

DELEGATED REPORT

Report by Amanda

Date of report: 08/03/2024

Ref:70473/FUL

Uhunmwagho

Registration: 30/01/2024

LDfC: 26/02/2024

Expiry Date: 26/03/2024

Site Visit: 28/02/2024

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 side and rear extension

Location: 1 Cranham Close, Bury, BL8 1QX

Description

The application relates to a dormer style semi-detached property with a conservatory to the rear. There is a driveway to the side. At the front there is a short wall and gates along the boundary and a fence along part of the side boundary with no.11 Moreton Drive to the west. There is also a garage along the west boundary belonging to no.11 Moreton Drive. At the rear there are fences to all boundaries and no.3 next door has a single storey extension and conservatory along the shared boundary.

The proposal is to build a single storey side/rear extension to create a larger kitchen, dining and living area to the rear of the property as well as a garage to the front and ground floor wc. It would be built flush to the front elevation and would measure 2.51m wide. It would extend 10.88m along the side, 7.91m across the rear and it would project 3m from the original rear elevation. It would have a flat roof with parapet roof and to the front there would be a pitched canopy to the front to match the existing canopy across the front of the property.

Relevant Planning History

N/A

Publicity

8 neighbours notified on 02/02/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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 single storey extension would be finished with materials that would match the existing property and the canopy to the front would be considered to be in keeping with the existing canopy across the front of the house.

The roof would be flat with a parapet wall. Given the extension would be built directly adjacent to a flat roof garage belonging to the neighbour at 11 Moreton Drive, it would not

appear out of character in the existing streetscene. The design of the proposal is considered acceptable in this location.

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 -

- The rear elevation of the extension would be around 7.8m away from the rear boundary. As the extension would be single storey only any views from the rear windows would be over the applicant's own garden. In addition the rear boundary fence is raised compared to the ground level on site which would help to screen any views to properties to the rear of site.
- The side elevation would be around 738mm away from the shared boundary with no.11 Moreton Drive to the west.
- The shared boundary with no.3 Cranham Close to the east is angled away from the application property. As such the extension would be built away from the boundary and there would be no concerns regards encroachment.
- There would be no windows in the side elevation facing no.3 and there is an existing extension and conservatory at this property. As such there would be no significant detrimental impact on privacy levels between the two properties.
- The only new window to the west elevation would be to a wc. As such it would be obscurely glazed. It would also face on to the side elevation of the garage at the next door property.
- Properties to the front would be a sufficient distance from the front of the extension not to have any significant detrimental effect on residential amenity.
- The extension would not have any impact on existing parking arrangements on site.

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 in terms of separation distance to the surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the front garden and drive.

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 002 and 502 received on 30/01/2024 and drawing number 003 Rev 2 received on 06/03/2024 as modified by the email from Gold Sketch Studios Ltd dated 06/03/2024. The development shall not be

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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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 08/03/2024		DM 08/03/24	