

DELEGATED REPORT

Report by Amanda

Date of report: 09/10/2020

Ref:65910/FUL

Uhunmwagho

Registration: 01/09/2020

LDfC: 29/09/2020

Expiry Date: 27/10/2020

Site Visit: 08/10/2020

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 rear

Location: 2 Castle Hill Road, Bury, BL9 7RN

Description

The property is a two storey semi-detached house with a single storey rear extension projecting 5.32m from the original rear elevation. There is a small walled front garden with a hedge and to the side boundary there is a wall towards the front of the property and a fence to the rear. There is a pedestrian gate to the side elevation providing access to the site from the adjacent back street. There is on street parking only.

The proposal is to demolish the existing single storey rear extension and build a new single storey extension projecting 3.9m and it would be 6m wide. The roof would be mono-pitched with two rooflights.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 09/09/20 - No comments or objections 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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

Visual Amenity -

The proposed extension would be slightly smaller than the existing rear extension projecting 3.9m oppose the 5.32m which is the existing extension. The proposed materials and design would compliment the original dwelling.

Given that the property is at the end of a row the extension would be partially visible from the adjacent back street but as it would be similar in appearance from the side to the existing rear extension it would not be considered detrimental. The design of the proposal is considered to be in keeping with the existing building. It would not be visible in the street scene at the front.

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 -

- As the extension would be to the rear of the house there would be no detrimental effect on residential amenity to properties to the front of site.
- Properties to the rear would remain well over 20m away from the proposed extension.

DELEGATED REPORT

- The proposed extension would be 1.4m shorter in its projection compared to the existing rear extension. As such there would be no concerns about detrimental impact on the exiting amenity space within the site.
- As the extension would be single storey only, with no windows to the south side elevation there would be no detrimental impact on residential amenity at the rear of properties on Rochdale Old Road to the south.
- With regards to no.4 Castle Hill Road, attached to the north the extension would project 3.9m from the original rear elevation. Given the position of the extension there would be some detrimental impact on light to ground floor windows on the rear of this property. However, given the angle of the shared boundary the extension would be approximately 800mm close to the rear elevation and approximately 1.4m towards the rear. It is noted that this neighbour has not objected to the proposal and taking in to account that a larger single storey extension could be built measuring up to 6m on the rear of the property under the Larger Homes Scheme in this instance the proposed single storey extension would be considered acceptable.

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 drawings numbered SC2020-216-L(-0)001 Rev A, SC2020-216-L(-0)002 Rev A, SC2020-216-L(-0)003 Rev A and SC2020-216-L(-0)004 Rev A 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 - 09/10/2020.		DM - 19/10/2020.	

