

DELEGATED REPORT

Report by Amanda

Date of report: 17/05/2024

Ref:70701/FUL

Uhunmwagho

Registration: 26/04/2024

LDfC: 17/05/2024

Expiry Date: 21/06/2024

Site Visit: 10/05/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single Storey Side Extension

Location: 261 Holcombe Road, Tottington, Bury, BL8 4BD

Description

The application property is a red brick, two storey semi-detached house with a short brick wall to the front and side boundaries. There is a garden to the front with a small area of garden to the side with a small lean-to shed on the side elevation. To the rear there is a private garden with walls and planting to the boundaries.

The proposal is to build a single storey side extension providing a new office, utility room and wc. Given the angle of the side boundary the extension would measure 2615mm wide at the front and 1825mm at the rear. It would measure 6705mm in length and the roof would be pitched. The extension would be finished with materials that would be in keeping with the existing building.

Relevant Planning History

N/A

Publicity

4 neighbours notified on 24/04/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

PfE Places for Everyone

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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 extension would be built with materials and a design that would be considered to be in keeping with the existing building and as it would be set back from the front elevation of the original dwelling it would not have any significant detrimental impact on the character of the streetscene. It is also noted that the applicant could build a single storey side extension as Permitted Development as long as it was built within the specified limits.

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 extension would be around 7m away from the rear boundary and it would be single storey only with a wc window rear. There is also a road to the rear of the site separating the site from properties along Harborne Walk.
- The extension would be more than a sufficient distance from properties on the opposite side of Holcombe Road to the front.
- As the extension would be on the north east side of the dwelling there would be no detrimental impact on residential amenity at no.259 Holcombe Road attached to the south west.
- The side elevation of the extension would be around 10m away from the boundary wall at no.263 Holcombe Road and there is a large area of land in between.
- Part of the side boundary would be removed in order to build the extension. However, the agent has signed and submitted certificate A with the application stating that all of the development would be completed within the site boundary.

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 open ground to the side of the site.

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 ZT24-196-01, ZT24-196-02 and ZT24-196-03 received on 26/04/2024 and revised drawing numbered ZT24-196-04 received on 17/05/2024 as modified by the email from Thorp Design Service Ltd dated 17/05/2024. 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 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

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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 -	17/05/2024	DM	20/05/24