

DELEGATED REPORT

Report by Jane Langan	Date of report: 20/09/2022	Ref: 68681/FUL
Registration: 18/07/2022	LDfC: 09/09/2022	Expiry Date: 12/09/2022
Site Visit:	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: Single storey / two storey extension at rear; front porch and oriel window to first floor

Location: 16 Stanway Road, Whitefield, Manchester, M45 8EG

Description

The property is a semi detached house which sits at a raised level from the footpath with a garden to the front and drive along the side. To the rear it has a bay window to the party wall side then extends out single storey. The rear garden is fenced and there is an outbuilding along the rear boundary. Beyond this the site borders the rear gardens to 15 & 17 Ridge Crescent. The adjoining semi is No.14 and has a similar arrangement at the rear with a bay to the boundary side then a single storey. To the opposite side No.18 is at a lower level and is extended single storey at the side and to the rear.

The application is a resubmission of 68137 for a two/single storey extension at the rear, front porch and oriel window to the front. The previous plans had noted the depth of the two storey rear extension to be 3.7m and which should have been 4.3m. The front porch would be the same 1.5m deep and 1.9m across and the oriel window to the first front elevation would be the same extending the front bedroom.

Relevant Planning History

02690/E - Part two storey / part single storey rear extension; Front porch with oriel window above - Enquiry completed 18/02/2022
68137 - Single storey / two storey extension at rear; front porch and oriel window to first floor - AC 26/04/2022.

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 front porch would not project excessively at 1.5m and would have a monopitch roof. The walls would be in timber frame and glazing. The oriel window would replace the existing window to the first floor front elevation projecting 0.7m as a bay. To the rear the two storey would have a hipped roof and the single storey section to the side would be flat roofed. Materials for the extension would be render and roof tiles to match the existing house.

The proposal is considered acceptable and 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 SPD11 Parking Standards need not be considered. The proposal would not affect the existing parking arrangements to the drive at the side.

Residential amenity - In relation to the adjoining No.14 the proposal would be single

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storey and blank wall where adjacent the boundary and project 4.3m deep. With the adjoining property having a bay the projection of the proposal would be approximately 3.3m which is only 0.3m above that SPD6 deems acceptable. A material consideration is also the larger homes scheme which can allow a single storey up to 6m deep where there are no neighbour objections. No comments have been received on this application. Where two storey the extension would be set in from the boundary with No.14 and would not encroach the 45 degree line taken 1m out along the shared boundary from the bay to No.14.

No.18 to the opposite side is at a lower level and extended single storey at the side and rear. The proposed extension would be two storey and blank wall to this side and would not encroach a 45 degree line from the closest window to the first floor rear elevation.

The condition as attached to 68137 for the obscure glazing of the ground floor wc is not considered necessary. It would be a non habitable room in the existing side elevation and replaces a larger existing kitchen window.

There would be a distance in excess of 7m from the first floor rear window to the boundary which would comply with aspect standards if the window were to a habitable room however it is to a bathroom.

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 2107-L10-01 Revision D 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	20/09/22		