

DELEGATED REPORT

Report by Amanda

Date of report: 11/06/2025

Ref:71838/FUL

Uhunmwagho

Registration: 22/04/2025

LDFC: 16/05/2025

Expiry Date: 17/06/2025

Site Visit: 03/06/2025

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: Single storey extension at side

Location: 9 Penrice Close, Radcliffe, Manchester, M26 3UL

Description

The application relates to a detached bungalow with gardens to the front and rear of the dwelling. There is a detached garage at the rear of site which is attached to the garage belonging to no.11 Penrice Close next door.

The proposal is to build a single storey side extension. It would be built flush with the existing rear elevation and it would measure 2250mm x 3262.5mm. The roof would be flat and there would be a single window to the front elevation.

Relevant Planning History

44778 - CONSERVATORY AT REAR - Approve with Conditions 26/07/2005

59179 - Prior notification for single storey extension at rear - Prior Approval Not required 01/10/2015

64923 - First floor extension at rear - Approve with Conditions 05/03/2020

66044 - Non-material amendment following grant of planning permission 64923 for first floor extension at rear:

Alterations to fenestration to change 2 small bedroom windows to 1 larger window and to provide a small obscure glazed window to en-suite - Approve with Conditions 04/11/2020

Publicity

7 neighbours notified on 25/04/2025 - No comments or objections received.

One neighbour initially objected to the proposal on the grounds that they had concerns about the remaining on site parking once the extension would be built, and that any vehicles parked on the highway in front of no.9 would cause obstruction to them accessing their driveway.

A telephone call was made to the neighbour explaining where the extension would be located and that there would be sufficient drive space remaining on site to park the applicant's vehicle(s). The neighbour was satisfied with the explanation and retracted their objection.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions
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.

The proposed extension would be built with materials that would be considered to be in keeping with the existing dwelling. The roof would be flat but as the extension would be located towards the rear of the property any views of the extension from the highway in front would be limited. The design of the proposal is considered to be in keeping with the existing building.

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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- The extension would be built directly in front of the existing garage, but there would be ample drive length remaining in front to park at least two vehicles in front.
- There would be no windows overlooking no.11 Penrice Close next door.
- The drawings show that all of the development would be built within the residential curtilage.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the existing driveway.

Response to neighbour comment/objection -

The neighbour was contacted via telephone and they were advised that the extension would be built towards the rear of the dwelling meaning there would be sufficient room to continue to park the applicant's vehicle(s) on site. They were happy with the explanation and retracted their initial objection. However, it should be noted that there are no parking restrictions to the highway in front and as such anyone could park a vehicle on the road.

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.

DELEGATED REPORT

- 2 This decision relates to drawings numbered 1, 2, 3, 4, 5, 6 and 7 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 in terms of visual amenity, and Places for Everyone Joint Development Plan listed.

- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building and the flat roof shall be finished with a waterproof system.

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 - 11/06/2025			