

DELEGATED REPORT

Report by Jane Langan	Date of report: 20/06/2023	Ref: 69617/FUL
Registration: 02/05/2023	LDfC: 02/06/2023	Expiry Date: 27/06/2023
Site Visit: 18/05/2023	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: Single storey side/rear extension

Location: 33 Greenheys Crescent, Tottington, Bury, BL8 4QD

Description

The property is a two storey detached house that has been previously extended two storey at the side and rear. To the rear it has a fenced garden and there is an area to the north east corner of the garden that is at a raised level with an outbuilding. The neighbouring property to the side of the proposed development is No.35. It is a detached house with an attached garage at the side and it has a garden at a raised level, like the site, and fencing separates. To the rear the site garden borders the rear garden to 11 Greenpark Close which has an outbuilding close to the site boundary.

The application proposes a single storey extension. It would be set back from the front elevation by approximately 11.8m and come 1.2m out at the side. It would run along the side for 1.8m then project past the rear elevation for 6.9m and extending 5.6m across. The extension would form a hall, lounge and bedroom.

Relevant Planning History

64036 - Two storey extension at side/rear and single storey extensions at front/side - AC 24/05/2019.

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 flat roofed. Set approximately 11.8m back from the front elevation it would not be readily visible from the main street view. The walls would be finished in brick to match the existing.

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 providing an additional ground floor one. 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 proposal would not affect the existing parking arrangements with the site having a drive to the front that can accommodate at least 2 vehicles and garden where there may be potential for further if the applicant should require it. 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 outbuilding would run along the boundary with No.35 for 9m and be set in 0.4m. It would be to a height of 2.9m and set down to ground level from the existing site property in the area that is currently raised garden with the outbuilding. The side elevation would be blank wall and there is boundary fencing

separating from the garden to No.35 and the building would not project to any significant level above this. The proposed building would be blank wall to the rear elevation which borders the garden to 11 Greenpark Close. The property itself is set away to the north east and it is an outbuilding and shed closest to the shared 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 P01A, P02, P03B, P04, P05, P06 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> JL	<u>Date</u> 20/06/23	<u>Sign off Officer</u>	<u>Date</u>
---------------------------	-------------------------	-------------------------	-------------