

DELEGATED REPORT

Report by Helen

Date of report: 23/10/2020

Ref:65944/FUL

Goldsbrough

Registration: 23/09/2020

LDfC: 14/10/2020

Expiry Date: 18/11/2020

Site Visit: 01/10/2020

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at side/rear, dormer at rear and addition of second floor window to side elevation

Location: 22 Colinwood Close, Bury, BL9 8HQ

Description

The application relates to a semi-detached dwelling located on Colinwood Close. The premises has an area of garden, porch and a driveway to the front that leads to a detached single garage to the rear of the property. There is an existing area of private residential amenity space to the rear.

Planning permission is sought for the removal of the existing garage and for the construction of a single storey side and rear extension. The proposed extension would project approximately 5000mm to the rear of the existing dwelling and approximately 1500mm to the side. A rear flat roof dormer is also proposed.

Relevant Planning History

None

Publicity

Neighbour letters sent 24/09/2020 and 28/09/2020. No representations 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 victimization;

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

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 neighbouring property at No.24 has an existing flat roof side extension that is visible from the street. A number of properties within the street also have single storey side garage extensions. The addition of a single storey flat roof side extension is therefore considered to be acceptable in principle.. The proposed side/rear extension is of a simple and unobtrusive design that would not overwhelm the dwelling or result in the over development of the residential amenity space. The dwelling has a panel of white render at first floor and as such the use of white render for the proposed extension is considered to be acceptable.

The proposed dormer would be located the rear of the property and as such largely screened from public views. The introduction of a flat roof dormer to the rear of the property is considered to be acceptable, and not dissimilar in design as to what could be constructed under permitted development. The alignment of the proposed side gable window associated with the loft conversion is also considered to be appropriate when viewed in relation to the existing first floor side window.

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

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties

- No side ground floor windows.
- Proposed rear ground floor windows would be screened by existing boundary treatments.
- Proposed dormer window would be located approximately 11.6 metres from the directly facing boundary exceeding the 10 metres required by SPD 6.
- Proposed side gable window would relate to a stairway rather than a habitable room and as such aspects not applied.
- Proposed rear extension would project more than 3 metres beyond the boundary with No. 20. No objections received from this property. Taking into consideration the larger homes scheme, and the lack of objections the projection of the proposed extension is considered to be acceptable.
- Proposed rear/side extension would not project beyond the rear of No. 24, and would be sited adjacent to the side extension of this property due to the orientation of the dwellings.

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 MW001 Rev P1, MW002 Rev P2, MW003 and MW004 Rev P2 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>
Helen Goldsbrough	23/10/2020	DM	13/11/2020