

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 18/10/2024	Ref: 71119/FUL
Registration: 30/08/2024	LDfC: 27/09/2024	Expiry Date: 25/10/2024
Site Visit: 12/09/2024	Site Notice: N/A	Press Date: N/A
Objections: 3	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension with balustrade balcony

Location: 60 Greendale Drive, Radcliffe, Manchester, M26 1UQ

Description

The application relates to a detached property which is situated on a corner plot within a residential setting.

The application proposes a single storey rear extension with a balustrade balcony.

The extension would project 2.9m extend across the full length of the rear elevation (8.4m). The extension would have a flat roof where it is proposed to provide a balcony. A 'vaulted roof' would cover either side of the balcony, extending from the existing main roof. A balustrade would be set back 0.8m from the front.

Relevant Planning History

n/a

Publicity

Letters sent to 10 properties.

Three objections received with the following comments -

- Privacy and Overlooking: The proposed balcony will directly overlook my property and garden This will significantly impact our privacy and the enjoyment of our home.
- Noise and Disturbance: The applicant currently uses Overton Close as an extension of their car park, often parking a lorry and a mini bus on this narrow road. There is already a significant disturbance. An extension with a balcony is likely to exacerbate this issue, leading to increased noise levels and further disruption.
- Traffic and Safety Concerns: Overton Close is a very narrow road, and the additional vehicles parked by the applicant create congestion and pose safety risks for other residents and pedestrians. The proposed extension may lead to an increase in vehicle usage and parking, further aggravating these issues.
- Impact on the Character of the Area: The proposed extension with a balustrade balcony is not in keeping with the character of the surrounding properties. It will stand out as an incongruous addition to the neighborhood, affecting the visual harmony of the area.
- The development would have a detrimental impact on the quality of life for myself and other residents in the vicinity.
- Overton close is a small & narrow close and the residents at number 60 Greendale Drive, already use our close as an overflow car park for 2 over sized vehicles and causes it to be dangerous when moving around the close and you cannot see past them. I feel if the extension was to go ahead this would cause issues getting in and out of our close.
- The impact on noise for the area would be huge due to the large family that visit the house on a daily basis and the extension would impact on their outdoor area meaning

the would have to use the balcony for outdoor activities therefore impacting the noise levels within the close.

Statutory/Non-Statutory Consultations

n/a

Pre-start Conditions - Not relevant

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), 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.

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 extension would be single storey and not project excessively from the rear elevation, being less than 3m in depth. The proposed balcony would be largely screened by the vaulted roof which extends from the existing main roof and would follow the same ridge line. The design would not be dissimilar to adding a 1st floor extension with a sloping roof. As such the design is considered acceptable within the streetscene.

Materials are proposed to match the existing brick and roof tiles.

The proposed development is therefore considered to comply with Policy H2/3 and SPD6.

Impact on residential amenity

The adjacent neighbour, No 62 is set at a lower level to the application site and has ground floor patio doors on the rear elevation nearest the site. The extension would project less than 3m and would be set in from the shared boundary in compliance with SPD6 and as such would be acceptable.

The balcony would be screened by the new roof slope which would cover the area immediately adjacent to the neighbour and as such there would be a containment of noise and restricted overlooking to No 62 and as such it is considered there would be an acceptable relationship to this neighbour and the residents on the Close.

There are no neighbours directly opposite at the rear which would be affected.

As such the proposed development would be acceptable and comply with H2/3 and SPD6.

Response to objectors

- The proposed extension would not be sited such to cause visibility issues for drivers using the Close.
- The proposed roof solution over the boundary would contain noise from this area and restrict overlooking to adjacent neighbours.
- All other issues have been covered in the above report.

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 -
Location plan 30-Aug-2024
Proposed site plan
Proposed single storey rear extension - proposed elevations, floor plans and section
Revision A
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 Unitary Development Plan 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	18/10/24	HL	21/10/2024