

DELEGATED REPORT

Report by Mo Warsame	Date of report: 25/01/2023	Ref: 69140/FUL
Registration: 02/12/2022	LDfC: 17/01/2023	Expiry Date: 27/01/2023
Site Visit: 20/01/2023	Site Notice: N/A	Press Date: N/A
10:00:00		
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey front extension

Location: 2 Booth Hall Drive, Tottington, Bury, BL8 3HQ

Description

The application relates to a two-storey detached property with two integral garages, a large drive to the front and a garden to the rear. There is over 30 metres to the properties in front. On either side of the house, the site shares a boundary with No. 1 Booth Hall Drive and the open fields of Booth Hall farm.

Planning permission is sought for a two-storey front extension that would project out approximately 3.7 metres from the principal front elevation. In the ground floor level, the proposed extension would provide space for an enlarged lounge area, while the first floor there would be an additional bedroom with ensuite along with other internal alterations. The two storey extension would have pitched roof and would be constructed with matching materials.

Relevant Planning History

None.

Publicity

Neighbour letters sent on 21/12/2022. 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
SPD11	Parking Standards in Bury

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.

Guidance from SPD6 states that generally, there will be a presumption against large extensions at the front of properties due to the need to protect the character of the street scene. However, a small extension may be acceptable. The proposed two storey extension would project approximately 3.7 metres from the existing principal front elevation. Whilst there is presumption against large front extensions, on this particular site, with the detached house being significantly set back from the immediate neighbours from every direction, there would possibly be sufficient mitigation to suggest that the front extension proposed could sit within the streetscape relatively comfortably without interfering with suitable on-site parking. Furthermore, given the building's orientation which is set at angle and the fact that the properties within this street have staggered building line. The proposed extension would therefore comply with SPD 6 in this respect and would not lead to the uncharacteristic linking up of dwellings.

The proposed extension would have a pitched roof replicating the shape and style of the original dwelling. This is considered appropriate. The proposed windows would be suitably aligned, and the use of matching materials would also be appropriate.

Residential Amenity

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

Located on either side of No. 1 Booth Hall Drive and Booth Hall farm, the proposed extension would not project beyond the front elevations of neighbouring properties. Furthermore, there are sufficient distance of over 30 metres to the properties in the front.

The proposed extension would have no habitable side windows facing towards the adjacent neighbours and the proposed windows on the sides would only be bathroom windows. The proposed extension would be over 7 metres from the shared side boundary with No. 1 Booth Hall Drive and 2.5 metres on the opposite side where the site shares boundary with the open fields of Booth Hall Farm. As such it is considered that the proposed windows would not lead to detrimental overlooking of the neighbouring properties.

Parking

The proposal would increase the number of bedrooms from 4 to 5 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered, which requires the proposal to provide a minimum of 2 parking spaces within this low access area. There would also be no changes to the parking layout, it is therefore considered that the proposed parking arrangements are 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 drawing numbers: Sheet 1, Sheet 2, Sheet 3, Sheet 4, Sheet 5, Sheet 6, Sheet 7, Sheet 8 (Received on 02/12/2022) 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 plus rendering as outlined in drawings submitted.
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.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	25/01/2023		