

DELEGATED REPORT

Report by Tom Beirne	Date of report: 24/09/2024	Ref: 71076/FUL
Registration: 16/08/2024	LDfC: 24/09/2024	Expiry Date: 11/10/2024
Site Visit: 10/09/2024	Site Notice: N/A	Press Date: N/A
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 rear extension

Location: 34 Bury Road, Radcliffe, Manchester, M26 2UU

Description

The application relates to a two storey semi-detached house on a road of similar styled properties. Single storey extension projecting off the rear elevation to the back garden boundary.

The flat roof extension projects off the side/rear outrigger with a footprint measuring 2m by 1.8m. It would accommodate a small en suite and be finished in red brick to match the house.

Relevant Planning History

55190 - Part two storey / part single storey extensions at side and rear; bin enclosure at front - Approve with Conditions 05/07/2012

55593 - Erection of outbuilding at rear (retrospective) - Approve with Conditions 01/11/2012

56674 - Non-material amendment following grant of planning permission 55190 :-insert box bay windows; insert door/window combination frame (in lieu of separate door & window) and insert rear gate - Refused 23/09/2013

56964 - Retrospective application for revisions to doors and windows to part single rear and two storey side and rear extension. - Approve with Conditions 08/01/2014

61788 - Single storey extension at rear; Conversion of existing gym/store to day room - Approve with Conditions 21/09/2017

17/0294 - Breach of condition 3 of planning permission 55593 and out-building attached to main house extension - 28/07/2017

Publicity

Immediate neighbours notified by letter dated 02/09/2024.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

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), 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.

Visual amenity - The extension is modest in scale and sits lower than the existing single storey outrigger. At the rear of the property, the extension would not be prominent. The extension is acceptable in terms of visual amenity and complies with UDP Policy H2/3 and SPD6 relating to visual amenity.

Residential amenity - Given the modest scale of the extension, there are no residential amenity issues arising. The proposal is acceptable and complies with UDP Policy H2/3 and SPD6 relating to residential amenity.

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 drawings numbered RAD/3118/24/1 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>
Tom Beirne	24/09/2024	DM	30/09/24