

DELEGATED REPORT

Report by Jane Langan	Date of report: 07/03/2023	Ref: 69303/FUL
Registration: 31/01/2023	LDfC: 24/02/2023	Expiry Date: 28/03/2023
Site Visit: 20/02/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extensions at front and rear and two storey side extension with hip to gable roof extension at side

Location: 10 Windsor Drive, Bury, BL8 2DB

Description

The property is a semi detached house with an attached garage at the side and the front garden is fully surfaced for parking. To the rear is a patio out from the house and a lawn at a raised level. To the rear the site borders the rear garden to 471 Bolton Road. The adjoining semi is No.12 and extended at the rear with a conservatory. To the opposite side No.8 sits staggered to the site and has a garage and then a single storey along the side.

Works have commenced on approval 68431. This application is a resubmission with the change being a pitched roof forming a side gable wall instead of a hipped roof. The proposal comprises of a single storey extension at the front coming out 1.18m for 5.9m across of which 3.4m would extend past the side elevation. To the side the extension would be two storey, the first floor set 0.225m back at the front, running up to the existing rear elevation. A single storey extension 3.1m deep would run across the existing and extended rear elevation. The extensions would form a hall, playroom, utility and dining room with an extended and additional bedroom at first floor.

Relevant Planning History

68431 - Two storey extension at side; Single storey extensions at front and rear - AC 25/07/2022.

Publicity

Surrounding neighbours were notified by letter and no responses have been 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 and design - The proposed two storey section would be built to within 0.825m of the side boundary with a set back of 0.225m to the first floor front wall. This would add up to 1.05m and SPD6 can require a total of 1.5m in order to prevent a potential for a terracing effect. In addition, the set back would be to the front wall with the roof continuous as was the previous approval. The adjacent No.8 sits at an angle and is set back from the site. Given this and, as was considered on the previous application, in this instance at this particular site, it is not considered that a further set back of 0.450m is required or there would be potential for terracing given the properties position. The proposed roof would now be pitched and forming a side gable which would add more bulk than the previously approved hipped roof. Whilst the properties in the immediate area are semis with hipped roofs extending a hip to gable is a common way of enlarging a roof space and is generally permitted development. This proposal would see the gable to the extension however with it is not considered that the proposal would appear out of character or intrusive in the street scene.

The proposed single storey would not project excessively from the front at 1.18m and would

have a dual pitched roof to the entrance with a monopitch adjacent. To the rear the single storey would have a monopitch roof with roof lights. Materials would be off white render to the existing and new walls and roof tiles to match the existing.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

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 is fully surfaced to the front for parking. The front extension would reduce the drive length from 5.4m to 5.1m which would still allow an adequate length. The area also has on street parking and there is public transport available. The parking arrangements are then considered sufficient.

Residential amenity - The proposed single storey at the rear would project 3.1m deep and the adjoining No.12 is extended with a conservatory.

To the opposite side to No.8 the proposed two storey would run along its side elevation with two ground floor windows to a utility and wc. They would face on to the single storey to No.8 which has one obscure window. The proposed single storey would be around level with that to No.8 and this property is also angled away.

There would be a distance in excess of 7m from the proposed first floor rear window to the boundary.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential 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 ZT22-196-00, ZT22-196-01, ZT22-196-02, ZT22-196-03, ZT22-196-04, ZT22-196-05, ZT22-196-09 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.

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<u>Case Officer</u> JL	<u>Date</u> 07/03/23	<u>Sign off Officer</u> DM	<u>Date</u> 07/03/2023
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