

DELEGATED REPORT

Report by Jane Langan	Date of report: 28/10/2020	Ref: 65943/FUL
Registration: 16/09/2020	LDFC: 16/10/2020	Expiry Date: 11/11/2020
Site Visit: 06/10/2020	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension; Single storey front extension

Location: 10 Brandon Close, Bury, BL8 1XL

Description

The property is a two storey detached house on a residential estate. It has a drive to the front and integral garage. To the rear there is a patio from the back of the house and then steps up to a lawn at a much higher level. The neighbouring property to the south side is No.12, a detached house with its rear elevation set back from that to the site. To the opposite side No.8 has its rear elevation deeper and is extended with a conservatory. To the rear of the site the raised garden borders that to 74 Hunstanton Drive.

The application proposes to extend out the front elevation to the garage side by 0.6m to bring it flush with the main front elevation. The front canopy would be extended over and the garage converted to a lounge. To the rear a single storey 3.5m deep would extend across the whole rear elevation to provide a larger kitchen and dining room.

Relevant Planning History

None.

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 front elevation would see the garage door replaced with a window and the canopy extended across from the existing to match. Located to the rear the single storey would have a monopitch roof with rooflights and materials are noted to be brickwork and roof tiles of a similar colour and texture to the existing. For the avoidance of doubt a standard materials condition is added.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The front extension would be minimal and there is parking for two cars as existing. The site plan indicates a further space to the area of the front garden covered by gravel. Informatives are added for the requirement for permeable/porous materials or natural drainage and any extended drop kerb needed.

Residential amenity - In relation to the adjacent No.8 the single storey at the rear would project less than 3m from the rear elevation of this property.

To the opposite side No.12 is set back and there would be encroachment across a 45 degree line from the mid point of the closest window however not when taking the 25 degree line at this point. In addition located to the north east side the proposal would not cause any significant overshadowing. The site is detached and permitted development also allows deeper extensions at 4m and the larger homes scheme up to 6m with no objections.

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There would be a window added to the existing side elevation of the site to No.12 which would be a utility and would face the blank wall of No.12. There would also be a door to this side of the proposed extension however with the fencing that screens there would be no concerns regarding overlooking.

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 01, 02 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.
- 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>
JL	28/10/20	DM	05/11/2020