

DELEGATED REPORT

Report by Jane Langan	Date of report: 18/05/2023	Ref: 69527/FUL
Registration: 17/04/2023	LDfC: 14/05/2023	Expiry Date: 12/06/2023
Site Visit: 26/04/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension

Location: 193 Stand Lane, Radcliffe, Manchester, M26 1JJ

Description

The property is a semi detached house. To the rear it has a two storey outrigger that projects out from part of the rear elevation and works have commenced on an extension infilling the corner up to the side of the property. There is a good sized fenced garden to the rear and the boundary borders the garden to 8 Beechfield Ave. The attached neighbour is No.191 and is extended at the rear with a conservatory. To the opposite side No.195 is an end terraced house and has a detached garage along the site boundary. The main house extends well past the rear elevation of the site and has a single storey conservatory/bay type extension at the side.

The application proposes a single storey extension projecting 5m from the outrigger to the party wall side. It would extend the full width of the property being 6.5m deep to the south side to include the part constructed extension. It would form a lounge with the existing becoming a bedroom room.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

None.

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 - The proposed extension would have a hipped roof with doors to the rear elevation and window to the south side elevation. Materials would be concrete roof tiles and brick to match the existing.

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 add a ground floor bedroom, no first floor plan has been provided. There is no off street parking however the site as existing has a garden to the front and there may be potential for the creation of parking subject to highways approval and other properties along the road have off street parking. The area has on street parking and there is public transport available. In this instance then there are not considered to be any grounds for refusal with regard to parking arrangements.

Residential amenity - In relation to the adjoining No.191 proposed extension would run as blank wall to come level with the rear of this neighbouring property as extended. To the opposite side 195 Stand Lane projects deeper at the rear than the site would as extended. The proposal would have one window to the side elevation however it would be set approximately 4m in from the boundary and there is fencing providing a level of screening between the two gardens and the side extension to 195.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential 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 R-0727-SLP Revision B, R-0727-01 Revision A, R-0727-20 Revision A, R-0727-21 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	18/05/23	DM	22/05/23