

DELEGATED REPORT

Report by Jane Langan	Date of report: 25/11/2020	Ref: 66057/FUL
Registration: 12/10/2020	LDfC: 17/11/2020	Expiry Date: 07/12/2020
Site Visit: 02/11/2020	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: First floor extension at side; infill of ground floor front elevation; single storey extension at rear; all walls to be rendered

Location: 27 Wilton Drive, Bury, BL9 8BG

Description

The property is a two storey detached house with a single storey section to the south side. It sits on a corner plot with a drive and garden at the front. Garden extends along the side and to the rear. That along the side is elevated from the footpath with a retaining wall and hedges. The neighbouring property to the side is No.25 a similar detached house extended to the front and side. It is set back from the front elevation of the site and runs as blank wall up to the site boundary and beyond the site rear elevation. To the rear of the site is the garden to 84 Croft Lane which sits at a lower level and has an outbuilding along the boundary.

The application includes infilling a section of the front elevation to the sitting room to bring the frontage flush. To the side above the single storey a first floor would be set back 0.6m from the front and run to the existing rear elevation. It would add a bedroom and ensuite. To the rear a single storey would project 3m deep for 5.4m across to form a dining room. New and existing walls would be rendered off white.

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 front extension would be a minor infill bringing the front elevation flush. The first floor would have a pitched roof running from the main ridge and forming a side gable. Terracing would not be an issue as the site is in a short row of two, staggered and on a corner plot. The single storey would have a monopitch roof with doors in the side and rear elevations. Materials would be off white render to the new and existing walls and this is a common finish for domestic properties not uncommon in the area. 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 site as existing has an area at the front for parking that can accommodate 2 cars which would not be affected by the proposal. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient.

Residential amenity - The proposed first floor side extension would be adjacent No.25. This property is set back at the front with main windows to the ground and first floor. There would be no encroachment across a 45 degree line from the mid point of these windows or taking a 45 degree line 1m out along the shared boundary. These assessments are within SPD6 in order that proposals do not cause significant loss of light or over shadowing. The proposed first floor would have a window to this side, a secondary one to the bedroom. It would face the blank wall to No.25 and not overlook any private area. To the rear No.25 sits deeper and the single storey would project only 3m and be set in from the boundary. There would be a distance in excess of 7m from the proposed first floor bedroom 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 CK2-01, CK2-02, CK2-03, CK2-04 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>
JL	25/11/20	DM	01/12/20