

DELEGATED REPORT

Report by Mo Warsame	Date of report: 18/04/2023	Ref: 69307/FUL
Registration: 23/02/2023	LDfC: 17/03/2023	Expiry Date: 20/04/2023
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extensions at side and rear with decking at rear and glass balustrades; erection of gate at side and external alterations including new window to first floor rear elevation and increase in size of first floor window to side elevation

Location: 15 Sandgate Road, Whitefield, Manchester, M45 6WG

Description

The application relates to a semi-detached dwelling house located on Sandgate Road. The dwelling currently benefits from a large drive to the front leading to a garage on the side. To the rear of the premises is a long garden, that is sited at a lower level than the ground floor of the premises and is accessed via steps. The boundary is depicted by wooden panel fencing.

Planning permission is sought for single storey extensions at side/rear projecting 3.65 metres along the side. The erection of 1.3-metre-high decking at rear and 1.1-metre-high glass balustrades; together with the erection of the 1.8-metre-high timber gate at side and external alterations including new window to first floor rear elevation and increase in size of first floor window to side elevation. The proposal would accommodate a utility room, a new WC and an open-plan kitchen/diner and snug area. The proposed development utilises the use of matching material and would have a pitched roof with rooflights.

Relevant Planning History

None.

Publicity

Letters sent on 24/02/2023. 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

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

The proposed single storey side/rear extension would be of a simple and unobtrusive design and would not detract from the character of the dwelling. The new proposed window on the side of the existing property would be considered suitably in scale and the proposed decking platform would also be modest in scale.

The proposed development would match existing materials and not overwhelm the dwelling or result in over development of the associated residential amenity space. 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 Policy H2/3 and SPD 6.

Residential Amenity

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

- The proposed single storey side/rear extension would not project out beyond the principal rear elevations of the adjacent properties. Therefore, the proposed extension would not encroach the privacy of the adjacent neighbouring properties.
- The proposed side/rear extension would have no windows facing towards the adjacent neighbouring properties. The only proposed side window would be from the enlarged window on the first-floor side elevation. However, this window would be considered acceptable as it would be from a non-habitable room.
- The proposed decking platform would be 0.3 metres higher than the existing decking structure. Furthermore, the 1.8 metres high timber fencing along the shared boundary would shade the decking platform with the glazed balustrade.
- There would be sufficient distance to rear boundary and properties to the front would be over 30 metres away.

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 the drawings received on 24/02/2023 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.
- 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.

DELEGATED REPORT

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	18/04/2023	DM	19/04/23