

DELEGATED REPORT

Report by Helen Pressley	Date of report: 21/01/2021	Ref: 66086/FUL
Registration: 30/10/2020	LDFC: 25/11/2020	Expiry Date: 25/12/2020
Site Visit: 04/12/2020	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey front extension; single storey rear extension; part single storey / part two storey extension at side; boundary fence and planting to side, front and rear boundaries.

Location: 5 Anderton Close, Bury, BL8 2HQ

Description

The application relates to a link detached property located on Anderton Close. The property is located on a corner plot. The site has gardens to the front, side and rear. A driveway is also located to the front that leads to an attached, single garage at the side of the property. A front porch is also located to the front of the property.

Planning permission is sought for the construction of a two storey front extension that projects approximately 2830mm from the front elevation of the dwelling. To the side it is proposed to remove the existing garage and construct a two storey extension that projects approximately 5000mm. A single storey rear extension is also proposed that would run along the rear of the existing property, and the proposed two storey rear extension and would project approximately 4000mm. A 1.8 metre close boarded fence is also proposed to the front, side and rear boundary.

Relevant Planning History

None

Publicity

Neighbour letters sent 16/12/2020 - no representations received.

Statutory/Non-Statutory Consultations

Electricity North West Ltd - reviewed application and found it could have an impact on infrastructure. The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.

Information included as an informative and letter emailed to agent for reference.

Traffic Section - do not want to restrict the grant of planning permission

Pre-start Conditions - None

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

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

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

SPD 6 states that front extensions should not project excessively from the front elevations of properties in order to protect the street scene. In this instance the property is located within a row of 2, on a corner plot on the turning head of Anderton Close and therefore views of the property are relatively limited. The proposed extension would be sited centrally within the front elevation of the dwelling, giving a focal point to the property and an area of parking can still also be provided to the front of the property. Whilst the front extension would project approximately 2830mm, in this instance it is considered that the extension

would reflect the more contemporary nature of the proposed alterations to the dwelling and would therefore be acceptable.

On corner plots SPD 6 requires a distance of 2 metres between side elevations, and the back edge of the highway. The proposed side extension would be sited approximately 6.3 metres from the edge of the highway and as such would comply with this guidance. The proposed side extension would have a pitched gable roof replicating the shape and style of the original property, and the gable proposed for the front extension.

The proposed rear extension would have a flat roof, with parapet wall detailing and a lantern. SPD 6 seeks to limit the introduction of flat roofs within prominent locations, and whilst the rear of the property would be visible from Anderton Close due to the orientation of the dwelling in this instance as above it is considered that the proposed design would reflect the more contemporary design of the overall alterations to the dwellings.

Overall the scale and massing of the proposed additions are considered to be acceptable and would not lead to the over development of the associated residential amenity space. The proposed windows, and alterations to the existing window arrangements are considered to be suitably aligned. The use of render within a residential context is not uncommon and as such is considered to be acceptable.

Works have already been undertaken to start clearing the site, however prior to submission it appears that an area of soft landscaping was located to the side of the premises, with the fencing for the rear garden sited approximately 7.2 metres from the highway. The proposal seeks to enclose the rear and side garden locating the side fencing approximately 1 metre from the side boundary with the highway. The frontages of properties within the street scene are relatively open, with boundary treatments kept to a minimum. An area of soft landscaping will be retained to the front of the property, maintaining this characteristic. There are elements of fencing and walling visible at the end of the turning head, associated with the properties along Adlington Close and as such it is considered that the introduction of a 1.8 metre fencing would not be discordant. In addition, the applicant is seeking a 1 metre set back and the introduction of planting along the boundary with the highway that will soften the introduction of this hard landscaped feature.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore comply with UDP Policy H2/3 and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- Proposed windows within the two storey front extension would relate to non-habitable spaces (entrance porch, stairs) and as such aspects not applied.
- Proposed front bedroom windows would be separated from the directly facing properties by a highway, gardens and driveways.
- Proposed front ground floor windows would be separated from the directly facing properties by a highway, gardens and driveways.
- Proposed side window for bedroom 3 retained as existing but this is now a secondary window.
- Proposed side window within two storey side extension relates to a non-habitable room (utility) and as such aspects not applied.
- No proposed side windows within proposed single storey rear extension.
- Proposed ground floor windows within single storey rear extension would be screened by the proposed fencing.
- Proposed rear first floor bedroom windows would be located approximately 13 metres from the directly facing rear boundary exceeding the 7 metres required by SPD 6.
- Dwelling at No. 7 has extended at single storey to side/rear. Proposed single storey extension would not project more than 3 metres beyond the rear of No. 7 as extended.

DELEGATED REPORT

- Proposed two storey front extension would not impact on a 45 degree line as taken from the midpoint of the nearest habitable room window of No. 7.
- Proposed two storey side extension would be located approximately 22.5 metres from the front elevations of the directly facing properties exceeding the 13 metres required by SPD 6.
- Proposed side fencing would be located approximately 17 metres from the front of the directly facing properties exceeding the 6.5 metres required by SPD 6.
- Proposed rear fencing would run along the side garden of No. 3, as well as along the side boundary and access to the electricity sub station sited between the two properties. The boundary fencing that makes up the boundary with the garden of No. 3 would be within the limits of PD. The proposed fencing that makes up the boundary with the electricity substation does project beyond the front elevation of No. 3 but due to the intervening electricity substation, and the 1 metre set back from the highway this element of fencing would not intercept a 45 degree line as taken from the nearest ground floor window and is therefore considered to be acceptable.

Parking

SPD 11 requires a maximum of 3 spaces for 4 bedroom properties. Space for 2 vehicles to park off street can be accommodated to the front of the site. On street parking within the immediate vicinity of the site is unrestricted. As such the provision of 2 spaces is considered to be acceptable.

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 P.01, P.02 P.03,P.04 S1 received 13th January 2021 and P.05 S1 received 13th January 2021 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Helen Pressley	21/01/2021	DM	22/01/2021