

DELEGATED REPORT

Report by Mo Warsame	Date of report: 12/12/2024	Ref: 71249/FUL
Registration: 15/10/2024	LDfC: 11/11/2024	Expiry Date: 10/12/2024
Site Visit:	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 rear extension; Dormer extension to both sides

Location: 24 Grindsbrook Road, Radcliffe, Manchester, M26 4JS

Description

The property is a bungalow with a gable front design and located on a row of similar. It has a drive and garden at the front which slope down and the property sits at a slightly lower level to the road. At the bottom of the drive is a detached garage.

The neighbour to the north side is No.26 and No.22 is on the opposite side.

Planning permission is sought for the erection of a single storey rear extension projecting 2.2m to the rear and dormer extensions on both sides of the property. The dormers would be constructed within the footprint of the main roof and would not extend beyond the height of the roof's ridge height. The development would accommodate a boot-room/utility on the ground floor along with a new bathroom, additional bedroom and dressing room on the first-floor. The single storey extension would have a pitched roof while the dormer extensions would have flat roofs.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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 dormers would be relatively modest. However, it would have obtrusive design, which would detract from the character of the dwelling. It would dominate the character of the original dwelling. Although there are side dormers further down the street, these tend sit on one roof slope only. The dormers on both sides would result in complete alteration to the original roof and as result this would be seriously detrimental to the visual amenity, both in terms of the appearance of the existing building and streetscape.

The proposal is therefore, considered to be out of character with the existing property and would appear incongruous within the streetscape and would therefore conflict with UDP Policy H2/3 and guidance in SPD6 relating to extensions and alterations.

Residential Amenity

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

- In terms of overlooking and privacy, there would be no proposed side windows on either side of the proposed single storey extension. Moreover, there are sufficient distance to the rear boundary and no properties beyond.
- 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, the proposed extension would only project 2.2m which would be acceptable.
- The proposed side dormer extensions would be built entirely on the existing footprint of the property. There would be no proposed side windows facing No.26. On the opposite side, the bathroom and dressing room windows could be conditioned to be obscure. The proposed side windows from the bedroom would be non-primary windows and would overlook the roof and the front garden of the neighbouring property (No.22). This would not have any detrimental impact on the residential amenities of this neighbour. Furthermore, number of properties within this street have similar development approved. Therefore, the proposed side dormer extensions would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

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.

Highways

The proposal will result in one additional bedroom and there will be no changes to the parking layout. Therefore, the driveway at its current condition would meet the maximum parking requirements.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed dormers would, by reason of position and design, appear overdominant and incongruous on the existing dwellinghouse and would be out of character within the streetscape. The proposal would therefore be seriously detrimental to the visual amenity and would conflict with the following policy and guidance:
UDP Policy H2/3 Extensions and Alterations
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	12/12/2024		