

DELEGATED REPORT

Report by Amanda

Date of report: 20/06/2024

Ref:70747/FUL

Uhunmwagho

Registration: 28/05/2024

LDfC: 20/06/2024

Expiry Date: 23/07/2024

Site Visit: 14/06/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at side

Location: 11 Adlington Close, Bury, BL8 2HS

Description

The application relates to a detached bungalow located at the head of a cul-de-sac. There is an attached garage to the side and to the front of the site there is a small garden area and driveway for two vehicles. The site is triangular in shape and is much larger to the rear compared to the front. Access to the rear garden is via a gate to the west side of the property.

There is a patio area to the side of the property along with two areas of lawn which have slightly different levels. At the rear of the garden is a detached timber summer house. There are fences to all boundaries along with high conifers along parts of the north, west and east boundaries of the site. The application property is adjacent to no.12 Adlington Close to the east side and built at a 90° angle to no.9 to the south west.

The proposal is to build a single storey side extension which would provide a living area, bedroom and bathroom. There would be an external door to the front elevation along with internal access from the main dwelling. On the rear elevation there would be a bedroom window and patio doors to the living area. There would be no windows to the side elevation.

The extension would be angled to the side to match the existing boundary line but it would have an overall length of 8433mm. The front elevation would measure 1977mm wide and the rear would measure 5987mm wide. The roof would be flat and the walls would be rendered to match the existing building.

Relevant Planning History

N/A

Publicity

6 neighbours notified on 30/05/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

PFE Places for Everyone

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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.

As the existing property is set back in the corner of the cul-de-sac in very close proximity to the front of no.9 the extension would not be openly visible in the streetscene at all. The existing planting along the shared boundary would be screened the structure from views from no.9, but even if they were removed views of the extension would be limited due to existing extensions to the side of no.9.

The extension would be built with materials and a design that would be considered to be in keeping with the existing building.

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 not affect the existing parking arrangements to the front of the site.
- There would be no windows to the side elevation and the whole of the extension would be around 1000mm away from the shared boundary with no.9. As such there would be no concerns regards privacy or encroachment at this property.
- As the extension would be built on the west side elevation there would be no detrimental impact on residential amenity at no.12 to the opposite side.
- There would be around 11,000mm from the rear elevation of the extension to the rear site boundary. This distance would be acceptable in terms of SPD 6 and it is considered that there would be no significant detrimental effect on residential amenity at properties to the rear of the site.

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 a driveway at the front for parking two vehicles, as well as a garage. This would remain following the side extension being built. The area is high access in terms of public transport and there are no parking restrictions to the highway in front. 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:

- 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 ZT24-196-01, ZT24-196-02, ZT24-196-03, ZT24-196-04 and ZT24-196-05 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 - 20/06/2024		DM - 24/06/2024	