

DELEGATED REPORT

Report by Jane Langan	Date of report: 20/01/2022	Ref: 67805/FUL
Registration: 17/11/2021	LDfC: 15/12/2021	Expiry Date: 12/01/2022
Site Visit: 13/12/2021	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey front extension and two storey rear extension/single storey side extension

Location: 126 Parkhills Road, Bury, BL9 9AW

Description

The property is a detached house located on a corner plot at the junction with Rhiwlas Drive. It has been extended two storey at the side and single storey at the rear. There is a garden and pedestrian access at the front and a drive and detached garage accessed from the rear garden. The neighbouring property to the side is No.128 a semi detached house extended single storey at the rear and there is an outbuilding along the boundary.

The application includes a two storey extension at the front 1.8m deep and 2.7m across. It would form a porch and wc at ground floor and extended bedroom at first floor. To the rear the conservatory would be removed and a two storey extension would project 4m deep across the full width of the house. To the north side the ground floor would extend out single storey a further 1.1m wide. The ground floor would form a kitchen and dining room with two bedrooms at first floor. An existing bedroom would be converted to a study and an obscure glazed window added to the north side elevation.

Relevant Planning History

34005 -Single storey extension at the side/rear - AC 07/04/98
42010 - Two storey extension at side - AC 07/03/04
66681 - Single storey rear extension to replace conservatory - AC 04/05/2021
67325 - Non material amendment following approval of planning permission 66681- Enlarge previous kitchen extension with rear elevation to line up with approved extension - Withdrawn 03/08/2021
67380 - Single storey rear extension to replace conservatory and kitchen - AC 15/09/2021

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 proposed two storey front extension has been reduced from the size originally submitted. It revised size would not see it project excessively from the front elevation of the property which occupies a prominent corner plot. It would have a dual pitched roof and be located between the existing front bay windows. To the rear the two storey would have hipped roofs in two sections and a monopitch to the single storey. Materials would be to match the existing house.

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 4 to 5, plus a study that could become a bedroom, 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 site as existing has a drive and garage to the rear which would be retained following the extension. The area is close to the town centre with on street parking and public transport available. In this instance then there are not considered to be any grounds for refusal with regard to the parking arrangements.

Residential amenity - The neighbouring property to the side is No.128 which sits at an angle to the site and is extended single storey at the rear. The proposed two storey rear would run to be around level with the rear of this property as extended and would not encroach a 45 degree line from the mid of the closest first floor window. The additional window to the new study would be to the side to this neighbouring property. It would however be adjacent its front drive and is noted to be obscure glazed therefore there would be no overlooking issues.

There would be a distance in excess of 7m from the proposed first floor rear windows to the boundary with 3 Rhiwlas Drive to the rear. This property sits with its side elevation to the site boundary and is also separated by the site garage and drive.

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 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 21/603/01A, 21/603/02D, 21/603/03B, 21/603/04, 21/603/05, 21/603/06, 21/603/07, 21/603/08A, 21/603/09A 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 Before the first occupation of the extension hereby permitted the study window to the first floor north side elevation shall, as noted on approved plan 21/603/05, be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

DELEGATED REPORT

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	20/01/22		