

DELEGATED REPORT

Report by Mo Warsame	Date of report: 19/03/2025	Ref: 71494/FUL
Registration: 23/01/2025	LDfC: 18/02/2025	Expiry Date: 20/03/2025
Site Visit:	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: Single storey extension at front/side/rear and front porch; Alterations to existing driveway

Location: 3 St Peters Road, Bury, BL9 9RA

Description

The site relates to a detached bungalow dwelling. The premises has is a drive to the side and gardens to the front and rear. The adjacent neighbouring properties on either side are No. 1 St Peters Road and No. 5 St Peters Road.

Planning permission is sought for the erection of a single storey wrap-around side and rear extension along with a single storey porch extension. The proposed wrap around side/rear extension would project 3.75m to the side and 3.9m to the rear. The proposed porch extension would extend 0.45m beyond the principal front elevation and run 2.1m to the side.

Both the wrap-around and the porch extensions would have pitched roofs. The proposal would be constructed using matching materials and accommodate a bedroom with en suite bathroom, prayer room and open plan kitchen/diner/living area.

Relevant Planning History

None.

Publicity

Neighbour letters sent on 27/01/2025. No objections received.
Highways/Traffic section. No objections subject to conditions.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
HT6/2	Pedestrian/Vehicular Conflict

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 PpE 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

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 extensions would be of a simple and unobtrusive design that would not detract from the character of the dwelling. The proposed development would match 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

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- In terms of overlooking and privacy to the rear, there would be more than 7m separation distance between the proposed extension and the rear boundary. Furthermore, there would be no proposed windows directly facing the adjacent properties.
- SPD states that a single storey extension should not project more than 3m along a neighbouring boundary, at which point the 45° rule would be applied. Considering the Larger Homes Scheme and the fact that the adjacent neighbour has not objected to this application, the proposed projection of 3.9m to the rear would be considered acceptable.
- There would be an acceptable amount of private outdoor amenity space.
- The proposed porch would be a modest structure and there would be over 20m to the properties in front.

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

Highways

The proposal will result in one additional bedroom and there will be changes to the parking layout. However, this is acceptable as there are no objections from the highway engineer in regards to the alterations to the existing driveway.

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 dwg no. ZT24-196-03, dwg no. ZT24-196-04, dwg no. ZT24-196-08 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 H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 The amended parking arrangements indicated on approved site plan (Drawing No. ZT24-196-08) , incorporating the retention of the existing access and a hardstanding to the dimensions shown in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway, shall be implemented to the satisfaction of the Local Planning Authority before the extensions and new parking facilities hereby approved are brought into use.
Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to UDP Policy HT6/2.
- 5 Facilities for the storage of construction materials shall be provided within the curtilage during the course of construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy HT6/2.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	19/03/2025	HL -	19/03/2025