

DELEGATED REPORT

Report by Amanda

Date of report: 06/01/2023

Ref:69037/FUL

Uhunmwagho

Registration: 28/11/2022

LDfC: 22/12/2022

Expiry Date: 27/01/2023

Site Visit: 22/12/2022

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: Demolition of existing conservatory; erection of single storey rear extension and loft conversion with dormer at rear; 2 no. loft windows at front and external alterations including change of design of side door; decrease in size of ground side window; addition of first floor window to side elevation and removal of chimney

Location: 32 Sunningdale Avenue, Radcliffe, Manchester, M26 3WJ

Description

The application relates to a semi-detached bungalow with gardens to the front and rear of the dwelling. There is a drive way to the front and side of the property leading to a detached garage at the rear. There is a short wall along the front boundary and the drive access is open to the highway. At the rear there are fences to all boundaries and there is an existing conservatory.

The proposal is to demolish the existing conservatory and build a single storey rear extension along with a dormer to the rear. There would be two rooflights installed to the front of the property and external alterations including change of design to the side door, decrease in the size of a ground floor window to the side, addition of a first floor window to the side elevation and also removal of the chimney.

The rear extension would project 3.53m from the original rear elevation and it would measure 6.27m wide. The roof would be pitched with a rooflight to either side of the roof.

The rear dormer would have a dual pitched roof and it would be built central to the roof. It would be finished with grey UPVC cladding and it would have concrete interlocking roof tiles. The windows and doors would be UPVC and grey in colour.

Relevant Planning History

N/A

Publicity

Neighbours notified on 01/12/2022 - 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 -

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.

The extension and dormer would be built to the rear of the dwelling and a such would not

be visible in the public realm. However, they would be constructed with a design and materials that would be considered acceptable on this type of property. The changes of materials to the windows and doors from white UPVC and timber to grey UPVC would be considered acceptable on this property and would not have any significant detrimental impact on the character of the existing streetscene.

The removal of the chimney from the rear of the property would not have any detrimental impact in terms of visual amenity.

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 -

- Properties to the rear would be more than a sufficient distance from the proposed extension and dormer not to have any significant detrimental effect on residential amenity at those properties.
- There would be just over 17m from the rear elevation of the extension and dormer to the rear boundary which would be more than acceptable in terms of SPD 6.
- The single storey rear extension would project 3.35m from the existing rear elevation and the side elevation would be around 350mm away from the shared boundary with the attached neighbour, which means it would comply with the requirements as set out in SPD 6 and it is considered there would not be any significant detrimental effect on residential amenity at the property next door, especially as the neighbour has a conservatory directly adjacent to the shared boundary.
- The proposed development would be far enough away from the shared boundary with no.34 Sunningdale Avenue next door not to have any significant detrimental effect on residential amenity at that property.
- There is currently a bathroom and a kitchen window on the side elevation facing no.34 next door. The only changes to the openings on this side elevation would be that the existing kitchen window is to be reduced in size. This would not cause an detrimental harm in terms of residential amenity.
- The new first floor window to the side would be to an en-suite bathroom. A condition would be added to the decision stipulating that the window must be obscurely glazed and thereafter remain as such in order to maintain privacy levels between the two dwellings.
- The removal of the chimney would not have any impact on residential amenity.
- The proposed development would have no impact on the existing car 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 distances to surrounding properties.

Parking -

The proposal would increase the number of bedrooms from 2 to 3 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 2 parking spaces. Parking would be as existing to the front/side drive and detached garage, which would be unaffected by the development and there is space for several vehicles. The area has on street parking and there is public transport available. 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:

- 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 EL(00)002, SP(00)001, SP(00)002, SP(00)003, PL(20)001, PL(20)002 and PL(20)003 received on 01/11/2022 and revised drawing numbered EL(00)001 Rev 1 received on 01/12/2022 as modified by the email from Miss Elena Revell dated 01/12/2022. The development shall not be carried out except in accordance with the details 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.
- 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 - 06/01/2023			