

DELEGATED REPORT

Report by Jane Langan	Date of report: 03/10/2022	Ref: 68694/FUL
Registration: 22/07/2022	LDfC: 10/09/2022	Expiry Date: 16/09/2022
Site Visit: 31/08/2022	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: First floor extension at side; Two/single storey extension at rear

Location: 32 The Fairways, Whitefield, Manchester, M45 7BN

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. To the east side the property has a single storey section that includes a garage. To the rear the house is extended with a conservatory and there is a fenced garden with planting to the boundaries. The neighbouring property to the west side, on the cul de sac, is No.34 a detached house set forward of the site property. To the opposite side the site garden borders the rear gardens to properties on Maple Avenue and to the rear to properties on Birch Avenue.

The application includes a first floor extension to the east side to form a bedroom with ensuite and a study. To the rear a two storey extension would come out 4.1m deep to the east section of the existing rear elevation and run for 6.6m across where it would then reduce to single storey for the remaining 2.4m at the rear. It would form extended bedrooms and a bathroom at first floor. The ground floor would form a gym and then part would be an open covered area supported by a pillar.

Relevant Planning History

56883 - First floor extension at side and single storey extension at rear - AC 10/12/2013

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 first floor side extension would have a hipped roof running from the main ridge. To the rear the two storey would also be a hipped roof with a monopitch to the single storey section. Materials are noted as grey tile and red brick. The plans indicate the addition of timber cladding at first floor matching the existing. A standard matching materials condition is added.

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 there would still be 4. A first floor family room could potentially see 5. 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 at the front that can accommodate this level of parking.

Residential amenity - To No.34 located to the west side the proposal has been revised to reduce part to the boundary to single storey in order that it would comply with the 45/25 degree rule of SPD6 from the mid point of the closest ground floor window to No.34. The proposed side elevation would be blank wall.

To the east side there would be a distance in excess of 13m from the side of the proposed first floor to the rear elevation of 36 Maple Ave. The proposal would have a bedroom window to the first floor side, a secondary one as there would be one to front elevation. As it would be less than 7m to the site boundary it has been noted on the plan to be obscure glazed. A condition is added for this to be retained.

To the rear the site plan has been updated to dimension the distance from the two storey rear extension to the boundary. At 7m it would be sufficient to comply with SPD6 Aspect Standards.

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, 02B, 03, 04B, Revised block plan 05 received 28/09/22 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 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.
- 4 Before the first occupation of the extension hereby permitted the bedroom window to the first floor east side elevation shall, as noted on plan 04B, 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.

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<u>Case Officer</u> JL	<u>Date</u> 03/10/22	<u>Sign off Officer</u>	<u>Date</u>
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