

DELEGATED REPORT

Report by Amanda

Date of report: 25/01/2023

Ref:69188/FUL

Uhunmwagho

Registration: 19/12/2022

LDfC: 01/02/2023

Expiry Date: 13/02/2023

Site Visit: 20/01/2023

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 side extension

Location: 2 Hazel Road, Whitefield, Manchester, M45 8EU

Description

The application relates to a two storey semi-detached house situated on the corner, close to the junction of Hazel Road with Oak Lane. The plot of land is triangular, with a long front garden and smaller, but wider rear garden. There is a detached garage to the rear with access from Hazel Road.

Along the front, and part of the side boundary there is a low brick wall with high hedge and further towards the rear side of the of the property there is a 1.8m high fence. There are fences to all other boundaries.

The proposal is to build a single storey side extension projecting 2.99m to the side and measuring 7.52m long. There would be windows to all elevations and a door to the rear. The roof would be mono-pitched

Relevant Planning History

N/A

Publicity

Neighbours notified on 11/01/2023 - 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. SPD 6 also states that where an extension would be adjacent to a highway it should, (in most circumstances), be set back from the boundary with the highway by at least 2m with regards to visual amenity as well as visibility in terms of highway safety.

The proposed extension would be 3m set back from the side boundary, at its closest point, and the building would be set well away from the junction with Oak Lane. As such it would not have any significant detrimental impact on highway visibility.

The extension would be built more forward, towards Hazel Road compared to other properties along Hazel Road to the rear. However, as the front of the extension would be around 11m from the shared boundary with no.4 Hazel Road its more forward position would not appear significantly intrusive in the existing streetscape,

The extension would be single storey only and 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 extension would be around 6.4m from the rear boundary. As there would be no habitable room windows on the rear elevation this distance would be sufficient in terms of SPD 6.
- At the front the playroom window would be around 7m to the boundary. The playroom would not be considered to be habitable and as such this distance would be acceptable in terms of SPD 6.
- The extension would be at least 3m from the side boundary with Hazel Road. As such there would be no concerns about encroachment on the adjacent highway.
- Properties to the south of Hazel Road would be more than a sufficient distance not to be significantly detrimentally affected in terms of residential amenity.
- The development would not have any impact on existing parking arrangements within the site.

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 rear driveway and garage.

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 P.100.01, P.100.02, P.100.10 and P.100.12 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

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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 - 25/01/2023			