

DELEGATED REPORT

Report by Tom Beirne	Date of report: 22/05/2025	Ref: 71781/FUL
Registration: 27/03/2025	LDfC: 01/05/2025	Expiry Date: 22/05/2025
Site Visit: 06/05/2025	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: First floor rear extension

Location: 20 Alnwick Drive, Bury, BL9 8BZ

Description

The application relates to a two storey red brick, detached house on a residential road of similar properties. The front has been extended and there is a single storey outrigger across the rear.

No.22 Alnwick Drive has a conservatory on the rear, adjacent to the shared boundary with No.20. No.16 has a rear extension projecting beyond the rear elevation of No.20 and an annexe in the rear garden, adjacent to the shared side boundary.

The proposal involves extending above half of the single storey outrigger on the east side, closest to No.16 Alnwick Drive. It would project out 3.7m and run across 4.9m, halfway across the rear elevation. The pitched roof would form a gable and carry over onto the existing roof. No windows on the side. Finished in brick and tile to match the existing house. It would accommodate an additional (4th) bedroom.

Relevant Planning History

65008 - Two storey front extension and front porch - Approve with Conditions 11/02/2020

65353 - Non-material amendment following grant of planning permission 65008:

Full front elevation and part of sides to be rendered - Approve with Conditions 03/04/2020

Publicity

Immediate neighbours notified by letter dated 07/04/2025. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - Not relevant.

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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 - The extension is at the rear and not readily visible from the public arena. The scale of the extension is modest in scale and, in terms of design, is in keeping with the main house. In terms of visual amenity, the proposal is considered to be acceptable and complies with UDP Policy H2/3 and associated guidance in SPD6 relating to extensions and alterations.

Residential Amenity - Given the position of the extension in relation to immediate neighbours, the extension does not raise any serious issues in terms of residential amenity. Extensions on the rear of neighbours on either side would mitigate the impact of the proposed extension. The proposal is acceptable and complies with UDP Policy H2/3 and associated guidance in SPD6 relating to extensions and alterations.

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 TDS-25-196-01, 02, 03, 04, 04.5 and 05 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 and Places for Everyone Joint Development Plan listed.
- 3 Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	21/05/2025	HL	22/05/25