

DELEGATED REPORT

Report by Amanda

Date of report: 18/01/2022

Ref:67802/FUL

Uhunmwagho

Registration: 30/11/2021

LDfC: 23/12/2021

Expiry Date: 25/01/2022

Site Visit: 07/01/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey rear extension; Detached annexe extension at rear; Greenhouse at rear; Level alterations to the existing paths to provide suitable access

Location: 1 Springside View, Bury, BL8 4LU

Description

The application relates to a detached bungalow situated on Springside View adjacent to the junction with Brandlesholme Road. Land to the west side of Brandlesholme Road is designated Green Belt but the site is not within the Green Belt. To the front of the house there is a good sized open garden with a driveway which would accommodate several vehicles and a garage attached at the side of the house. At the rear there is a garden which has conifers to the rear and west side boundaries and there is a tree on the west side of the garden. To the south of the site there is a fence along the shared boundary with no.3 Springside View next door.

The proposal seeks to extend the existing building and alter it internally to accommodate the disabled owner who needs a spacious dwelling in which he can use an electric wheelchair, care staff would be on site during the day and night and also an on site therapy room is needed. The property would be extended to the rear of the property projecting 6312mm from the rear elevation and measuring 12,379mm wide. The roof would be pitched.

There would also be a detached annex built to the rear garden and a greenhouse. The annex would be used by care staff as a day room and shower room. It would measure 3790mm x 6089mm and the roof would be flat. It would be built to the north of the site. The greenhouse would be built adjacent and would measure 2050mm x 3181mm.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 01/12/2021 - No comments or objections 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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

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.

The proposed extension and annex would be built with materials and a design that would be considered to be in keeping with the existing building. As all of the development would

be to the rear of the site there would be no significant detrimental impact on the character of the street scene along Springside View.

The plans show that a tree to the west of site would be removed. The tree is not protected and is not part of the planning application. The drawings show that the hedges would remain to the west side boundary and to the rear. This would obscure most of the development as viewed from the highway at the side and properties to the rear.

The fully glazed greenhouse would be considered an acceptable garden outbuilding and given its size and position in the garden it is likely that this structure would be considered permitted development.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity.

Residential Amenity -

- There are no residential properties to the west of the site and the extension would be approximately 6.6m from the west boundary.
- The single storey extension to the main dwelling would be around 10m from the rear boundary and the existing hedges are to remain. As such there would be no significant detrimental impact on residential amenity at the neighbouring properties beyond the boundary.
- The annex would have one shower room window facing the rear boundary which would be obscurely glazed. Given this room would be considered non-habitable and the hedges are to remain there would be no concerns regards loss of privacy or overlooking properties to the rear.
- As number 3 Springside View to the east of site is built at a slightly different angle to the dwelling on site windows in the rear of this property will have some views over the rear garden on site. However, any views from the rear of this property would look past the proposed extension and not directly towards it. Taking in to account the distance of the extension to the rear of no.3 and that there would be no windows in the side elevation adjacent to the shared boundary it is considered that there would not be any significant detrimental impact on residential amenity at this property.
- As all of the development would be to the rear of the property and the existing garage is to remain there would be no detrimental impact on the existing parking arrangements on site.

With the above in mind the proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – 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.

DELEGATED REPORT

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 2 This decision relates to drawings numbered T1156-PL01,T1156_PL02, T1156-PL03 and T1156-PL04 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.

- 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.

- 4 The detached annex hereby approved shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as 1 Springside View.

Reason. To ensure the proposed use remains ancillary to the principle use on the site.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 18/01/2022			