

DELEGATED REPORT

Report by Amanda

Date of report: 07/12/2020

Ref:66103/FUL

Uhunmwagho

Registration: 21/10/2020

LDfC: 18/11/2020

Expiry Date: 16/12/2020

Site Visit: 01/12/2020

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 side/rear, front porch and external alterations

Location: 8 Woodstock Drive, Tottington, Bury, BL8 4BW

Description

The property is a detached bungalow with gardens to the front and rear. The property is raised to the highway in front and there is a small porch on the front elevation. No.10 next door has been extended directly along the shared boundary with the site. There is a detached garage to the rear of the property.

No.6 is a similar style property which has a conservatory to the side as well as the rear elevations. This property also has a garage building to the rear and given the land level differences this property and garden is slightly lower to the site.

The proposal is to build a single storey rear extension and a porch to the front. The porch would project 1.58m and would measure 3.25m wide with a pitched roof. The front elevation of the property would be rendered.

The rear extension would have an overall projection of 8.24m but would only project 4.2m along the shared boundary with no.6 Woodstock Drive. The roof would be pitched and rear elevation rendered.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 29/10/2020 - No comments or objections received.

Statutory/Non-Statutory Consultations

N/A

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 -

The single storey extension would be built on the rear elevation of the existing property approximately 17.8m back from the highway in front. It would not be fully visible in the street scene and as such would not have any detrimental impact on the character of the street scene. However, it would be built with materials and a style that would compliment the existing property.

The porch to the front would be similar to others in the row as would the proposed render to the front and rear elevations. With this in mind the design of the proposal is considered to be acceptable in this location.

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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 -

There are no residential properties directly to the rear of the site and the rear elevation of the extension would be approximately 17m away from the rear boundary. Taking this in to account and that the structure would be single storey only there would be no concerns regards privacy to land at the rear of the site.

At the front of the property the only extension would be to the existing porch which is not a habitable room and so would not have any detrimental impact on residential amenity at nearby properties. Parking to the front of the site would not be detrimentally affected by the proposed porch.

An existing bedroom would be converted in to a home office and a high level obscurely glazed window would be installed in the side elevation to retain privacy between the application property and the next door neighbour. This would be acceptable in terms of SPD 6 and windows to side elevations.

No.10, to the south west of site has been extended to the side, directly along the shared boundary with the site. There are no windows to the side elevation of that extension. As the proposed extension would not project beyond the rear elevation of the extension at no.10 there would be no detrimental effect on residential amenity at that property.

On the opposite side, adjacent to no.6 Woodstock Drive the extension would project 4.2m directly along the shared boundary. Certificate B has been signed and notice served on this neighbour. No.6 has a conservatory on the rear elevation and also one to the side and there is a detached outbuilding to the rear, also adjacent to the shared boundary.

The plans show that the proposed extension would extend along the shared boundary up to where the out building is positioned. Given that the site is south west of no.6 there would be some detrimental impact on light to the small area in between the rear of no.6 and the outbuilding. It may also have some detrimental impact on light to part of the conservatories on this property. However, the outside area in question is a small area between the outbuilding and dwelling which would not be considered useable amenity space. For the most part the rear garden at no.6 would be unaffected by the proposed development. It is also noted this neighbour has not objected to the proposal. With this in mind it is considered that there would be no seriously detrimental effect on residential amenity at this property

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.

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 the drawings received on 21/10/2020 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

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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 - 07/12/2020.		DM	10/12/2020