

DELEGATED REPORT

Report by Helen Pressley	Date of report: 29/11/2021	Ref: 67479/FUL
Registration: 03/11/2021	LDFC: 24/11/2021	Expiry Date: 29/12/2021
Site Visit: 23/11/2021	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear and side extension; Front porch

Location: 4 Royds Close, Tottington, Bury, BL8 3QD

Description

The application relates to a semi-detached dwelling located on Royds Close. The premises has a garden to the front, with a driveway that leads along the side of the dwelling. An area of private amenity space is located to the rear.

Planning permission is sought for a single storey side and rear extension that projects approximately 2250mm to the rear and 1800mm to the side of the dwelling. To the front it is proposed to construct a single storey porch extension that projects approximately 1350mm.

Relevant Planning History

57471 - Two storey extension at side and single storey extensions at front and rear -
Withdrawn by Applicant 03/06/2014

Publicity

Neighbour letters sent 3/11/2021. No representations 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

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 side and rear extension would wrap around the existing dwelling, with a pitched gable roof to the side elevation and lean to style roof running along the rear elevation of the property. The proposed extension is considered to be of a simple and unobtrusive design that would not detract from the character of the dwelling. The proposed windows are considered to be suitably aligned and the use of matching materials is appropriate.

The proposed front porch extension would not project excessively from the front elevation and has a pitched, gable roof replicating the shape and style of the original property. Overall the additions to the property are considered to be acceptable and would not overwhelm the dwelling or result in over development of the associated residential amenity space.

It is considered that the proposal complies with UDP Policy H2/3 and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- Proposed rear extension would not project beyond the existing conservatory extension at No. 6

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- Proposed side/rear extension would be located approximately 11.2 metres from the original rear elevation of No. 2 exceeding the 6.5 metres required by SPD 6.
- Proposed porch would not intercept a 45 degree line as taken from the nearest ground floor front window of No. 6.
- No side windows proposed.
- Proposed rear windows would be screened by existing boundary treatments.
- Proposed porch door would relate to a non-habitable room.

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 ZT21-196-00, ZT21-196-01, ZT21-196-02, ZT21-196-03, ZT21-196-04 and ZT21-196-05 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>
Helen Pressley	29/11/2021	DM	30/11/2021