

DELEGATED REPORT

Report by Tom Beirne	Date of report: 16/11/2021	Ref: 67620/FUL
Registration: 19/10/2021	LDFC: 11/11/2021	Expiry Date: 14/12/2021
Site Visit: 03/11/2021	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side extension

Location: 1 Parkside Close, Radcliffe, Manchester, M26 2QS

Description

The application relates to a two storey red brick detached house on residential cul-de-sac of similar styled properties. There is a single storey extension at the rear with a 1.8m timber panelled fence around rear garden. No.3 Parkside Close, directly to the south has a rear elevation facing the site at a distance of just over 17.5m. No.14 Waterside Close to the east also has a conservatory to the rear and a 1F stairwell on the gable.

The proposed two storey side extension would be on the south side of the house, with a mono-pitched roof carried over onto the existing roof at a shallower angle. The extension would project out 3.1m to the side and run from the front elevation 9.5m towards the rear.

All external finishing materials would match the existing house - brick and tile.

Relevant Planning History

49528 - Single and two storey extensions - Approved 10/04/2008

Publicity

Immediate neighbours notified by letter dated 21/10/2021. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

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.

Design and appearance - Whilst the footprint of the extension and the finishing materials are generally acceptable, the proposed roof design and general appearance, with the mono-pitched roof plane running off the existing roof at a shallower angle, would appear extremely inappropriate on the existing dwelling and very incongruous within the streetscape. The proposal is therefore not acceptable and seriously conflicts with UDP Policy and guidance.

Residential amenity - Given the siting of the extension at the side and distance to immediate neighbours to the side and rear, there are no serious residential amenity issues arising. The distance from the extended house on the south side would be over 14m from the rear elevation of No.3 Parkside Close. This distance is considered to be acceptable in terms of adopted aspect standards contained within guidance note 6. There are no overlooking issues as there are no first floor habitable room windows on the side of the extension and the new bedroom windows on the front and rear are a suitable distance away from boundaries. In terms of residential amenity, the proposal is acceptable and complies with UDP Policy H2/3 and guidance.

Parking and access - The proposed scheme would retain access and parking for two cars at the side of the house. This is considered to be acceptable and complies with UDP Policy H2/3 and guidance.

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 design of the proposed extension is neither appropriate to, nor sympathetic with the existing structure, and would be seriously detrimental to the visual amenity of the streetscape. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 Alterations and Extensions and associated 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>
Tom Beirne	16/11/2021	DM	17/11/2021