

DELEGATED REPORT

Report by Jane Langan	Date of report: 29/09/2023	Ref: 69989/FUL
Registration: 14/08/2023	LDFC: 21/09/2023	Expiry Date: 09/10/2023
Site Visit: 25/09/2023	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 storey side extension and single storey front and rear extensions

Location: 3 Stanley Drive, Whitefield, Manchester, M45 7HF

Description

The property is a two storey bay fronted semi detached house located towards the top of a cul de sac. The frontage has been fully surfaced for parking. To the side it has a single storey kitchen extension and to the rear a bay window from the dining room and a conservatory. The rear garden is fenced and borders the rear gardens to 4 & 6 Ross Avenue. To the north side of the site 5 & 7 Stanley Drive face the side of the site separated by a driveway and then their front gardens. The adjoining neighbour is No.1 and has a single storey bay at the rear.

The application includes a two storey extension at the side coming out 3.69m and running from the existing two storey front and rear elevations. To the front a single storey would come out 1.4m deep for 6.5m across. To the rear a single storey extension 1.8m deep would run across the existing and extended rear elevation. The extensions would form a hall, study, playroom and extended kitchen and dining room at ground floor and an additional bedroom with ensuite at first floor.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

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

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 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 and design - The proposed two storey extension would have a hipped roof running from the main ridge. The single storey to the front would also be hipped and the single storey at the rear a monopitch. Materials would be brickwork to match and roof tiles to match the adjoining No.1.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would increase the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing is fully surfaced for parking. The proposed extension would be built on an area currently used for parking however the whole frontage is hard surfaced. The drive length to the front of the bay is 5.1m in length and there would be 4.2m to the front of the proposed extension allowing a second vehicle to park angled on the remainder of the frontage. The site is within a cul de sac with limited on street parking however there is such along Philips Park Road. In this instance then the parking arrangements are considered sufficient.

Residential amenity - In relation to the adjoining No.1 the proposed extension would be single storey and at 1.8m deep it would project less than 3m from the rear of this neighbouring property.

There would be a separation distance of 13m from the side of the two storey wall of the extension to the front bay of 7 Stanley Drive that faces. The proposed extension wall would have a door at ground floor and be blank at first floor. It would also be separated by the drive and front garden to No.7. The separation distance of 13m would comply with SPD6 Aspect Standards.

To the rear there would be over 7m from the proposed first floor window to the boundary and the window would also be to a non habitable room as the ensuite.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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 3/SD/1/Rev A 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	29/09/23		