

DELEGATED REPORT

Report by Amanda

Date of report: 11/06/2024

Ref:70737/FUL

Uhunmwagho

Registration: 08/05/2024

LDfC: 06/06/2024

Expiry Date: 03/07/2024

Site Visit: 24/05/2024

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: Demolition of existing side garage; Single storey side extension; Front porch

Location: 1 Brook Drive, Whitefield, Manchester, M45 8FR

Description

The application relates to a two storey semi-detached house which currently has a conservatory at the rear and a flat roof double garage to the side. As the site is at the junction of Brook Drive and Kenmore Road the site has gardens to three sides. The area to the front of the house is paved and access to the side/rear garden is via a gate to the south of the garage. Along the front boundary there is a short brick wall. To the north of the drive entrance the wall has railings on top and to the south there is a tall hedge which also runs along the side boundary adjacent to Kenmore Road.

The proposal is to remove the existing garage and build a single storey side extension which would provide a ground floor bedroom and shower room for a disabled member of the household. The existing kitchen would also be extended into part of the extension. The extension would measure 4950mm x 7510mm and it would have a pitched roof.

At the front the new porch would measure 1350mm x 2465mm and it would have a pitched roof. To the front of the porch would be a ramp built upto the door for access.

Relevant Planning History

N/A

Publicity

10 neighbours notified on 15/05/2024 - 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

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 proposed porch and extension would be built with materials and a design that would be considered to be in keeping with the existing building and the existing boundary treatment to the side would screen most of the development from views along Kenmore Road. As

such there would be no significant detrimental effect on the character of the existing streetscene.

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 -

- Separation distance to properties to the front, rear and side of the site would be more than sufficient in terms of the impact on residential amenity at those properties.
- There would be a minimum of around 3800mm, and a maximum of around 8000mm from the side elevation to the side boundary and over 20000mm to the rear boundary.
- At the front there would be around 6700mm drive length from the front of the extension to the front boundary and the whole of the front area is already paved for parking multiple vehicles.
- The proposed porch and access ramp would not be considered significantly detrimental in terms of the parking arrangements within the site.
- The proposed porch would be a sufficient distance from the shared boundary with no.3 attached, not to have any significant detrimental impact on residential amenity at that property.
- As the single storey extension would be built to the south side of the dwelling this part of the development would not have any detrimental impact on residential amenity at no.3 next door.

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 by 1 and as the existing double garage would be converted into living accommodation 2 parking spaces within the site would be lost. However, there would be ample room to park at least two vehicles on the driveway in front of the converted garage. There are no parking restrictions to the highway to the front and side of the site and 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 drawings numbered 1940-P01 and 1940-P02 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 - 11/06/2024		DM - 12/06/2024	