

DELEGATED REPORT

Report by Amanda

Date of report: 08/01/2024

Ref:70146/FUL

Uhunmwagho

Registration: 22/11/2023

LDfC: 14/12/2023

Expiry Date: 17/01/2024

Site Visit: 04/12/2023

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: Variation of condition 2 of planning permission 67463 (Two storey front extension; Two storey front/side extension; Single storey rear extension; Loft conversion with 3 dormers; Raising ridge height) - Inclusion of balcony at rear, Alteration to front extension and windows

Location: 2 Meadowside Close, Radcliffe, Manchester, M26 4JR

Description

Planning permission was granted at this property in November 2021 (ref 67463). Development has begun on site but due to some internal and external changes a new planning application has been submitted.

The application relates to a large two-storey detached house situated on a small cul-de-sac consisting of three other two storey detached properties and a detached bungalow. The property is accessed from Meadowside Close to the side and its front elevation overlooks Cemetery Road. There are residential properties to the opposite side of Cemetery Road.

The original property has a double garage and a storage canopy area at the rear and the roof is pitched. There is a wall and railings to three boundaries with a fence in between the site and no.1 Cemetery Road. There are tall conifers along the south west side and planting to the rear boundary.

Planning permission has been granted (67463) for a two storey front extension, two storey front/side extension, single storey rear extension and a loft conversion with 3 dormers including the raising ridge height. The current application seeks to vary condition no.2 (approved plans) of that application by adding a balcony to the rear, changes to the patio doors at the rear as well as some internal reorganisation. The rest of the extension would remain as previously approved with no change to the overall size and height of the approved development.

The proposal includes a two storey front extension which would project to the same point as the existing snug and porch. It would have a pitched roof and to the front there would be a single storey section with a mono-pitched roof and a two storey pitched roof extension which would provide a new lobby at ground floor and a landing with gallery to the first floor.

There would also be a two storey extension to the rear of the existing garage and above. The garage would be converted in to a cinema room with a master bedroom and en-suite above. The roof would be hipped.

The roof height would be increased by 400mm and there would be a single pitched roof dormer to the front and two at the rear. The existing side section of the property would also be increased in height by 3470mm. There would be four rooflights installed to the front extension. The roof extension would provide two further bedrooms and a bathroom.

At the rear there would be a single storey extension projecting 3805mm from the original rear elevation and it would measure 12,140mm wide. There would be bi-folding patio doors installed centrally to the rear elevation.

The rear extension would have a flat roof with a balcony above, accessed via patio doors from bedroom 1. There would be three flat walk-over glazed panels installed to the balcony floor and a glazed balustrade. To the north east side there would be a 1.7m high obscure glazed privacy screen.

Relevant Planning History

67463 - Two storey front extension; Two storey front/side extension; Single storey rear extension; Loft conversion with 3 dormers; Raising ridge height; - Approve with Conditions 18/11/2021.

Publicity

8 neighbours notified on 22/11/2023 - No comments or objections 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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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.

Part of the proposed extension would be visible from Cemetery Road at the front. As such would be readily visible in the public realm to the south and it would be mostly screened from public view from the south west by mature conifers along the boundary. The rest of the extended property would be visible from the rear of no.1 Cemetery Road and from no.4 Meadowside Close to the rear of site. However, it is considered that in terms of design and appearance the extension is generally in-keeping with the existing house and the proposed finished materials would be considered acceptable.

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 -

- Properties on Greenbank Road to the front of site would be a sufficient distance away from the extended property and there is a road in between as well. The separation distance would be acceptable in terms of SPD 6.
- At the rear there would be around 8750mm from the rear of the balcony to the rear boundary. This distance would be acceptable in terms of SPD 6.
- There is existing planting along the rear boundary which would screen most ground floor views to and from the extension and regards views from the balcony to no.4 Meadowside Close to the rear this property is a bungalow and is side on to the side with a driveway directly adjacent to the site boundary. As such any impact on privacy at this property and its garden would be considered minimal and not sufficient enough to warrant refusal.
- As the balcony would be around 3500mm from the shared boundary with no.1 Cemetery Road a 1.7m high obscure glazed screen would be installed to ensure privacy is retained between the two properties.
- The distance from the south west side elevation would not be moved any closer to the boundary and there would be no windows installed in this side elevation. Therefore, the separation distance from the application property to numbers 1, 3 and 5 Meadowside

- Close would be considered acceptable.
- There would be two ground floor windows to the south west side elevation of the garage conversion and a bedroom window above. These windows would be around 18,500mm from the side boundary.
- The only window to the north east side elevation would be an obscurely glazed window at first floor level.
- Existing parking arrangements within the site would be retained as they are now.

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 increase the number of bedrooms from 3 to 6 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has an area at the front for parking at least three vehicles and this would remain following the completion of the development. There are also no parking restrictions along Cemetery Road to the front of the site. In this instance then the parking arrangements are considered sufficient.

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 RNP/008/1, RNP/009/1, RNP/010/02, RNP/011/1 and RNP/012/ 1 received on 18/10/2023 and revised proposed drawings numbered RNP/001/02/prp, RNP/001a/02/prp, RNP/002/02/prp, RNP/003/02/prp, RNP/003a/02/prp, RNP/004/02/prp, RNP/005/02/prp, RNP/006/02/prp, RNP/007/02/prp, RNP/008/02/prp and RNP/009/02/prp received on 06/12/2023 as modified by the email from Archtech Design Solutions dated 06/12/2023. The development shall not be carried out except in accordance with the details 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

DELEGATED REPORT

Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

- 4 Before the first occupation of the extension hereby permitted the windows to all bathrooms, toilets, and utility rooms shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

- 5 Before the first occupation of the extension hereby permitted a 1.7m high obscure glazed privacy screen shall be installed to the north east side of the first floor balcony to the rear of the dwelling and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of occupiers of no.1 Cemetery Road next door, and to accord with 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 - 08/01/2024		DM 08/01/24	