

DELEGATED REPORT

Report by Mo Warsame	Date of report: 25/01/2024	Ref: 70115/FUL
Registration: 05/12/2023	LDFC: 29/12/2023	Expiry Date: 30/01/2024
Site Visit: 15/12/2023	Site Notice: N/A	Press Date: N/A
10:00:00		
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey extension at side/rear

Location: 4 Kenmore Road, Whitefield, Manchester, M45 8ER

Description

The property is a semi-detached dwelling. It has a drive to the front and there is an attached garage to side and a garden to the rear. The adjoining neighbour is No.2 Kenmore Road and No.6 Kenmore Road is located on the opposite side. The rear boundary of the site borders the rear gardens of 18 Hazel Road.

The application proposes a two-storey wrap-around side and rear extension projecting 2.9 metres to the side and approximately 3 metres to the rear. On the ground floor, the extension would be tucked in behind the existing garage while on the first floor, the development would run from the principal front elevation above the existing garage which itself would be converted to habitable room. This would involve the replacement of existing garage door with new proposed windows.

The development would have hipped pitched roof and accommodate a bedroom with ensuite bathroom, along with a utility room and a new kitchen on the ground floor level. On the first floor, the extension would facilitate two additional bedrooms, one with ensuite bathroom. The proposal would utilise the use of matching materials.

Relevant Planning History

None.

Publicity

Neighbour letters sent. 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, 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.

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 ground floor element of the extension would not be visible from the street scene as it would be tucked in behind the existing garage. However, the first-floor element of the extension would be visible from the public arena.

The proposed two-storey side and rear extension would be a simple and unobtrusive design and given its minor projections to the side and rear, it would not detract from the character

of the dwelling or over dominate it. The extension would have a hipped pitched roof, effectively replicating the style of the host property. Furthermore, the development would be constructed with materials to match the existing dwelling. As such, the proposed two-storey wrap-around extension would not be a prominent feature in the street scene and would therefore be acceptable.

The proposal would also include the replacement of existing garage door with new window to the front as the space would be converted to habitable room. There would also be a two additional side windows to the side. However, these windows would be conditioned to be obscure glazed.

Overall, 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

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- There would be no detrimental impact on the adjacent neighbouring properties in terms of overlooking and privacy, as there would be no proposed side windows except for those on the first floor. However, both windows would be conditioned to be obscure glazed.
- There would be over 20 metres to the properties in the front.
- There would be approximately 13 metres from the rear elevation of the extension to the rear boundary which meets the 7 metres set out in SPD 6.
- The proposed extension would project out from the existing building line approximately 3m. Therefore, the 45-degree rule would not apply. Additionally, there would be a sufficient setback from both adjacent neighbours.
- There would remain an acceptable amount of outdoor private amenity space.
- The applicant has submitted Certificate A.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways

The proposal will result in three additional bedrooms but there will be no changes to the parking layout. Therefore, the driveway at its current condition would meet 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 dwg no.19-100 P2, dwg no.19-101 P2 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.
- 4 Before the first occupation of the extension hereby permitted the proposed side windows on the first floor shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with 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>
MW	25/01/2024	DM	25/01/24