

DELEGATED REPORT

Report by Jane Langan	Date of report: 28/01/2022	Ref: 67847/FUL
Registration: 30/11/2021	LDFC: 04/01/2022	Expiry Date: 25/01/2022
Site Visit: 10/01/2022	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/side, first floor side extension, single storey front extension, single storey rear extension and alterations to existing windows/doors

Location: 17 Kibworth Close, Whitefield, Manchester, M45 7LS

Description

The property is a two storey detached house located at the top of a cul de sac. It has a garden and drive to the front and a flat roofed porch and garage at the side. To the rear is a fenced garden and this backs on to a road, Ringley Road. The neighbouring property to one side is No.19, a two storey detached property which sits deeper than the site at the rear. Its side elevation has a first floor obscure glazed window. To the opposite side No.15 is a detached house with a drive adjacent the site garden. It has been extended first floor at the side and single storey at the rear.

The application includes a two storey extension at the side coming out 7m from the existing rear elevation and running along for 12m of which 2.3m would project beyond the existing front elevation for 5.2m across and then be set back by 0.8m for 2.1m across. The ground floor to the front of the existing lounge would be extended out 1.5m for 6.4m across. To the rear a single storey would project 4.3m deep and 6.7m across. The extensions would form a garage and extended ground floor living space and additional and extended bedrooms at first floor and change to the internal layout. Existing window openings to the first floor front elevation would be altered.

Relevant Planning History

None.

Publicity

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

Statutory/Non-Statutory Consultations

None.

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 proposed two storey would have a pitched roof forming a side gable wall with a front gable feature with the ground and first floor front elevation having a 0.3m set in. The set in would also be a feature to the single storey front elevation which would have a monopitch roof. The central section of the two storey front would also be a monopitch roof. Materials are noted to be brick and tile. The proposed extensions would see a significant change in the appearance and size of the property. It would however result in a modern and updated property and is considered to be of a good design. Extensions would see it come forward of the front elevations as existing however there would be the front garden and drive setting the building back by 5.4m - 5.9m from the footpath. The cul de sac comprises of detached properties and a number have been extended and it is not considered that the proposal would appear out of place or intrusive. To the rear the single storey would have a dual pitched roof with a large glazed window to the rear and doors to the garden side. A standard condition is added for matching materials for the development.

The proposal is considered acceptable and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would increase the number of bedrooms from 4 to 5 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 a drive to the front and following the extensions a drive length of 5.4m would remain with the section in front of the garage doors 5.7m. It would be 5.2m wide and accommodate 2 vehicles. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient. The agent has confirmed the existing drive paving is to be retained therefore a standard condition is added for any replacement.

Residential amenity - The proposed two storey would be to the side to No.19. This property is deeper at the rear therefore the proposed two storey would not run up to its rear elevation. The proposal would be deeper at the front than the front elevation of No.19 however the gap remaining between the two would be such that the proposal would not encroach a 45 degree line from the mid point of the closest windows. The side elevation of No.19 has one obscure window. The proposal would have windows to a wc and utility at ground floor to the side which would look on to the blank wall to No.19 and at first floor the window would be to an ensuite.

To the opposite side to No. 15 the site is as existing set forward at the front two storey. The additional 1.5m deep single storey front would run alongside the drive to this property. To the rear No.15 is extended single storey and the proposed single storey would not then project more than 3m from the rear of No.19.

There are no properties directly to the rear.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

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 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 21.2741.1, 21.2741.2, 21.2741.3E, 21.2741.4B, 21.2741.5A 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.

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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.

<u>Case Officer</u> JL	<u>Date</u> 28/01/22	<u>Sign off Officer</u>	<u>Date</u>
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