

DELEGATED REPORT

Report by Amanda

Date of report: 30/11/2020

Ref:66019/FUL

Uhunmwagho

Registration: 07/10/2020

LDfC: 27/10/2020

Expiry Date: 02/12/2020

Site Visit: 04/11/2020

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 extension at front/side

Location: 2 Chatton Close, Bury, BL8 2UE

Description

The property is a two storey detached house with an attached garage situated close to the entrance of Chatton Close. Other properties on Chatton Close are also detached properties of a similar style and there are flats to the rear of the site.

The proposal is to add a first floor extension above the garage at the side and porch at the front. The roof on both sections would be pitched and at ground floor level the front elevation would be extended 800mm forward of the original property to form a canopy above the existing garage. The exterior walls of the garage to the front and side as well as the ground and first floor front extension would be clad built in block and then clad with grey slate slips. The new openings would be grey upvc and the existing window and door frames would be sprayed grey to match.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 07/10/2020 - No comments or objections 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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

Visual Amenity -

Overall the proposed design of the extensions would be considered in-keeping with the existing building given that the character would be maintained and most of the materials to be used would match the original property and the window and door frames on the existing property would be sprayed grey to match the openings in the extensions.

The use of grey slate slips to the walls of the ground floor of the garage and the front extension would add a more modern element to the building but would not be considered detrimental in this particular area where there are a mixture of bungalows and two storey properties and flats. The design of the proposal is considered acceptable in this location.

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 flats to the rear of the site would be within 20m of the application dwelling but as

there would be over 7m from the proposed first floor bedroom window to the rear boundary and there is also a public footpath which runs in between the site and the flats there would be no seriously detrimental impact on privacy levels at the properties to the rear.

- Properties to the front of the site are already within 20m of the existing property and so the proposed first floor bedroom window to the front would have no more of an impact on privacy than existing windows do already. It would comply with requirements as set out in SPD 6 as it would be over 7m from the front boundary.
- At the front there would be approximately 8.5m from the front of the extended property to the rear of the footpath in front. Parking availability on site would not change. The applicant would still be able to park two cars in the garage on site as well as two on the drive way in front. This would be acceptable in terms of SPD 6 and SPD 11.
- The proposed north side elevation would be approximately 15m to the front elevation of no.1 Chatton Close. This separation distance would be acceptable in terms of SPD 6.

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.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 ZT20-196-00, ZT20-196-01, ZT201-196-02 and ZT20-196-03 received on 02/10/2020 and 07/10/2020 and also revised proposed drawings numbered ZT20-196-04 and ZT20-196-06 received on 11/11/2020 as modified by the email from Thorp Design Services Ltd dated 11/11/2020. The development shall not be carried out except in accordance with the details 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.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 30/11/2020.		DM - 01/12/2020	