

DELEGATED REPORT

Report by Mo Warsame	Date of report: 11/07/2023	Ref: 69599/FUL
Registration: 10/05/2023	LDFC: 02/06/2023	Expiry Date: 05/07/2023
Site Visit: 31/05/2023	Site Notice: N/A	Press Date: N/A
13:00:00		
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extension at front/side; Formation of new vehicular access/driveway and landscaping

Location: 7 Woodley Avenue, Radcliffe, Manchester, M26 1BL

Description

The property is a semi-detached house located on a corner plot. There is a garden to the front and side. There is a small garden to the rear with fencing along the boundaries. The attached property is No.5. The neighbouring property to the opposite side is No.9 which separated by a highway (Firwood Crescent).

Planning permission is sought for a single storey extension at front/side along with the formation of new vehicular access/driveway and landscaping. The proposed extension would project 1500mm to the front and a maximum of 4026mm to the side. The side extension at the front corner would be 1.3m from the boundary with the highway to the side but this gap increases to approximately 4m at the rear with the side garden inbetween.

The development would accommodate a new porch and two additional bedrooms, one with ensuite bathroom. The proposal would also include the formation of new driveway. The proposed extension would be constructed with matching materials and would have hipped pitched roof.

The applicant has submitted a letter from Bury Council - Strategic Commissioning and Bury CCG – One Commissioning Organisation in support of the scheme. It states that the proposed development would be for a disabled person and that the current property would require suitable adaptations for the applicant to continue living independently at the property.

Relevant Planning History

None.

Publicity

Neighbour letters sent on 11/05/2023. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections subject to condition.

Comments

The proposed site plan fail to show the part of the fence being taken out to make a way for the vehicle to enter the driveway.

Pre-start Conditions

N/A

Unitary Development Plan and Policies

EN1/1	Visual Amenity
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
NPPF	National Planning Policy Framework

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 application site forms part of the south-eastern end of a pair of semi-detached properties located on the corner where Woodley Avenue meets Firwood Crescent. The property is orientated at an angle and provide an attractive form of development with the frontages of properties on all surrounding roads having a strong build-line.

Single-storey side extensions on corner plots should not normally occupy more than half of the available width of the side area or should normally leave a minimum of 2m from the back of the public highway to the side wall of the proposed extension. However, in this case the prevailing pattern of development in the locality is typified by relatively shallow frontages. Therefore, this would be acceptable.

The proposed extension would project 1.5m from the principle front elevation. However, this would not be considered excessive. Furthermore, the development would not have detrimental impact on the parking and access arrangements at the property. Overall, the proposed single storey extension would appear subservient to the existing structure as development would have a hipped, pitched roof. Furthermore, the proposed extension would be constructed in matching materials to replicate the style and shape of the existing dwelling and the character of the area.

For the above reasons, together with the fact that this development would be for a disabled person and SPD6 allows exceptions to the above criteria in cases where proposals are specifically for disabled people who require particular adaptations to their homes. Therefore, the proposal would have no detrimental impacts on the visual amenity of the street scene. The proposed development would therefore comply with UDP Policies SPD6, H2/1, H2/2 and EN1/2, and the NPPF.

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, the development would have sufficient distance to the properties to the front and side.
- In terms of the general prominence and impact on daylight the proposed extensions would be set off from the shared boundaries and would not project beyond the principle rear elevation. Therefore, any overshadowing would not be seriously excessive above and beyond the existing situation.
- There would remain an acceptable amount of outdoor private amenity space.
- The applicant has submitted Certificate A.

Parking

The proposal will result in two additional bedrooms and the parking at its current condition meets the maximum parking requirements. Moreover, amended plan (Drawing:09) showing the landscaping, the parking entrance and arrangement as requested by the highway engineer have been received.

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.
- 2 This decision relates to drawings numbered 01, 02, 03, 04, 09 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.
- 4 The amended vehicular access arrangements indicated on the approved plans, incorporating the provision of a new footway crossing, retention of boundary fencing on either side of the proposed access, demarcation of the limits of the adopted highway, hardstanding in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway and all associated remedial works required to reinstate the footway to its former condition prior to commencement of the development, shall be implemented to the written satisfaction of the Local Planning Authority before the garage and new parking facilities hereby approved are brought into use.

Reason:To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety.
- 5 The development hereby approved shall not be commenced unless and until facilities for the storage of construction materials have been provided within the curtilage of the site to the satisfaction of the Local Planning Authority. The facilities shall be retained for the intended purpose and the area identified shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.

Reason:To maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	11/07/2023		