

DELEGATED REPORT

Report by Jane Langan	Date of report: 22/10/2020	Ref: 65928/FUL
Registration: 07/09/2020	LDFC: 01/10/2020	Expiry Date: 02/11/2020
Site Visit: 29/09/2020	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: Demolition of existing carport and conservatory and erection of single storey extensions at side and rear

Location: 10 Greenpark Close, Tottington, Bury, BL8 4QB

Description

The property is a two storey detached house. It has a garden and drive at the front which leads into a car port and garage/utility. To the rear it has been extended with a conservatory and there is a fenced garden which slopes up in levels. The neighbouring property to the west side is No.12 and is extended two storey at the side with a single storey section at the rear. To the opposite side No.8 has a two storey blank side elevation and is then extended single storey at the rear, the side of which is also blank. To the rear is the garden to 9 Hayfield Close which sits at a higher level.

The application proposes to remove the carport and construct a single storey extension coming 2.5m out at the side from the main front elevation and running up to the garage which would be converted and included in the extension. To the rear the conservatory would be removed and a single storey rear extension 3.3m deep would extend across the whole of the elevation. The extension would form a hall, office playroom along the side and a kitchen extension with utility at the rear.

Relevant Planning History

47474 - Certificate of lawfulness for proposed conservatory at rear - Withdrawn 06/11/2015
47740 - CONSERVATORY AT REAR - AC 29/03/2007
57439 - Single storey extension at front - AC 16/05/2014

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 extension would have a monopitch roof to the front extending out from the two storey section of the house that is set back. The single storey at the rear would also have a monopitch roof with roof lights and bifold doors. Materials are noted on the form to be red brick and brown tiles. A standard matching condition is added.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The proposal would see the loss of the car port however the drive would remain which is in excess of 5.5m and the block plan notes a further angled space. The parking arrangements are then considered sufficient and there is also on street parking in the area.

Residential amenity - The side extension would run alongside No.8. There would be 3

non habitable room windows in the proposed side elevation and they would be close to the boundary and in some cases SPD6 can require obscure glazing. This was discussed with the agent and who advised the applicant would like plain glazing. The side wall to No.8 is blank and there is a narrow path along the side. This property does have access along the opposite side to the rear and it is here the entrance to the property is located. No objections or concerns have been raised by No.8 and if privacy were an issue 2m fencing to separate could be constructed under permitted development. In conclusion there are not considered to be grounds for attaching a condition to obscure the proposed side windows. To the rear the proposed extension would not project past the rear elevation of No.8 as extended.

To the opposite side the proposed single storey would project less than 3m from the rear of No.12 and the side elevation would be blank wall.

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 2020/GM/02, 2020/GM/03, 2020/GM/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.
- 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	22/10/20	DM	27/10/2020