

DELEGATED REPORT

Report by Helen

Date of report: 16/11/2020

Ref:65665/FUL

Goldsbrough

Registration: 14/09/2020

LDfC: 06/10/2020

Expiry Date: 09/11/2020

Site Visit: 24/09/2020

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: Demolition of existing garage and replacement with two storey side extension. Erection of new detached garage. Erection of boundary fencing.

Location: 1 Grundy Avenue, Prestwich, Manchester, M25 9TG

Description

The application relates to an end terraced dwelling house located on Grundy Avenue. The premises has gardens to the front, side and rear. The dwelling has an existing detached single storey garage to the side.

Planning permission is sought for removal of the existing garage and for construction of a two storey side extension that projects approximately 4295mm. It is proposed to construct a new detached garage to the front of the plot, that reaches a height of approximately 2100 mm and would measure approximately 3200mm in width and 5000mm in length. A new boundary fence that reaches a height of approximately 1800mm is also proposed along the side, and part of the front boundary.

Relevant Planning History

None

Publicity

Neighbour letters sent 15/09/2020. Following the receipt of amended plans showing a proposed fence further letters sent 13/10/2020. No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - confirmed no damage had been caused to the highway by the construction of the fencing. Conditions requested in relation to storage of construction materials and the implementation of parking and turning facilities. The information in relation to storage of materials has been added as an informative.

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 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 notes that boundary enclosures should respect the character of the street scene. In addition to this UDP Policies EN1/2 and H2/3 seek to prevent unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. SPD 6 and UDP Policy H2/3 also 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 immediate street scene is depicted by enclosed frontages with areas of hardstanding for off street parking limited and parking largely provided on street. Boundaries to the fronts of properties and adjacent to the highway are depicted by a mixture of hedges, and fences which appear to be within the limits of permitted development. The proposal site is located on a corner plot and as such has boundaries with the highway to the front and side. The site would retain the existing hedging to the front boundary, which is the most prominent within the street scene however the application seeks permission to retain a 1.8 metre

fence that replaces a hedge that was removed prior to permission being sought. In this instance, given the mixture of boundary treatments within the vicinity of the site and the retention of the soft landscaping to the front of the site this stretch of fencing along the side boundary is considered to be acceptable.

In relation to extensions, and additions to properties 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.

On corner plots SPD 6 requires a minimum distance of 2 metres between the side of extensions, and the rear of the highway. The proposed two storey side extension would retain a distance of approximately 10.5 metres and as such exceeds guidance. Whilst the existing dwelling has a hipped roof, the remainder of the row and neighbouring properties predominantly have gable roofs. In this instance the proposed gable roof for the extension is considered to be acceptable and it is considered that it would replicate the shape and style of the neighbouring properties. The proposed windows are considered to be suitably aligned when viewed in relation to the existing property and the use of matching materials is acceptable in this instance.

SPD6 states that outbuildings will not normally be allowed to the front of domestic properties or on the side of corner plots unless there is sufficient screening. The proposed site is visible, from a number of vantage points Grundy Avenue and Carr Avenue however the boundary treatments to the front and side of the dwelling add significant screening. As such, whilst there would be views of the proposed garage from the adjacent streets these would be limited to glimpses of a pitched roof and therefore it is considered that the proposal would not have a detrimental impact on the character of the street scene.

Residential Amenity

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

- No proposed rear ground floor windows. Existing ground floor windows retained.
- Proposed first floor rear windows would relate to non-habitable rooms (hallway and bathroom) as such aspect standards not applied. Existing bedroom window retained.
- Proposed side living/kitchen window would be screened from the directly facing properties by the fencing.
- No proposed first floor side windows.
- Proposed front ground floor windows would relate to non-habitable rooms (toilet, hallway) and as such aspect standards not applied. Existing front habitable room window retained.
- Proposed first floor front bedroom window would be separated from the directly facing property by a highway, and would project no further forward than the existing front bedroom windows. As such this window is considered to be acceptable.
- Proposed side fencing would be located a minimum of approximately 13 metres from the front of the directly properties exceeding the 6.5 metres required by SPD 6. In addition this fencing would be separated from these properties by a highway.
- Proposed front section of fencing would be located approximately 15.8 metres from the front of no. 58 exceeding the 6.5 metres required by SPD 6. In addition this fencing would be separated from this facing property by a highway.
- Proposed rear elevation of the garage would be located approximately 16 metres from the front of the directly properties exceeding the 6.5 metres required by SPD 6. In addition this garage would be separated from these properties by a highway and screened by fencing.
- Proposed side elevation of the garage would be located approximately 17 metres from the front of no. 58 exceeding the 6.5 metres required by SPD 6. In addition this elevation would be separated from this facing property by a highway and fencing.

The proposed side extension would lead to building that runs parallel with the majority of

the side boundary of No. 60 Carr Avenue. It should be noted that there is already a single storey building in the location of the proposed two storey extension however the proposal would add additional height to this built form. Whilst there is no specific guidance within SPD 6 in relation to this type of relationship the intention of this guidance is to ensure that any proposals would not have an overbearing impact on the main aspects or residential amenity space of the neighbouring properties.

It would appear that the nearest ground floor window and door of No. 60 to the shared boundary would relate to a non-habitable room (kitchen/hall) with the nearest habitable room window located adjacent to the boundary with No. 62. As such the ground floor habitable room windows would be sited at an angle, and at a distance from the proposed extension. Similarly any first floor habitable room windows would be have an oblique relationship with the extension. In addition to the above the proposed side extension would be located to the east of the windows and garden of No. 60. The garden and windows would retain their north west aspect, and given the extensions relationship to the sun would be largely unaffected by the location of the extension. In this instance therefore it is considered that the location of the proposed side extension would not have such a detrimental impact on the habitable room windows or garden of No. 60 and the proposal would comply with the intentions of SPD 6 and UDP Policy H2/3.

Highways

Policy H2/3 and SPD 6 seek to maintain highway safety and ensure that visibility for pedestrians, cyclists and drivers of motor vehicles are considered in relation to house extensions and alterations.

The Traffic Section have been consulted on the submitted plans and have raised no objections to the proposal subject to conditions in relation to storage of materials, and implementation of car parking. As such it is considered that the proposed fencing adjacent to the junction is considered to be acceptable in terms of visibility.

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 KTK-PL20-08-001, KTK-PL20-08-002, KTK-PL20-08-003, KTK-PL20-08-004, KTK-PL20-08-005 and KTK-PL20-08-006 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 car parking and turning facilities indicated on the approved plans shall be provided before the development is brought into use and the areas used for the

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manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason. To ensure adequate off-street car parking provision and to minimise the standing and turning movements of vehicles on the highway in the interests of road safety in accordance 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	16/11/2020	DM	18/11/2020