

**DELEGATED REPORT**

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|------------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Amanda Uhunmwagho | <b>Date of report:</b> 24/03/2022 | <b>Ref:</b> 68072/FUL          |
| <b>Registration:</b> 10/02/2022    | <b>LDfC:</b> 24/03/2022           | <b>Expiry Date:</b> 07/04/2022 |
| <b>Site Visit:</b> 03/03/2022      | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b> 0               | <b>Con Area:</b>                  | <b>Adv Type:</b> NONE          |
| <b>Reason for Delay:</b><br>N/A    |                                   | <b>EIA:</b> NA                 |
|                                    |                                   | <b>Dec Level:</b> DEL          |
|                                    |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** Single storey rear/side extension; Single storey front porch

**Location:** 2 Mile Lane, Bury, BL8 2DS

**Description**

The application relates to a detached bungalow. It has a pitched roof with two peaks to the front elevation. There is brick paving to the front and side of the dwelling providing on site parking at least three cars. There is a brick wall with railings to the front boundary. At the rear there is a large garden area with fences to all boundaries. There is also a detached outbuilding and a small shed in the rear garden.

The proposal is to build a front porch as well a single storey side/rear extension. The porch would be built in between the two sections of the existing dwelling and it would have a pitched roof. At the rear the extension would project 5m from the existing rear elevation and it would measure 16.11m wide. Along the north side it would measure 7.61m long and it would project 1.95m to the side. The roof would be flat.

**Relevant Planning History**

N/A

**Publicity**

Neighbours notified on 18/02/2022 and then again on 02/03/2022 when revised plans were received. No comments or objections have been received.

**Statutory/Non-Statutory Consultations**

None.

**Pre-start Conditions** - Not relevant.

**Unitary Development Plan and Policies**

|      |                                                             |
|------|-------------------------------------------------------------|
| SPD6 | Supplementary Planning Document 6: Alterations & Extensions |
| H2/3 | Extensions and Alterations                                  |

**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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

**Visual Amenity -**

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

At the front the porch would infill the gap in between two sections of the property which project forward of the main elevation. It would be built with materials and a design that would match the existing building. As it would not project forward of the existing front elevations it would not cause any significant detrimental harm to the character of the existing streetscape.

The extension to the side/rear of the property would have a flat roof and would be rendered to match the existing building. As this part of the development would not be openly visible in the public realm it would not have any significant detrimental effect on visual amenity in this area.

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 -**

- Properties to the front and rear of the site would be more than a sufficient distance from the proposed areas to be extended.
- There would be just over 8m from the rear elevation of the extension to the rear site boundary.
- There would be one bedroom window installed to both the north and south elevations. Revised plans received on 24/03/2022 state that these windows would be obscurely glazed, fixed and unopenable. This would ensure privacy levels would be retained between the property on site and the adjacent properties.
- The proposed development would not affect the existing parking arrangements within the site.

Taking the above in to account the proposal 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 would increase the number of bedrooms from 2 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has an area at the front for parking up to three vehicles and this would remain following the side extension which would be set back from the front of the property. The area is high access in terms of public transport and there are no parking restrictions to the highway in front. In this instance then the parking arrangements are considered sufficient.

**Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015**

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 A035\_P(00)001 and A035\_P(00)003 received on 11/02/2022 and revised drawing numbered A035\_P(00)002 received on 02/03/2022 and revised elevations and floor plans numbered A035\_P(00)004\_Rev B and A035\_P(00)005\_Rev B received on 24/03/2022 as modified by the emails from The Innovation Centre dated 02/03/2022 and 24/03/2022. The development shall not be carried out except in accordance with the details hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and

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Extensions to Residential Properties.

- 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 Before the first occupation of the extension hereby permitted the bedroom windows to both side elevations shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.  
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

|                     |             |                         |             |
|---------------------|-------------|-------------------------|-------------|
| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
| AU - 24/03/2022     |             |                         |             |