

DELEGATED REPORT

Report by Amanda

Date of report: 04/05/2023

Ref:69432/FUL

Uhunmwagho

Registration: 31/03/2023

LDfC: 03/05/2023

Expiry Date: 26/05/2023

Site Visit: 25/04/2023

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: Demolition of garage and erection of replacement detached garage to rear of property

Location: 102 Ainsworth Road, Radcliffe, Manchester, M26 4ED

Description

The application relates to an end of terrace property which has a plot of land to the rear with a detached garage on it. This is separated from the main property by a back street and to the rear is Alma Street.

The proposal is to remove the existing dilapidated garage and replace it with a detached double garage and store. The structure would measure 9.68m x 5.38m and the walls would be finished with bricks. The doors and windows would be upvc and the roof would be finished with concrete interlocking tiles.

Relevant Planning History

N/A

Publicity

Neighbours notified on 11/04/2023 - 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 -

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 garage would be built on land to the rear of 102 Ainsworth Road. It is separated from the main dwelling by a back street. As such the site is fully visible from all directions. There are many garages to the rear of properties to the east and west of the site and also a small garage colony on the opposite side of Alma Street to the north of site. As such the structure would not be an unusual building in the existing streetscape.

It would be finished with brick walls and a tiled roof which would be considered to be in keeping with the residential properties and other garages in the immediate vicinity.

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 -

DELEGATED REPORT

- The garage would be a sufficient distance from surrounding properties not to have any significantly detrimental impact on residential amenity.
- The structure would be built within the site boundaries and would not encroach on to the highway to the front, side and rear.
- The drive length to the front of the garage would be around 6.88m to the highway in front, which would be acceptable in terms of SPD 6.

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.

Parking -

The proposal would not increase the number of bedrooms to the dwelling therefore SPD 11 Parking Standards need not be considered. As the new garage would provide two spaces for parking and there would be two parking spaces to the front of the garage the development would improve parking arrangements within the site. There is also ample on street parking nearby.

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 1 of 4, 2 of 4, 3 of 4 and 4 of 4 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 be facing brick to the walls, upvc doors and windows and the roof would have concrete interlocking tiles, as stated on the application form and shown on the approved drawings.
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 - 04/05/2023		DM	05/05/23

