

REPORT FOR NOTING

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	25 May 2021
SUBJECT:	PLANNING APPEALS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>Planning Appeals:</p> <ul style="list-style-type: none"> - Lodged - Determined <p>Enforcement Appeals</p> <ul style="list-style-type: none"> - Lodged - Determined
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

This is a monthly report to the Committee of the Planning Appeals lodged against decisions of the authority and against Enforcement Notices served and those that have been subsequently determined by the Planning Inspectorate.

Attached to the report are the Inspectors Decisions and a verbal report will be presented to the Committee on the implications of the decisions on the Appeals that were upheld.

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-

Contact Details:-

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**Planning Appeals Decided
between 09/04/2021 and 14/05/2021**



Application No.: 65741/FUL

Appeal Decision: Dismissed

Decision level: DEL

Date: 15/04/2021

Recommended Decision: Split Decision

Appeal type: Written Representations

Applicant: Mr B Coleman & Miss J Madden

Location: 1 Clyde Terrace, Radcliffe, Manchester, M26 4PL

Proposal: Proposal A - Dropped kerb and creation of parking space.
Proposal B - Single storey front/side extension.



Appeal Decision

Site visit made on 31 March 2021

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 April 2021

Appeal Ref: APP/T4210/D/20/3264357

1 Clyde Terrace, Radcliffe, Manchester M26 4PL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Brad Coleman and Miss Juanna Madden against the decision of Bury Metropolitan Borough Council.
 - The application Ref 65741, registered 17 July 2020, was refused by notice dated 17 September 2020.
 - The development proposed is described as ground floor/ single storey extension to side/ front of semi-detached dwelling for additional/ much needed living space and creation of an area for off road parking to front of dwelling inc drop kerbs/ v.ci etc.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has refused planning permission solely for the single storey extension element of the proposals. I have considered the appeal accordingly.

Main Issue

3. The main issue is the effect of the proposed extension upon the character and appearance of the host property and the surrounding area.

Reasons

4. The appeal relates to a semi-detached dwelling which is part of a small cul-de-sac. There is a strong uniformity to property type and design in the street scene. Other buildings are two storeys and arranged in spaced out pairs that are set back from and facing the road. They have hipped roofs and largely unaltered front elevations.
5. The appeal site has a larger front garden than other plots within the surrounding area. The extension would primarily extend in front of the principal elevation of the host property and would have an irregular shape due to the configuration of the plot.
6. The Council's Supplementary Planning Document 6: Alterations and Extensions to Residential Properties (2020) (SPD) sets out that generally, there will be a presumption against large extensions at the front of properties. The scheme would result in a large extension which would project excessively beyond the front elevation. The width of the extension would also add to its prominence and the roof form would not respect the hipped roof of the host dwelling. Thus,

the scheme would conflict with the SPD as the extension would not reflect the design and proportions of the original dwelling.

7. The scheme would also not reflect the uniform character and appearance of properties within the cul-de-sac due to the extension's siting, scale, width and roof design. The development would have limited visual impact upon the wider surrounding area because Clyde Terrace is not a through road. Nonetheless, the scheme would be a prominent and incongruous addition when viewed from the cul-de-sac.
8. The appellant has highlighted properties in the local area with front extensions. Limited information has been submitted with regards to these planning applications and therefore I cannot be certain that the circumstances are the same as the scheme before me. In any event, each application must be determined on its individual merits and it appears that these extensions were approved prior to the current SPD being adopted. The presence of other front extensions across the local area does not represent justification for harmful development at the appeal site.
9. For these reasons, the proposed development would be visually harmful to the character and appearance of the host property and surrounding area. Consequently, it would conflict with Policy H2/3 of the Bury Unitary Development Plan (1997) which seeks to ensure, amongst other matters, that extensions are of a high standard which have regard to the character of the property and the surrounding area.

Other Matters

10. There may be other ways to extend the appeal building but these are not before me to consider. I note that the appeal scheme would provide space for a growing family, but this would be a private benefit. Support from neighbouring occupiers does not absolve me from making a decision on the effects of the appeal scheme as I see them. Some tidying of the plot would be an improvement, but such would arguably not be dependent on the proposed development. The lack of an adverse effect on the living conditions of neighbouring occupiers would accordingly amount to a lack of harm in planning terms and therefore incapable of weighing against harm. Overall, these matters carry limited weight.
11. The appellant has set out a family history of mobility related illness and how the proposed extension could assist with their future needs. That said, there is nothing in the evidence to suggest that the appellant has specific mobility or other medical needs such that I could attach more than limited weight to this matter at the time I make this decision. Thus, having carefully weighed the potential benefits of the scheme, I consider that dismissal of the appeal is a proportionate and necessary response having regard to the legitimate and well-established planning policy objectives to protect the character and appearance of an area.
12. The appellant also considers that the Council has been contradictory and have questioned who made the final decision. Such concerns would be a matter to take up with the Council and does not impact the planning merits of the case.

Conclusion

13. The proposal would therefore conflict with the development plan and there are no other considerations that outweigh this conflict.

14. For the reasons given above the appeal should be dismissed.

L M Wilson

INSPECTOR

**Planning Appeals Lodged
between 09/04/2021 and 14/05/2021**



Application No.: 66653/ADV

Appeal lodged: 30/04/2021

Decision level: DEL

Appeal Type:

Recommended Decision: Refuse

Applicant: Clear Channel

Location: Al Masood Superstore, Rochdale Road, Bury, BL9 7HH

Proposal: Installation of D-Poster display (6m x 3m) to flank wall

Total Number of Appeals Lodged: 1