

DELEGATED REPORT

Report by Mo Warsame	Date of report: 08/09/2023	Ref: 69856/FUL
Registration: 21/07/2023	LDFC: 14/08/2023	Expiry Date: 15/09/2023
Site Visit: 25/08/2023	Site Notice: N/A	Press Date: N/A
09:00:00		
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey garage extension at front

Location: 12 Butt Hill Road, Prestwich, Manchester, M25 9NJ

Description

The property is a detached bungalow house with an attached pitched roofed garage at the side. There is a garden to the front along the side boundaries and a large drive. To the rear, the garden steps down to a much lower level. There are trees and planting along the side and rear boundaries and the garden backs on to a road, Hilton Lane. The adjacent properties on either side are No. 10 and No. 14 12 Butt Hill Road and there are no property directly to the rear.

The proposal is to build a single storey garage to the front of the dwelling that would accommodate two cars. The proposed extension would project 6.65 metres to the front and 3.2 metres to the side. It would have a pitched roof and there would be no proposed windows. The development would be constructed with matching materials.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

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

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 garage extension would be built with materials and a design that would that be considered to be in keeping with the existing building. Property is located on a large plot and would not be visible from the front, side and rear due the large scrubs and trees surrounding the site. Therefore, it would not have any significant detrimental effect on the character of the existing property and the street scene.

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

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

The proposed garage extension would project to the front and would have no proposed windows. Moreover, the structure would have a sufficient distance from properties to the front and side and there would be no properties directly to the rear of the site. Additionally, the existing scrubs and trees would further shade the garage extension from the adjacent properties. Therefore, there would be no significant detrimental impact on the residential amenity of the adjacent 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 distances to surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. However, the proposed parking arrangements within the site would mean at least four vehicles could be parked on site, two vehicles on the driveway and two in the proposed two car garage. 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 drawings numbered 001, 002, 003, 301 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	08/09/2023		