

DELEGATED REPORT

Report by Jane Langan	Date of report: 16/09/2022	Ref: 68652/FUL
Registration: 08/07/2022	LDFC: 06/09/2022	Expiry Date: 02/09/2022
Site Visit: 24/08/2022	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: Single storey extensions at side and rear; Dormer extension at rear; Front porch and Widening of dropped kerb

Location: 34 Philips Park Road West, Whitefield, Manchester, M45 7GJ

Description

The property is a detached bungalow. It sits raised from the footpath with garden and a drive to the front. Along the side is a gated gap that leads to a fenced rear garden and there is a detached garage. The adjacent neighbouring properties are No.36 to the west side which is extended single storey at the rear. To the opposite side No.32 has a blank gable wall to the site path side. To the rear it has a main window closest and then a smaller window and then is extended single storey.

The application includes a single storey extension to the front entrance 0.9m deep and 2.8m across. To the side a single storey extension would come out 2.2m and run for 13.8m of which 6m would extend past the rear elevation for 6m across. This extension would form an office, kitchen/utility, dining room and tv room and the front roof slope would have a section of solar panels. To the west side of the rear elevation a single storey extension 2m deep and 5.4m across would extend a bedroom and bathroom. To the rear roof slope a flat roofed dormer would be added and create 4 additional bedrooms and one ensuite. and the front roof slope would have roof lights. The front drive to be widened to create additional parking.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and one response has been received from a nearby neighbour. Their comments in summary are :-

- Loss of privacy due to rear dormer. If windows are frosted or similar that would be fine

Statutory/Non-Statutory Consultations

Traffic Section - No comments received.

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. 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 and design - The proposed porch would replace the existing and be shallower at 0.9m and have a pitched roof. To the side the extension would be set back 0.9m from the front elevation and have a pitched roof extending from the main ridge forming a side gable wall. The front would have a section of solar panels. Roof lights would be added to the existing front slope. To the rear both single storey extensions would have a dual pitched roofs one with roof lights. Existing and proposed walls would be rendered. Located to the rear the flat roofed dormer would have limited view from the main street. The walls would be tile hung.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would increase the number of bedrooms from 3 to 5 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces.

The site as existing has a drive to the front and along the side. The side extension would be built on the side drive and the scheme proposes to create two further spaces at the front in permeable materials to allow 3 spaces in total. It notes the drop kerb to be extended by 5.2m. This would only be possible with the consent from highways, no response has been received to the consultation to this application. They normally consider a 4.5m crossing to be the maximum and should this be the case the site may only allow for two spaces. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient. An informative is added regarding the extended drop kerb.

Residential amenity - The proposed side extension would run alongside, and past the rear elevation, to the adjacent No.32. The gardens to the properties are located north facing and No.32 sits slightly back from the site with a main window closest to the boundary. The proposed extension would encroach the 45 degree line taken from the mid point of the window to No.32 but would not taking the 25 degree line. The proposed roof would be pitched away and part of the extension would be in the area that the detached garage was positioned. As such there would be no significant loss of light or overshadowing to this neighbouring property.

There would be one window to the side elevation of the proposal to this side which would be high level at 1.7m to cill.

To the opposite side No.36 is extended at the rear and the proposed single storey to this side would be blank wall and would not project 3m from its rear.

There would be a distance of approximately 12m from the rear dormer to the boundary. This would be sufficient to comply with SPD6 Aspect Standards which requires a 7m minimum in order to maintain adequate privacy distances.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Response to neighbour comments - As noted in the above report the rear dormer complies with SPD6 Aspect Standards set out in order to provide privacy distances. Having habitable room windows it would not be appropriate to request obscure glazing and as the proposal complies with SPD6 neither could this be insisted on. A further material consideration is that permitted development allows rear dormers.

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:

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- 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 LP01, BP01, BP02, SP01, SP02, E01, E02, L01, L02, L03 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	16/09/22		