

DELEGATED REPORT

Report by Mo Warsame	Date of report: 29/09/2022	Ref: 68435/FUL
Registration: 08/08/2022	LDFC: 30/08/2022	Expiry Date: 03/10/2022
Site Visit: 27/09/2022	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: Two storey extension at side and Single storey extension at rear

Location: 4 Carrslea Close, Radcliffe, Manchester, M26 4NP

Description

The property is a two storey detached dwelling within in a street of predominantly semi-detached housing. The property have front and rear garden and 2m high fences around the boundaries. Semi-detached properties No.2 and 6 Carrslea Close are located on either side of the property and the rear boundary is shared with properties No.10 Carrslea Close and No.31 Moss Shaw Way. The property also share a boundary with No.29 Moss Shaw Way to the side.

The applicant proposes to build a two-storey side and single-storey rear extensions. The two-storey side extension would have no setback and run 7.1 metres from the side of the original dwelling. The single storey rear extension would project 3 metres to the rear and 2.35 metres to the side and would adjoin the proposed side extension. The development would form a wrap-around extension on the ground floor and accommodate a lounge/dining area, utility room and toilet at the ground level along with enlarged bedroom and bathroom on the first floor. The proposed two-storey side extension would be setback 200mm from the shared boundary line with No.2 Carrslea Close and No.29 Moss Shaw Way and have no windows proposed to the side. The two storey extension would have a hipped roof with tiles, while the single storey rear extension would have a mono-pitch roof with roof lights.

Relevant Planning History

N/A

Publicity

Immediate neighbours were notified on 08/08/2022. No responses have been received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
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.

Visual Amenity

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

The proposed side extension would have hipped roof replicating the shape and style of the original, and neighbouring properties. The mono-pitch roof to the proposed single storey rear extension would be considered acceptable. The proposed windows would be suitably aligned, and the use of matching materials would create a harmonious development.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and therefore complies with UDP Policy H2/3 and SPD 6.

Residential Amenity

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

- The two storey side extension would have a blank wall to the side and would not project beyond the existing footprint of the building. Therefore there would be no proposed windows directly facing towards No.2 Carrslea Close and No.29 Moss Shaw Way.
- The proposed single-storey rear extension would have no proposed windows on the sides and project no more than 3 metres to the rear. There would be sufficient setback from the shared boundary line with the adjacent No.6 Carrslea Close therefore, the 45-degree rule would not apply. As such there would be no significant loss of light and the proposal would not be unduly overbearing.
- To the rear, the single storey extension would be facing towards the shared boundary with properties No.10 Carrslea Close and No.31 Moss Shaw Way. However there would be no detrimental impact in terms of overlooking and privacy as the extension would be screened by the existing 2m high fencing beyond which would be the garden sheds on the rear-end of each respective neighbour's garden.

Overall, there would not be any seriously detrimental effect on the residential amenity of any adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Highways

There would be no changes to the parking layout or the number of bedrooms. The current parking arrangements would therefore be acceptable.

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 22/DB/001, 22/DB/002 rev A, 22/DB/003 rev A, 22/DB/004 rev 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 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

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Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	29/9/22		