

DELEGATED REPORT

Report by Mo Warsame	Date of report: 20/08/2024	Ref: 70891/FUL
Registration: 27/06/2024	LDFC: 24/07/2024	Expiry Date: 22/08/2024
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side/rear extension; Single storey rear extension; Front porch

Location: 21 Thatch Leach Lane, Whitefield, Manchester, M45 6EN

Description

The application relates to a two storey, semi-detached dwelling located on Thatch Leach Lane. The dwelling is located on a corner lot on the junction of Thatch Leach Lane and Dalton Avenue. The premises has a driveway to the front accessed from Thatch Leach Lane, and a separate driveway to the side accessed from Dalton Avenue that leads to a detached single garage. The premises has an existing single storey extension to the rear, and private amenity space to the front and side.

Planning permission is sought for the construction of a two-storey side/rear extension and a single storey rear extension along with a single storey front porch.

The single storey rear extension would project 2400mm to the rear. The two-storey side/rear element would be flush with the front elevation, project approximately 3420mm to the side and extend 2000mm beyond the proposed single storey rear extension. The front porch extension would extend 1500mm to the front. The development would have pitched roofs and would be constructed using matching materials.

Relevant Planning History

66153 - Two storey side extension with single storey rear infill extension - Approve with Conditions 16/12/2020

69925 - Two storey side and rear extensions; Single storey rear extension and Front porch - Approve with Conditions 01/11/2023

70738 - Non-material amendment following grant of planning permission 69925: "Two storey side & rear extensions, single storey rear extension and front porch" - Extend the rear/side outrigger by 1.5m - Refuse/Refused 04/06/2024

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

SPD11 Parking Standards in Bury

H2/3 Extensions and Alterations

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.

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.

SPD 6 seeks to retain a minimum gap of 2 metres between the side elevation of a two-storey side extension, and the back edge of the highway. This gap has been provided and confirmed via dimensions on the proposed site plan and as such the proposal is considered to comply with SPD 6 in this respect. Furthermore, none of the properties on this street have a setback on the first floor. Therefore, the proposed development would not lead to unnecessary terracing effect.

The proposed two storey side extension would have a pitched, hipped roof to the front and side replicating the shape and style of the original and neighbouring properties. The proposed gable roof to the rear would replicate the shape and style of the two storey outriggers that are visible along the rear of the road. The proposed lean to style roof for the single storey element would tie in with the existing single storey rear extension. The proposed windows would be suitably aligned, and the use of matching materials is acceptable. The proposed front porch would be modest structure and would be positioned in centre of the property and as such would complement the character of the dwelling and the street scene. The proposed extensions would not overwhelm the dwelling or result in over development of the associated residential amenity space.

In this instance 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

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- Side windows facing towards No. 19 would be from non-habitable rooms, separated by a highway and screened by existing boundary treatments. As such these windows would be considered acceptable.
- Proposed rear ground floor windows would be screened by existing boundary treatments.
- Proposed first floor rear bedroom window would be located approximately 14 metres from the directly facing rear boundary exceeding the 7 metres required by SPD 6.
- Proposed first floor front bedroom window would be separated from 2a Balmoral Avenue by a highway and would not project any further forward than the existing window arrangement. Proposed front ground floor window would relate to a non-habitable room and as such aspects not applied.
- There would be no windows facing towards No. 23 Thatch Leach Lane
- Proposed single storey rear extension would not project 3m beyond the rear of the existing dwelling and as such would have no further impact on the dwelling at No. 23.
- Proposed two storey side extension would not project more than 3 metre beyond the rear of No. 19 and is separated from this property by a highway.
- Proposed single storey rear extension would not project more than 3 metres beyond the rear of No. 19 and is separated from this property by a highway.
- Parking is available within the site for approximately 3 vehicles (2 to the front, 1 using the side drive). The proposal would remove any parking from the site and the provision for 3 parking spaces within the site complies with parking standards as set out within SPD 11.

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.

Parking

The proposal will result in two additional bedrooms, however there will be no changes to the current parking arrangement. The current parking condition meets 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 the drawings received on 01/07/2024 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	20/08/2024	DM -	20/08/2024