

Description

The application relates to a two storey red brick dwellinghouse on a residential road, close to the junction of Bury New Road and Manchester Road. The attached neighbour has a single storey rear extension projecting 3m out along the shared side boundary.

The proposal involves a single storey rear extension projecting out 3m, adjacent to the rear extension on the rear of the attached neighbour. Sloping tiled roof and finished in red brick to match the house. The existing unmade driveway at the front would be surfaced in permeable resin and a parking and turning area created. The access point onto Bury New Road would be as existing.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 27/07/2023. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No comment.

Pre-start Conditions - N/A

Unitary Development Plan and Policies

<SQLDCPolicyComRep>

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 - The extension at the rear is modest in size and matches the extension on the attached neighbour. It would be in keeping with the house and not visible on the streetscape. The alterations to the frontage would not be significantly detrimental to the amenity of the streetscape. Complies with UDP Policy and guidance in SPD6 relating to extensions and alterations.

Residential amenity - Given the nature and scale of the proposal, there are no residential amenity issues arising. No objections received. Complies with UDP Policy H2/3 and SPD6 in terms of residential amenity.

Access and Parking - The parking and driveway would improve access and parking arrangements at the property and as such the proposal complies with H2/3 and guidance in this respect.