

DELEGATED REPORT

Report by Jane Langan	Date of report: 09/12/2021	Ref: 67494/FUL
Registration: 29/10/2021	LDfC: 06/10/2021	Expiry Date: 24/12/2021
Site Visit: 04/05/2021	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: Proposed single storey rear/side extensions and associated internal alterations

Location: 8 Bellingham Close, Bury, BL8 2TU

Description

The property is a detached bungalow located to the top of a cul de sac of bungalows. It has a drive and garden to the front and a detached garage. To the north side is a patio area with a shed and greenhouse and garden also extends round to the side and rear.

The neighbouring property to the west side is No.6. It has a blank side gable wall and sits forward of the detached garage to the site. To the opposite side is No.10 which has an attached garage adjacent the patio to the site. To the rear the site garden borders the rear gardens to properties on Rothbury Close and one at 2 Ashington Drive.

The application is a resubmission of 66727 for a single storey extension at the side linking the house and the detached garage to form a home office. To the rear a single storey would come out 2.4m deep for 7m across extending the kitchen and living room. The revisions are the infill extension to the garage which would now have the roof extending to slope up to the main ridge and to the rear extension two sets of patio doors replaced with one larger one.

Relevant Planning History

64279 - Demolition of existing detached garage and erection of new garage with link to dwelling; Single storey extensions at front, side and rear - AC 22/07/2019

66727 - Single storey rear extension; Single storey side extension - AC 02/06/2021

67427 - Non-material amendment following grant of planning permission 66727 for single storey side extension & single storey rear extension: Change window door size to rear extension and change roof design to side extension - Refused 26/08/2021.

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 side extension would have a pitched roof linking from the existing house to the garage and internal doors would provide access through. To the rear the single storey would be have a hipped roof with patio doors to the rear and a window to the garden side elevation. Materials are noted as red brick and grey tiles. For the avoidance of doubt a standard matching 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 site as existing has an parking for at least 3 cars and which would not be affected by the proposal.

Residential amenity - The proposed side extension would sit between the garage and

existing side elevation of the house.

To the rear the single storey at 2.4m would project less than the 3m SPD6 deems acceptable. There is also a substantial gap between the site and the adjacent No.10. 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 01,02D, 04A, 05A, 07 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	09/12/21	DM	15/12/2021