

DELEGATED REPORT

Report by Amanda

Date of report: 27/10/2022

Ref:68688/FUL

Uhunmwagho

Registration: 20/07/2022

LDfC: 09/09/2022

Expiry Date: 14/09/2022

Site Visit: 09/09/2022

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: Two storey side extension; Single storey extension at rear; Widening of existing driveway

Location: 18 Sandybrook Close, Tottington, Bury, BL8 3LB

Description

The application relates to a dormer style semi-detached house with a porch to the front. There is a small front garden and drive way to the front/side of the house. To the rear there is a private garden area and a detached garage.

The proposal is to build a two storey side extension along with extending the existing front and rear dormers, a single storey rear extension and they also intend to widen the existing access in order to gain a second car parking space to the front.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 18/08/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - The traffic section was consulted and the only concern was that the proposed extended width of the crossing would be too wide and the drawing was not detailed enough. The agent rectified this concern by submitting a revised parking/site plan on 04/10/2022 showing a reduced access width of 4.5m as well as that the drive way would be finished with porous materials. No further correspondence has been received from the Traffic section but as the agent has rectified their concerns conditions and an informative would be added to the decision to ensure the extended drive way and crossing are constructed as shown on the revised parking plan dated 04/10/2022.

Pre-start Conditions - Not relevant

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.

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 extensions would be built with a design and materials that would be considered to be in keeping with the existing building as well as remaining similar to neighbouring properties along Sandybrook Close. There are other properties along Sandybrook Close which have been extended in a similar way. With this in mind there would be no significant detrimental impact on the character of the streetscape due to the proposed two storey side extension.

The single storey rear extension would be built with materials and a design that would be

considered acceptable in this location and as that part of the development is to the rear of the dwelling it would not be readily visible in the streetscape.

The proposal to widen the drive way and access to the front would be similar to other garden frontages along this road. It is considered that this would not have any significant detrimental impact on the character of the existing streetscape. It is also noted that the applicant could create porous hardstanding to the front of the property under permitted development rules.

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 -

- Properties to the front and rear of the extended dwelling would be a sufficient distance so that there would not be any significant detrimental impact on residential amenity at those properties.
- As the two storey extension would be built on the north side of the existing property there would be no concerns about its impact on residential amenity at no.20, attached to the south side.
- No.20 has a single storey rear extension which projects along the shared boundary with site. As the proposed single storey rear extension would be set well back from the rear elevation of the neighbour's extension there would be no significant detrimental effect on residential amenity to the rear of no.20.
- There are no habitable room windows to the side of no.16, unattached to the north and the plans show that all of the development would be built within the site boundaries. With this in mind there would be no concerns regards encroachment on to land at no.16 and no significant detrimental impact on privacy levels at this property.
- The proposed drive length to the front of the extension would be 6.4m to the rear of the pavement in front and the proposed materials would be porous. This would be acceptable in terms of SPD 6.

Taking the above in to account 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.

Parking -

The proposal would increase the number of bedrooms from 3 to 4 and 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. By extending the property to the side access to the detached garage at the rear of the site would be blocked and as such one parking space would be lost on the site. The applicant proposed to create a second space to the front. As well as having two parking spaces to the front there are no parking restrictions along Sandybrook Close and the site is close to public transport routes. In this instance then the parking arrangements are considered sufficient.

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 ZT22-196-00, ZT22-196-01, ZT22-196-02, ZT22-196-03 and ZT22-196-04 received on 20/07/2022 and revised drawing numbered ZT22-196-05 received on 04/10/2022 as modified by the email from Thorp Design Services dated 04/10/2022. The development shall not be carried out except in accordance with the details 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 revised car parking arrangements indicated on approved plan reference ZT22-196-05 received on 04/10/2022, shall be implemented prior to being brought into use and thereafter maintained available for use at all times
Reason. To secure the satisfactory development of the site in terms of highway safety, to allow adequate space to maintain a vehicle clear of the highway and maintain the integrity of the adopted highway pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
- 5 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 27/10/2022			