

DELEGATED REPORT

Report by Amanda

Date of report: 14/06/2023

Ref:69492/FUL

Uhunmwagho

Registration: 19/04/2023

LDFC: 02/06/2023

Expiry Date: 14/06/2023

Site Visit: 22/05/2023

Site Notice: N/A

Press Date: 11/05/2023

Objections: 0

Con Area: N/A

Adv Type: ASB

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey/first floor side extension with alterations to roof and front porch; Alterations to windows on ground/first floors

Location: 298A Stand Lane, Radcliffe, Manchester, M26 1JB

Description

The application property is a two storey, previously extended detached dwelling with a detached store to the side. There is a large drive way to the front accessed from Stand Lane to the south east of the site. There is a brick wall along the side boundary with Stand Lane and lots of trees and planting throughout the site. Some trees within the site are protected.

The proposal is to build a two storey extension to infill the small gap between the main house and the detached store to the side with a first floor extension above part of the store. The roof would be hipped. The extension would provide a new bedroom and en-suite to the first floor and to the ground floor the store would be converted in to living accommodation and a smaller store along with a new porch. There would also be some alterations to existing windows to all elevations.

Relevant Planning History

69491 - Formation of new driveway/vehicular access with electric gates and replacement of existing access/gate with brick boundary wall -

Publicity

Neighbours notified on 05/05/2023 - No comments or objections received.

Bury Times advert on 11/05/2023.

Site notice erected on 12/05/2023.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

EN2/3 Listed Buildings

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

EN2/3 Listed Buildings

NPPF National Planning Policy Framework

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.

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 extension would in fill a small gap between the main house and detached store and then be built over part of the store. It would be finished with a design and materials that would be considered to be in keeping with the existing building, and as it would be just over 5m from the boundary with Stand Lane to the side it would not appear

intrusive in the existing streetscene.

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.

Affecting the setting of a listed building -

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require decision makers to have special regard to the desirability of preserving a listed building or its setting or any feature of architectural or historic interest it possesses. The decision maker must also give considerable importance and weight to the desirability of preserving the setting of the listed building.

Numbers 298 and 300 Stand Lane to the south of the site are listed buildings, dating back to the late 18th century. The application property is not a listed building, nor is it on the local list. The existing property is around 9.5m away from these listed buildings and the area that is to be extended is on the north east side of the existing dwelling and it would be around 21m away from 298 Stand Lane. The extension would reflect the character of the existing property on site and would be finished with materials that would match. As such the proposed extension would preserve the setting of the listed buildings to the south west of site pursuant to the NPPF and Bury UDP Policy EN2/3 - Listed Buildings.

Residential Amenity -

- The north east side elevation of the extension would be just over 5m from the boundary with Stand Lane and there would be no windows in the side elevation overlooking the highway.
- Properties to all side of site would be more than a sufficient distance from the extended property not to have any significant detrimental effect on residential amenity at those properties.
- The proposed extension would not have any impact on the existing parking arrangements within the site.

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 4 to 6 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 a drive at the front for the parking several vehicles. A separate planning application has been submitted with regard to a new drive way and access from Stand Lane. However, if that application goes on to be approved there would still be parking for at least two/three vehicles available within the site.

The area has on street parking and there is public transport available. As such the existing spaces within the site are considered sufficient and there are not grounds for refusal.

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 the drawings received on 23/03/2023 and 19/04/2023 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 14/06/2023		DM 14/06/22	