

DELEGATED REPORT

Report by Jane Langan	Date of report: 04/07/2022	Ref: 68358/FUL
Registration: 20/04/2022	LDfC: 02/06/2022	Expiry Date: 15/06/2022
Site Visit: 23/05/2022	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: Single storey extension at side/rear

Location: 16 Tipton Close, Radcliffe, Manchester, M26 3WZ

Description

The property is a semi detached bungalow located at the top of a cul de sac. It has garden and drive to the front and has been previously extended single storey at the side and rear. Garden and a patio extends to the side and rear and timber fencing runs along the boundaries. The adjoining property is No.18 and the side and rear boundary of the site borders the rear gardens to properties on Plymouth Grove and a small section to 12 Honiton Grove.

The application proposes a single storey extension at the rear 3.59m deep and 6.74m across to form a dressing room and store room. The roof would extend as a dual pitched across the existing side extension.

Relevant Planning History

46780 - Single storey extension at side/rear - AC 03/10/2006

59138 - Demolition of existing conservatory and erection of single storey side extension - AC 21/09/2015

59365 - Non-material amendment following grant of planning permission 59138 for erection of single storey side extension: Replace approved hipped roof above master bedroom with gable - Approved 09/11/2015

Publicity

Surrounding neighbours were notified by letter and no responses have been 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. 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 - Located to the rear the proposal would not be visible from the main street view. It would have a pitched roof which would extend across the existing hipped roofed side extension to form a gable wall at the side. Materials would be brickwork and roof tiles to match the existing.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The proposed extension would provide a dressing room off the main bedroom and the existing second bedroom would become a store room in addition to part of the extension store. It is possible that the extension store could be converted to a bedroom at a later date however the existing parking arrangements to the front drive would be unaffected. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient.

Residential amenity - The proposed extension would run along the boundary with the

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adjoining No.18 as blank wall projecting 3.59m from the rear of this neighbouring property. SPD6 deems 3m to be acceptable and therefore the consideration is the impact of the additional 0.59m. The proximity of the window to the rear of No.18 is such that there would be encroachment of the 45 degree line at a point less than 3m. The development would however be located to the north side and therefore would not cause any significant overshadowing or loss of light. The proposed extension would see a side gable wall along the boundary as it would extend to run across the existing side extension. This would mean that the roof would be at approximately 4.4m sloping down to 2.3m at the eaves. Again, located to the north side it would not cause any significant overshadowing to the garden area of no.18. To note no comments have been raised by No.18 and Certificate B has been completed in respect of the encroachment.

To the opposite side the proposed extension would have a dressing room window facing into the site garden and which would be level to the existing bedroom window.

To the rear the proposed window to the store would face on to the rear site boundary where there is a shed.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

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 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 01, 02, 03 Rev A, 04, 05, 06 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.

<u>Case Officer</u> JL	<u>Date</u> 04/07/22	<u>Sign off Officer</u>	<u>Date</u>
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