

DELEGATED REPORT

Report by Amanda

Date of report: 30/10/2024

Ref:71170/FUL

Uhunmwagho

Registration: 07/10/2024

LDfC: 30/10/2024

Expiry Date: 02/12/2024

Site Visit: 14/10/2024

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: Two storey side and rear extension and loft conversion

Location: 32 Lancaster Avenue, Whitefield, Manchester, M45 6DE

Description

The application relates to a two storey semi-detached house located at the bottom of Lancaster Avenue, which is not a through road and there are open fields to the east side of the site. There is a detached garage to the side and a small single storey rear extension. The site is quite a large plot of land with gardens to three sides. At the front there is a red brick boundary wall and a driveway for one vehicle.

The proposal is to build a two storey side/rear extension as well as a loft conversion. The extension would project 3000mm to the side of the house and it would measure 8500mm along the east side elevation. Across the rear it would measure 7250mm wide and it would project 2810mm from the original rear elevation. At the rear the extension would be stepped in from the shared boundary with the attached property by 800mm. The roof would be pitched and at the front the extension would be set back from the main front elevation by around 862mm. It would be finished with materials to match the existing building.

Relevant Planning History

N/A

Publicity

5 neighbours notified on 08/10/2024 - 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 property is located at the end of a dead-end road. As the side extension would be stepped back from the main front elevation it would only be fully visible in the streetscape when directly in front of the building, but it would be openly visible from the playing fields to the side of the site. The extension would be built with materials that would be considered to be in keeping with the existing building. As such there would be no significant detrimental effect on the character of the existing streetscene.

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 -

- Properties to the front and rear of the site would be an acceptable distance from the proposed extension.
- There are no properties to the east side of the site.
- The drive length to the front of the property would measure 5500mm which would be acceptable in terms of SPD 6.
- There would be just over 12,000mm from the rear elevation of the two storey extension to the rear boundary and 8000mm to the east side boundary. This would be acceptable in terms of SPD 6.
- At the rear the extension would be around 800mm away from the shared boundary with no.30 Lancaster Avenue, attached to the west. As such there would be no concerns regards encroachment on to the neighbour's land.
- There would be no windows on the side elevation facing no.30.
- No.30, next door has a single storey extension adjacent to the shared boundary and the proposed extension would project to a similar point. It is considered that there would be no significant detrimental impact on the single storey extension next door.
- There is a first floor bedroom window to rear of no.30. The 45° line, as measured from the centre of this window would just about cut across the corner of the proposed extension. However, as there is a single storey extension at no.30 the projection of the extension, and its distance from the shared boundary mean that it would be built within the parameters as set out in SPD 6 and it would not be a reason to refuse the proposal
- There would be two new windows installed to the existing rear elevation directly adjacent to the shared boundary with no.30. The ground floor window would be to a dining room and as there is an existing boundary fence and a single storey rear extension at no.30 this window would not cause any harm in terms of privacy at no.30. At first floor level there would be a new study window installed adjacent to the shared boundary. A study would be considered to be a non-habitable room and the proposed window would be in a similar position to an existing bedroom window at the property. As such it is considered that this window would not cause any significant detrimental harm in terms of residential amenity at no.30 next door.
- The site is due east of no.30 next door, and so any development could have a negative impact on the path of the sun during the earlier part of the day. However as the extension would project to a similar point to the single storey extension at no.30 and the pitched roof would slope up away from the shared boundary it is considered that any detrimental impact on the path of sunlight would not be significant enough to warrant refusal.
- The proposed loft conversion would create a new storage space and there would be three rooflights installed. The rooflights would not cause any significant harm in terms of residential amenity at neighbouring properties and land.

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 where there is parking to the driveway at the front of the site.

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 1282-02-01-01, 1282-02-02-01, 1282-02-03-01, 1282-02-03-02, 1282-02-04-01 and 1282-02-04-02 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 - 30/10/2024		DM 07/11/24	