

DELEGATED REPORT

Report by Amanda

Date of report: 21/10/2024

Ref:71165/FUL

Uhunmwagho

Registration: 24/09/2024

LDfC: 18/10/2024

Expiry Date: 19/11/2024

Site Visit: 07/10/2024

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: Demolition of conservatory; Part first floor/part two storey side extension with juliette balcony at rear

Location: 57 Hampstead Drive, Whitefield, Manchester, M45 7YA

Description

The application relates to a two storey detached house set back in a corner position at the head of a cul-de-sac. It has a double garage to the side and conservatory to the rear. There is a small garden area to the front and drive for two vehicles. There is a turning circle directly to the front of the site and opposite is a double garage and drive which belongs to no.59 Hampstead Drive. To the north of site is Glenbeck Road and there is a drive and highway adjacent to the site. At the rear there is a large garden with fences to all boundaries and tall conifers to the north and west boundaries.

The proposal is to demolish the conservatory and build a two storey extension at the rear (squaring the house off) and first floor extension above the existing garage. Part of the existing garage would be converted into a storage area but the garage door would remain to the front. There would be a pike design to the front which would reflect the existing pike detail on the existing property and to the rear there would be a Juliet balcony to the new master bedroom. The roof would be pitched to the same height as the existing ridge. The extension would be built over the same footprint as the existing property.

Relevant Planning History

53345 - Erection of rear/side extension - Approve with Conditions 23/12/2010

Publicity

12 neighbours notified on 26/09/2024 - 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 PpE 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 application property is located at the end of a cul-de-sac and is set back from the highway. The design of the proposal reflects the character of the existing building and it would be finishing with materials that would be considered to be in keeping with the existing

building.

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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- There would be around 11,000mm from the rear of the extension to the rear boundary. This would be the same as the existing building and it would be acceptable in terms of SPD 6.
- There would be no new windows to the south side elevation.
- On the north side elevation there would be two ground floor windows installed. These would be to a study and a lounge. The lounge window would be a secondary window with the main windows being bi-fold patio doors to the rear elevation. Although these windows would only be around 2,600mm away from the north boundary there are no other properties directly to the side. There is only a parking area belonging to no.12 Glenbeck Road and the road. Any views from these windows would be over relatively public areas and as such would not result in loss of privacy at neighbouring properties.
- New windows to the front elevation would be to a bathroom and dressing room. These windows would be over 15,000mm from garages belonging to no.59 Hampstead Drive. As such there would be no significant detrimental effect on residential amenity at that property.
- As the extension would be to the north of the existing property there would be no significant detrimental impact on residential amenity at no.55 next door.
- The proposal includes the conversion of part of the garage. However, there would still be two parking spaces available on the existing driveway to the north of site.

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. The parking arrangements would remain as existing where there is parking to the front garden and drive.

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 SHT 1 of 5, SHT 2 of 5, SHT 3 of 5, SHT 4 of 5 and SHT 5 of 5 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 in terms of visual amenity, 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>
AU - 21/10/2024		DM - 05/11/2024	