

DELEGATED REPORT

Report by Amanda

Date of report: 15/06/2022

Ref:68376/FUL

Uhunmwagho

Registration: 26/04/2022

LDFC: 03/06/2022

Expiry Date: 21/06/2022

Site Visit: 24/05/2022

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: Two storey extension at side/rear; Front porch

Location: 6 Balcombe Close, Bury, BL8 4PL

Description

The application relates to a two storey property with a conservatory to the rear and drive way and detached garage to the side. The site is a large plot with gardens to three sides of the dwelling. There is hardstanding to the front and side of the existing garage as well as shed.

The proposal is to build a two storey side/rear extension and a front porch. The existing detached garage would be demolished in order to build the side extension which would consist of a double garage, utility room and kitchen extension at ground floor level and a bedroom, en-suite bathroom and study at first floor level.

The side extension would project a maximum of 9m from the side of the existing dwelling. It would measure a total width of 8.6m from front to rear. The extension would be L-shaped, stepped in away from the boundary with the highway in front and to the side. Part of the extension would have a pitched roof whilst the roof above the garage/bedroom would have a lower roof with two pitched roof dormers to the front.

The porch would be positioned central to the front elevation. It would measure 2.94m wide and would project 1.6m forward. The roof would be pitched.

Relevant Planning History

49737 - Conservatory at rear - Approve with Conditions 12/05/2008

Publicity

Neighbours notified on 13/05/2022 - 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 -

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.

Although the extension would be fairly large it would remain subservient to the existing dwelling and the site is large enough to accommodate the proposed development without appearing over developed.

The proposed design and materials to be used in the construction of the extension would

be considered to be in keeping with the existing building. It would be positioned over 7m from the front boundary and just over 3m from the south west boundary. This would be inline with requirements as set out in SPD 6.

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 two storey extension would be over 7m from the front boundary and well over 20m from any properties to the front of the site. With this in mind the separation distance from the extension to properties to the front and side of the site would be more than sufficient in terms of the requirements as set out in SPD 6.
- SPD 6 states that a two storey extension should be at least 2m from a boundary with a highway. At its closest point the extension would be around 3.2m from the boundary with the highway at the side. This would be acceptable in terms of SPD 6.
- Given the position of the proposed extension there would be no significant detrimental effect on residential amenity at no.4 Balcombe Close to the North west of site.
- The rear elevation of the garage/bedroom extension would be positioned around 2.2m from the shared boundary with no.2 Westerham Close to the rear. This property has a garage immediately adjacent to the shared boundary and a first floor window facing the site. It is not clear what room this window serves but it would be around 7.3m away from the roof of the proposed extension. Given that the roof of the garage/bedroom extension would be built lower compared to the rest of the property the distance of 7m from the neighbouring first floor window would be acceptable in terms of SPD 6.
- There would be no changes to the existing access to the front of the site and the drive way in front of the garage would measure over 5m to the boundary with the highway in front.
- The porch would be built central to the front elevation of the dwelling and would not interfere with parking arrangements within the site.

Taking the above in to account 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 residential amenity.

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. The site as existing has an area at the front for parking at least two vehicles and this would remain following the side extension which would be set back from the front of the property. It is also noted that there would be a further two parking spaces available in the proposed double garage. 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 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:

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- 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 6BC-01 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 - 15/06/2022			