

DELEGATED REPORT

Report by Helen Pressley	Date of report: 01/03/2024	Ref: 70300/FUL
Registration: 07/12/2023	LDfC: 27/02/2024	Expiry Date: 01/02/2024
Site Visit: 26/02/2024	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 side extension for use as garage

Location: 2 Burghley Close, Radcliffe, Manchester, M26 3XZ

Description

The application relates to a two storey detached house on the corner of a residential cul-de-sac of similar styled properties. Driveway to front and side with a 2.5m high laurel hedge around the side boundary. Garden shed at the back of the driveway.

It is proposed to add a single garage to the side of the house, between the side wall and the boundary hedge. It would have a footprint 5metres by 3.3metres and a mono-pitched roof to a maximum height of approximately 3.6 metres It would be constructed in red brick and tile to match the house. The boundary hedge would remain in situ.

The application is a resubmission of application 69567 increasing the width of the garage from 3metres, to 3.3 metres.

Relevant Planning History

69567 - Single storey side extension for use as garage - Approve with Conditions
21/06/2023

Publicity

Neighbour letters sent 06/02/2024. No representations 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.

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 single garage would be situated at the side of the house behind the existing boundary hedge. In design terms, the garage would be modest in scale and would be in keeping with the appearance of the house. In terms of its wider visual impact, although the garage would be about 1m back from the side boundary with the highway, it would be almost completely screened by the boundary hedge and with an eaves level of only 2.2m, it would not appear particularly incongruous within the streetscape which is characterised by relatively shallow frontages with various degrees of articulation.

The proposal is acceptable in terms of visual amenity and complies with UDP Policy H2/3 and guidance.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of

neighbouring properties.

Given the modest size and position of the garage in relation to neighbours, there are no residential amenity issues arising from the proposal. As such the proposal is acceptable and complies with UDP Policy H2/3 and guidance in relation to residential amenity.

Drawings

Whilst the quality of the drawings is not ideal, a site visit has been undertaken and the measurements are correct. The proposal is acceptable in this respect.

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 the location plan received 1st December 2023 and drawings received on 1st March 2024 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 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>
HP 01/03/2024		DM 04/3/24	