

DELEGATED REPORT

Report by Amanda

Date of report: 29/07/2022

Ref:68511/FUL

Uhunmwagho

Registration: 17/06/2022

LDfC: 12/07/2022

Expiry Date: 12/08/2022

Site Visit: 21/07/2022

Site Notice: N/A

Press Date: N/A

Objections: 1

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey extensions at side and rear

Location: 8 Poolfield Close, Radcliffe, Manchester, M26 3UE

Description

The application relates to a two storey semi-detached house. The whole of the front area has been paved providing on site parking for two vehicles. There are fences to all boundaries with open vehicular access to the front. At the rear a conservatory has already been removed. A concrete slab has been laid where the extension would be built. There is a garden to the rear with a detached timber outbuilding.

The proposal is to build two storey extensions at the side and rear of the existing dwelling. At the front it would be built flush with the existing porch and it would project 2.4m to the side. The overall length would be 10.1m and it would extend across the whole of the rear elevation. The first floor side extension would be set back from the main front elevation by 2m.

Relevant Planning History

N/A

Publicity

Neighbours notified on 20/06/2022 - One objection received. See below.

We have concerns regarding the 2 story extension round the side of No 8. We have a window at the side of our property upstairs which we feel a 2 story will block the sunlight from entering the upstairs that goes into the bedrooms and also through our back door which is also at the side of our property downstairs opposite the extension being built. The sun comes at the front of the house in the evenings the extension will block the sun during the summer months in our back garden. During the winter month when the sun is low we will have no sunlight at all. We are more than happy for a single story as at the side of there property.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

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 design of the proposal is considered to be in keeping with the existing building and the 2m set back at first floor level from the original front elevation means the proposal is considered acceptable in terms of 'terracing' and the effect on the 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 -

- There would be around 5m of drive length remaining to the front of the extended property which would be acceptable in terms of SPD 6.
- There would be no windows in the side elevation adjacent to no.10 next door. As such there would be no concerns regards loss of privacy at this property.
- The plans show that there would be around 900mm from the side elevation to the boundary with no.10. As such there would be no encroachment on to land at no.10 Poolfield Close.
- There is an entrance door and first floor window on the side elevation of no.10. The window appears to be to a landing. Although the two storey side extension would have some detrimental impact on light to this windows given that they would be classed as non-habitable openings it would not be considered detrimental enough to warrant refusal.
- The front elevation of the two storey extension would be set back by 2m from the main front elevation. With this in mind the proposed extension would not have any significant detrimental effect on windows to the front elevation of no.10 next door.
- The 45° rule would be satisfied with regards to windows on the rear elevation of no.10 next door.
- At the rear there would be over 7m from the first floor elevation to the rear boundary which would be acceptable in terms of SPD 6.
- Given that the attached neighbour at no.6 Poolfield Close has an existing single storey rear extension and the proposed two storey rear extension would not project beyond this it is considered that there would be no significant detrimental effect on residential amenity at this property.
- The neighbour at #10 was concerned about the impact of direct sunlight upon their back garden especially in the winter months. Their rear garden is south easterly facing and as such, impact upon this area would only occur from midday onwards. However, given the position of the houses, position of the extension proposed, the impact upon the garden would likely arise from the relationship to the existing house and therefore the extension would not make any significant difference over and above from the existing dwelling.

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 but there would be a study and a new bathroom added to the first floor level. 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 up to two vehicles and this would remain following the side extension being built. The area also has on street parking available 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 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 2811/AL/001, 2811/AL/1001 and 2811/AL/1002c 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>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU	29/7/22	DM	29/7/22