

DELEGATED REPORT

Report by Amanda

Date of report: 15/12/2020

Ref:66121/FUL

Uhunmwagho

Registration: 26/10/2020

LDfC: 23/11/2020

Expiry Date: 21/12/2020

Site Visit: 01/12/2020

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at side/rear

Location: 52 Ridge Crescent, Whitefield, Manchester, M45 8FN

Description

The property is a two storey semi detached house with a conservatory on the rear and a detached garage. There is a garden to the front with parking on site for at least one vehicle. The rear garden consists of a patio area with steps leading up to a higher level garden area to the rear of the site. No.50, unattached to the north has a two storey side and rear extension built directly along the boundary with the site.

The proposal is to build a single storey side and rear extension. At the front it would be built flush with the existing front elevation and it would extend backwards along the shared boundary with no.50 to the same point as the existing detached garage. The roof would be hipped.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 02/11/2020 - No comments or objections 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 -

The proposed extension would be built with materials to match the existing property and the design would not be uncommon on this type of property. As such there would be no seriously detrimental effect on the character of the existing street scene or building.

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 -

Given the height difference between the site and properties to the rear there would be no seriously detrimental effect on residential amenity at properties to the rear. At the front there would be a non-habitable obscurely glazed window and the extension would be a sufficient distance from houses opposite not to have any detrimental impact on residential amenity.

As no.50 next door has an existing two storey side/rear extension and part of the rear of the extension would be in the same position as the existing garage there would be no

detrimental impact on residential amenity at this property.

There would be two windows in the side elevation of the extension at the rear. These would face the shared boundary fence with no.54 next door and the structure would be approximately 4.5m away from the fence. Given that there is an existing fence along the shared boundary any views from the new windows would be towards the fence which would screen most of the views to and from the site. The next door neighbour has not objected to the proposal. With this in mind it is considered that there would be no seriously detrimental effect on residential amenity at the rear of no.54 Ridge Crescent.

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 drawing numbered 52RC/1/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 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> AU 15/12/20	<u>Date</u>	<u>Sign off Officer</u> DM 15/12/20	<u>Date</u>
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