

DELEGATED REPORT

Report by Amanda

Date of report: 28/07/2022

Ref:68471/FUL

Uhunmwagho

Registration: 17/05/2022

LDfC: 01/07/2022

Expiry Date: 12/07/2022

Site Visit: 01/07/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey / two storey side extension; single storey extension at rear; garage, utility room and wc extension at front / side and external alterations

Location: 13 Winston Close, Radcliffe, Manchester, M26 4WS

Description

The application relates to a two storey semi-detached house situated at the head of a cul-de-sac. There is a garage attached to the side with driveway and garden in front. To the side/rear of the property are garden areas and there are fences to all boundaries at the side/rear.

The proposal is to build a single/two storey extension to the side, single storey rear extension, a new garage and front/side external alterations.

Relevant Planning History

N/A

Publicity

Neighbours notified on 10/06/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No comments received.

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

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 proposed extension would be built with materials and a design that would be considered in keeping with the existing building as well as remaining in character with other properties along Winston Close.

As the property is set back in a corner position at the top of the cul-de-sac most of the extension would be positioned directly north of no.11 Winston Close and as such it would not be considered intrusive in the existing streetscape. 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 front there would be over 13m of drive length remaining to the front of the new

- garage. This would be more than sufficient to park 2/3 vehicles on site if required.
- The access to the front of the site would not be altered.
 - The new garage would be positioned very close to the shared boundary with no.11 next door. There would be no windows to the side elevation and at its closest point the single storey wall would be around 200mm off the shared boundary with this property. With this in mind there would be no concerns regards loss of privacy or encroachment at no.11 Winston Close.
 - The garage would have a flat roof with a parapet. This would help to reduce any possible impact on light to the side of no.11 next door.
 - The front elevation of the two storey extension would be around 3m from the boundary with no.11. The window to the front would be a bathroom and as such would be obscurely glazed. A condition has been added advising this window should remain obscurely glazed at all times given its distance to the side elevation of no.11. With this in mind the two storey extension would be acceptable in terms of its relationship to the blank side elevation of no.11 next door.
 - As the site is due north of no.11 there would be no concerns about the development's impact on light to the side/rear of that property.
 - At the rear there would be a new first floor bedroom window installed. As the rear elevation would be flush with the existing rear elevation the new window would be no closer to the rear boundary than existing bedroom windows in the dwelling. The distance from the new window to the rear boundary would be around 7.86m which would be acceptable in terms of SPD 6.
 - The single storey rear extension would be approximately 5.38m from the shared boundary with no.15, attached and there would be no windows installed to the side elevation facing that property.
 - There would be patio door installed to the west side elevation. As there would be over 7m from the extension to this boundary it would be acceptable in terms of SPD 6.

Taking the above in to account 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 residential amenity.

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. Once the development is complete there would be one parking space available in the new garage and two parking spaces directly to the front. There are also no parking restrictions along Winston Close. 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:

- 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.

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- 2 This decision relates to drawings numbered 01, 02 and BP 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 first floor window to the front elevation of the 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 - 28/07/2022			