

DELEGATED REPORT

Report by Jane Langan	Date of report: 23/03/2023	Ref: 69280/FUL
Registration: 02/02/2023	LDfC: 22/03/2023	Expiry Date: 30/03/2023
Site Visit: 13/02/2023	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 rear & side extension; Single storey front extension; Single storey rear extension; Raised decking at rear

Location: 16 Bury And Bolton Road, Radcliffe, Manchester, M26 4LD

Description

The property is a bay fronted semi detached house. It has garden and drive to the front and an attached garage at the side. To the rear it is extended single storey across part of the elevation and has doors to the party wall side. From the back of the house is a patio with steps down to the lower level lawn. The adjoining neighbour is No.18 and has patio doors to the party wall side leading on to an area of decking and then a lower garden. To the opposite side is a path through to the road at the rear and this separates from 14 Bury & Bolton Road, a detached bungalow extended single storey at the side which includes a garage. The rear boundary borders the rear garden to 2 Saville Road.

The application includes a single storey front extension 1.2m deep and 2.1m across to form a porch. To the side a new garage would replace the existing to the same width and internally would include a utility room. It would run along the side for 5m where it would then come out a further 1.5m to the side as two storey. This would extend along the side and 3m would project past the rear elevation for 3.8m across as two storey. The remainder up to the shared boundary would be single storey. The extension would form an extended kitchen/dining room with extended bathroom and an additional bedroom at first floor. From the rear of the single storey, due to the lower garden levels, a 2.5m deep and 1.2m high area of decking would extend.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter on 03/02/23. A further 21 day letter was sent 01/03/23 with regard to the addition of the raised decking. No responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

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 and design - The front porch would not project excessively at 1.2m deep and extend across for 2.1m. It would have a dual pitched roof. To the side the garage would be flat roofed with a parapet wall. Where two storey the extension would be set back 5m from the front elevation and have a monopitch roof extending from the existing hipped roof and a dual pitched roof at the rear. The single storey would be flat roofed with a lantern light. Materials would be brick and roof tiles to match the existing. Due to lower garden levels a 1.2m high and 2.5m deep area of decking would extend out with steps in the centre down to the garden. A 1.1m high glass balustrade would run to the rear and west side and a screening panel 2.1m to the opposite side.

The proposal is considered acceptable and in keeping with the existing property and would

not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would increase the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has a drive of approximately 12m in length and garden where there may be potential for further if the applicant should require it. The parking arrangements are considered sufficient.

Residential amenity - The proposed extension would be single storey and 3m deep along the boundary with the adjoining No.18. Where two storey the proposed extension would not encroach a 45 degree line taken 1m out along the shared boundary. The side elevations of the extension would be blank wall. No.18 has a raised patio at the rear and which is screened by timber panel fencing. The proposed decking to the site would run alongside this decking and there would be a 2.1m high screening. To the opposite side No.14 is separated by a path and there is already a view across towards this property from the existing site patio. The proposed decking would be at 1.2m high and set in from the boundary and across the path and as such there would not be any significant change to the situation as existing. To note no concerns have been raised by any neighbouring properties.

There would be a distance well in excess of 7m from the proposed first floor rear window to the boundary at approximately 15m and the decking 12.5m away.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - 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 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 the revised drawings received on 28/02/23 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	23/03/23	HL	24/03/23

