

DELEGATED REPORT

Report by Jane Langan	Date of report: 30/10/2020	Ref: 65978/FUL
Registration: 17/09/2020	LDFC: 12/10/2020	Expiry Date: 12/11/2020
Site Visit: 12/10/2020	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: Two storey side extension

Location: 89 Springside Road, Bury, BL9 5JG

Description

The property is a bay fronted semi detached house. The front garden is surfaced for parking and part of the side elevation has been extended single storey. To the rear is a fenced garden and beyond the boundary open land. The neighbouring property to the side of the proposal is No.87 a detached house. It is set back from the front elevation of the site and to the rear is extended two storey. The side elevation has one window at first floor.

The application proposes a two storey side extension. It would come out 2.8m at the side and run from the front to rear elevations. The ground floor would form a study, utility and kitchen extension with an additional and extended bedroom at first floor.

Relevant Planning History

None.

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 two storey would have a hipped roof extending from the main ridge and with slate roof tiles and matching brickwork. The eaves and windows would be in line with the existing house. With a gap in excess of 1.5m to the side 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 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 proposal would affect the existing parking as there are two spaces, one at an angle to the front of the house and one along the side. The proposed extension would retain the existing 4.6m space at the front and there would be a further one angle at 4.6m in front of the extension with the fence and a planting area removed. In this location, with on street parking and available public transport, 2 spaces are considered sufficient. Whilst it is the preferred option for parking to be at 90 degrees to the house the site is not located on a busy main road and the frontages of many of the properties along the street are shallow with angled parking. As such, in this instance, parking at an angle would be acceptable. It has been approved along the street, example No.43 under reference 65076. An informative is added for any potential replacement surfacing to be porous/permeable materials/natural drainage or further permission will be required. A condition is also added to ensure the parking arrangements are implemented.

Residential amenity - The proposal would run along the side to No.87. This property is set

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back at the front sitting deeper than the site at the rear. The proposed extension would be set in from the boundary and there would be no encroachment cross a 45 degree line from the mid point of the closest ground and first floor windows to the front elevation. There would then be no serious impact on the amenity of this adjacent neighbouring property.

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 existing and proposed site plans, 20/572/01, 20/572/02, 20/572/03, 20/572/04, 20/572/05 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.
- 3 Prior to the occupation of the extension hereby approved the parking arrangements as shown on the proposed site plan shall be implemented and thereafter maintained.
Reason. In order to allow adequate off street parking pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated 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>
JL	30/10/20	DM	05/11/2020