

DELEGATED REPORT

Report by Mo Warsame	Date of report: 05/01/2023	Ref: 68972/FUL
Registration: 10/10/2022	LDFC: 23/11/2022	Expiry Date: 05/12/2022
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey rear extension, Porch to front and render to external walls

Location: 8 Sergeants Lane, Whitefield, Manchester, M45 7TS

Description

The application relates to a detached dwelling house located on Sergeants Lane. The premises has parking to the front, with gardens located to front and rear. The adjacent properties are No.6 and No. 10 Sergeants Lane both of which have existing single storey side extensions.

Planning permission is sought for the construction of a two-storey rear extension that would project approximately 1.5 metres. Permission is also sought for a single storey front porch extension that would project approximately 1.25 metres to the rear. The proposal would accommodate dining/sitting extension on the ground floor along with bathroom and bedroom extension on the first-floor level.

Relevant Planning History

None.

Publicity

Neighbour letters sent on 01/11/2022. One objections received.

1. Concerns of the property's higher elevation and as a result may cause an impact of privacy and overlooking due to its two-storey extension.

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 proposed two-storey rear extension would be modest infill development with simple design. The extension would project 1.5 metres to rear and align with the principle rear elevation. The development would have a pitched gable roof replicating the shape and style of the existing and neighbouring properties. The proposed windows would also be considered suitably aligned when viewed in relation to the existing window arrangement. There is mixture of materials within the immediate vicinity, including render at the directly facing dwellings. Therefore, in this instance the use of render for the external elevations of the dwelling and extension would be considered acceptable.

The proposed front porch extension would be visible from the street. However, this

extension would be considered simple and unobtrusive and as such would not detract from the character of the original dwelling. The proposed front porch extension would have pitched roof which would further complement the original property.

The overall scale and massing of the proposed extensions would not overwhelm the dwelling, or result in over development of the associated residential amenity space. In this instance it is considered that the proposal would not have any detrimental impact on the character of the dwelling, neighbouring properties or street scene and as such complies with 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 properties to the front would be over 20m from where the extension would be built.
- There would be over 10 metres to the rear site boundaries.
- The applicant would still be able to park two cars to the front of the site and there are no parking restrictions to the road in front.
- The two-storey rear extension would have no side windows proposed and would not project beyond existing rear elevation and that of the adjacent No.10 Sergeants Lane while, No.6 Sergeants Lane property would be sufficiently setback from the shared boundary. Therefore, there would be no significant detrimental effect on residential amenity on that property.
- In terms of the general prominence and impact on daylight the proposed extension is to the east of No. 6 Sergeants Lane and west of No.10 Sergeants Lane. Therefore, the proposed extension would have some minor impact on the neighbour's at points of the day, but any overshadowing would not be seriously excessive above and beyond the existing situation including the consideration of levels.

The development would be acceptable and comply with Policies H2/3 of the Bury Unitary Development Plan and SPD6.

Response to Objection

There would not be any significant detrimental impact on the neighbouring properties. The above assessment above has highlighted that there would not be adverse impacts and addressed the concerns of the objections.

Parking

The existing parking arrangements on site would remain as they are. As such in this instance 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

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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 drawing numbers 2544_WHI_01_Planning 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 plus rendering as outlined in drawings submitted.
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 5/1/23		DM 5/1/23	