

DELEGATED REPORT

Report by Amanda

Date of report: 15/08/2022

Ref:68271/FUL

Uhunmwagho

Registration: 10/05/2022

LDFC: 07/06/2022

Expiry Date: 05/07/2022

Site Visit: 24/06/2022

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: DEL

Stat Class: HOUS

Proposal: Single storey extension at front; Part single/Part two storey extension at side/rear

Location: 75 Cuckoo Lane, Whitefield, Manchester, M45 6WD

Description

The application relates to a two storey semi-detached house on Cuckoo Lane, Whitefield. There is a small front garden with parking to the front/side of the main dwelling. To the rear of the property there is a garage attached to an existing single storey extension. Directly to the rear of the property is a private garden with fencing and planting to all boundaries.

The proposal is to build a part single/two storey extension to the side and a single storey front extension. The side extension would have an overall length of 16.73m and at the rear the existing garage building would be converted in to a sun room. It would project 2.81m to the side and the plans show that all of the extension would be built within the site boundaries.

The first floor section would be set back from the main front elevation by 1.5m and the roof would be pitched. The roof over the single storey section to the rear would be flat with two rooflights.

The single storey front extension would project 1.2m forward of the main front elevation and it would measure 5.51m wide. The roof would be pitched.

Relevant Planning History

N/A

Publicity

Neighbours notified on 16/05/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

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

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.

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.

The 1.5m set back at first floor level from the original front elevation means the proposal is considered acceptable in terms of 'terracing' and the effect on the streetscene.

The extensions would be built with materials and a design that would be considered to be in keeping with the existing building and therefore acceptable in this location.

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 -

- At the front the remaining drive length would be 5.4m as noted on the revised site plans received on 06/07/2022 and measured on site. This would be acceptable in terms of SPD 6.
- To the rear there would be over 8m from the rear of the single storey extension to the rear boundary meaning that both the single and two storey extensions would be a sufficient distance from the rear boundary in terms of SPD 6.
- As there would be no changes to the rear of the property adjacent to the attached neighbour and the proposed sun room windows would be over 7 from the shared boundary there would be no significant detrimental impact on residential amenity at this property.
- The agent has provided certificate A and the plans show that all of the development would be built within the site boundary.
- There would be no windows in the side elevation adjacent to the shared boundary with no.73 Cuckoo Lane next door.
- The single storey front extension would be a sufficient distance from the shared boundary with the attached neighbour so it would not have any significant detrimental effect on the ground floor habitable room window to the front of that property.

Taking the above in to account 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 residential amenity.

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 has an area at the front for parking one vehicle and this would remain following the side extension being built. The area is high access in terms of public transport and there are no parking restrictions to the highway in front. In this instance then the parking arrangements are considered sufficient.

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 (2-)A100 Revision B, (2-)A101 Revision A, (2-)A102 Revision A, (2-)A201 Revision A, (2-)A301 Revision A and (2-)A302

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Revision A received on 03/08/2022 as modified by the email from Mr A Chiguma dated 03/08/2022. The development shall not be carried out except in accordance with the details 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 15/08/2022			