

DELEGATED REPORT

Report by Amanda

Date of report: 07/08/2024

Ref:70869/FUL

Uhunmwagho

Registration: 25/06/2024

LDFC: 16/07/2024

Expiry Date: 20/08/2024

Site Visit: 06/08/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: COM

Stat Class: HOUS

Proposal: Single storey side extension; Front and side porches; Loft conversion with rear dormer

Location: 23 Warwick Avenue, Whitefield, Manchester, M45 6TU

Description

The application relates to a previously extended, two storey semi-detached house which is completely paved at the front providing on site parking for at least two vehicles. There is a flat roof garage to the side and an angled porch at the front. To the rear there is a conservatory and a small single storey extension to the side. There are fences and planting to all boundaries and to the rear of the site is the M60 motorway.

The proposal is to build a single storey side extension, front and side porches and a loft conversion with rear dormer. At the front the new porch would be built in the same position as the existing one but it would be squared off. It would project 1237mm forward of the front elevation and it would measure 2464mm wide. The roof would be mono-pitched.

On the east side of the property, to the rear of the garage there would be a single storey extension and porch. The extension would measure 1520mm x 2765mm and the roof would be flat with a raised roof lantern. A new roof lantern would also be added to the existing single storey rear extension. It would measure around 2990mm high which would be the same height as the existing extension.

The porch would be built directly in front of the new kitchen entrance and it would measure 1773mm x 990mm. It would also have a flat roof and would measure around 2278mm high.

The rear dormer would measure 3650mm x 5400mm and it would have a flat roof. It would be set back from the rear elevation by 200mm and would also be set down from the ridge of the building. It would provide a new bedroom and en-suite bathroom with the main window to the rear elevation and a small bathroom window to the side of the structure. The cheeks of the dormer would be tile hung to match the main roof.

Relevant Planning History

N/A

Publicity

4 neighbours notified on 25/06/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
PFE	Places for Everyone

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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.

The main considerations of this application are the impact of the proposal on visual and

residential amenity.

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.

There are different styles of porches to the front of properties along Warwick Avenue. The proposed design and finished materials of the porch would be considered to be in keeping with the existing building and would not have any significant detrimental impact on the character of the streetscene.

The single storey extension and dormer would be to the rear of the building and as such would be unseen in the public realm. However, they would be built with materials and a design that would be considered to be in keeping with the existing building.

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 -

- The proposed porch would project 1237mm forward of the front elevation and it would be in more or less the same position as the existing porch. There would still be room to park at least two vehicles on the existing drive on site.
- As a porch would be considered to be non-habitable the separation distance between it and properties opposite would be considered sufficient.
- At the rear of the garage the single storey extension to the kitchen would have a door facing the boundary with no.25 Warwick Avenue and there would be a small porch for access. As the existing boundary fence would remain it is considered that there would be no significant detrimental impact on residential amenity at no.25 next door.
- There would be around 16m from the dormer to the rear boundary and directly to the rear of the site is the M60 motorway.
- It is noted that the applicant could erect a dormer on the rear of the dwelling as permitted development.
- There would be a small en-suite window in the side cheek of the dormer. As this would be obscurely glazed it would not have any significant detrimental effect on privacy levels at the neighbour next door. A condition would be added to the decision to ensure this remains in situ at all times.

The proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the drive at the front of the site.

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 drawing numbered 23WA/1/D 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.
- 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 en-suite bathroom window to the side cheek of the dormer 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>
AU - 07/08/2024		DM - 15/08/2024	