

DELEGATED REPORT**Report by** Amanda**Date of report:** 17/03/2023**Ref:**69356/FUL

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Registration: 17/02/2023**LDfC:** 16/03/2023**Expiry Date:** 14/04/2023**Site Visit:** 10/03/2023**Site Notice:** N/A**Press Date:** N/A**Objections:** 0**Con Area:** N/A**Adv Type:** NONE**Reason for Delay:****EIA:** NA

N/A

Dec Level: DEL**Stat Class:** HOUS**Proposal:** Part single/Part two storey side and rear extension; Front porch**Location:** 3 Peveril Close, Whitefield, Manchester, M45 6NS**Description**

The application relates to a two storey semi-detached house. There is an open porch to the front elevation and the whole of the front of the site is paved providing on site parking for two vehicles. There is a low brick wall to both side boundaries. At the rear there is a single storey extension and a long garden with fences to all boundaries. The rear garden is part paved and part lawn with planting to all sides and there is a shed at the end of the garden.

The proposal is to build a part single/part two storey side and rear extension along with a front porch. The porch to the front would project 1m forward of the existing front elevation and 2.27m wide. The roof would be pitched.

At the side the extension would be set back from the main front elevation by around 5.43m. It would project 1.23m to the side and the east side elevation would measure 6.32m long. The extension would measure 7.13m across the rear of the property and along the shared boundary with no.1 Peveril Close it would project 3.7m. The two storey section would measure 4.32m wide and it would project 3.7 from the original rear elevation.

The two storey extension would be pitched to the side and hipped at the rear. The single storey extension would have a mono-pitched roof with a rooflight.

Relevant Planning History

N/A

Publicity

Neighbours notified on 22/02/2023 - No comments or objections

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 -

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 porch and side/rear extensions would be built with materials and a design that would be considered to be in-keeping with the existing building. There are quite a few properties along Peveril Drive that have porches. As such the porch would not appear out of keeping in the existing streetscene.

The two storey side extension would be built around 5.43m set back from the main front elevation. As such it would not be considered intrusive in the current streetscene.

The design of the proposal is considered to be in keeping with the existing building and therefore 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 -

- Properties to the front and rear of the site would be a sufficient distance from the extended dwelling not to have any significant detrimental effect on residential amenity at those properties.
- The porch would project less than the existing porch does. As such this part of the development would not have any seriously detrimental impact on parking arrangements within the site.
- The only new windows to the side elevation of the two storey side extension would be to bathrooms which would be obscurely glazed. A condition would be added to the decision stipulating that these windows should remain obscurely glazed at all times.
- There are no habitable room windows to the side of no.5 Peveril Close next door and the extension would be around 1.6m away from the shared boundary with this property.
- At the rear the single storey extension would project 3.7m along the shared boundary with no.1 (attached). As there is an existing single storey extension to the rear of no.1 there would be no significant detrimental effect on residential amenity at that property.
- The plan shows that the single storey rear extension would be around 200mm away from the side elevation of the extension at no.1. As such there would be no concerns regards encroachment.
- At the rear the two storey extension would be built away from the shared boundary with no.1. As such it would not cause any significant detrimental harm in terms of residential amenity at no.1 Peveril Close.
- The extensions would be around 12m from the rear boundary.

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 increase the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has an area at the front for parking two vehicles and this would remain following the side extension being built, which would be set back from the front of the property. The area is high access in terms of public transport and there are no parking restrictions to the highway in front. In this instance then 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 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:

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- 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 ZT23-196-00, ZT23-196-01, ZT23-196-02, ZT23-196-03 and ZT23-196-04 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.
- 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 extension hereby permitted the windows to the side elevation of the two storey side extension 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 - 17/03/2023		DM	03/04/2023