

DELEGATED REPORT

Report by Tom Beirne	Date of report: 29/10/2020	Ref: 65904/FUL
Registration: 09/09/2020	LDFC: 30/09/2020	Expiry Date: 04/11/2020
Site Visit: 24/09/2020	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Remove existing detached garage and erection of single storey rear extension with terrace at rear.

Location: 5 Glenbeck Road, Whitefield, Manchester, M45 7WN

Description

The application relates to a two storey semi-detached house on a residential cul-de-sac. The original property was served by a garage to the rear but this is now defunct with the residents now relying on on-street parking. The rear garden is part paved and part decking.

The immediate neighbour at No.7 shares the driveway with No.5 and has a garage/parking at the rear. The attached neighbour at No.3 has not been extended and has patio lounge doors adjacent to the shared side boundary. It is noted that No.1 Glenbeck has a single storey extension of similar proportions at the rear.

The proposal is to demolish the existing garage, erect a single storey extension at the rear with decking. The extension would have a contemporary design with a flat roof and a rendered finish. The footprint would measuring 6m by 3.4m and the overall height would be 3.4m. The timber decking area would extend over approximately 50% of the rear garden to a height of about 200mm.

Relevant Planning History

None relevant.

Publicity

Immediate neighbours notified by letter dated 10/09/2020. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

Pre-start Conditions - N/A

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
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 - The single storey flat roof rear extension would extend out 3.5m and run across the width of the house (6m). It would allow for a larger lounge and have a rendered finish with a maximum height of 3.4m. The garage would be demolished to facilitate a decking area which would be permitted development under the current planning regulations.

In terms of visual amenity the extension would not be out of keeping with the existing house and would not be viewed from the public space. As such the extension is acceptable and complies with UDP Policy H2/3 and associated guidance in SPD6.

Residential amenity - In extending out 4m along the shared side boundary with the attached neighbour at No.3, with a flat roof, the extension would not have a seriously detrimental impact on the amenity of this neighbour. It is also noted that the neighbours on either side have not objected to the proposal. There are no windows directly overlooking neighbours.

The decking area would be permitted development and would not significantly raise levels in the rear garden and therefore would not impact on residential amenity.

In terms of residential amenity, the proposal complies with UDP Policy H2/3 and associated SPD6.

Access and Parking - The current access into the rear yard area is awkward and not particularly safe or practical. The initial proposal indicated a widened access from the road to facilitate a parking space in the front garden. This arrangement was not supported by the traffic team and as such the proposal has been amended to omit this element and rely on the existing on-street parking arrangement. In practical terms the proposal is acceptable and complies with UDP Policy H2/3 and associated guidance in SPDs 6 and 11

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 numbered 1.01, 1.02, 1.03A, 1.04, 2.01B and 2.02 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u> TB 27/10/20	<u>Date</u>	<u>Sign off Officer</u> DM	<u>Date</u> 29/10/2020
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