

DELEGATED REPORT

Report by Mo Warsame	Date of report: 23/09/2024	Ref: 70973/FUL
Registration: 22/07/2024	LDfC: 29/08/2024	Expiry Date: 16/09/2024
Site Visit: 23/08/2024	Site Notice: N/A	Press Date: N/A
11:00:00		
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Garage conversion; Front porch; Alterations to existing windows & doors; Dormer to eastern elevation; Erection of detached single garage

Location: 4 Park Lane, Whitefield, Manchester, M45 7PB

Description

The property is a large individually designed detached house set well back in a very large plot. Both the front and rear elevations are well screened from the surrounding detached houses due to the large trees and scrubs that surrounds the site. The adjacent properties on either side are No. 2 and No.6 Park Lane.

Planning permission is sought for garage conversion, erection of a front porch, alterations to existing windows & doors; dormer to side elevation along with the erection of detached single garage. The existing garage would be converted to habitable, facilitating a studio. The proposed front porch with its flat roof would project 900mm to the front and run 3700mm to the side. The proposed side dormer would have a flat roof and would be constructed within the footprint of the existing roof. Located to the side in front of the main house, the detached single garage would have a pitched roof and would measure 4000mm by 6000mm. The development would be constructed using matching materials.

Relevant Planning History

43357 - SINGLE STOREY FRONT EXTENSION - Approve with Conditions 21/10/2004

47114 - SINGLE STOREY REAR EXTENSION - Approve with Conditions 16/11/2006

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

Traffic section - No objections received.

Pre-start Conditions

N/A

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), 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.

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 detached garage would be built with a design and finished materials that would be considered to be in keeping with the existing building and as the garage would be positioned at the side away from the driveway. Therefore, it would not have any significant detrimental impact on the character of the existing street scene. The design of the proposal is considered acceptable in this location.

The proposed front porch would be a modest structure that would not project excessively or

interfere with the existing parking. The flat roof dormer to the side is also considered to be acceptable given its size. The garage conversion could be achieved via Permitted Development (PD). However, this is not possible for the applicant as PD right has been removed from this property. The proposed external windows and doors would suitably align with the existing windows and doors. Moreover, the proposal would utilise the use of matching materials.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and as such complies with UDP Policy H2/3 and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

The main dwelling is setback over 20m from the front and there are sufficient setback distances from the rear and side boundaries. Furthermore, the site is surrounded by large trees and scrubs which would effectively screen the proposed development from the neighbouring properties. As such, there would be no adverse impact on any of the residential amenity currently enjoyed by the neighbouring 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 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, there would be enough room to park at least two vehicles within the site/driveway once the detached garage is built.

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 24101-P101, 24101-P102 B 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 and Places for Everyone Joint 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	23/09/2024	DM -	25/09/2024