

DELEGATED REPORT

Report by Amanda

Date of report: 06/10/2020

Ref:65838/FUL

Uhunmwagho

Registration: 02/09/2020

LDFC: 30/09/2020

Expiry Date: 28/10/2020

Site Visit: 29/09/2020

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Demolition of single storey rear extension; Erection of part single storey/part two storey extension at side and rear; Conversion of the garage to living accommodation; Render to front and side elevations; Addition of pitched roof to existing flat roof extension

Location: 26 Mansion Avenue, Whitefield, Manchester, M45 7SS

Description

The property is a previously extended two storey, detached house situated at the head of small-cul-de-sac. There are gardens to the front and rear of the site with parking to the front of site for two vehicles, plus the integral garage. There is a large garden to the rear with planting and trees throughout.

There is a slight gradient in the road on Mansion Avenue sloping down from west to east, meaning that no.21 has a slightly higher ground level to that on site and no.24 is slightly lower.

The proposal is to demolish the existing single storey rear extension and build a part single/part two storey extension to the side and rear as well as adding a hipped roof to the existing flat roof two storey side extension. The garage would be converted in to living accommodation and the front and side elevations of the extension would be rendered.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 08/09/2020 - 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 -

The proposed extensions would be built with materials and a design that would compliment the existing property and the hipped roof over the existing two storey side extension would improve the appearance of the property in the street scene. The design of the proposal is considered to be in keeping with the existing building.

The proposed render would be to the front, side and rear elevations of the proposed extension only. The existing part of the dwelling would retain the brick finish. Although there are no other properties on Mansion Avenue which are rendered this is something that could be carried out to the existing property without planning permission. The render finish would give the property a more modern feel whilst retaining the character of the building. It would not have any seriously detrimental effect on the existing street scene.

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 -

- No residential properties directly to the rear of site. The area to the rear is part of Springwater Park.
- At the front the property has view down Mansion Avenue and not directly towards any other dwelling.
- As the extensions would be to the east side of the property there would be no detrimental impact on residential amenity at no.21 to the west.
- No.24 to the east has no habitable room windows on the side elevation adjacent to the shared boundary. There is a conservatory on the side/rear approximately 5m from the site boundary. The only new windows in the side elevation of the extension would be to a kitchen/dining area. These would be secondary windows with the main principle windows being to the rear elevation. The windows to the side would not look directly on to the property at no.24 given how the properties angle away from one another. With this in mind there would be no seriously detrimental impact on residential amenity at no.24 Mansion Avenue.
- As there are no habitable room windows to the side of no.24 and the application property is built angled away from this neighbour the proposed increase in height to part of the side elevation to two storey would not have a detrimental impact on this property. The additional two storey element to the side would not have any more of an impact on this property than the existing two storey side extension does already.
- Although there would be a loss of one parking space when the garage would be converted there would still be two parking spaces remaining on the drive way in front. As the property only has three bedrooms two spaces would be acceptable in terms of SPD 6.
- The single storey rear extension would have glazing to the rear and west elevations and there would be approximately 9m from the side windows to the shared boundary with no.21. This distance would be sufficient so that there would not be any concerns regard overlooking, especially as the rear extension would be single storey only.

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.

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 01, 01A, 01B, 02, 03, 04, 05, 06, 07, 08, 09,10,11 and 12 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.

- 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 - 06/10/2020.		DM - 19/10/2020	