

DELEGATED REPORT

Report by Helen

Date of report: 15/10/2020

Ref:65974/FUL

Goldsbrough

Registration: 17/09/2020

LDfC: 12/10/2020

Expiry Date: 12/11/2020

Site Visit: 01/10/2020

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Replacement of existing side/rear extensions with single storey extension at side and single storey extension at rear; Replacement of front bay window with timber clad projecting box window; Relocation of entrance door from south to east elevation with new window opening and replacement of all existing windows

Location: 13 Bradford Terrace, Bury, BL9 0TT

Description

The application relates to an end terraced property located on Bradford Terrace. The rear of the property backs onto the highway, with the front of the property looking over gardens. The property has gardens to the side and front, with parking and a detached workshop/outbuilding located to the side of the dwelling, and an enclosed yard to the side/rear. The premises has existing two storey outrigger to the rear, single storey rear extension and single storey side extension.

Planning permission is sought to remove the existing single storey rear and side extensions and for construction of new extensions. The proposed rear extension would project approximately 2995mm from the rear of the existing outrigger. The proposed side extension would project approximately 3985mm. The proposal also includes replacement of front bay window with timber clad projecting box window that projects approximately 425mm. The drawing submitted show alterations to the layout of the property and also include relocation of entrance door from south to east elevation with new window opening and replacement of all existing windows.

Relevant Planning History

55339 - Erection of a new garage - Approve with Conditions 24/07/2012

Publicity

Neighbour letters sent 22/09/2020. No representations received.

Statutory/Non-Statutory Consultations

Transport for Greater Manchester - no objections

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 victimization;

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 proposed rear extension would have a pitched gable roof replicating the shape and style of the original and neighbouring dwellings. The proposed extension would mirror the width of the existing two storey outrigger. The use of render would replicate the shape and style of the original dwelling. Whilst the proposed corner window is more contemporary in style, it is considered to be suitably aligned and would not detract from the character of the street scene.

The proposed side extension would be largely screened from public views. The mono pitch

roof is considered to be acceptable. The vertical timber cladding, square rear window, and larger glazing within the front elevation are again more contemporary in style however this makes it clear that the proposal is a later addition and the overall style and shape of the original Victorian terrace remains intact. As such this element is considered to be acceptable.

The replacement bay window is located to the front of the property, however due to the orientation of the dwellings this does not front onto a public highway. The highway is located to the rear of the property. The proposed box window would be a modern interpretation of the bay window it is proposed to replace. In this instance given the limited public views of this addition and the wider contemporary remodelling of the property through extensions, use of materials and new window openings this addition is also considered to be acceptable.

The proposed new entrance door to the west elevation would include a flat roof canopy that would help to unify the original dwelling, with the proposed side extension. The new windows would not require planning permission, however the new aluminium frames within existing window openings would help to bring an overall cohesion to the redevelopment of the property and are therefore considered to be acceptable.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore comply with UDP H2/3 and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- Proposed rear extension would project no further to the rear than the existing rear extension.
- No dwellings directly facing the rear of the site.
- No dwellings directly facing the side of the site (metrolink to the west)
- No dwellings directly to the rear of the site (Bury Church of England High School to the rear).
- Proposed new window/door facing towards no. 11 would relate to non-habitable rooms (WC and utility room) and are therefore considered to be acceptable.

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 TQRQ20230194441049, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 2001, 2002, 2003, 2004, 2005, 2006 and 2007 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

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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>
Helen Goldsbrough	15/10/2020	DM	11/11/2020