

DELEGATED REPORT

Report by Jane Langan	Date of report: 22/02/2023	Ref: 69221/FUL
Registration: 06/01/2023	LDFC: 09/02/2023	Expiry Date: 03/03/2023
Site Visit: 30/01/2023	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 side extension; Single storey front extension; Single storey rear extension

Location: 34 Wingate Drive, Whitefield, Manchester, M45 7QY

Description

The property is a bay fronted semi detached house. It has garden and a drive to the front and a wide gap to the side where an outbuilding looks to have once been. To the rear is a patio from the back of the house and a lawn at a slightly lower level. No.36 is the adjoining semi and is a mirror image of the site at the rear. To the opposite side No.32 has been extended two/single storey at the side. To the rear is 61 Radcliffe New Road, a two storey detached house which is around a storey lower.

The application includes extending two storey at the side coming out 2.9m and running along the side to come level with the level of the existing rear elevation to this side. To the front a single storey would come out 0.9m deeper for 5.6m across to form a porch and a playroom as part of the main extension which would include a utility at ground floor and an additional bedroom with ensuite at first floor. To the existing and extended rear elevation a single storey would come out 3m for the full width extending the kitchen and dining area.

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 side extension would be built to within 0.8m of the side boundary. With the first floor front set back 0.7m terracing would not be an issue. The roof would be pitched forming a side gable wall. The front where deeper would have a monopitch roof. To the rear the single storey would be a monopitch with rooflights. Materials would be brickwork and roof tiles to match the existing.

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 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 a drive to the front which would be 5m in length following the front porch extension. As this is a minimum a condition is added. The site has a front garden and there may be potential for a further space if the applicant should require it. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient.

Residential amenity - The proposed two storey would run alongside the side elevation to No.32. This property is extended two storey at the side as blank wall and the single storey part to the rear has a window in the side and door to the rear. The proposed rear elevation to the site would be around level to that to No.32 and as such there would be no significant impact to the windows to its main aspects. The proposal would have only a utility room door to the side at ground floor. The single storey at the rear would project 3m deep from the existing and extended rear elevation. It would not encroach a 45 degree line from the principle window to the rear of No.32 and the side would be blank wall. In relation to the adjoining No.36 the proposed side of the single storey would be blank wall and project 3m deep. SPD6 deems this depth as acceptable and is generally permitted development.

There would be a distance in excess of 7m, at approximately 12.8m, from the proposed first floor window at the rear to the boundary and it would also be to a non habitable room. 61 Radcliffe New Road at the rear is around a storey lower and there would be approximately 26m separating which would be sufficient to comply with SPD6 aspect standards, including taking account of the levels, in order that the proposal would not be overbearing.

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 Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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_1000, 1001 Revision 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 Unitary Development Plan listed.
- 3 A minimum hardstanding of 5m measured between the highway boundary and the front porch shall be provided to the satisfaction of the Local Planning Authority and thereafter maintained.
Reason. To allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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<u>Case Officer</u> JL	<u>Date</u> 22/02/23	<u>Sign off Officer</u> DM	<u>Date</u> 23/02/23
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