

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 20/09/2022	Ref: 68680/FUL
Registration: 19/07/2022	LDFC: 09/09/2022	Expiry Date: 13/09/2022
Site Visit: 26/08/2022	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extension at side/rear linking to existing detached garage and conversion of garage to living accommodation

Location: 20 Sherwood Avenue, Radcliffe, Manchester, M26 4LE

Description

Semi detached dwelling within an established housing estate.

The property has a detached single garage set back behind the rear elevation of the property with a driveway for 2 cars.

The adjacent property No 21 has a driveway and similar detached garage at the rear. There are non habitable room windows at the ground floor facing the side of No 20.

The application seeks a single storey link extension at the side and rear to connect the main house to the detached garage.

The application also proposes to convert the garage to living accommodation.

Relevant Planning History

N/a

Publicity

letters sent on 19/8/22

One objection received -

I wish to object to the single storey extension at side/rear linking existing garage to living accommodation at 20 Sherwood Avenue. The plans available are not as indicated to me by the owner of the property. I was advised that the extension to the garage would be much shorter than on the plans submitted to you and it was never discussed that there would be a pitched roof. The roof on the garage is a steep pitch and when this continues to the existing house it will, in addition to the new boundary wall, result in great loss of light to two windows on my property directly in line with the store room extension. I would appreciate before the plans are passed, you acquiring a measurement of the total loss of light to my property and advising me of the result. The storeroom boundary wall on the East elevation also appears to abut the existing boundary fence.

Statutory/Non-Statutory Consultations

n/a

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

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.

Residential amenity - The proposed single storey side extension would be located directly adjacent to the neighbours boundary, No 21. The extension would project 2.1m forward of the front elevation of the garage. There is a window in the side of the neighbours ground floor elevation but this is a secondary window to an extension and as such it is considered there would not be a detrimental impact on light or outlook from this property. Given the relatively small addition and that the extension would be set towards the rear of the site it is considered there would not be a significant impact on the adjacent neighbour.

The rear extension would project from the existing rear elevation of the house and link to the garage and given the relationship to No 21 there would be no significant impact on the neighbour.

DELEGATED REPORT

The plans show that the proposed extension would not encroach the neighbours property. Certificate A on the application form has been signed.

Conversion of the garage does not require planning permission.

It is therefore considered the proposed development would comply with H2/3.

Visual amenity - The proposed extension would be single storey with a pitched roof to match the existing garage with materials to match. The extension would be located to the rear of the site and not highly visible from the street.

As such it is considered there would not be an impact on the visual amenity of the street scene.

Parking - Two driveway spaces would retained which is considered acceptable for the size of dwelling in this location.

Response to objectors - Issues raised have been covered in the above report.

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 - 601-01; 601-02; 601-03; 601-04; 601-05B; 601-06B; 601-07B; 601-08B 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	20/9/22		