

DELEGATED REPORT

Report by Dean Clapworthy	Date of report: 06/12/2023	Ref: 70117/FUL
Registration: 13/10/2023	LDFC: 06/11/2023	Expiry Date: 08/12/2023
Site Visit: 30/10/2023	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/rear extension; Single storey front extension

Location: 39 Thatch Leach Lane, Whitefield, Manchester, M45 6EN

Description

The proposal relates to a routine suburban semi-detached 3 bedroom dwelling positioned on a corner plot to the immediate west of the junction between Thatch Leach Lane and Dalton Avenue (the principal elevation addresses Thatch Leach Lane). The property immediately to the rear, which fronts Dalton Avenue, presents a two storey blank gable immediately abutting the rear boundary of the subject property. The rear boundary is formed by an (approximately) 2.5m high timber fence and trellis, whilst the boundary to Dalton Avenue is formed with an ornamental concrete block wall and hedgerow. There is a gap of around 6m from the side elevation of the attached garage to the boundary to Dalton Street. The host property is finished in red brick and render with a natural slate roof and white uPVC windows/doors and has been previously extended at the rear with a single storey lean to (to extend the kitchen) and a conservatory off the two storey outrigger.

The proposal, which has been amended, is for a two storey side/rear extension, single storey rear extension and single storey front extension (to form a porch), following demolition of the existing single storey attached garage.

The two storey extension would add approximately 8m to the width of the two storey element, which is presently 6.4m wide (presently 11m wide as a single storey with the existing garage). A two metre gap to the side boundary with Dalton Avenue would remain. At the rear the two storey element would project level with the existing two storey outrigger and a further 3.6m as a flat roofed single storey extension. The two storey extension would be formed with a ridged roof, which in section would have a shallower rear roof pitch to extend over the rear of the two storey extension, incorporating the existing outrigger.

Amendments related to a reduction in the two storey rear extension and the roof form and reduction in additional proposed bedrooms from 4 to 3.

At the front would be a 3.65m wide x 1.8m deep porch.

The proposed materials would match the existing external materials.

The proposal would extend the dwelling, such that it would have 6 bedrooms, an integral garage and extended ground floor accommodation. Three off-street parking spaces (including the garage) would be retained in the scheme.

Relevant Planning History

66267 - Construction of 1no. detached dwelling; New dropped kerb - Withdrawn by applicant 29/01/2021

Publicity

Neighbours notified 16/10/2023. No representations received.

Statutory/Non-Statutory Consultations

None undertaken.

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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.

ASSESSMENT

Visual amenity

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that complements the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

It is acknowledged that the side extension would more than double the width of the existing two storey frontage. However, the size of the plot, with the generous spacing on the east side of the existing dwelling allows for a generous extension. Furthermore, the dwelling at 41 Thatch Leach Lane (on the opposing side of the junction framing the entrance into Dalton Avenue) has recently extended sideways with a two storey extension that retains a 2m gap between the extension and the side boundary. The principal elevation of the extension would replicate the architectural features of the existing dwelling (e.g. bay windows and gablet projections and hip to the main roof. The proposed materials would assimilate. The shallower rear roof pitch is unlikely to be perceptible from ground level in the street scene due to the hipped roof design.

The rear extension would not be a prominent feature given the high surrounding boundary treatments and regardless, it would have a contemporary character and appearance.

The proposed porch would be of an appropriate scale and form in the context of the extended dwelling.

The proposed extensions would not therefore have any adverse impacts upon visual amenity or the street scene and consequently be compliant with the above policy and SPD.

Residential amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties. SPD 6 provides specific advice in relation to rear extensions.

- There is an existing high fence northern boundary with the nearest neighbour at 1 Dalton Avenue, which presents a blank two storey side elevation wall to the boundary with the site.
- The two storey rear extension would project no further than the existing two storey outrigger
- Whilst the intervening distance between the north elevation of the single storey rear extension and the opposing blank gable would be 5.5m (i.e. less than 7m), the proposal would not affect neighbouring amenity.

Given the above circumstances, the proposal would not have unacceptable additional impacts upon neighbouring amenity and would comply with the requirements of the above UDP Policy and SPD 6.

Access and parking

The proposal would result in a six bedroom dwelling (from three). The proposal would retain three off-street parking spaces within the curtilage and garage.

Conclusion

The proposed extension would not have any unacceptable impacts upon visual or residential amenity and would retain an adequate level of parking. As such, the proposal would comply with the above policies of the Local Plan and the NPPF. Therefore, in

accordance with Section 38(6) of the Planning and Compulsory Purchase Act, the proposal therefore merits approval.

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
Location and Block Plan (Dwg No. 001)
Existing and Proposed Site Plan (Dwg No. 004 Rev.1)
Proposed Plans and Elevations (Dwg No. 003) dated 23/11/2023
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 extension 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 4 The garage shall be used solely for vehicle parking purposes incidental to the occupation and enjoyment of the dwelling, and shall not be used for nor in connection with any commercial trade or business purposes and shall not be converted into habitable accommodation, including domestic workshop, study, games room and similar uses.
Reason. To maintain three off-street parking spaces in the interests of road safety, pursuant to Policy EN1/2 of the Bury Unitary Development Plan.

<u>Case Officer</u> DSC	<u>Date</u> 06/12/2023	<u>Sign off Officer</u>	<u>Date</u>
----------------------------	---------------------------	-------------------------	-------------