

DELEGATED REPORT

Report by Amanda

Date of report: 06/03/2024

Ref:70394/FUL

Uhunmwagho

Registration: 08/01/2024

LDFC: 05/02/2024

Expiry Date: 04/03/2024

Site Visit: 08/02/2024

Site Notice: N/A

Press Date: 18/01/2024

Objections: 0

Con Area: N/A

Adv Type: ARW

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey side extension; Render to all elevations with timber cladding to front elevation

Location: 12 Oswestry Close, Tottington, Bury, BL8 4BY

Description

The application relates to a two storey detached house at the end of a cul-de-sac which consists of 7 properties. It has a single storey rear extension, conservatory to the side and a detached double garage to the front. There are garden areas to three sides of the dwelling with lots of planting throughout. Land to the east of site drops to a much lower level where Brookhouse Mill is located and to the rear of the site are properties on Quakers Field and a car park.

The proposal is to build a two storey side extension. The extension would measure 5.8m wide x 8.97m in length and the roof would be pitched. The front elevation of the extension would be timber cladded with all other elevations being rendered.

Relevant Planning History

N/A

Publicity

4 neighbours notified on 15/01/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

Public Rights of Way Officer - No comments received.

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 two storey side extension would mirror the design of the existing front elevation of the property with the exception of the feature timber cladding to the front of the extension. The house is positioned at the end of the cul-de-sac and as the extension would be built to the east of the existing dwelling it would be set well back from the highway in front, only being fully visible when positioned directly to the front of the house.

The character and design of the extension would be considered to be in keeping with the existing building and as it is positioned at the end of the cul-de-sac it would not have any significant detrimental impact on the character of the existing streetscene..

The proposed drawings also show that a pergola type structure would be erected to the rear elevation, but as this could be built as Permitted Development it is not part of the proposal. As it would be to the rear of the house it would not be visible in the public realm at all.

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 -

- There are no residential properties directly facing the front or east of where the extension would be built.
- There would be around 7.5m from the rear elevation to the rear boundary which would be acceptable in terms of aspect standard distances as set out in SPD 6.
- Directly to the rear of the site there is a footpath between the site and properties on Quakers Field to the rear.
- The existing garage would be removed in order for the extension to be built, but as there would be a double garage to the ground floor of the extension and the driveway to the front would remain parking would not be significantly detrimentally affected by the proposed development.

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 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. Once the extension would be built there would be two parking spaces within the new garage and at least one space to the driveway in front. As such 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 Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 GDABM-GZZ-M3-A-0007 and GDABM-GDA-XX-ZZ-M3-A-0003 Rev P01 received on 08/01/2024 and drawings numbered GDABM-GZZ-M3-A-0004 Rev P02 and GDABM- GZZ-M3-A-0006 Rev P02 received on 05/03/2024 as modified by the email from Mr Philip Whittaker dated

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05/03/2024. 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 be concrete roof tiles to match the existing, render to all elevations with timber cladding to part of the front elevation and windows and doors shall be grey upvc.

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 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 - 06/03/2024		DM 06/03/24	