

DELEGATED REPORT

Report by Amanda

Date of report: 16/05/2022

Ref:68190/FUL

Uhunmwagho

Registration: 29/03/2022

LDfC: 22/04/2022

Expiry Date: 24/05/2022

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: Single storey extensions at side and rear.

Location: 4 Moss Shaw Way, Radcliffe, Manchester, M26 4QH

Description

The application property is a two storey detached house with gardens to the front and rear. There is a flat roof garage attached to the side with parking in front. At the rear there is a flat roof single storey extension with paved area directly to the rear of the property. There is also a section of raised garden area towards the rear of the site and there is fencing to all boundaries. To the west of the site is an electricity sub-station.

The proposal is to build single storey extensions to the side and rear of the main dwelling. At the side the extension would project 3m and it would measure 7.72m long. The roof would be hipped. The rear extension would project 2.81m and it would measure 6m wide with a pitched roof.

Relevant Planning History

62391 - Single storey extensions at front, side and rear - Approve with Conditions
02/03/2018

Publicity

Neighbours notified on 31/03/2022 - A voicemail message was received from an unknown neighbour advising that they have no objections to the proposal as long as the extension would not touch their garage. No further contact was received from the neighbour who left the voicemail and no written comments or objections have been received since.

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 extensions would be built with materials and a design which would be considered to be in keeping with the existing building. As such it would not have any significant detrimental effect on the character of the existing street scene.

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 -

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- Although there would be a loss of one parking space on site by the removal of the existing garage the drive way to the front of the house which would accommodate up to two vehicles would remain. As there would be no increase of the number of bedrooms at the property and there is ample on street parking available to the front of the site the two parking spaces on site would be acceptable in terms of SPD 6 and SPD 11.
- The drive way in front would measure just over 6m from the front of the property to the back of the pavement in front. This would be in line with the requirements as set out in SPD 6.
- There would be around 8m from the rear elevation of the side extension to the rear of the site and around 5m from the rear extension to the rear site boundary. Any views from the new windows/doors would be over the applicant's garden only and not directly towards neighbouring properties.
- There would be approximately 1.4m from the side elevation to the west site boundary and just over 1m from the east boundary. With this in mind there would be no concerns regards encroachment on to the neighbouring gardens.

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 separation distance to the surrounding properties.

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.
- 2 This decision relates to drawings numbered 01A, 02, 03A, 04 and 05A 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 16/05/2022			

