

DELEGATED REPORT

Report by Amanda

Date of report: 08/01/2024

Ref:70280/FUL

Uhunmwagho

Registration: 24/11/2023

LDfC: 20/12/2023

Expiry Date: 19/01/2024

Site Visit: 04/12/2023

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Erection of steel framed balcony with glazed balustrade at rear and addition of composite cladding to rear elevation

Location: 12 Brookside Walk, Radcliffe, Manchester, M26 4JT

Description

The application relates to a detached bungalow on Brookside Walk, Radcliffe. At the front the site is accessed via a footpath. There is a low brick wall along the front boundary and the dwelling is raised in height to the footpath, with a small area of balcony and steps leading down to the garden. At the rear there is additional access to the property along with a drive for one vehicle and a detached garage. Given that site is located on a bend on Brookside Walk the property is built further forward compared to the two adjacent dwellings.

Directly to the south west of the site is a footpath and an area of grass and woodland, with a small brook running through it. Properties on the opposite side of Higher Ainsworth Road to the west are over 50m away from the application dwelling.

The proposal is to add a black powder coated steel framed balcony with frameless glazed balustrade to the rear/west side of the dwelling as well as composite cladding to the rear elevation, as well as partly to the side elevations. The balcony would project 3m from the existing rear elevation and it would measure 9.93m wide. It would be built over the existing terrace and steps.

The whole of the rear elevation and part of both side elevations would be finished with dark grey coloured composite cladding and the existing kitchen/diner window would be replaced with patio doors.

Relevant Planning History

N/A

Publicity

4 Neighbours notified on 28/11/2023 - 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.

The proposed cladding and glazed balcony would add a modern feature to this property and given its location the site would be visible by anyone using the footpath to the west, especially as the balcony would project closer to the boundary. However, the area to the west is covered in fairly dense woodland and there would be around 25m from where the balcony would be situated to Higher Ainsworth Road. This means that the property would not be readily visible in the streetscene.

The overall character of the existing building would be retained and the proposed balcony would be considered acceptable in this location.

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 balcony would be around 9.6m away from the northern boundary and there is existing planting within the site which would screen much of the views to and from this direction.
- To the south the balcony would be around 1.9m away from the shared boundary with no.10 Brookside Walk. This means the balcony would be no closer to the shared boundary than the existing terrace is currently. There is also planting along the shared boundary which would screen some views to and from the balcony.
- As the application dwelling projects forward of no.10 next door and it is built at an angle any views from the balcony would not be directly towards either of the adjacent neighbouring properties and their gardens.
- Properties on Higher Ainsworth Road would be over 50m away from the proposed balcony.
- The development would not impact on the existing parking arrangements within the site.
- The proposed cladding and new patio door would not have any significantly detrimental effect on residential amenity.

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 therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the drive and garage to the front of the property.

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 001 Rev A, 002 Rev A, 003 Rev A, 004 Rev A, 005 Rev B, 006 Rev B and 007 Rev B 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 dark grey composite cladding to the walls and black powder coated steel frame balcony with glazed frameless balustrade.

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 - 08/01/2024			