

DELEGATED REPORT

Report by Amanda

Date of report: 17/05/2023

Ref:69471/FUL

Uhunmwagho

Registration: 06/04/2023

LDfC: 16/05/2023

Expiry Date: 01/06/2023

Site Visit: 28/04/2023

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: First floor side extension and first floor balcony with glazed balustrade at rear; Front porch

Location: 320 Stand Lane, Radcliffe, Manchester, M26 1JB

Description

The application relates to a two storey semi-detached house with a flat roof extension to the side/rear. At the front there are hedges to the north west side boundary and to the front there is a stone wall with hedge behind. The drive way is open to the highway in front and there is no boundary treatment in between the site and no.322 Stand Lane next door.

To the rear there is a single storey extension with pitched roof adjacent to the shared boundary with no.318 Stand Lane, who also have a single storey extension to the rear. There is a good sized garden with fencing to all boundaries. To the rear of the site is Whitefield golf club. The site is within the designated Green Belt.

The proposal is to build a first floor extension to the side, there would be a porch to the front and a balcony to the rear with a glazed balustrade. The first floor extension would be built directly above the existing single storey extension to the side and there would be a set back at the front of 1.5m. The roof would be hipped, as viewed from the front and pitched to the rear. To the rear there would be a balcony, accessible from the master bedroom. It would be built in between the first floor side extension and the existing single storey extension on the property.

To the front the porch would be built to the centre of the front elevation. It would project 1.41m from the original front elevation and it would measure 2.99m wide. The roof would be pitched.

Relevant Planning History

N/A

Publicity

4 neighbours notified on 13/04/2023 and the golf club to the rear of site was notified on 20/04/2023 -

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

OL1/1 Designation of Green Belt

H2/3 Extensions and Alterations

SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework

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, and the impact on the designated Green Belt.

Principle (Green Belt) -

Paragraphs 147 and 148 state that inappropriate development in the Green Belt is by

definition, harmful and should not be approved except in Very Special Circumstances (VSC). Planning Authorities should ensure that substantial weight is given to any harm in the Green Belt. VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 of the NPPF regards the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Policy OL1/2 - New Buildings in the Green Belt states that the construction of new buildings in the Green Belt is inappropriate unless it is for agriculture and forestry; essential facilities for outdoor sport and recreation; limited extension, alteration or replacement of existing dwellings provided that this would not result in disproportionate additions over and above the size of the original dwelling; and limited infilling in existing villages as set out under Policy OL1/3.

The property is situated in a ribbon development of dwellings on Stand Lane that runs in between land belonging to Stand Golf Club. The planning statement states that the total volume increase to the property would be 25.8%, which means the development would be within the recommended limit of 33% as set out in SPD 8. The size and design of the proposed extension would be considered in keeping with the original dwelling, and it would be built wholly within the site. As such it is considered that the proposal would not conflict with the surrounding land uses nor would it create harm to the openness of the Green Belt. It is considered therefore that the proposal would not have an adverse impact on the openness of the Green Belt and it is considered that the proposal complies with UDP Policies OL1/2, SPD and the NPPF.

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 design and proposed finished materials used in the construction of the proposed extension would be considered to be in keeping with the existing building and the 1.5m set back at first floor level from the original front elevation means the proposal is considered acceptable in terms of 'terracing' and the effect on 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 -

- The proposed extension would be a sufficient distance from properties on the opposite side of Stand Lane not to have any significant detrimental effect on residential amenity at those properties.
- The greens/land belonging to Stand Golf Club are directly to the rear of site.
- There would be one bathroom window installed to the side elevation adjacent to no.322 Stand Lane. As this would be obscurely glazed there would be no significant detrimental impact on privacy at no.322.
- At the rear the proposed balcony would be positioned around 3.4m away from the shared boundary with no.318 Stand Lane. Usually where a balcony would be so close to a boundary the applicant would be asked to erect a privacy screen. However, in this instance given that there is an existing single storey, pitched roof extension adjacent to the shared boundary with no.318 and that neighbour also has a single storey rear extension directly adjacent to the shared boundary any views over the rear garden of no.318 would be minimal due to the buildings in between. As such, in this instance, no privacy screen would be required.
- There would be around 9m of drive length from the front of the property to the highway in front, which is what is measures currently. The addition of the porch to the front would not interfere with existing parking arrangements on site and the applicants would still be able to park two vehicles on site.

Taking the above in to account 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.

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 two vehicles and this would remain following the first floor side extension and front porch being built. There is ample on street parking to the front of the site and 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:

- 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 ZT21-196-00, ZT21-196-01, ZT21-196-02, ZT21-196-03, ZT21-196-04, ZT21-196-05 and ZT21-196-06 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 - 17/05/2023		DM - 19/05/23	