

DELEGATED REPORT

Report by Mo Warsame	Date of report: 18/08/2023	Ref: 69704/FUL
Registration: 02/06/2023	LDfC: 29/06/2023	Expiry Date: 28/07/2023
Site Visit: 07/07/2023	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: Two storey side extension, single storey front

Location: 4 Woburn Drive, Bury, BL9 8DA

Description

The property is a semi-detached dwelling with a large drive to the front, a detached garage to the side and a private garden to the rear. The attached property to the side is No.6 Woburn Drive and on the opposite side the boundary is shared with No. 2 Woburn Drive and No.7 Alnwick Drive.

Planning permission is sought for a two-storey side extension along with a single storey front extension. The proposed two storey side extension would project approximately 7 metres to rear and 5 metres to the side. The single storey element would project approximate 1.2 metres to the front. The development would have pitched roofs and would be constructed with matching materials. The proposal would accommodate a new reception room and porch along with a living room extension on the ground floor. On the first floor, there would be an additional bedroom with an ensuite bathroom.

Relevant Planning History

62082 - Prior notification for proposed single storey rear extension - Prior Approval Required & Granted - Ext 30/11/2017

69705 - Two storey extension at side - Special deleted application

16/0139 - Erection of large gate - 13/06/2016

17/0078 - Running car sale business from home - 17/03/2017

18/0046 - Running car sales business from home - 14/03/2018

20/0126 - Running car sales business from home - 23/12/2020

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

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

SPD 6 states, to avoid the appearance of uncharacteristic terracing, the front elevation at first floor level should be set back by at least 1.5 metres from the main frontage of the original dwelling. The proposed extension would not have a setback from the original front elevation. However, given the proposed single storey front extension would project to the front to effectively create a 1.2 metre set back on the entire first floor. Additionally, the proposed two storey side extension would have a further 845mm set back on the side. As

such the proposal would be generally acceptable within this location.

Situated to the side, the development would be visible from the street scene. However, the extension would not be a prominent feature and would be a simple and unobtrusive design, which would not detract from the character of the dwelling. The proposed extension would be constructed with materials to match the existing and would have pitched hipped roof. This would be in keeping with the existing house and would appear subservient to the adjacent properties. The proposed front extension would be a modest in scale, and would also have unobtrusive design, which would be acceptable.

Overall, the proposed development would not be a prominent feature in the street scene and would comply with Policies H2/3 of the Bury Unitary Development Plan and SPD6.

Residential Amenity

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

- To the rear, the proposed development would be approximately 7.5 metres to the shared boundary which exceed the 7 metres required by SPD 6. Therefore, there would be no detrimental impact in terms of overlooking and privacy.
- The proposed front extension would be a relatively small development and would not interfere with current parking arrangements. Furthermore, there would be over 20 metres to the properties in front.
- The two-storey side extension would have a blank wall with no proposed windows facing the adjacent properties to the side (No.2 Woburn Drive). This property would not have any principle windows facing the proposed extension. Its main principle windows are located on the other sides of the property. Therefore, there would be no adverse impacts on No. 2 Woburn Drive.
- In terms of the general prominence and impact on daylight the extension would be set off from the shared side boundary and would not extend beyond the principle rear elevation. Although the extension would have some impact on part of the rear garden of the adjacent property (No.2 Woburn Drive) in the afternoon, the overshadowing would not be seriously excessive above and beyond the existing situation. Furthermore, the property has a section of enclosed garden that runs adjacent to the drive of the application property. Therefore, in this respect the extension would not have such a serious impact to warrant a refusal.

Parking

The proposal will result in one additional bedroom, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local

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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 A100 Rev B, A101, A102, A103 Rev C, A105, A111 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	18/08/2023	DM	18/08/23