjacent to the side elevation of No. 18. Whilst noted that this property has ground floor windows within the side elevation that face towards the site these windows are not located on a principal elevation and as such are not protected in the same way as principal, habitable room windows are. As such the location of the proposed first floor side extension is considered to be acceptable.
- Proposed first floor extension would not project beyond the front elevation of No. 18.
- Proposed first floor extension would project beyond the rear elevation of No. 18.
- Proposed porch would not project beyond the front elevation of the integral garage of the property at No. 14.
- First floor side window facing towards No. 18 relates to a non-habitable room (bathroom) and as such aspects not applied. Obscured glazing condition also attached.
- Proposed first floor rear bedroom window located approximately 10 metres from the directly facing boundary exceeding the 7 metres required by SPD 6.
- Proposed first floor rear ensuite window relates to a non-habitable room and as such aspects not applied. Obscured glazing condition also attached.
- Due to the nature of roof lights no overlooking foreseen.
- Glazing and door associated with the porch would relate to a non-habitable room and as such aspects not applied.

Parking

The proposal would result in the increase in number of bedrooms at the property from 3 bedrooms, to 4 bedrooms. SPD 11 requires a maximum of 3 spaces for 4 bedroom properties. It is proposed to retain parking for 2 vehicles on site. On street parking within the locality is not restricted, and the site is located just outside of the high access area identified within SPD 11. As such parking provision is considered to be acceptable.

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

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of this permission.

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 2 This decision relates to drawings numbered GIL0002 SP01, GIL0002 LE01 and GIL0002 LE02 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 proposed alterations to the car hardstanding indicated on approved plan reference GIL0002 LE02, incorporating the retention of a minimum 5m length driveway in a permeable resin hardstanding material or measures to prevent the discharge of water onto the adopted highway and all associated highway remedial works that may be required as a result of the development, shall be implemented prior to the development hereby approved being brought into use.

Reason. To ensure adequate off-street car parking provision in the interests of road safety and maintain the integrity of the adopted highway 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 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.

- 5 Before the first occupation of the extension hereby permitted the first floor side bathroom window and first floor rear ensuite window 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>
Helen Goldsbrough	4/11/2020		