

**DELEGATED REPORT**

**Report by** Amanda

**Date of report:** 30/12/2022

**Ref:**69018/FUL

Uhunmwagho

**Registration:** 09/11/2022

**LDfC:** 05/12/2022

**Expiry Date:** 04/01/2023

**Site Visit:** 23/11/2022

**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:** Two storey extension at rear/single storey extension at side/rear

**Location:** 8 Woodvale Road, Radcliffe, Manchester, M26 1UA

**Description**

The application property is a two storey detached dwelling with gardens to the front and rear. Directly to the west side elevation is a highway (Lawndale Close). There is a 1,8m high fence along the boundaries and along the boundary with Lawndale Close there is planting to both sides of the fence. There is a drive way to the east side of the dwelling with a detached garage to the rear.

The proposal is to build two storey/single storey extensions to the side and rear of the existing dwelling. The extension would extend an existing bedroom at first floor level and would add a ground floor bedroom and en-suite, as well as extending the existing dining room and lounge. The development would include a garage conversion.

The side extension would be set back from the main front elevation by around 6.37m. It would measure 2.33m wide x 5.6m long (existing garage). It would measure 4m wide to the rear and then the extension would be stepped back by 3m. The remainder of the extension across the rear elevation would measure 7m wide and it would project 3.55m from the existing rear elevation.

The two storey section would be to the west side of the rear elevation. It would project 3.55m and would measure around 3.4m wide. The roofs would be pitched.

**Relevant Planning History**

N/A

**Publicity**

Neighbours notified on 14/11/2022 - No comments or objections received.

**Statutory/Non-Statutory Consultations**

None.

**Pre-start Conditions** - Not relevant.

**Unitary Development Plan and Policies**

SPD6      Supplementary Planning Document 6: Alterations & Extensions  
H2/3      Extensions and Alterations

**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.

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 side and rear extensions would be built with materials and a design that would be considered to be in keeping with the existing building, as well as with neighbouring properties in the immediate vicinity.

The west side elevation would be around 2m away from the boundary with Lawndale Close to the side which would be acceptable in terms of SPD 6. With this in mind it is considered that there would be no significant detrimental effect on the character of the existing street scene.

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 proposed development includes the conversion of the existing garage as well as extensions to the side and rear of the existing dwelling. With this in mind there would be no concerns regards encroachment of the shared boundary to the east of the site with properties on Stand Lane.
- To the front of the side extension there would be an en-suite window to the front elevation, overlooking the applicant's driveway and a bedroom window to the rear. SPD 6 recommends that there should be at least 6.5m from a habitable ground floor window to a boundary. In this instance there would be around 5.5m from the new bedroom window to the shared boundary with no.2 Lawndale Close to the rear. Although this distance is less than the 6.5m as recommended in SPD 6 any outlook from the new room would be towards the side elevation of the neighbouring property and would not have direct views towards any habitable room windows on that property. It is also noted that there have not been any objections from the neighbour at the rear.
- SPD 6 recommend that there should be at least 7m from a first floor habitable room window to a shared boundary. In this instance the new rear bedroom window would be around 6.4m from the shared boundary with no.2 Lawndale Close at the rear. Although this is less than the recommendation set out in SPD 6 any views from the first floor bedroom window would be towards the side elevation of the neighbouring building, which has no habitable room windows in it. As such, in this instance the lesser separation distance is considered acceptable.
- The whole of the development would be a sufficient distance from properties to the east and west not to have any significant detrimental impact on residential amenity at those properties.

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 increase the number of bedrooms from 3 to 4 and 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/side for parking two vehicles and this would remain following the construction of the side extension which would be set back from the front of the property.

The proposed site plan also shows that part of the front garden would be removed and a third parking space created. This is not part of the proposal but it is noted that the creation of a further parking space to the front of the site could be undertaken as permitted development. The area is high access in terms of public transport and there are no restrictions to on-street parking. 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 SC2022-282-L-(-0) 001 revision A, SC2022-282-L-(-0)002 revisionB, SC2022-282-L-(-0) 003 revision C, SC2022-282-L-(-0) 004 revision B and SC2022-282-L-(-0) 005 revision A 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.

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|---------------------|-------------|-------------------------|-------------|
| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
| AU - 30/12/2022     |             |                         |             |