

DELEGATED REPORT

Report by Amanda

Date of report: 06/10/2022

Ref:68635/FUL

Uhunmwagho

Registration: 04/07/2022

LDfC: 26/08/2022

Expiry Date: 29/08/2022

Site Visit: 25/08/2022

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 side extension; Single storey front extension

Location: 19A Chesham Road, Bury, BL9 6LY

Description

The application relates to a two storey, previously extended semi-detached property with gardens to three sides. There is a garage to the rear accessed from the back street to the north. There is pedestrian access only from Chesham Road at the front of site and there is concrete fencing along the front boundary.

The proposal is to build a two storey extension to the side of the main dwelling and a single storey front extension. The extension would measure 6.62m wide across the front elevation and would measure 7.91m deep. There would be a window to the front elevation and bi-fold patio doors to the side, for access to the garden. At first floor level the extension would measure 3.15m wide and 5.67m deep. It would create a fourth bedroom and a new, larger bathroom. The outer walls would be rendered white.

The roof to the two storey extension would be hipped to match the existing property and the single storey extension would have a pitched roof. The existing access at the rear would remain as it is.

Relevant Planning History

N/A

Publicity

Neighbours notified on 05/08/2022 - 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.

The proposed extension would be built with a design that would be considered in-keeping with the existing building and as there is a mixture of buildings in the local vicinity which are both brick finished and rendered the proposed render finish would not appear out of keeping in the existing street scene. The design of the proposal is considered acceptable in this location.

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 proposed extension would be a sufficient distance from neighbouring properties to the front, side and rear of the site not to have any significant detrimental impact on residential amenity at those properties and their gardens/yards.
- The single storey side elevation would be 4.8m from the shared boundary with the property to the east and around 8.27m from the blank two storey elevation to the same boundary. This would be acceptable in terms of SPD 6.
- The existing parking arrangements to the rear of the property and site would remain as it is currently.
- As the extension would be built to the east side of the property there would be no significant detrimental effect on residential amenity at no.19, attached to the west side elevation.

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 separation distance to the surrounding properties.

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 rear/side for parking a vehicle and a garage. This would remain following the side extension being built. The area is high access in terms of public transport. 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 Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 2208-01, 2208-02, 2208-10, 2208-15 and 2208-20 received on 04/07/2022 and revised drawing numbered 2208-25 Revision A received on 26/09/2022 as modified by the email from Chesham Design dated 26/09/2022. The development shall not be carried out except in accordance with the details 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.

DELEGATED REPORT

- 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>