

DELEGATED REPORT

Report by Mo Warsame	Date of report: 30/05/2023	Ref: 69621/FUL
Registration: 02/05/2023	LDFC: 02/06/2023	Expiry Date: 27/06/2023
Site Visit: 26/05/2023	Site Notice: N/A	Press Date: N/A
08:00:00		
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension with render to rear elevations and new patio area

Location: 103 Higher Lane, Whitefield, Manchester, M45 7EY

Description

The application relates to a detached dwelling house located on Higher Lane. The dwelling has an area of parking to the front, and private residential amenity space located to the rear. There is a golf course to the rear of the site.

Planning permission is sought for a single storey rear extension with render to rear elevations and new patio area. The single storey rear extension would project approximately 2950mm to the rear from one side and 4000mm from the other. The extension would facilitate a larger open plan kitchen/diner, a new utility room and additional bedroom together with internal alterations. The development would have a pitched roof and utilise the use of some matching materials. The proposal also seeks to create a new patio area.

Relevant Planning History

None.

Publicity

Neighbour letters sent on 11/05/2023. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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

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 proposed extension is of a simple and unobtrusive design. The extension is located entirely to the rear of the property and there would be no properties to beyond this point. However, there would be a golf course to the rear. The proposed extension would be constructed from render which would make it clear that the extension is a later addition to the property, and the proposed windows would be suitably aligned.

The proposed patio area to the rear of the property would be located within the garden and would be relatively small. It is therefore considered that the extended patio area is in keeping with the character of the area.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore comply with UDP guidance H2/3 and SPD 6.

Residential Amenity

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

- The proposed rear extension would be approximately 15 metres from the directly facing rear boundary, while the proposed patio area would be more than 10 metres, both of which would exceed the 7 metres required by SPD 6.
- There are no properties directly to the rear of the site.
- In terms of overlooking and privacy, there would be no proposed side windows facing the adjacent neighbours on either side.
- In terms of the general prominence and impact on daylight the proposed extension would slightly set off from the shared side boundaries and therefore, any overshadowing would not be seriously excessive above and beyond the existing situation.
- There would remain an acceptable amount of outdoor private amenity space.
- The applicant has submitted Certificate A.

Parking

The proposal will result in one additional bedroom, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

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 100, 101, 102, 201, 202 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>
MW	30/05/2023	DM 01/06/23	