

DELEGATED REPORT

Report by Mo Warsame	Date of report: 26/07/2023	Ref: 69698/FUL
Registration: 29/05/2023	LDFC: 29/06/2023	Expiry Date: 24/07/2023
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey rear extension and front porch extension following the demolition of existing along with the erection of new outbuilding

Location: 66 Turks Road, Radcliffe, Manchester, M26 4QB

Description

The application relates to a two-storey semi-detached dwellinghouse on Turks Road. At the front of the property there is a large driveway. There is a passage on the east side of the dwelling leading to the rear. At the rear there is an outbuilding, and a large garden. There is an attached neighbour to the west who shares the entire boundary on that side. To the east is another neighbour who has a similar outbuilding to the rear. At the rear, No.2 Eastfields) is over 20 metres away.

The application proposes Two storey rear extension and front porch extension following the demolition of existing along with the erection of new outbuilding.

The proposed two storey rear extension would project 3 metres to the rear and run 6.1metres to infill the corner of the house near the shared side boundary with No.64 Turks Road, effectively 'squaring off the footprint. The proposed porch to the front would project 1.7 metres from the front and extend 2.5 metres to the side. The proposed outbuilding would project 8.5 metres to the rear and run 3.1 metres to the side.

The development would facilitate a new lobby and a larger open plan kitchen/diner at ground floor and two additional bedrooms on the first floor. The proposed outbuilding would accomodate a home office and a gym with its own bathroom. The proposed development would be finished in biege shade render.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections recieved, one comment of support received.

One comment of support received stating: Happy to support the application but would request whilst the work is carried out the large tree at end of existing garage be removed. It is already causing damage to current fencing. .

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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.

Visual amenity

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

Situated at the rear, the proposed two storey rear extension would not be visible from the public arena. The extension would be relatively modest, projecting 3 metres to the rear. It would be constructed with materials and a design that would be considered in-keeping with the existing property as well as surrounding properties.

The proposed outbuilding would also be reasonably modest in scale and would be of a simple and unobtrusive rectangular design which would not detract from the character of the dwelling. Additionally, there are number of outbuildings with similar scale and design in this the area. Moreover, the outbuilding would have no proposed windows to the side facing the shared boundary with No.64. Furthermore, it would be shaded by the existing fencing and the neighbour's existing outbuilding.

The proposed front porch extension would also be simple structure that would in keeping with the existing dwelling.

Therefore, the proposal would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6 in terms of visual amenity.

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

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- There would be no proposed windows facing towards the adjacent property to the side (No. 64) except for the new first-floor window on bedroom 3. However, this would be conditioned to be obscure glazed up to 1.7m.
- There would be a sufficient setback to the shared rear boundary.
- The proposed outbuilding would have a sufficient distance to the rear boundary and to the shared boundary with the attached property (No.68). On the opposite side, the outbuilding would be shaded by the existing fencing and the neighbour own existing outbuilding.
- Given the size and siting and the relationship with the immediate neighbours, the proposed extension would not raise any overlooking or overshadowing issues.
- The proposed porch extension would be modest and not would not interfere with the parking arrangements.
- There would remain an acceptable amount of outdoor private amenity space.

Parking

The proposal will result in two additional bedrooms, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

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

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 the drawings received on 30/05/2023 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 listed.
- 3 The proposed first floor window on bedroom 3 subject to this application shall remain obscure glazed up to 1.7m.
Reason: To protect privacy pursuant to policy: H2/3 and SPD 6

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	26/07/2023	DM	27/07/23