

DELEGATED REPORT

Report by Amanda

Date of report: 02/12/2020

Ref:66006/FUL

Uhunmwagho

Registration: 16/10/2020

LDfC: 06/11/2020

Expiry Date: 11/12/2020

Site Visit: 17/11/2020

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at side / rear

Location: 24 Plymouth Grove, Radcliffe, Manchester, M26 3WU

Description

The property is a two storey semi-detached house with gardens to the front and rear of the dwelling and there is an attached garage to the side. At the side the garage would be replaced with an extension in the same position. It would project 2.3m from the side elevation of the property and would measure 8.81m long. The roof would be pitched.

At the rear the extension would measure 6.63m wide and would project 3.5m from the original rear elevation. The roof would be mono-pitched with three rooflights. The plans show that the east side elevation would be built approximately 233mm away from the shared boundary with no.22 (attached) and that the west side elevation would be approximately 290mm away from the shared boundary with no.26.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 16/10/2020 - No comments or objections 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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

Visual Amenity -

The proposed extensions would be built with materials and a design that would be acceptable on this property. As the side extension would be set back from the front elevation and most of the extension would be to the rear of the property there would be no seriously detrimental effect on the existing street scene.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity.

Residential Amenity -

Directly to the rear of the site is an electrical sub-station. There are no residential properties directly to the rear of site and to the front there would be over 20m to the rear garden of no.9 Plymouth Grove to the south. With this in mind there would be no detrimental impact on residential amenity at properties to the front and rear of the site.

No.22 Plymouth Grove has a conservatory on the rear elevation adjacent to the shared boundary. As the extension would only project beyond the rear elevation of this structure by

approximately 437mm there would not be any seriously detrimental effect on residential amenity at no.22 or its rear garden.

No.26, to the west has a conservatory on the rear elevation. This is an extension and the proposed site plan shows that the 45° rule would be satisfied when measured from the central point on the rear elevation of the conservatory. As such there would be no seriously detrimental effect on residential amenity at this property. Neither of the adjacent neighbours have objected to the proposal.

The proposed site plans shows that to the front of the side extension there would be 9.5m of drive length remaining and part of the side extension would be used as a garage. With this in mind there would not be any seriously detrimental effect on existing parking arrangements on the site. As there would be no additional bedrooms the existing parking arrangements would be acceptable in terms of SPD 6 and SPD 11 on this site.

The proposed site plan shows that the existing lawn area to the front of the property would be replaced with stone. They have not indicated on the plan whether this would be permeable materials or not and have not indicated that it would be used for on site parking. It has not been included as part of the current proposal. However, as the area in question is less than 5m² it could be possible to replace the lawn with some kind of hardstanding without the need for planning permission.

The proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties.

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 the existing and proposed drawings received on 02/10/2020 and existing and proposed site plans received on 16/10/2020 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.
- 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.

DELEGATED REPORT

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 02/12/2020.		DM	11/12/2020