

DELEGATED REPORT

Report by Jane Langan	Date of report: 28/07/2022	Ref: 68381/FUL
Registration: 18/05/2022	LDFC: 20/06/2022	Expiry Date: 13/07/2022
Site Visit: 13/06/2022	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Part single/two storey side extension; First floor extension at side; Two storey extension at rear with juliette balcony; Single storey rear extension; Single storey front extension; Front porch

Location: 18 Richmond Close, Whitefield, Manchester, M45 7PW

Description

The property is a two storey detached house. It has garden and a drive at the front and an attached garage at the side. To the rear is a fenced garden with planting along the boundaries. The properties that border at the rear are 2 & 4 Standmoor Road and a small section to 84 Park Lane. There is limited view of them due to the site planting. The property to the side of the development is No.17 Richmond Close. It sits at a lower level and with its drive and a garage alongside that to the site. The side elevation has a door and a number of windows and to the rear it has been extended two storey.

The application includes extending single storey at the front 1.6m deep and for 6.5m across of which 3.2m would extend beyond the existing side elevation. It would then become two storey along the side, the first floor front set back by 1.55m. It would extend along the side and beyond the exiting rear elevation by 3.4m for 3.9m across. At this point the extension would reduce to single storey across the remainder of the rear elevation. The extension would form a porch, study, utility and kitchen/dining room with an extended bedroom and a bathroom at first floor.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and one response has been received from a nearby neighbour. Their concerns in summary are :-

- Loss of light/overshadowing. Large extension to the side up to the boundary and the site is higher. Material loss of light to side windows.
- Overbearing/loss of privacy. Side extension could be overbearing and built to the boundary with No.18 higher.
- Side extension would not be in keeping with the design or appearance of any of the other houses on Richmond Close.
- Scaffolding/Access. Would expect all works relating to any consented scheme to be all self-contained within 18 Richmond Close.
- Monarflex Sheeting. Medical concerns relating to large amounts of construction dust. Request a condition attached to any scheme that "MonarFlex" sheeting is erected along the boundary wall to keep construction dust and dirt as self-contained as possible.

Statutory/Non-Statutory Consultations

None.

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 front extension would not project excessively and with a dual pitched roof to the entrance and hipped roof to the side. The first floor

would have a pitched roof running from the existing ridge and forming a side gable wall. The set back to the front of 1.55m would mean terracing would not be an issue. The two storey where projecting at the rear would have a dual pitched roof forming a rear gable with a juliette balcony to the first floor. The single storey rear would be flat roofed with roof lights. Materials would be render and timber cladding to the front elevation and a section of render to the east side elevation. The remainder of the side and rear extension would be in brick to match. The use of render with timber cladding is not an uncommon finish for domestic properties and would not appear out of place in the area.

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 4 to 5 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 has a drive with two parking spaces and which would be retained following the proposed extension. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient.

Residential amenity - The proposed two storey extension would be to the side to No.17. This property is at a lower level but not to a significant level at less than a storey. It has a drive alongside leading to a detached garage. The side elevation of the house has a door and a small window at ground floor and two obscure windows at first floor. The proposal would be single storey to around the level of the front elevation to No.17 and with the first floor set back 1.5m it would then run along the side to No.17. Whilst there would be impact on the side windows to No.17 the principle windows to the rear would not see any significant impact. No.17 is angled away with a wide gap between its side elevation and the site and the proposal would not encroach a 45 degree line from the closest principle window at the rear. In terms of the outside space to No.17 then the rear gardens are located to the south therefore the proposal would not cause any significant overshadowing. There would be one small window to the ground floor side of the proposal however this would be to a wc.

To the opposite side No.19 sits at an angle and set back to the north west of the site. The proposed single storey would project 3.4m from the rear of the site. As existing the rear elevation of No.19 faces towards the two storey side of the site. The proposed extension projecting 3.4m would be less than the 4m permitted development allows for single storey extensions to a detached property.

To the rear there would be a juliette balcony window which would face down the site garden and there would be a distance well in excess of 7m to the rear boundary.

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.

Response to objection - The issues regarding design, loss of light and overshadowing are addressed in the above report in relation to the relevant affected properties.

The proposed extension would comply with SPD6 aspect standards with regard to separation distances from principle windows therefore the development is not considered to be overbearing.

The issue regarding the erection of scaffolding is a matter between the applicant and any relevant neighbours.

Planning cannot control or monitor the method of construction.

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 001.2, 002, 003 Rev 1 dated 18/07/22, 201 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	28/07/22		