

DELEGATED REPORT

Report by Amanda

Date of report: 11/11/2020

Ref:65957/FUL

Uhunmwagho

Registration: 11/09/2020

LDFC: 11/11/2020

Expiry Date: 06/11/2020

Site Visit: 07/10/2020

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: Single storey extension at rear and decking; Dormer at side

Location: 2 Old Hall Road, Whitefield, Manchester, M45 7QW

Description

The property is a previously extended detached house with rear dormers. At the rear there is an existing decked area with pergola across the whole of the rear elevation projecting 3.5m. The garden to the rear is at a lower level than the dwelling. The adjacent neighbour has an existing single storey extension on the rear next to the shared boundary projecting 4.4m and there are no habitable room windows in the side elevation of this property. Houses on Ringley Road to the north are also two storeys high.

There is an outbuilding at the far end of the rear garden and mature planting to all boundaries.

The proposal is to build a flat roof, single storey extension which would project 4.5m from the existing rear elevation and would extend across the whole of the elevation. To the rear of the extension a new decked area would be erected projecting 2.57m from the rear elevation of the single storey extension and measuring 740mm from ground level with a glazed balustrade measuring 1m from deck level. A dormer would also be erected to the south east side of the roof.

Relevant Planning History

02472/E - Ground floor rear extension; Side dormer - Enquiry completed 04/09/2020

45930 - TWO STOREY SIDE AND REAR AND SINGLE STOREY SIDE EXTENSIONS

- Approve with Conditions 10/04/2006

Publicity

Immediate neighbours notified on 20/10/2020 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

Visual Amenity -

The proposed dormer to the side would be built with materials that would match the existing roof and rear dormers and given its position it would not be immediately visible in the street scene. The existing character of the property would be retained at the front.

The single storey rear extension and decking would be a modern addition to the property and the render finish to the walls would be very different to the existing dwelling. However, this extension would not be visible from the front of site and as such would not have any impact on the character of the existing street scene. The design of the proposal is considered acceptable in this location.

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 rear of the decking there would be over 20m to the rear boundary and mature planting and trees screen all ground floor views to and from the site. With this in mind there would be no seriously detrimental effect on residential amenity at properties on Eight Acre to the rear of site.

Given the distance to no.1 Old Hall Road to the front of site the dormer to the side would have no detrimental impact on residential amenity at this property, especially as there are no new windows proposed to the front of the dwelling.

Nos. 91 and 93 Ringley Road are to the north of site. The two storey rear elevations of these properties would be over 20m from the side elevation of the proposed single storey rear extension. The rear of the single storey extension at no.93 would be approximately 18m away from the side of the extension. These distances would be more than sufficient in terms of SPD 6 and there would be no detrimental impact on residential amenity at these properties.

As the dormer would be on the south side of the roof it would have no impact on residential amenity at properties on Ringley Road at all.

Had the property not been previously extended it would be possible to erect a side dormer under permitted development rules. The proposed roof space is to be used as storage only and currently has a hatch access from the first floor. The dormer would be set well in from the side elevation and revised plans received on 10/11/2020 indicate that the windows would be obscurely glazed up to a height of 1.7m from internal floor level. With this in mind there would be no concerns regards privacy at no.4 Old Hall Road next door.

No.4 has a single storey rear extension projecting 4.4m from the original rear elevation. It projects approximately 1m past the rear elevation of the application dwelling. The proposed single storey extension would therefore project 3.5m past the rear of no.4 and there would be a gap to the side boundary measuring approximately 683mm. With this in mind the proposed extension would not have any seriously detrimental impact on residential amenity at the rear of no.4.

The decking would project 2.5m to the rear of the extension with steps leading down to the rear garden. Although this would result in development projecting approximately 6m beyond the rear of no.4 the existing mature planting along the shared boundary would screen any views to and from the new deck area. It is also noted that there is also decking to the rear of the extension at no.4 Old Hall Road and the owner has not objected to the proposal.

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.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were

DELEGATED REPORT

incorporated into the scheme and/or have been secured by planning condition. 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 location/site plan numbered DDS5005.1 001 received on 11/09/2020 and revised drawings numbered DDS5005.1 002 Rev 1 and DDS5005.1 003 Rev 1 received on 10/11/2020 as modified by the email from Durban Design Studio dated 10/11/2020. 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 Before the first occupation of the side dormer hereby permitted the windows shall be fitted with obscured glazing up to an internal height of 1.7m 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 - 11/11/2020		DM	11/11/2020