

DELEGATED REPORT

Report by Jane Langan	Date of report: 06/10/2022	Ref: 68627/FUL
Registration: 03/08/2022	LDFC: 29/08/2022	Expiry Date: 28/09/2022
Site Visit: 17/08/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey extension at front; First floor extension at front/side and alterations to front elevation; Widening of existing driveway

Location: 1 Park Hill Drive, Whitefield, Manchester, M45 7PD

Description

The property is a detached house located on a corner plot. It has been previously extended two storey at the side. It has garden and a drive to the front and a garden to the rear with a low brick wall along the side boundary. The neighbouring property to the side is No.3, a two storey detached house. To the rear the site garden borders the rear garden to 8 Park Lane, a detached house at a lower level.

The application includes a two storey extension at the front infilling the area of the existing entrance to form a larger entrance with landing area above. To the north east corner of the front elevation a first floor would be constructed above the single storey to provide a wardrobe area off the master bedroom. The front elevation and part of the side would be rendered white. The vehicular access would be relocated at the front with a new drop kerb to provide two parking spaces.

Relevant Planning History

28122 - Two storey extension at the side - AC 01/06/93.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions and an informative.

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 property is located on a corner plot and SPD6 normally requires a 2m gap to be left from the side of an extension to the boundary. In this case the site has been previously extended and there is less than a 2m gap to the side. The previous approval pre dated SPD6. The consideration then is whether the addition of the first floor at the side would be harmful to the street scene. The first floor would be above the existing single storey which has a set in from the main elevation side elevation of approximately 0.6m and it would also be set back approximately 0.5m from the existing front gable. The first floor would have a dual pitched roof and form a front gable design in keeping with the existing one to the opposite side. The proposed two storey at the front would also be set back from the two front gables. The front would see the addition of white render to the existing house, which is a mix of brick and render, and would result in a modern and updated property. In conclusion, it is not considered that the proposal would be intrusive or out of character in the street and the proposed extensions would be in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The proposal would see the drive widened providing 2 spaces to improve the parking as existing. The area has on street parking and

there is also public transport available. In this instance then the parking arrangements are considered sufficient. The new drive would be porous/permeable or water drained naturally to a lawn or border.

Residential amenity - The proposed extensions located set back in the centre of the property and to the outer corner would not be in close enough proximity to any neighbouring properties for them to have any significant impact.

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

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 002.1, 003, 004, 202 Revision 5, 204.1 Revision 5 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 access and car parking arrangements indicated on the approved plans, incorporating the reinstatement of the redundant footway crossing to adjacent footway levels, provision of a new, double footway crossing, retention/provision of the low boundary wall to the extents shown and 6.0m long driveway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway, shall be provided to the satisfaction of the Local Planning Authority prior to the new driveways and extensions hereby approved being brought into use and thereafter maintained available for use at all times.
Reason. To secure the satisfactory development of the site in terms of highway safety, to allow adequate space to maintain a vehicle clear of the highway and maintain the integrity of the adopted highway pursuant to UDP Policy H2/3 Extensions and Alterations.
- 4 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

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<u>Case Officer</u> JL	<u>Date</u> 06/10/22	<u>Sign off Officer</u>	<u>Date</u>
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