

DELEGATED REPORT

Report by Amanda

Date of report: 27/05/2022

Ref:68191/FUL

Uhunmwagho

Registration: 24/03/2022

LDfC: 16/04/2022

Expiry Date: 19/05/2022

Site Visit: 22/04/2022

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 extension at side and Single storey extension at rear

Location: 24 Clough Meadow Road, Radcliffe, Manchester, M26 3RY

Description

The application property is a two storey semi-detached house with gardens to the front and rear of the dwelling. There is parking to the front of the site for one vehicle and on street parking to the highway in front.

The proposal is to build a part single/two storey side extension and a single storey rear extension. At the side the extension would be built flush with the front of the existing porch and it would measure 2.35m wide. The first floor would be set back from the existing front elevation by 1.5m and it would measure 5.69m long.

At the rear the single storey extension would project a total of 3.51m and it would be set away from the shared boundary with no.26 by around 373mm. It would measure 7.51m wide and the roof would be flat and the walls would be rendered in a pale grey colour.

Relevant Planning History

58107 - Prior notification for single storey extension at rear - Prior Approval Required and Refused - 19/11/2014

Publicity

Neighbours notified on 25/03/2022 - No objections received. One comment was received from a nearby neighbour advising that they had initially had some concern about loss of light to their patio doors and patio area at the rear of their property. However they have advised that they have spoken with the applicant who assured them that this would not be the case. No further comments have been received.

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 proposed extensions would be built with materials and a design that would compliment the existing property and would remain similar to other properties along Clough Meadow Road. The 1.5m set back at first floor level from the original front elevation means the proposal is considered acceptable in terms of 'terracing' and the effect on the streetscene.

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 -

- Properties to the front and rear of the site would have more than sufficient separation distances so would not be significantly detrimentally affected by the proposed development.
- There would be just under 15m from the rear first floor study window to the rear boundary.
- SPD 6 states that there should be at least 7m from a new first floor habitable room window to a boundary. To the front of the site there would be under 7m from the proposed first floor bedroom window to the front boundary. However as the window would face on to the highway and not directly over another property and/or garden this would not cause any significant detrimental harm in terms of residential amenity.
- There would be no windows in the proposed side elevation of the single/two storey side extension and there are no habitable room windows to the side of no.22 next door.
- The plans show that all of the development would be built within the site boundary and certificate A has been submitted with the application. As such there would not be any concerns regards encroachment with the adjacent neighbours.
- At the rear the single storey extension would project a maximum of 3.51m from the existing rear elevation and there would be approximately 350mm from the side wall to the shared boundary with no.26 next door. Taking this and the larger homes scheme in to account, and that the neighbour has not objected to the proposal the projection of 3.51m would be acceptable in this instance.
- As the rear extension would have a flat roof and the site is positioned west of no.26 any impact on light to the rear of no.26 would be considered negligible and not sufficient enough to warrant refusal.

With the above in mind 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.

Parking -

The proposal would not increase the number of bedrooms at the property but there would be a fourth room to the first floor which would be a study. It is noted that this room could be used as a bedroom in the future and as such on site parking availability needs to be considered.

There is currently one parking space to the front of the site and it is noted that this space is sub-standard. There is space to the side of the building which is currently not used for parking. This area is separated from the front drive by a fence/gate. The introduction of the side extension would not change the existing parking arrangements on the site and the applicant could create further parking space to the front of the property under Permitted Development rules if they need to in the future. As such the existing parking arrangements within the site would be acceptable in this instance.

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 drawing numbered A102 Rev A received on 24/03/2022 and revised existing and proposed floor plans and elevations drawing received on 19/05/2022 as modified by the email from Mr Green dated 19/05/2022. 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.
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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 27/05/2022			