

DELEGATED REPORT

Report by Jane Langan	Date of report: 27/01/2023	Ref: 69085/FUL
Registration: 01/12/2022	LDfC: 23/12/2022	Expiry Date: 26/01/2023
Site Visit: 12/12/2022	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey front extension with pitched roof

Location: 63 Stanley Road, Radcliffe, Manchester, M26 4HG

Description

The property is a mid two storey town house and one in a row of 6. It has a single storey flat roofed section to the front that forms an entrance and utility room. To the front is a shallow garden and parking space. The neighbouring properties to each side are the same house type. No.61 has also created a parking space at the front No.65 has none.

The application proposes a single storey extension at the front 3.9m deep to the level of the existing frontage. It would form a dining room, study and entrance hall.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and one responses has been received from a nearby neighbour their concerns in summary are :-

- Limited parking spaces in the road
- Issues with double parking
- Emergency Vehicles struggle to pass through
- Applicant's property has 2 cars and visitors
- The proposed extension would lose parking on their land

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions and an informative.

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.

Visual amenity and design - SPD6 has a general presumption against front extensions in order to protect the street scene. In this case the proposed extension would be an infill up to the level of the existing single storey at the front. As such it is not considered that the proposal would be an intrusive feature in the street.

The roof would be a dual pitch with roof lights and roof tiles to match with the walls finished in render. Whilst the existing property is in brick, a mix of brick and render to a residential property is not uncommon.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. It would however result in the loss of the existing off street parking space. The properties were originally built without drives and there are on street parking spaces to the front of the row and a bay forming an on street parking area to the north of the site. The site has had a drop kerb installed however as the proposed extension would not allow a 5m minimum drive to both sides it is proposed to reinstate the kerb to return to on street parking. Whilst SPD6 does require justification for

the loss of parking in this instance, given the proposal would return an on street parking space, it is not considered that there are grounds for refusal with regard to the parking arrangements.

Residential amenity - The proposed extension would sit between the existing single storey section to the site and that to the adjoining No.61. As such there would then be no serious impact on the amenity this adjacent neighbouring property.

The proposal would not conflict with the purposes of UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Response to objection - The issues regarding the parking arrangements are addressed in the above report.

Planning cannot control on street parking or how many visitors may visit the site.

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 numbered MMD096.10.22.01, MMD096.10.22.02, MMD096.10.22.03, MMD096.10.22.04, MMD096.10.22.05 Rev 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 listed.
- 3 The reinstatement of the redundant footway crossing to adjacent footway levels and redundant driveway indicated on the approved plan reference MMD096.10.22.05 Rev A shall be implemented to the satisfaction of the Local Planning Authority prior to the extension hereby approved being brought into use.
Reason. To secure the satisfactory development of the site in terms of highway safety and maintain the integrity of the adopted highway pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 Following the construction of the extension hereby approved there shall be no parking to the front garden or the now redundant drive.
Reason. There would be inadequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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- 5 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	27/01/23		