

DELEGATED REPORT

Report by Mo Warsame	Date of report: 30/04/2024	Ref: 70460/FUL
Registration: 13/03/2024	LDFC: 08/04/2024	Expiry Date: 08/05/2024
Site Visit: 29/03/2024	Site Notice: N/A	Press Date: N/A
11:00:00		
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey front extension and new front porch; Conversion of existing garage to living accommodation; Installation of new front first floor window and alterations to existing windows/doors; Alterations to driveway/parking at front

Location: 118 Sunny Bank Road, Bury, BL9 8LJ

Description

The property is a two-storey detached house with a garden and drive to the front. To the rear, the premises has a fenced garden and there is a small, detached brick store to the west side boundary. The neighbouring property to the west side is No.116 Sunny Bank Road. It is at a slightly higher level and extended a single storey at the side/rear. To the opposite side No.120 Sunny Bank Road is at a lower level and deeper than the site at the rear. To the rear the site borders the rear garden of No.11 Cartmel Close and this house is at a lower level.

Planning permission is sought for a single storey front extension and new front porch, along with a conversion of existing garage to living accommodation and the Installation of new front first floor window and alterations to existing windows/doors together with alterations to driveway/parking at the front.

The single storey front extension would project 1.3m. This would equate to 0.35m extension beyond the existing garage and would facilitate a lounge extension on one side, and a ground floor bedroom via the conversion of the integral garage on the other side. The proposed porch would be located to the front and centre beyond this extension and would project a further 1.2m to the front. The proposed porch would have a flat roof with roof light (lantern). Other works include external alterations such as the installation of first floor window on the front elevation and the re-arrangement of the driveway.

Relevant Planning History

02906/E - As previously suggested the front dormers and balcony have now been removed, the revised details reflect a more modern appearance

- Withdrawn by Applicant 10/10/2023

68803 - Single storey front extension; Single storey rear extension - Approve with Conditions 02/11/2022

69862 - Two storey front extension; Single storey front extension; 2 no. balconies at front, Single storey rear extension and 2 no. window dormers to the front roof - Refused 25/08/2023

70150 - Two storey/single storey front extension; Garage conversion - Refused 23/11/2023

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections.

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

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.

The extensions would be modest in scale and in keeping with the existing property and street scape. The proposed doors and windows would be suitably aligned. Moreover, there are number of properties with similar extensions within this street. The proposal is therefore acceptable and would comply with UDP Policy H2/3 and guidance in terms of visual amenity.

Residential amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

Given its siting and modest scale, there would be no residential amenity issues arising from the proposal. Additionally, the proposed development would not have a negative impact on the parking arrangements on site and there would be sufficient distance to the properties directly in front. Therefore, 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.

Highways

The proposal will result in one additional bedrooms and the proposed alterations to the existing parking layout would be acceptable. Furthermore, the revised site plan (dwg 06F) is amended as requested by the Traffic Section (Highways).

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 dwg no. 01A, dwg no. 02, dwg no. 03, dwg no. 04, dwg no. 05B, dwg no. 06F 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>
MW	30/04/2024	DM	01/05/2024