

DELEGATED REPORT

Report by Mo Warsame	Date of report: 18/03/2025	Ref: 71559/FUL
Registration: 24/01/2025	LDfC: 27/02/2025	Expiry Date: 21/03/2025
Site Visit: 28/02/2025	Site Notice: N/A	Press Date: N/A
14:00:00		
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey front and side extensions; two/single storey rear extension and alterations to roof

Location: 36 Seedfield Road, Bury, BL9 6PD

Description

The property is a two storey detached dwelling on a corner plot. There is a garden and a drive that leads to a detached garage to the rear. The adjacent properties are No.34 Seedfield Road along with No. 8 Arley Ave and No.10 Arley Ave across the highway.

The applicant proposes to build a two storey front and side extensions and a part two storey, part single storey rear extension along with alterations to the main roof. The single storey rear element would project 4m from the original rear elevation and run the entire width of the property. The two storey rear element would also extend 4m to the rear but would only run for 6m to the side, to effectively create a setback distance of 3.5m to the shared side boundary with No.34 Seedfield Road. The proposed two storey front segment would project 5m to the front to align with the rest of the front elevation. This two storey extension would mirror the existing front element and come in similar scale. The proposed two storey side extension which would be tucked in behind the proposed front extension would project 3.5m to the side. The two storey side segment would not extend beyond the principal rear elevation. The development would accommodate a new reception room along with an enlarged open plan kitchen/dining/living area on the ground. The first floor would facilitate and a family bathroom and two bedrooms, one with its own en suite bathroom.

The proposed development would have a hipped, pitched roof over the two storey elements and a mono-pitched roof with sunroof over the single storey rear element. The proposal would utilise the use of matching materials.

Relevant Planning History

None.

Publicity

Neighbour letters sent on 05/02/2025. No objections received.

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

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

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments 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 development would have a design that would be in keeping with the character of the host dwelling and the street scene. Moreover, it would be in reasonable scale in contrast to its plot size. Additionally, it would be built with matching materials that would complement the existing building. This is a design which is commonly found on this type of detached property.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity.

Residential amenity

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

- The proposed two storey front element would have no side windows and there would be distance of over 20m between this extension and the properties in front and to the side. Furthermore, the extension would not interfere with parking. A drive leading to a detached garage is provided in the rear.
- The two storey side extension would have two proposed side windows. However, there would be minimal impact as there would be a distance of over 20m to the properties to the side across the highway (No. 8 Arley Ave and No.10 Arley Ave across).
- The proposed two storey rear extension would have a setback of 3.5m to the shared boundary with No.34. This setback drastically reduces any adverse impact that would otherwise be detected by the application of the 45 degree rule. There would be two proposed windows that would be facing towards the property to the rear (No.9 Arley Ave) and the distance to the shared rear boundary would be just over 7m. However, the proposed windows would not be from habitable bedrooms and they would be facing on to side windows. Additionally, both windows would be obscure glazed and a less weight is afforded to habitable room windows located on the side elevation according to SPD.
- 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 4m to the rear would be considered acceptable.

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

Highways

The proposal will result in one additional bedroom but there will be no changes to the parking layout. Therefore, the current parking condition would be 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 numbered Sheet 5, Sheet 6, Sheet 7 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	18/03/2025	DM -	20/03/2025