

DELEGATED REPORT

Report by Mo Warsame	Date of report: 22/12/2023	Ref: 69920/FUL
Registration: 16/11/2023	LDFC: 11/12/2023	Expiry Date: 11/01/2024
Site Visit: 22/09/2023	Site Notice: N/A	Press Date: N/A
09:00:00		
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extension at side/rear

Location: 562 Bolton Road, Bury, BL8 2DU

Description

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Two storey detached house on residential street with a large drive to the front, garden to the rear and high fencing along site's shared boundaries. The adjacent properties on either side are No.560 Bolton Road, a similar dwelling with integral garage to the front and No. 564 Bolton Road.

Planning permission is sought for the construction a single storey side/rear extension. On the side, the extension would project 2.2m, leaving 0.8m setback to the side boundary and run 9.8m to the rear. The extension would extend 8.1m to the rear from the principal rear elevation and would a maximum width of 3.8m. The extension would have a flat roof with a slight slope. The proposal would accommodate a self-contained bedroom, with ensuite along with a lounge area and would be constructed with some matching materials.

Relevant Planning History

57160 - Non-material amendment following grant of planning permission 56970 for single storey extension at front and roof extension and alterations at side:
Cement render to all external walls - Approve 17/02/2014

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 complements the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

The proposed single side/rear extension would be of a simple and unobtrusive design and would not detract from the character of the dwelling. The proposal would have no windows on side facing No. 560. The proposed development would match some existing materials and not overwhelm the 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 would therefore comply with UDP Policy H2/3 and SPD 6.

Residential Amenity

- Properties to the front would be over 20m from the proposed side extension, while dwellings to the rear would be over 10m from the proposed rear extension. These distances would be acceptable in terms of SPD 6.
- The proposed side/rear extension would project 2.2 metres to the side and would have an appropriate setback of 0.8 metres from the shared side boundary. Additionally, there would not be any proposed side windows facing towards No. 560 and there would be a sufficient distance to the opposite side boundary. Moreover, the extension would have a blank wall to rear. As such, the proposal would have no detrimental impact on the privacy of the neighbouring properties.
- The high scrubs and trees and existing high fences along the shared boundary would shade the extension from the adjacent properties.
- SPD 6 states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule should be applied. However, taking in to account the Larger Homes Scheme and that the adjacent neighbours have not objected.
- There would remain an acceptable amount of outdoor private amenity space.

Overall, there would be no serious impact on the amenity of any 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.

Parking

The proposal will result in one additional bedroom, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

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 Sheet 1, Sheet 2 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.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	22/12/2023	DM	03/01/24