

DELEGATED REPORT

Report by Amanda

Date of report: 06/08/2024

Ref:70849/FUL

Uhunmwagho

Registration: 11/06/2024

LDfC: 09/07/2024

Expiry Date: 06/08/2024

Site Visit: 03/07/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey extension at rear and single storey extension at side/rear; New first floor windows to side elevations; Widening of existing vehicular access/driveway

Location: 47 Wingate Drive, Whitefield, Manchester, M45 7GX

Description

The application relates to a two storey, red brick detached house which has a porch at the front and a ground floor bay window to the front. There is a garden to the front with a red brick wall along the front boundary as well as planting. There is an driveway to the front/side of the house leading to a detached garage at the rear. There is fencing and planting along both side boundaries at the front of the property. At the rear there is a large garden with fences and planting, including mature trees to all boundaries.

The proposal is to build a two storey rear extension, single storey side/rear extension, new first floor windows to the side elevations and the widening of the existing driveway and access.

The single storey side extension would be set back from the main front elevation by around 200mm and it would measure 2600mm wide. The side elevation would measure 11,760mm and it would be positioned around 1085mm away from the shared boundary with no.45 Wingate Drive to the east. The roof would be hipped at the front and pitched at the rear, and there would be a row of 8 rooflights towards the rear of the extension.

The two storey rear extension would project a maximum of 4050mm from the original rear elevation and it would measure 11,880mm wide. The roof would be hipped. On the east side an existing first floor bedroom window would be removed and there would be new first floor bathroom windows installed to both side elevations.

The single storey rear extension would project 2150mm off the rear of the two storey extension and it would have a flat roof. It would measure 11,880mm wide and there would be two sets of patio doors to the rear elevation.

At the front the existing dropped kerb would be extended by 1750mm and part of the front wall would be removed for access. The existing driveway would be extended across part of the garden to provide a second parking space at the front of the site.

Relevant Planning History

N/A

Publicity

6 neighbours were notified on 17/06/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections. Suggested conditions and informative given.
Transport for Greater Manchester - No objections.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
HT2/4	Car Parking and New Development
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 extensions would be finished with materials and a design that would be considered to be in keeping with the existing building and only the single storey side extension would be readily visible in the public realm.

Other driveways along Wingate Drive have been extended. The proposal to extend the existing driveway would not be considered out of character along this road. Most of the existing brick wall would remain, as well as some planting and lawn area. As such this part of the proposal would not have any significant detrimental effect on the character of the 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 -

- At the front there would be around 6200mm of drive length in front of the extension. This would be acceptable in terms of SPD 6.
- The extended driveway would be constructed using porous materials which would prevent excessive surface water draining onto the highway in front.
- The single storey side extension would be a sufficient distance from properties to the front not to have any significant detrimental impact on residential amenity.
- As the extension would be around 1000mm away from both side boundaries there would be no concerns regards encroachment at numbers 45 and 49 Wingate Drive.
- There would be no ground floor windows to either side elevation. There would be a door to the new utility room but this would not have any seriously detrimental effect on residential amenity at no.45 next door.
- At first floor level there would be a new bathroom window installed to the west side elevation and an en-suite bathroom window to the east side. A condition would be added to the decision stating that these windows should remain as obscurely glazed at all times in order to retain privacy levels between the application property and the adjacent homes.
- No.49 Wingate Drive to the west has been previously extended with a first floor side extension and single storey rear extension, which run adjacent to the shared boundary with site. The 45° rule would be satisfied regards all windows on the rear of this property.
- No.45 to the opposite side is also a two storey detached house with several windows in the side elevation. None of which appear to be to habitable rooms.
- The rear extensions would be over 25,000mm away from the rear boundary and there are mature trees and planting at the end of the garden. As such there would be no significant detrimental impact on residential amenity at properties to the rear.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. However, the existing site has parking for one vehicle to the front as well as a driveway to the side of the property leading to a detached garage at the rear. The proposed extension would remove the option to park at the side of the property and would block access to the detached garage at the rear.

The proposed site plan shows that the dropped kerb to the front of the site would be widened along with the access to the site and part of the garden would be replaced with hardstanding. This would create two parking spaces within the site. There are no parking restrictions to the highway in front and the area has good access to public transport. In this instance the proposed parking arrangements would be considered acceptable.

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 1431-02, 1431-04, 1431-05, 1431-06 and 1431-07 received on 12/06/2024, drawing numbered 1431-01 received on 17/07/2024 and drawing numbered 1431-03 received on 24/07/2024 as modified by the emails from Cube Design Solutions dated 17/07/2024 and 24/07/2024. 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 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 The access arrangements indicated on the approved plans, incorporating the extension of the existing footway crossing to a position to be agreed on site with the Highway Authority, demarcation of the limits of the adopted highway, new driveway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway and all highway remedial works required to reinstate the adopted highway to its condition prior to commencement of the development and following removal of the affected boundary treatment, shall be implemented prior to the extended driveway and extensions hereby approved being brought into use.
Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted

highway, all in the interests of highway safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 5 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.
- 6 Before the first occupation of the extension hereby permitted the first floor bathroom windows on 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 06/08/2024			