

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 29/03/2022	Ref: 68036/FUL
Registration: 10/02/2022	LDfC: 04/03/2022	Expiry Date: 07/04/2022
Site Visit: 25/02/2022	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 extension; Garage conversion

Location: 30 Brookdene Road, Bury, BL9 8ND

Description

The site relates to a semi detached dwelling, No 30 Brookdene, within a residential estate setting. The property is attached to the neighbour, No 2 Rhodes Drive in a slightly unusual arrangement, by attachment to the rear elevation of this property.

The application dwelling is modest in size and appearance with a single driveway and integral garage.

The application seeks the erection of a single storey front extension which would project 1.2m from the front elevation and formed with a mono pitched roof. Elevations would be brick to match the existing and 2 windows positioned either side of a central entrance door.

The application includes the proposal for the conversion of the garage which in itself would not require planning permission.

Relevant Planning History

n/a

Publicity

Neighbours notified by letter on 11/2/22
No responses received

Statutory/Non-Statutory Consultations

N/a

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

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.

Residential amenity - The proposed extension would project approx 1.2m forward of the existing front elevation. It would not project beyond the frontage of the attached neighbour, No 2 Rhodes Drive and would be sufficiently distanced from No 28 not to affect outlook or privacy.

As such, it is considered there would not be a significant impact on adjacent occupiers and would comply with H2/3 and SPD6.

Visual amenity - The proposed development would be single storey with a mono pitch roof and with a projection of approx 1.2m along the frontage of the property, the extension would be relatively small scale. Materials would match the existing. As such the proposed development is considered acceptable and comply with policy.

Parking - There is currently one parking space on the driveway which would be retained. Whilst the garage conversion could result in the loss of parking for one car, this element of the application does not require planning permission. There is also on street parking available directly in front of the property. As such, the resulting parking provision is considered acceptable.

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 - Proposed site and location plan CM291 PL 03a; Proposed plans CM291 PL 01c; Proposed elevations CM291 02b; Existing plans CM291 EX 01a; Existing elevations CM291 EX 02a 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	29/3/22		