

DELEGATED REPORT

Report by Mo Warsame	Date of report: 28/03/2025	Ref: 71551/FUL
Registration: 05/02/2025	LDFC: 28/02/2025	Expiry Date: 02/04/2025
Site Visit: 14/03/2025	Site Notice: N/A	Press Date: N/A
13:00:00		
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extension at side/rear

Location: 35 St Georges Road, Bury, BL9 8JG

Description

The property is a two storey, detached property. It has a front and rear garden areas and there is a drive for parking that leads to an attached garage to the side.

Planning permission is sought for a single-storey extensions to the side and rear of the property along with external alterations. The development would accommodate an open plan kitchen/dining/living area. The extension would project 5 metres to the rear and run 5 metres to the side. The proposed side element would infill the existing enclave to the side.

The proposed development would be constructed using matching materials and would have pitched roofs.

Relevant Planning History

None.

Publicity

Neighbour letters sent on 07/02/2025. 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.

Situated to the rear and on the side tucked in behind the existing garage, the development would not be visible from the street scene. Both extensions would have simple and unobtrusive design, which would not detract from the character of the dwelling. The proposed development would be constructed with materials to match the existing dwelling. As such, it 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 -

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

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The proposed infill side extension would not project beyond the rear elevation of the existing dwelling nor the adjacent properties and there would be sufficient distance to the rear boundary. Additionally, the extension would have no side windows.

In regards to the proposed rear extension, 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 5m to the rear would be considered acceptable.

Overall, the proposal would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

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 the drawings received on 06/02/2025 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	28/03/2025		