

DELEGATED REPORT

Report by Amanda

Date of report: 03/12/2020

Ref:65787/FUL

Uhunmwagho

Registration: 16/10/2020

LDfC: 12/11/2020

Expiry Date: 11/12/2020

Site Visit: 16/11/2020

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: Two storey side extension

Location: 66 Cotswold Crescent, Bury, BL8 1QP

Description

The property is a semi-detached dormer bungalow with gardens to the front and rear of the dwelling. There is a drive way to the side with detached garage at the rear. As the whole of the front area is paved there is on site parking to the front and side of the property. The neighbouring properties are of a similar style.

The proposal is to build a two storey side extension which would be built flush to the front and rear elevations of the existing house. There would be a single dormer to the front and at the rear the existing dormer would be extended.

Relevant Planning History

53404 - Gable and rear extension - Withdrawn - Invalid 06/12/2010

53460 - Gable and rear extension - Withdrawn - Invalid 17/02/2011

58214 - Single storey extension at rear - Approve with Conditions 19/02/2015

58216 - To extend the rear of the property by 4m out and 6 m across. - ZZZ Special deleted application 28/11/2014

65154 - First floor extension at side of house - Withdrawn by Applicant 20/03/2020

Publicity

Immediate neighbours notified on 22/10/20 - 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. 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 -

In terms of the street scene there are 4 pairs of semi detached properties along this section of Cotswold Crescent. No.64 next door is positioned slightly forward of the dwelling on site and the side elevation of the proposed extension would be built approximately 300mm off the shared boundary with this property. As there are only 4 pairs of semis in this row there would not be any concerns regards terracing.

The proposed extension and dormers would be built with materials and a style that would be considered in keeping with the existing building as well as neighbouring properties.

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 -

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Properties to the front and rear of the site would be over 20m from the extended dwelling and as the extension would be built wholly on the east side there would be no detrimental impact on residential amenity at no.68, attached.

There are no habitable room windows to the side elevation of no.64, unattached and the plans show that the extension would be built wholly within the curtilage of the site. There would be no habitable room windows to the side elevation of the proposed extension.

The extension would be built in line with the original property's front and rear elevations. With this in mind there would be no seriously detrimental impact on residential amenity at no.64 next door.

At the front of the property parking would still be available for two vehicles and the extension would also include a garage to the side. As such there would be ample parking spaces available on the site. It is also noted there are no parking restrictions to the highway in front.

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.

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 drawing numbered DE/464/D 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 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 - 03/12/2020.		DM	11/12/2020

