

DELEGATED REPORT

Report by Jane Langan	Date of report: 16/12/2020	Ref: 66087/FUL
Registration: 30/10/2020	LDFC: 25/11/2020	Expiry Date: 25/12/2020
Site Visit: 19/11/2020	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Front porch; single storey extensions at front and rear; two storey side extension and first floor extension at side over existing garage

Location: 7 Marlborough Close, Ramsbottom, Bury, BL0 9YU

Description

The property is a modern detached house located on a corner plot on a residential estate. It is two storey with a single storey section to the front/side forming the entrance and an attached garage/store. There is garden and a drive to the front and to the rear a fenced garden. The adjacent neighbouring property is No.9 a two storey house. The side elevation has a small obscure glazed window at first floor. The rear garden is separated by timber fencing. To the rear the site garden borders the side elevation and front garden to 5 Marlborough Close.

The application includes extending the front elevation out in the area where the existing bay is 1m deep to be flush with the existing frontage. A central porch would be added 1.1m deep and 2.5m across. Above the garage/store a first floor would be added and this would then become two storey to the rear of the garage/store for 4.2m along up to the existing rear elevation. To the rear a single storey would project 3m deep for 7.3m across. The extensions would form an extended lounge, porch, utility and kitchen/dining room at ground floor. At first floor would be an enlarged and additional bedroom.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and 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 extended lounge and porch would not project excessively from the front with a monopitch roof linking to a dual pitch roof to the porch. The first floor extension would extend 1m out from the existing first floor frontage to the level of the garage below. The roof would be hipped and extend up to the main ridge seeing an increase of approximately 0.4m. The proposed design would not be out of character with a design similar to the adjacent No.9. Materials would be brickwork/render and roof tiles to match.

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.

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. The site as existing has parking for 2 vehicles. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient

Residential amenity - The proposed first floor/two storey extension would run along the side to No.9 and would come to be around level with the rear elevation of this property. To the front No.9 and the site are angled away from each other. There would then be no significant impact on any windows to the principle elevations. To the rear the single storey would project 3m deep which SPD6 deems acceptable and is generally permitted development.

There would be a distance in excess of 7m from the proposed first floor window to the rear boundary. With the site property set at an angle there would be a slight view towards the shared boundary with No.9. From the mid point of the proposed first floor rear window there would be over 7m to this boundary. These distances would comply with SPD6 Aspect Standards.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

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 P.01 Revision S1, P.02 Revision S1, P.03 Revision S1 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	16/12/2020	DM	17/12/2020