

DELEGATED REPORT

Report by Jane Langan	Date of report: 02/08/2023	Ref: 69785/FUL
Registration: 19/06/2023	LDFC: 25/07/2023	Expiry Date: 14/08/2023
Site Visit: 05/07/2023	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 rear extension

Location: 147 Radcliffe Road, Bury, BL9 9LN

Description

The property is a two storey bay fronted semi detached house located on a corner plot. It has been extended single storey along the side and across part of the rear. To the rear is a fenced garden and there is a detached garage along the rear boundary with access off Vale Avenue. The adjoining property is No.145 and is extended single storey along the boundary and two storey adjacent this. Beyond the rear site boundary 1 Vale Ave sits side on with its drive to the site side.

The application proposes a single storey extension at the rear 5.4m deep. It would extend across the full width of the rear elevation and link to the existing side extension. The extension would form an extended kitchen with living room area.

Relevant Planning History

58090 - A: Single storey extension at rear ; B: Single storey extension at side - Split Decision 05/12/2014

58309 - Single storey extensions to the side and rear - (Re submission) - AC 28/01/2015.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

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. 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 and design - The site is located on a corner plot and as existing is extended to within approximately 1m of the side boundary. The proposal would be a rear extension however it would link to the existing side extension. An existing door to the side would be replaced with a window and the roof and side wall would run as one continuous length. With the site already extended along the side and the boundary fencing providing some screening it is not considered there would be any harm to the street scene as viewed from the small cul de sac of Vale Avenue. To the rear the proposed extension would have a hipped roof with doors and window in the rear elevation. Materials would be to match the existing.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The proposed extension would not affect the existing vehicular access at the rear.

Residential amenity - The adjoining No.145 is extended single storey at the rear. The proposed extension would be blank wall to the boundary side and project less than 3m from the rear of No.145 as extended.

There would then be no serious impact on the amenity of this adjacent neighbouring

property.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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 SHT 1 of 2, SHT 2 of 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	02/08/23	DM 03/08/23	