

DELEGATED REPORT

Report by Jane Langan	Date of report: 27/07/2023	Ref: 69643/FUL
Registration: 23/05/2023	LDfC: 16/06/2023	Expiry Date: 18/07/2023
Site Visit: 31/05/2023	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: Raise height of front boundary wall with fencing/sliding gates and formation of additional vehicular access

Location: 66 Radcliffe New Road, Whitefield, Manchester, M45 7GY

Description

The property is an extended dormer bungalow located on a main road. It has garden and a drive to the front leading to an integral garage. The neighbouring property to the west side is No.68A, a bungalow. To the opposite side No.64 is a two storey semi detached house.

The application proposes a boundary wall and gates along the frontage. It would comprise of a 0.9m high wall with pillars to 1.5m high and aluminium bar infills in between. There would be a 1.5m high sliding gate to the existing vehicular access and an additional access would be created to the opposite side with a further gate to match.

Relevant Planning History

65343 - Demolition of existing Roof; Construction of new roof with dormer extensions; First floor side extension - AC 15/05/20.

Publicity

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions for the implementation of the parking arrangements and storage of materials.

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 - SPD6 states that boundary enclosures such as walls, fencing and railings should respect the character of the street scene. The general character of the immediate area is low red brick walls. The proposal has been revised from the original submission to reduce the total height of the wall from 2m to 1.5m. The revision would now see a wall finished in white render, solid to 0.9m in height, with pillars to 1.5m and the with 0.6m aluminium bars allowing an open appearance. With the main property in white render to the walls, and the roof and dormers dark grey, the proposed wall and gates would be in keeping as viewed against the house. Render is a common and popular finish and whilst the adjacent boundary treatments are in red brick there is render seen along parts of Radcliffe New Road. As such it is not considered that there are any grounds for refusal in terms of the street scene.

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 improve the parking arrangements by providing in out access at the front. The new drive would be in permeable block paving and a landscaped area would be to the rear of the new wall.

Residential amenity - The proposed wall/gates would not be located in close enough proximity to the neighbouring properties for it to have any significant impact.

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 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 01. Rev 1, 004. Rev 2, 005. Rev 1 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.
- 3 The amended access and parking arrangements indicated on the approved plans, incorporating the provision of a new footway crossing and widening of the existing footway crossing, partial removal of the existing boundary wall, provision of electric sliding gates, demarcation of the limits of the adopted highway, hardstanding in a permeable/porous material and/or measures to prevent the discharge of surface water onto 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 to the satisfaction of the Local Planning Authority before the new access and parking facilities hereby approved are brought into use.
Reason. To ensure good highway design in the interests of road safety pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	27/07/23	DM	27/07/23