

DELEGATED REPORT

Report by Amanda

Date of report: 15/05/2024

Ref:70677/FUL

Uhunmwagho

Registration: 23/04/2024

LDfC: 15/05/2024

Expiry Date: 18/06/2024

Site Visit: 01/05/2024

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: Two storey/single storey rear extension; Two storey front extension

Location: 25 Bury New Road, Whitefield, Manchester, M45 7FL

Description

The property is a two storey semi-detached house with a small front garden area with a short brick wall along the front boundary. There is currently one parking space on the front of the site. At the rear there is a good sized garden with fences to all boundaries.

Planning permission was previously granted at this property for a single storey front extension and a single/two storey to the rear in 2020. The current proposal is to build a two storey front extension and a larger single/two storey rear extension.

At the front the extension would effectively square off the front of the building measuring 2.84m x 3.09m. The roof would be built to match the existing roof. There would also be a small porch to the front of the extension measuring 750mm x 1.8m. This would be fully glazed with a flat roof.

At the rear the ground floor extension would project 6m from the original rear elevation and it would measure 6.89m wide. It would have a flat roof and would provide larger dining and kitchen areas. The two storey rear extension would provide an extension to an existing bedroom and it would project 3m x 3.92m wide. The roof would be pitched.

Relevant Planning History

65071 - Two/single storey extension at rear; Single storey extension at front - Approve with Conditions 03/04/2020

Publicity

8 neighbours notified on 24/04/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

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 -

Normally where a two storey extension would be built adjacent to a shared boundary with another property a first floor set back of at least 1.5m would be required in order to prevent terracing with the neighbouring property. At this site there is a path to the side of the property measuring around 900mm which would remain for access to the rear of the site once the extension is built. There is also a path measuring a similar width at no.27 next door. Given that this area is highly unlikely to be developed in the future it is noted that

there would be a gap between the two properties of around 1.8m. As such it is considered that in this instance even though there would be no first floor set back at the front there would be no concerns regards terracing.

It is also noted that there are two pairs of semis within this row that have also built similar two storey extensions to the front.

The proposed porch to the front would be relatively small and it would be similar to other porches in the immediate vicinity.

At the rear the extensions would not be visible in the public realm but would be visible from the rear gardens of neighbouring properties but as all of the extensions would be built with materials and a design that would be considered in keeping with the existing building and with other properties in the immediate area.

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.

Residential Amenity -

- Properties to the front and rear of the extended property would be a sufficient distance from neighbouring properties not to have any significant detrimental impact on residential amenity at those properties.
- The drive way to the front would measure 5m to the back of the pavement in front from the front of the extension to the north side of the proposed porch. This length would be acceptable in terms of SPD 6.
- At the rear the two storey extension would be just over 17m to the rear shared boundary. This distance is more than substantial and there would be no concerns regarding privacy levels at properties to the rear.
- The ground floor level of the rear extension would project 6m from the original rear elevation. Taking the Larger Homes Scheme into account and the fact that neither of the adjacent neighbours have objected the 6m projection would be considered to be acceptable in this instance.
- The two storey extension to the rear would project 3m from the existing rear wall and there would be a gap of around 900mm to the shared boundary with no.27 to the north. The 45° line would be contravened regards the nearest ground floor window but this window is to a kitchen, which is considered to be a non-habitable room and as such it carries less weight in terms of consideration for the planning application. There is a small porch on the rear of this property with the ground floor habitable room being on the opposite side. As such in this instance it is considered that the two storey rear extension would not cause any significant detrimental harm in terms of residential amenity at this property.
- The two storey rear extension would be built away from the shared boundary with no.23. As such it would not have any seriously detrimental effect on residential amenity at this property.

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 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 an area at the front for parking a single vehicle and this would remain following the extensions being built. The area is high access in terms of public transport. 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 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 the drawings received on 23/04/2024 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 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 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>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 15/05/2024			