

DELEGATED REPORT

Report by Jane Langan	Date of report: 23/10/2020	Ref: 65954/FUL
Registration: 11/09/2020	LDFC: 07/10/2020	Expiry Date: 06/11/2020
Site Visit: 05/10/2020	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: First floor side extension

Location: 6 Kentsford Drive, Radcliffe, Manchester, M26 3XX

Description

The property is a modern detached house on a residential estate. It is a two storey property with a single storey section at the side and a detached garage. There is garden and parking to the front and to the rear a fenced garden. The neighbouring property to the side of the proposal is No.4, a detached house which sits at an angle and has a single storey section to the side and to the first floor side an obscure glazed window. The rear boundary of the site borders the rear garden to 28 Parnham Close.

The application proposes a first floor extension at the side to run from the front to rear elevation. It would extend two existing bedrooms. It is a similar proposal to 58793 approved in 2015.

Relevant Planning History

58793 - First floor extension at side with ground floor roof link across to garage - AC 20/07/2015

Publicity

Surrounding neighbours were notified by letter and no responses have been 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.

Visual amenity and design - The proposed extension would have a hipped roof running from the main ridge and with tiles to match. The walls would be finished in matching brickwork and render and with a feature soldier course.

The proposal would not be built to the boundary, with the detached garage adjacent, and therefore terracing would not be an issue.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. Parking would be to the front as existing.

Residential amenity - The proposal extension would run alongside No.4 which sits to the north side of the site. It would not project beyond the front or rear elevations therefore the principle windows would not be affected. The site boundary shared with this neighbouring property is angled and there would be a distance of 7m from the mid point of the proposed first floor window to the boundary which would be sufficient to comply with SPD6 Aspect Standards. The garden boundary to the property to the rear would be 15m away.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to

Residential 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 drawings numbered 01, 02, 03, 04, 05 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>
JL	23/10/20	DM	02/11/20