

DELEGATED REPORT

Report by Tom Beirne	Date of report: 15/03/2023	Ref: 69342/FUL
Registration: 10/02/2023	LDFC: 14/03/2023	Expiry Date: 07/04/2023
Site Visit: 14/03/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey side/rear extension and Roof over rear bay window

Location: Primrose Hill, School Street, Pimhole, Bury, BL9 7EX

Description

The application site relates to a detached bungalow in a large residential plot on the south side of Bury, situated to the west of the River Roch, within the River Valley. The house cannot be viewed from the road due to heavy boundary planting. The nearest neighbour is the Coach House, a large detached property to the west.

The proposed extension is on the south east side corner of the house. It would extend out 3.7m to the side and wrap around the rear, projecting out another 3.7m. The roof would be hipped and carried over onto the existing roof. The extension would accommodate two rooms on the ground floor and an extended bedroom in the roofspace. Finishing materials would be stone and slate tiles to match the existing building.

Relevant Planning History

N/A

Publicity

Immediate neighbour at The Coach House notified by letter dated 20/02/2023. No objection received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
OL5/2	Development in River Valleys

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 River Valley - The proposed extension is, in terms of design and scale, relatively modest and in keeping with the existing house. Set back from the front elevation and with a lower roof ridge, the extension together with the house, would not be viewed from the public realm and would not impact on the surrounding River Valley. As such the proposal is acceptable and complies with UDP Policy H2/3 Extensions and Alterations and associated guidance and OL5/2 Development in River Valleys.

Residential amenity - Given the siting of the extension on the south east corner of the building and with no neighbours to the east, there are no residential amenity issue arising. Complies with UDP Policy and guidance in SPD6.

Access and Parking - The extension would have no impact on access and parking within the site. Complies with UDP Policy and 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

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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 L01, L02, BP01, BP02, SP01, SP02, E01, E02, E03 and E04 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.
- 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	15/03/2023	DM	27/03/23