

DELEGATED REPORT

Report by Mo Warsame	Date of report: 12/09/2023	Ref: 69898/FUL
Registration: 13/07/2023	LDFC: 18/08/2023	Expiry Date: 07/09/2023
Site Visit: 01/09/2023	Site Notice: N/A	Press Date: N/A
14:00:00		
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey infill extension at front to form porch; addition of ground floor window to side elevation

Location: 9 Parkhills Close, Bury, BL9 9HB

Description

The property is a modern two storey detached house located in a small cul de sac development. It is brick built with a front gable design and an integral garage with first floor over set back from the main front. To the side is No.11 which is of a similar front gable design and the side elevation has two obscure windows one on each floor.

The property to the opposite side No.7 is set side on with the front elevation facing the side of No.9. There is one obscure window, the front door and garage.

Planning permission is sought for a single storey infill extension at front to form a porch along with an additional ground floor window to side elevation. The front extension would project approximately 2.5 metres to the front and would be setback 0.45 metre from the front elevation. The proposal would accommodate a new porch and additional bedroom on the ground floor via the conversion of the existing garage. The new bedroom would have a window to the side. The development would be constructed with matching materials and would have a pitched roof.

Relevant Planning History

53788 - Front Porch with Canopy; Two story extension at side - Approve with Conditions 16/05/2011.

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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 -

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 property is in a small cul-de-sac where the properties are of a similar design. The proposed single storey infill extension would not project out beyond the principal front elevation. The development would be modest structure that would accommodate a new entrance porch. With its pitched roof and matching materials, the proposed development would be acceptable. Therefore, there would be no detrimental impact on the street scene.

The existing garage would be converted to habitable and would have a new window to the side. The existing parking space to the front of the property would be lost. However, there would be additional communal parking spaces opposite the property.

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 -

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The proposed front infill extension would not project beyond the existing dwelling nor the adjacent property (No.11).
- The adjacent property (No.11) projects a side wall with two obscure glazed windows facing towards the application property. Therefore, the proposed side windows would not have any detrimental impact the residential amenity of the adjacent properties.
- There would be sufficient distance to the properties in front.
- There would be communal parking in front of the property.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

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 the drawings received on 13/07/2023 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>
MW	12/09/2023	HL	14/09/23