

DELEGATED REPORT

Report by Amanda

Date of report: 16/05/2024

Ref:70646/FUL

Uhunmwagho

Registration: 04/04/2024

LDfC: 06/05/2024

Expiry Date: 30/05/2024

Site Visit: 01/05/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Demolition of existing single storey side extension; Two storey side extension

Location: 1 Ringwood Avenue, Radcliffe, Manchester, M26 1BP

Description

The application relates to a two storey semi-detached house which has a garage attached at the side and a single storey extension and conservatory to the rear. The front of the site is paved providing on site parking for two vehicles. Along part of the front boundary there is a brick wall with fences to all other boundaries to the front and rear of the site. The rear garden is mostly paved with planting along the boundaries.

The proposal is to build a two storey side extension. It would provide a store, utility room and dining room at ground floor level and a new bedroom and en-suite bathroom to the first floor. The extension would measure 2925mm wide x 7690mm long and it would be built flush to the front and rear elevations of the existing building. The front elevation would be rendered with the side and rear having a brick finish. The roof would be pitched.

Relevant Planning History

N/A

Publicity

6 neighbours notified on 15/04/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

PfE Places for Everyone

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.

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

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.

Where a two storey side extension would be built next to a boundary a first floor set back of at least 1.5m would normally be required. However, in this instance there is no other property directly adjacent to the shared boundary. No.141 Outwood Road is built at an angle to the site and is around 7.6m away from the shared boundary. As such there would be no concerns regards terracing.

The proposed pitched roof would be different to surrounding properties which have the original hipped roofs. However, given that a homeowner could convert the hipped roof to a

pitched as Permitted Development and there are some examples of pitched roof properties nearby it is felt that the proposed pitched roof would not cause any significant detrimental harm to the character of the existing streetscene.

The extension would be finished with materials and a design which would be considered to be in keeping with the existing building, as well as with neighbouring properties. It would not have any significant detrimental impact on the character of the streetscene.

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 -

- As the extension would be built on the west side of the existing dwelling there would be no detrimental impact on residential amenity at no.3 attached to the east.
- The proposed extension would be a sufficient distance away from properties opposite the front of the site not to have any significant detrimental effect on residential amenity at those properties.
- At the rear the extension would be around 8.5m away from the rear boundary and the upper floor window would be to a non-habitable. As such this separation distance would be acceptable in terms of SPD 6.
- The side elevation would abut the shared boundary with no.141 Outwood Road to the west and the agent has noted on the drawings that the foundation would encroach. As they have submitted Certificate B with the application and notified the owner of the neighbouring property on 03/04/2024 this would be acceptable in terms of Planning.
- There would be no windows in the side elevation adjacent to the boundary with no.141 Outwood Road next door.
- No.141 Outwood Road is also a two storey property which is built at an angle to the application property, with its principal windows to the front and rear elevations. Views from those windows would be past the rear of the extension and not directly towards it.
- The extension would not interfere with existing parking arrangements within the site.

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.

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 an area at the front for parking a vehicle and this would remain following the side extension which would be set back from the front of the property. The area is high access in terms of public transport. In this instance then the parking arrangements are considered sufficient.

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:

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- 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 drawing numbered 2327.01 and associated site plans, 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 17/05/2024			