

DELEGATED REPORT

Report by Jane Langan	Date of report: 26/10/2022	Ref: 68774/FUL
Registration: 11/08/2022	LDFC: 28/09/2022	Expiry Date: 06/10/2022
Site Visit: 22/09/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side extension; Single storey rear extension

Location: 24 Marston Close, Whitefield, Manchester, M45 8JS

Description

The property is a semi detached house located at the top of a cul de sac. It has a paved garden and drive at the front and a fenced garden to the side and rear. Beyond the rear boundary is a strip of land which is adopted highway and then the rear garden to 7 Rothay Close. The adjoining neighbour is No.26 and is extended at the rear with a conservatory. To the opposite side is 24 Bosworth Close which has a blank side gable wall.

The application includes a two storey side extension coming out 4m and running from the front to rear elevations. To the rear a single storey would come out 1.8m deep for 6.7m across the extended and part of the existing elevation. The extensions would form an extended kitchen, utility room and bedroom/office at ground floor with two additional bedrooms at first floor.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

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 two storey would have a pitched roof extending from the main ridge and forming a side gable wall. There would be a gap to the boundary of approximately 1.2m and the site location at the top of a cul de sac means terracing would not be an issue. The front elevation would see windows to the ground and first floor aligned with those as existing. To the rear the single storey would have a monopitch roof with doors and a window to the rear elevation. Materials would be brick and roof tiles to match the existing.

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 3 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 space for parking to the front of the side garden. The front of the property is surfaced however the access appears to be shared with No.22 so a further space may not be possible. There is on street parking in the area and public transport available. In this instance it is not considered that there are grounds for refusal with regard to the parking arrangements.

Residential amenity - The two storey would be to the side to 24 Bosworth Close which has a blank side gable wall and a gap to the side boundary. The proposed extension would be

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blank wall with the two storey section extending to be around level with the rear elevation of this neighbouring property and the proposed single storey would project only 1.8m deep.

The adjoining No.26 is extended at the rear deeper than the proposed single storey would project.

There would be a distance of approximately 4m from the first floor rear elevation to the boundary. Beyond this is a fenced area of land identified as adopted highway. There would be a distance of approximately 7.8m from the proposed extension to the rear garden to 7 Rothay Close. This would be sufficient to comply with SPD6 Aspect Standards and is the same as the existing separation distance from the site.

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.

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 ZT22-196-00, ZT22-196-01, ZT22-196-02, ZT22-196-03, ZT22-196-04 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	26/10/22		