

DELEGATED REPORT

Report by Amanda

Date of report: 23/01/2023

Ref:69153/FUL

Uhunmwagho

Registration: 06/12/2022

LDfC: 31/01/2023

Expiry Date: 31/01/2023

Site Visit: 18/01/2023

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Front and rear first floor extensions above existing ground floor extensions

Location: 294 Brandlesholme Road, Bury, BL8 1ER

Description

The application relates to a two storey detached house on Brandlesholme Road. It has existing single storey extensions to the front, side and rear of the building. At the front of the site there is a good size garden with a low brick wall along the front boundary. There is a driveway on site that would accommodate several cars. To the rear of the site most of the garden area is paved, with some planting. There are fences to all boundaries.

The proposal is to add front and rear first floor extensions above the existing single storey extensions. The front extension would extend an existing bedroom and add an en-suite bathroom. It would project 2.39m forward of the existing two storey elevation and it would measure 4m wide. The roof would be pitched and to the side elevation there would be a new en-suite window installed. As well as there being a window to the front elevation a secondary window would also be installed to this room to the north side elevation.

At the rear the extension would also extend an existing bedroom. It would project 1.2m from the existing rear elevation and it would measure 3.44m wide. The roof would be pitched. The existing en-suite bathroom window at the rear would be replaced with a larger window.

Relevant Planning History

N/A

Publicity

Neighbours notified on 09/01/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/3 Extensions and Alterations

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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

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.

Brandlesholme Road is a long road which consists of various styles of properties including terraced buildings, bungalow, two storey homes both semi-detached and detached. The proposed first floor extensions would be built with a design and materials that would be considered to be in keeping with the existing building.

The first floor front extension would not project any further forward of the main front

elevation than the existing single storey extension, and it would remain set well back from the highway in front. As such there would be no significant detrimental impact on the character of the existing streetscape.

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 -

- There would be around 10.4m from the front extension to the boundary at the front of the site, and views from the new window would be over the highway in front. As such this distance would be acceptable in terms of SPD 6.
- The window to the north side elevation of the front extension would be just over 9m to the shared boundary with no.296 Brandlesholme Road to the north. This would be acceptable in terms of SPD 6.
- A condition would be added to the decision to ensure that the first floor en-suite window to the south side elevation would be fitted with obscure glazing and retained as such at all times. This would be to ensure there would be no privacy issues for users of the bathroom and their next door neighbours.
- At the rear the first floor bedroom window would be around 7.8m from the rear boundary. This distance would be acceptable in terms of SPD 6.
- The front extension would project around 1.2m forward of the front of 292 Brandlesholme Road to the south. As the gap between the two properties would be retained and the site is due north of this neighbour it is considered that there would be no significant detrimental impact on light to this property.
- The increase in size to the rear bathroom window would not have any detrimental impact on residential amenity in the area.
- The extensions would not interfere with existing parking arrangements to the front of site.

The proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the drive at the front of the site.

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 P01, P02, P03A, P04A, P05 and P06

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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.

- 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.

- 4 Before the first occupation of the extension hereby permitted the first floor en-suite bathroom window to south side elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with 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>
AU - 23/01/2023			