

DELEGATED REPORT

Report by Jane Langan	Date of report: 09/11/2020	Ref: 65959/FUL
Registration: 28/09/2020	LDfC: 28/10/2020	Expiry Date: 23/11/2020
Site Visit: 19/05/2020	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; Single/two storey rear extension; Canopy at front

Location: 598 Bolton Road, Bury, BL8 2DR

Description

The property is a bay fronted semi detached house. It has a garden and parking to the front and a detached garage at the side. To the rear a single storey extension runs across part of the rear elevation to the outer side. The rear garden is fenced and borders the rear garden to 8 Seddons Avenue which sits off set to the west.

The adjoining semi No. 596 has a bay window to the party wall side and then a single storey extension. To the opposite side No.600 is extended two storey at the side.

The application includes a two storey side extension coming out 2.8m and running along the side with 2.7m projecting past the rear elevation for 5.7m across. The ground floor would extend out further at the rear forming a 4m deep single storey across the existing and extended property. The existing front porch would be removed and replaced with a 1.2m deep pitched roof canopy with pillars extending out to 1.7m. The application is a resubmission of 65437 with the canopy now 0.5m deeper and without a 1m set back to the first floor front.

Relevant Planning History

65437 - Two storey side extension; Single/two storey rear extension; Canopy at front - AC 10/06/2020

64840 - Two storey side extension; Single/two storey rear extension; Canopy at front - AC 15/01/20.

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 - The previously approved scheme had a set back at the first floor front of 1m and with the 1m gap to the side terracing was not an issue. In this revised proposal the extension would be built flush to the existing front elevation with a 1m gap remaining to the side. In considering potential terracing, and the requirement for a 0.5m set back at first floor, then No.600 is at a slightly higher level and has been extended and retains a gap to the side of just over 1m. The ground floor to the front also projects forward of the site frontage. Given this, and that the gap to the side to No.600 is unlikely to be built on, it is not considered that the proposal would result in the potential for terracing and in addition the hipped roof design to both properties also provides a degree of separation.

Design - The roof would be hipped running from the existing ridge and to the rear the first floor would form a gable with the single storey a monopitch roof. Materials would be roof tiles and brickwork to match. To the front the canopy would not project excessively at 1.2m and the pillars then extending out a further 0.5m. It would have a pitched roof tiled to match the existing with the pillars of grey GRP (moulded glass reinforced plastic).

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.

Parking would be to the existing drive which is to the front of the property and has two spaces as existing and potential for a third should the applicant require it.

Residential amenity - To the adjoining No.596 the proposed extension would be single storey and project 4m deep from the rear elevation. This neighbouring property has a large bay which does project out slightly. With regard to the 45 degree line then, due to the proximity of the bay window to No.596, the 45 degree line would be encroached at a point less than 3m. The consideration then is the impact of the additional 1m in excess of the 3m. The proposed extension would have solid side walls with a monopitch roof sloping down to eaves of 2.3m. As such it is not considered that the additional 1m would cause any significant loss of light or overshadowing than the 3m which SPD6 considers acceptable and is generally permitted development. A further material consideration is also the 'larger homes scheme' which allows single storey extensions up to 6m deep where there are no neighbour objections. None have been received in this case.

To the opposite side the two storey would run adjacent No.600. This property is extended two storey at the side, the side elevation having a door and window at ground floor and a window to the first floor. SPD6 affords limited weight to side windows and to those in extensions. In terms of the principle windows the proposal would not project out beyond the front of No.600 and to the rear there would be no encroachment of the 45 degree line from the original principle windows.

The proposal would have non habitable rooms to the side elevation to a bathroom and wc. There would be a distance in excess of 7m from the proposed first floor habitable room window to the rear boundary.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

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 PC/SH/11/09/20/1 Issue 1, PC/SH/11/09/20/2 Issue 1, PC/SH/11/09/20/5 Issue 1, PC/SH/11/09/20/6 Issue 1 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

DELEGATED REPORT

pursuant to the policies of the Bury Unitary Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	09/11/20	DM	19/11/20