

DELEGATED REPORT

Report by Mo Warsame	Date of report: 17/01/2025	Ref: 71385/FUL
Registration: 26/11/2024	LDFC: 03/01/2025	Expiry Date: 21/01/2025
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: Two storey/single storey rear extension

Location: 9 Chaucer Avenue, Radcliffe, Manchester, M26 3QS

Description

The property is a semi-detached property situated on a corner plot, the premises has gardens to the front and rear and there is off-street parking to the front of the site. The attached property is No.10 Chaucer Avenue. There are no properties directly on the opposite side nor beyond the rear boundary.

Planning permission is sought for part single, part two storey rear extension. The part single element would project approximately 3 metres to the rear on one side and 4 metres to the rear on the other side. The part two-storey element would also extend 3 metres to the rear and run the entire width of the existing dwelling.

The proposal would facilitate two additional bedrooms on the first floor and open plan kitchen on the ground floor level. The development would utilise the use of some matching materials and would have flat roof.

Relevant Planning History

None.

Publicity

Neighbour letters sent. One objection received.

Comments

There is a concern of the number of proposed bedrooms and whether the property would remain as a family house.

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

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.

Situated to the rear, the proposed development would not be visible from the street scene at the front of the house. It would be a modest structure as both ground floor and first floor segments would have modest protections to the rear. Additionally, the development would be constructed with matching materials.

Overall, the proposal is considered acceptable, in keeping with the existing property and would be constructed using matching materials. As such, there would not have any

detrimental impact on the visual amenity of the area.

Residential Amenity

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

The ground floor segment of the proposed development would extend 3-4 metres to the rear. This would be considered acceptable if taking in to account the Larger Homes Scheme and that the adjacent neighbours have not objected the projection of 3-4 metres beyond the principal rear elevation along the shared boundary would be acceptable.

The adjoining property has a single storey extension at the rear and therefore the section of the proposal that projects past its rear elevation would effectively be as a single storey to single storey. The extension would project 3 metres from the first floor therefore, the 45-degree rule would apply. However, when taken the 45-degrees from the mid-point of the closest habitable window there would be no detrimental impact in terms of overlooking and privacy. Furthermore, given there would be no proposed side windows, this would be acceptable. Moreover, there would also be a sufficient distance to the rear boundary and no properties beyond.

Overall, there would be no serious impact on amenities of the adjacent neighbouring properties, and there have been no objections to this proposal by any of these 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.

Response to objection(s)

The proposed floor plans have been amended. The new proposed plans now show only one additional bedroom instead of 3. This would be considered acceptable. Additionally, the agent has confirmed that the property would remain a single family house.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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.

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- 2 This decision relates to drawings numbered 002,003, 502 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 and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	17/01/2025	DM	17/01/25