

DELEGATED REPORT

Report by Mo Warsame	Date of report: 24/11/2023	Ref: 70094/FUL
Registration: 29/09/2023	LDfC: 20/10/2023	Expiry Date: 24/11/2023
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension; Two storey/single storey front extension; Alterations to existing first floor rear windows

Location: 5 Bloomfield Drive, Bury, BL9 8JX

Description

Situated on residential street with staggered build-line, the property is a detached two storey property with attached garage to the side, drive to the front and a garden to the rear. The adjacent properties on either side are No. 3 and No. 7 Bloomfield Drive. The properties to the front of the side would be over 20m and there would be no properties beyond the rear site boundary.

The proposal is for a part single storey, part two storey front porch extension and single storey rear extension along with internal and external alterations. The proposed front extension would extend approximately 1.2m on both the single storey and two storey elements. To the rear, the single storey extension would project 2.7m and run the width of the entire property. The development would have a pitched roof over the two-storey front element and flat roofs over the single storey extensions. The proposal would accommodate a larger front entrance hall, a lounge extension and kitchen/diner extension along with a new cloak room/WC, utility, and snug area on the ground floor. There would also be an extension to the main bedroom on the first floor. Furthermore, the proposal would utilise the use of some matching materials.

Relevant Planning History

None.

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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.

Situated in the front, the part single, part two-storey front extension would be visible from the street scene. However, the extension would have a rectangular, simple and unobtrusive design, which would not detract from the character of the dwelling. The proposed single-storey rear extension would also be modest in size and would have flat roof. The part single-storey front element would also have a flat roof while the part two-storey front extension would have pitched roof replicating the shape and style of the original and

neighbouring dwellings.

The proposed development would utilise the use of matching materials which would create a harmonious development. The proposed extensions would be considered a suitable scale and the proposed windows would align with the existing. As such, the proposed development would not overwhelm the original dwelling or result in over development of the associated residential amenity space.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and as such complies with UDP Policy 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.

- The part single/part two-storey front extension would be modest in scale and would remain over 20m from other dwellings to the front of the site. Moreover, the development would have no proposed side windows and development would not project beyond the adjacent properties so there would not be any detrimental impact on residential amenity.
- The single storey rear element would extend less than 3 metres which would be acceptable. Additionally, there would be sufficient distance to the rear boundary and properties beyond. Furthermore, there would be no proposed side windows facing the adjacent neighbouring properties on either side.
- The proposed first-floor window on the ensuite bathroom to rear would be conditioned to be obscure glazed as indicated on the submitted plans.

Overall, there would be no serious impact on amenities of the adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - 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 the drawings received on 29/09/2023 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 Before the first occupation of the extension hereby permitted the proposed first floor windows on the ensuite bathroom 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>
MW	24/11/2023		