

DELEGATED REPORT

Report by Amanda

Date of report: 05/06/2025

Ref:71857/FUL

Uhunmwagho

Registration: 14/04/2025

LDfC: 16/05/2025

Expiry Date: 09/06/2025

Site Visit: 03/06/2025

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: Detached garden room at rear

Location: 33 Stanley Road, Whitefield, Manchester, M45 8GT

Description

The application relates to a two storey semi-detached house which recently received planning permission for a two storey side extension. That build is currently well underway, along with renovation of the whole property. The front of the site is currently being used for the storage of building materials but once the build is complete there would be a garden area to the front and a driveway for one vehicle.

At the rear of the house is a private garden with fences to all boundaries. The garden is currently very overgrown. Land to the west and north of the site is owned by Bury Council and is covered with trees and other planting.

The proposal is to build a detached garden room along the rear boundary of the site. The plans show that the building would measure 11m long x 3.8m wide and there would be a covered area to the front measuring around 0.86m wide x 8.11m long. The building would have a brick finish and the covered area to the front would be timber cladded.

Relevant Planning History

71387 - Two storey side extension - Approve with Conditions 20/01/2025

Publicity

5 neighbours notified on 25/04/2025 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/2 The Layout of New Residential Development

SPD6 Supplementary Planning Document 6: Alterations & Extensions

PFE Places for Everyone

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PFE Policies 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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

Visual Amenity -

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

As the building would be to the rear of the property it would not be readily visible in the public realm and as there are no residential properties directly to the rear or west side of the site there would be limited views of the structure from neighbouring rear gardens.

It would also be built with materials and a design that would be considered to be in keeping

with the existing building.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- There are no residential properties directly to the rear or west side of the site.
- The building would be built well away from the shared boundary with no.35 Stanley Road to the east and there would be no windows facing this neighbour.
- The drawings show that all of the development would be built within the site boundaries.
- There would be sufficient amenity space remaining once the building is built.

The proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking for one vehicle at the front of the site.

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 drawing numbered PL02 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity, and Places for Everyone Joint Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall buff or brick walls to match those of the existing building, timber cladding to the walls, dark grey/black ply membrane/GRP to the roof with dark grey/black aluminium flashings to the parapet copings and dark grey/black aluminium /upvc to the doors and windows.
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

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Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 05/06/2025			