

DELEGATED REPORT

Report by Amanda

Date of report: 26/09/2024

Ref:71029/FUL

Uhunmwagho

Registration: 12/08/2024

LDfC: 04/09/2024

Expiry Date: 07/10/2024

Site Visit: 13/09/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey rear/side extension including raising of the ridge; Extension of driveway & vehicular access; fence to side; new boundary wall to front boundary.

Location: 15 Eight Acre, Whitefield, Manchester, M45 7LW

Description

Planning permission was previously granted at this property for a similar development in June 2024. The applicant has now put a different scheme forward for consideration.

The application relates to a detached bungalow which is part rendered and part brick finish. There are gardens to the front and rear. There is an existing driveway to the front/side of the dwelling leading to a detached garage. The adjacent properties are both bungalows as are properties opposite the front of the site.

The proposal is to extend the property to the side and rear, as well as increasing the ridge height and a alteration to the roof style. The applicant also proposes to extend the drive way, build a 1m high wall with pillars to the front and add a new 1m fence to the side boundaries. Part of the driveway would be extended across the front and part of the lawn area would remain.

The extension to the house would project 4m to the rear and it would measure 10.66m across the rear. The side elevation would measure 13.21m long and 4m wide. The extension would provide a second bedroom at the property as well as extended kitchen and living areas. The roof would be pitched to the rear with two mono-pitched roofs to the front. All the elevations would be rendered white and there would be two areas of black quartz face mosaic stone cladding to the front elevation.

Relevant Planning History

70702 - Single storey rear/side extension including raising of the ridge; Extension of vehicular access; front porch - Approve with Conditions 19/06/2024.

Publicity

10 neighbours notified on 14/08/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection. Condition and Informative suggested.

Pre-start Conditions - N/A

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 proposal would result in a much more modern property compared to the existing dwelling, with the white render, roof style and mosaic cladding to the front elevation. As the street has a mixture of bungalows and two storey properties, some of which have been extended and some are rendered and/or cladded. As such the extended dwelling would be considered to be acceptable in this location.

Regards boundary treatments, some properties have planting along the front boundaries or hedges and some have low walls/railings. The proposed rendered wall along the front boundary would be 1m high, as would the fence to the side. As such they could be built as permitted development.

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 -

- There would be around 10m from the rear elevation to the rear site boundary at the shortest point. This would be acceptable in terms of SPD 6 and it is considered that there would not be any significant detrimental impact on residential amenity at properties and gardens to the rear.
- Houses to the front, on the opposite side of the road would be an acceptable distance from the front of the extended property.
- The front elevation of the house would remain 6.5m away from the front boundary.
- All windows to both side elevations would be obscurely glazed in order to retain privacy levels between users of the application dwelling and the adjacent neighbours.
- The drawings show the extensions would be within the site boundaries with a path remaining to either side of the house. As such there would be no concerns regards encroachment.
- The remaining driveway to the front would be widened in order to accommodate two vehicles and the materials used for its construction would be permeable.
- The wall along the front boundary and fence to the side would be no more than 1m high. This would ensure that visibility is retained for car users moving on and off the adjacent driveway.
- As the dwelling is positioned forward of no.17 to the north east it is adjacent to the driveway at this property, and no.13 to the south west is positioned slightly forward of the application property with a path adjacent to the boundary. There is a bedroom window to the side of no.13 but as this is to the side elevation it does not carry as much weight in terms of Planning as windows on the principal elevations to the front and rear would. It is also noted the next door neighbour has not objected to the proposal. As such the increase in ridge height would not be considered to be significantly detrimental in terms of residential amenity at these two properties.

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 increase the number of bedrooms from 1 to 2 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 2 parking spaces. Parking would be as existing to the front drive which would be unaffected by the development and there is space for two vehicles. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient.

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 002 and 003 received on 05/08/2024, drawing numbered 203 received on 14/08/2024 and drawings numbered 204 Rev 3 and 004 Rev 2 received on 26/09/2024 as modified by the email from Durban Design Studio dated 26/09/2024. The development shall not be carried out except in accordance with the details 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 be render with accent black quartz split face mosaic stone to the walls.
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.
- 4 Before the first occupation of the extension hereby permitted the windows to both side elevations shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 5 The revised access and parking arrangements indicated on approved plan reference DDS2049. 204.2, incorporating the provision of the front boundary wall in the position shown to prevent any vehicle encroachment on/crossing of the adjacent footway, demarcation of the limits of the adopted highway, driveway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway and all associated highway remedial works that may be required as a direct result of proposed development, shall be implemented prior to the development hereby approved being brought into use.
Reason - To ensure good highway design, the intervisibility of the users of the site and the adjacent highways, in the interests of road safety, and to maintain the integrity of the adopted highway. pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 6 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.

Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU -	26/09/2024	DM	30/09/24