

DELEGATED REPORT

Report by Mo Warsame	Date of report: 09/10/2023	Ref: 69948/FUL
Registration: 14/08/2023	LDFC: 08/09/2023	Expiry Date: 09/10/2023
Site Visit: 22/09/2023	Site Notice: N/A	Press Date: N/A
11:00:00		
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extension at rear and alterations to roof at side

Location: 3 Warth Fold Road, Radcliffe, Manchester, M26 2XL

Description

The application relates to a semi-detached dwelling located on Warth Fold Road. There is currently an area of paving to the front of the property allowing for off road parking, with private residential amenity space located to the rear. The premises also benefits from a single garage to side. The are over 20m to any properties in front and rear of the site. To the side, the property shares boundaries No.1 Warth Fold Road (west) and No.1-11 Farcroft Avenue.

Planning permission is sought for a single storey extension to the rear. The extension would project 1575mm on one side (west) and 4575mm on the other side (east), effectively creating an infill extension. The extension would have a setback of 500mm from the shared boundary with No.1 Warth Fold Road and the whole property is setback from the shared boundary on the opposite side. Proposal would also include the installation of a new window to the side of the existing dwelling. The development would facilitate a new toilet and open plan kitchen diner.

The proposal would accommodate a new utility room along with additional lounge on the ground floor. The development would be constructed with matching materials and would have a flat roof with large rooflight.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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 -

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 single storey infill extension would be modest and would not project out excessively beyond the principal rear elevation. To the east the development would extend 4575mm to the rear. However, it be partly shaded this neighbour's single storey extension. Furthermore, it would be a simple rectangular structure with flat roof that would be

constructed with matching materials. Therefore, there would be no detrimental impact on the 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 -

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- There would be over 20m to the rear site boundary.
- The SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule would apply. However, taking in to account the Larger Homes Scheme and that the adjacent neighbours have not objected the projection of 4.57 metres along the shared boundary would be acceptable. Furthermore, the other side would only extend 1.57 to the rear and would have a setback of over 3m.
- The proposed extension would have no side windows facing any of its adjacent neighbours. The proposed window to the side would be from the existing utility room. This would not be habitable room would have sufficient distance to the shared side boundary. As such, it would be considered acceptable.
- There would remain an acceptable amount of outdoor private amenity space.
- As there would be no increase to the number of bedrooms at the property the existing parking arrangements would be considered acceptable.

Overall, there would be no serious impact on amenities of the 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.

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 Lee_01_P2, Lee_02_P2 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>
MW	09/10/2023		