

DELEGATED REPORT**Report by** Amanda**Date of report:** 05/08/2024**Ref:**70833/FUL

Uhunmwagho

Registration: 06/06/2024**LDfC:** 04/07/2024**Expiry Date:** 01/08/2024**Site Visit:** 03/07/2024**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: Single storey extension at front, two storey extension at side, Amendment to previously approved single/two storey rear extension by way of increased width to two storey section and amendments to ground floor openings.

Location: 130 Outwood Road, Radcliffe, Manchester, M26 1BG

Description

The application relates to a two storey semi-detached house which has had previous planning approval for a part single/part two storey rear extension (ref 64839). All of the outer walls of the approved extension have been completed and there are internal works being carried out at the property. The front of the site is currently dug over and to the rear the garden is also dug over and there are currently no fences or other boundary treatment between the site and the adjacent gardens. The attached property, no.128 Outwood Road has a similar ground level to that on site and no.132, unattached to the south has a higher ground level to the site at the front and side but the rear garden is on a similar level to the site.

The proposal is to build a single storey front extension, two storey side extension and to increase the width of the previously approved single/two storey rear extension. The front of the site would also be finished with hardstanding.

At the rear the extension would project 4000mm from the original rear elevation and it would measure 8246mm wide. The first floor section would measure 5688mm wide and the roof would be pitched. There would be patio doors to the rear elevation at ground floor level and a first floor Juliet balcony style window to the new bedroom.

The two storey side extension would measure 2200mm wide and 9246mm long. The roof would be hipped to reflect the existing roof. The first floor would be set back from the existing front elevation by 1000mm and around 2200mm from the front of the proposed single storey front extension. There would be one window to the side elevation to an en-suite bathroom.

At the front the single storey extension would measure 1200mm x 5116mm and it would have a mono-pitched roof.

Relevant Planning History

64839 - Part two storey part single storey rear extension - Approve with Conditions
03/12/2019

24/0057 - Untidy land and building - 06/06/2024

Publicity

4 neighbours notified on 12/06/2024 - No comments or objections received.

4 neighbours notified of revised proposal description on 10/07/2024 - 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 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.

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 proposed design and finished materials used in the construction of the proposed extensions would be considered to be in keeping with the existing dwelling as well as with surrounding properties.

At the front the first floor set back from the original front elevation would be 1000mm. In general, according to SPD 6 a first floor set back of at least 1500mm would be required for two storey side extension where it is located next to a boundary with another property, but a lesser set back may be considered acceptable in some situations.

In this instance the ground level of the next door neighbour at 132 Outwood Road is around 1000mm higher compared to the site. Taking this into consideration and that the roof would be hipped away from the boundary with no.132 it is considered that the extension with a 1000mm set back would not result in terracing with the adjacent neighbour should they choose to extend in a similar manner. The design of the proposal is considered to be in keeping with the existing building and therefore 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 -

- There are no residential properties to the rear of the site.
- The extension along the northern boundary would be single storey only and would project 4000mm from the original rear elevation. Although this would be longer than what is recommended in SPD 6 it would fall within the limits of the Larger Homes scheme. The attached neighbour has not objected therefore it would be acceptable in this instance.
- The 45° rule would be satisfied with regards to all habitable room windows in the rear elevation of no.128 next door.
- The two storey side extension would project around 2000mm beyond the rear elevation of no.132 Outwood Road. The side elevation of no.132 is around 1800mm away from the shared boundary and this property has higher ground level compared to site. Taking this into consideration and also that the site is due north of this neighbour it is considered that the two storey side extension would not have any significant detrimental impact on residential amenity at no.132 and its garden areas.
- There would be one new first floor en-suite bathroom window installed in the side elevation which would be obscurely glazed. A condition would be added to the decision to ensure this window remains obscurely glazed at all times in the future.
- There are no habitable room windows to the side of no.132 next door.
- At the front the single storey extension would project 1200mm forward of the main front elevation. This would leave at least 5000mm of drive length in front. This would be acceptable in terms of SPD 6.

- The whole of the front of the site would be finished with hardstanding and the revised proposed drawings note that the materials for this would be permeable. It is noted that the applicant could create hardstanding to the front of the house as long as the materials would be permeable. As they would be these works could be carried out as permitted development and there would be no reason to refuse it.
- There would be no changes to the existing dropped kerb to the highway in front which appears to be a sufficient width for access on and off this site.
- The drawings show that all of the development would be within the site boundary and as such encroachment with the adjacent neighbours would not be a concern.

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 distances to neighbouring properties and the 45° rule in respect of the adjacent properties.

Parking -

The proposal would result in the extended property having 3 bedrooms, plus an office and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. SPD 6 states that a property with 3 bedrooms would be required to provide at least two parking spaces within the site. Once the property is extended there would be at least two parking spaces on site, but as the whole of the front of the site would be hardstanding it could be possible to park a third vehicle across the front of the property if necessary.

There are no parking restrictions to the highway in front and the area is high access in terms of public transport. 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 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 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 drawings received on 22/07/2024 as modified by the email from Ronson Building Design Ltd dated 22/07/2024. 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.

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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 first floor en-suite bathroom window 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 - 05/08/2024			