

DELEGATED REPORT**Report by** Amanda**Date of report:** 24/08/2022**Ref:**68637/FUL

Uhunmwagho

Registration: 04/07/2022**LDfC:** 26/08/2022**Expiry Date:** 29/08/2022**Site Visit:** 19/08/2022**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 rear extension**Location:** 10 Ross Avenue, Whitefield, Manchester, M45 7FH**Description**

The application relates to a two storey semi-detached property with a single storey rear extension. There are gardens to the front and rear of the main dwelling with a detached garage to the rear. An extension to the rear elevation has previously been removed.

The proposal is to build a two storey rear extension adjacent to an existing single storey extension. It would measure a total of 4.7m x 4.46m and it would be stepped in at the side to avoid the detached garage which is to remain in situ. At ground floor level the extension would provide a new dining room, utility room and wc, whilst at first floor level there would be a fourth bedroom and an en-suite bathroom.

Relevant Planning History

68349 - Prior approval for proposed single storey rear extension - Prior Approval Not Required - Extension 26/05/2022

Publicity

Neighbours notified on 04/08/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
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) 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.

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 extension would be built to the rear of the existing dwelling it would not be readily visible in the streetscape to the front. As well as this the design of the proposal is 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.

Residential Amenity -

- There would be over 18m from the rear elevation of the proposed extension to the rear boundary, which would be acceptable in terms of SPD 6.
- To the south there would be at least 2.5m from the side elevation to the shared boundary with no.8 Ross Avenue next door. As such there would be no concerns regard

encroachment and as the site is due north of no.8 there would not be any seriously detrimental impact on light to the side/rear of that property.

- There would be two new windows installed to the south side elevation. One to a ground floor wc and one to a first floor en-suite bathroom above. Given the usage of these rooms the windows would be obscurely glazed but a condition would also be added to the decision advising that they must remain as such at all times.
- No.8 has a single storey extension on the rear elevation and a detached garage adjacent to the applicant's garage. As such the extension would be built well away from any habitable room windows on the rear elevation of that property.
- The only window on the side elevation of no.8 is obscurely glazed.
- The north two storey side elevation would be around 3.4m from the shared boundary with no.12 to the north side. There is a single storey rear extension to the rear of no.12. With this in mind and the fact that the extension would be just over 3m from the shared boundary there would be no significant detrimental effect on residential amenity at this property due to the position of the two storey rear extension.

Taking the above in to account 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 would increase the number of bedrooms from 3 to 4 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 an area at the front for parking a vehicle and this would remain following the extension being built. It is also noted that currently there is not enough room to drive a vehicle along the side of the dwelling to the detached garage at the rear and the applicant currently parks one vehicle on the drive at the front. This would remain the same. The area is high access in terms of public transport and there are no parking restrictions to the highway in front.. In this instance then the parking arrangements are considered sufficient.

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 22-091-001 rev A 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.

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- 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.
- 4 Before the first occupation of the extension hereby permitted the new windows on the south side elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with 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 - 24/08/2022			