

DELEGATED REPORT

Report by Mo Warsame	Date of report: 26/10/2022	Ref: 68779/FUL
Registration: 12/08/2022	LDFC: 28/09/2022	Expiry Date: 07/10/2022
Site Visit: 14/10/2022	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 front/side extension

Location: 14 Browns Road, Radcliffe, Bolton, BL2 6RQ

Description

The application relates to a two-storey semi-detached dwelling located on Browns Road. The premises has a driveway and open fronted garden located to the front. Properties No. 10 Browns Road and No.14 Browns Road are on either side of the dwelling.

Planning permission is sought for the construction of a single storey front/side extension. The existing front store would be converted. The proposed extension would project approximately 1750mm forward of the front elevation of the dwelling to align with the existing store. The proposed side extension would project 795mm to the side and run for 3702.5mm. The development would have no windows to the side and come with mono-pitch roof design. The proposal would accommodate a kitchen extension to the front and a toilet along with storage area to the side.

Relevant Planning History

None.

Publicity

Neighbour letter sent 07/09/2022. No representations received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
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.

The front extension would not project beyond the principle front elevation. Instead, it would infill the area in front and align with the existing store. The single storey side extension would be simple in design and have a mon-pitched roof. the extensions would not encroach onto the highway nor the existing drive.

Situated to the front and side, the development would be visible from the street scene. However, the development would not be a prominent feature in the street scene. The proposal would be a modest 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 replicate the profile of the original property. As such, 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.

- Properties to the front on the opposite side of Browns Road would be over 20m from the front of the extended property. This distance would be acceptable in terms of SPD 6.
- The position of the front extension would not interfere with existing parking arrangements on site. As such, the applicants could still park on site as they do now.
- The proposed single-storey side extension would not have any proposed side windows and would be facing onto a blank wall.
- The proposed side extension would project 795mm and would not run beyond the existing rear building line or that of the adjacent property (14 Browns Road). Therefore, the 45-degree rule would not apply, and the proposed extension would be acceptable in this regard.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways

The proposal would not increase the number of bedrooms and given the fact there are no changes to parking layout, it is therefore considered that the 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: 01, 02 (Rev:B), 03, 04 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

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Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	26/10/2022		