

DELEGATED REPORT

Report by Jane Langan	Date of report: 08/04/2022	Ref: 68100/FUL
Registration: 17/02/2022	LDfC: 18/03/2022	Expiry Date: 14/04/2022
Site Visit: 07/03/2022	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: Infilling with brickwork to side elevations with extension of roof to existing rear extension

Location: 8 Greenmount Drive, Tottington, Bury, BL8 4HA

Description

The property is a two storey detached house located at the top of a cul de sac. It has been extended at the rear and has a patio with steps down to a lawn at a slightly lower level. The neighbouring properties to each side are Nos.6 & 10 and both detached houses.

The application includes the infilling of the windows to the side elevation of the single storey to the north side and replacement patio doors. The roof would also be replaced and run across to link and replace the roof to the single storey rear extension to the opposite side. The plans also note a door added to the west side elevation to a utility room and replacement front door, windows and garage door.

Relevant Planning History

45902 - Single storey side/rear extension - AC 03/04/2006

66647 - Demolition of existing single storey rear extension and erection of new single storey rear extension including reroofing works, new front door and windows, roller shutter door to garage, new side door and window and terraced area to rear - AC 21/05/2021

Publicity

Surrounding neighbours were notified by letter on 23/02/22. A further 10 day letter was sent 04/03/22 as the description was amended and agreed with the agent. 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 brick infill and replacement roof would be in materials to match the existing house. The addition of doors, replacement windows and garage doors can generally be carried out under permitted development.

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.

Residential amenity - The infill of the brickwork and replacement roof would not have any significant impact on the amenity of the adjacent neighbouring properties which are detached and set away from the site extensions. The additional door would be to the side to No.6 which sits at a higher level and there is fencing screening. The addition of a ground floor door could also be installed under permitted development.

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 20.595.02, 20.595.04C, 20.595.07C, 20.595.08C 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	08/04/22		