

DELEGATED REPORT

Report by Jane Langan	Date of report: 06/06/2022	Ref: 68278/FUL
Registration: 31/03/2022	LDfC: 12/05/2022	Expiry Date: 26/05/2022
Site Visit: 03/05/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Part single/Part two storey extension with Juliet balcony at rear; Single storey extensions at front

Location: 9 Larkfield Close, Tottington, Bury, BL8 4QJ

Description

The property is a two storey detached house. It has an attached garage that projects out at the front and a drive and garden. To the rear is a fenced garden and beyond a golf course. The neighbouring property to the north side is No.11 a detached house. Its rear elevation to the site side is set back and there is then a deeper section which comes to be around level to the site rear elevation. To the opposite side No.7 is extended two storey at the rear past the rear elevation of the site.

The application includes a front porch 1.6m deep and 2.1m across. Adjacent this the lounge window would be replaced with a 1m deep bay. The garage would be converted to a store and gym with the garage door retained. To the rear a two storey extension would come out 2m deep and 4.3m across to the north west corner. At ground floor it would project out a further 1.6m deep and extend across the full width of the property as a 3.6m deep single storey. The extensions would form an extended dining and family room at ground floor with an extended bedroom and relocated bathroom/ensuite at first floor.

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 porch would not project excessively and would sit back from the site garage. It would have a monopitch roof which would link across to the new bay. Materials would be brick and roof tiles to match. The plans note the first floor front window to be split to 2 smaller ones. The proposal would see minor alterations to the front elevation and would not be out of character in the street scene.

To the rear the two storey would have a dual pitched roof with matching tiles and glazing to the rear and south side elevations in the form of juliette balcony windows. The ground floor would be flat roofed with a lantern light and bi fold doors with the brickwork 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 not increase the number of bedrooms, internal alterations would see the 4 beds reduced to 3 with one becoming a study. As such SPD 11 Parking Standards need not be considered. The proposal would not affect the existing parking arrangements with the two space drive remaining.

Residential amenity - The proposed two storey would be to the side to No.11. The section of the rear elevation to this property that is closest to the site is set back and has main windows ground and first floor. The proposal would not encroach the 45 degree line taken from the mid point of the windows. The proposed ground floor would see some encroachment of the 45 degree line but not taking the 25 degree line. At 3.6m deep the single storey would also be less than the permitted development depth for detached properties. The walls to this side would be blank brickwork.

To the opposite side to No.7 the first floor would have a juliette balcony to the side elevation as well as the rear. That to the side would be 7m from the boundary with No.7 which is the general separation distance required to a boundary to comply with SPD6 Aspect Standards. No.7 sits deeper at the rear and the proposal would be single storey and blank wall where closest to this boundary and project less than 3m from the rear of No.7. There would be a distance in excess of 7m from the proposed first floor window to the rear boundary and there are no properties directly to the rear.

Whilst the first floor rear windows are juliette balcony windows as the roof below is flat an informative is added as follows. *The applicants attention is drawn to the fact that the construction or provision of a verandah or balcony requires planning permission.*

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 R-0682-SLP, R-0682-01, R-0682-02 Revision A, R-0682-04 Revision F, R-0682-05 Revision B, R-0682-08 Revision B 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	06/06/22		