

DELEGATED REPORT

Report by Amanda Uhunmwagho	Date of report: 30/12/2024	Ref: 71335/FUL
Registration: 26/11/2024	LDfC: 30/12/2024	Expiry Date: 21/01/2025
Site Visit: 17/12/2024	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Erection of a garage and new wall to connect the existing boundary wall

Location: 9 Woodhill Drive, Prestwich, Manchester, M25 0BF

Description

Planning permission was recently granted at this site on 01/10/2024. The current proposal is more or less identical to the one approved. The only difference is the height of the garage roof. The previously approved garage would have measured 2620mm at the highest point, whereas the current proposal would measure 3131mm at the ridge. All other aspects of the proposal would remain as previously approved.

The application relates to a two storey property with a rear extension. Along the front boundary is a red brick wall with planting and there is a pedestrian gate to the south side of the site and vehicular gates to the north side. There is currently a large driveway area to the north side of the dwelling. To the rear of the site is a good sized garden.

The proposal is to build a garage to the side of the dwelling. It would measure 2600mm wide at the front and 2900mm at the rear. Along the side it would measure 7528mm along the side boundary and it would project 4400mm from the original rear elevation. The roof would be mono-pitched and the walls would be rendered to match the main dwelling.

Relevant Planning History

47179 - Two storey rear extension- Approve with Conditions 04/12/2006

71003 - Erection of a garage, new wall to connect the existing boundary wall - Approve with Conditions 01/10/2024

Publicity

9 neighbours were notified on 04/12/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
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.

The front of the garage would be set back by 1200mm from the front elevation of the dwelling and it would be finished with a design and materials 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 would be around 7600mm from the front boundary and it would be over 20,000mm from houses to the front.
- At the rear there would be around 8000mm to the rear boundary.
- There would be no windows in the side elevation along the shared boundary.
- The plans show that all of the development would be within the site curtilage and certificate A has been submitted with the application.

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 to the front garden which could accommodate up to two vehicles and there would also be parking available in the new garage. This would be considered to be acceptable.

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 WD-R00-EX-102, WD-R00-EX-103, WD-R00-EX-104 Rev, WD-R00-EX-105 Rev, WD-R00-EX-106 Rev, WD-R00-PR-100, WD-R00-PR-101, WD-R00-PR-102, WD-R00-PR-103, WD-R00-PR-104, WD-R00-PR-105, WD-R00-PR-106 and WD-R00-PR107 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 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>
AU -	30/12/2024	DM -	02/01/2025