

DELEGATED REPORT

Report by Amanda

Date of report: 18/09/2023

Ref:69799/FUL

Uhunmwagho

Registration: 14/07/2023

LDFC: 18/08/2023

Expiry Date: 08/09/2023

Site Visit: 07/09/2023

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 conservatory / utility room at rear; Erection of front porch; Single storey rear extension; single storey side extension; formation of new vehicular access to driveway; creation of rear patio area and external alterations

Location: 35 Radcliffe New Road, Whitefield, Manchester, M45 7QZ

Description

The application relates to a two storey semi-detached house situated on Radcliffe New Road. The site is slightly elevated to the highway in front, with a red brick wall along the front boundary. There are brick pillars to either side of the access point and the drive is open to the highway. There is a timber car port to the side of the property with a gate for access to the rear garden.

There is a bay window to the side elevation and to the rear there is a conservatory and a small single storey extension. There is also a small outbuilding to the rear. The main part of the rear garden is much higher compared to the ground level of the property and there are steps leading up to this part of the garden.

The proposal is to demolish the conservatory and utility room extension and replace it with a single storey rear extension. It would have a mono-pitched roof with three rooflights and patio doors to the rear elevation. It would project 4m from the original rear elevation and would measure 8.86m wide.

At the side there would be a small single storey extension measuring 600mm x 1.78m. It would have a mono-pitched roof and would provide a new external access to the side of the property.

The front porch would replace the existing porch and it would measure 1.6m x 3.2m. It would have a pitched roof and to the front elevation there would be glazing above, and to the side of the door.

The applicant also intends to widen the existing vehicular access to the site as well as extending the dropped kerb to 5m. They would excavate the existing drive to create a lower level parking area for two vehicles. It would be constructed using porous materials. New steps would be installed for access from the drive up to the dwelling. At the rear there would be a new patio area with steps leading up to the garden.

Relevant Planning History

N/A

Publicity

7 neighbours notified on 28/07/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections. Condition and informatives suggested.

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.

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 proposed extensions would be built with finished materials and a design that would be considered to be in keeping with the existing building, and it would remain similar to other nearby properties. Other neighbours have also created new parking areas to the front of their sites. The proposed drive way would be considered to be in keeping with other properties along Radcliffe New Road, Whitefield. As such there would be no significant detrimental effect on the character of the existing streetscene.

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 -

- The front porch would not be considered to be a habitable room. As such the distance to properties on the opposite side of Radcliffe New Road would be considered acceptable in terms of SPD 6.
- The position of the front porch would not interfere with proposed parking arrangements to the front of the site and as it would be situated well away from both side boundaries there would be no significant impact on residential amenity at the adjacent properties due to the proposed porch.
- At the side the existing window would be replaced with a small porch and a small store window would be replaced with a wc window. No.37 Radcliffe New Road has a much higher ground level to that on site. As such any views from the new side extension/porch would be towards the boundary fence only.
- The rear extension would project 4m from the original rear elevation. As the adjoining neighbour has not objected to the proposal this projection would be acceptable under the Larger Homes scheme, where a homeowner could build a single storey extension projecting upto 6m along a shared boundary.
- The rear extension would be around 1.7m away from the shared boundary with no.37 next door and there would be no windows in the side elevation.
- The garden areas to both adjacent neighbours are similar to that on site. As such the new patio area and steps leading upto the garden would not have any significant detrimental effect on residential amenity at those properties.
- The drive way at the front could be altered under permitted development rights. The applicant originally proposed a 7m dropped kerb to the front. However, the Highways officer requested a revised drawing showing a dropped kerb extension of no more than 5m given that the site entrance is in close proximity to a bus stop. Revised plans were received showing the dropped kerb would be 5m, which would be considered to be acceptable in this instance.

Taking the above into account 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.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. However, the drive to the front would be altered so that two vehicles could be parked within the site, which would be acceptable in terms of SPD 6.

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 ZT23-196-01, ZT23-196-03 and ZT23-196-04 received on 03/07/2023, drawings numbered ZT23-196-02 and ZT23-196-05 received on 27/07/2023 and drawing numbered ZT23-196-08 received on 18/09/2023 as modified by the emails from Thorp Design Services dated 27/07/2023 and 18/09/2023. 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 Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.
- 5 The amended access and parking arrangements indicated on the approved plans, incorporating the extension of the existing footway crossing, hardstanding in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway, demarcation of the limits of the adopted highway and any associated remedial works required to reinstate the footway to its former condition prior to commencement of the development, shall be implemented before the extensions and new parking facilities hereby approved are brought into use.
Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in 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 - 18/09/2023			