

DELEGATED REPORT

Report by Mo Warsame	Date of report: 19/04/2023	Ref: 69364/FUL
Registration: 20/02/2023	LDFC: 23/03/2023	Expiry Date: 17/04/2023
Site Visit:	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: Single storey wrap around extension

Location: 12 Greenheys Crescent, Tottington, Bury, BL8 4QD

Description

The property is a semi-detached dwelling. It has a drive and garden to the front. There is an attached garage to side and a garden to the rear. The adjoining neighbour is No.10 and fencing separates the gardens. To the opposite side No.14. The rear boundary of the site borders the rear gardens to 40 & 42 Greenheys Crescent and there is fencing and planting along the boundary.

The application proposes a single storey wrap-around front, side and rear extension projecting 2.7 metres to the rear, 2.2 metres to the side and approximately 1.38m to the front. The development would have pitched roofs with rooflights and accommodate open plan kitchen diner, a utility, WC, and a new garage. The proposal would utilise the use of matching materials.

Relevant Planning History

None.

Publicity

Neighbour letters sent on 01/03/2023. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/3 Extensions and Alterations

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

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

The wrap-around extension would be visible from the public arena. However, it would be a simple and unobtrusive design and given its minor projections to the front and side, it would not detract from the character of the dwelling or over dominate it. The extension would be constructed with some materials to match the existing dwelling. As such, the proposed single storey wrap -around extension would not be a prominent feature in the street scene and would therefore be acceptable.

Situated to the rear, the rear element of the wrap-around extension would have inconspicuous design, which would not detract from the character of the dwelling. As such, the development would be appropriate and sympathetic with the existing structure.

Overall, 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

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- There would be no detrimental impact on the adjacent neighbouring properties in terms of overlooking and privacy, as there would be no proposed windows on either side elevations.
- There would be over 20 metres to the properties in the front.
- There would be approximately 8 metres from the rear elevation of the extension to the rear boundary which meets the 7 metres set out in SPD 6.
- The proposed extension would not project out from the existing building line in excess of 3m, beyond which the 45-degree rule would apply.
- There would remain an acceptable amount of outdoor private amenity space.
- The applicant has submitted Certificate A.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

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 00.2 and 00.3 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.

DELEGATED REPORT

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	19/04/2023	DM	20/04/23