

DELEGATED REPORT

Report by Mo Warsame	Date of report: 17/11/2023	Ref: 70007/FUL
Registration: 01/09/2023	LDFC: 25/09/2023	Expiry Date: 27/10/2023
Site Visit: 29/09/2023	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 extension at side/rear; Extension of existing driveway/parking at front
Location: 250 Sunny Bank Road, Bury, BL9 8LA

Description

The site is a detached bungalow with a large flat roofed garage area at the side. The house is a corner plot with houses adjacent to the east and south, houses on the opposite side of Sunnybank Road to the north and a community centre to the west. There is a high hedge on the boundary to the west and a high hedge around the boundary of 1 Blundell Close to the south.

Planning permission is sought for a single storey infill extension to the side/rear. The extension would measure approximately 12.9 metres by 9.7m, effectively extending 3.2 metres beyond principal side elevation and 2.2 metres beyond the existing rear elevation. The proposal would accommodate an open plan kitchen/diner/living along with a new utility room, lounge and a replacement garage. The development would be constructed with matching materials and would have a pitched roof to the side and a flat roof to the rear.

Relevant Planning History

51069 - INSTALLATION OF THREE SOLAR PANELS (OVERALL PANEL SIZE 1.64m HIGH, 2.1m WIDE) ON THE FLAT ROOF AT THE SIDE - Approve with Conditions
02/04/2009

Publicity

Neighbour letters sent. No objections received.
Highways/Traffic section. No objections subject to conditions.

Statutory/Non-Statutory Consultations

Property & Technical Services - Estates Consultancy
Traffic Section

Pre-start Conditions

N/A

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
HT6/2	Pedestrian/Vehicular Conflict

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

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 proposed single storey side/rear extension would not project more than 3 metres beyond the principal rear and side elevations. Furthermore, it would be a simple rectangular structure with pitched roof to the side and flat roof to the rear that would not be visible from the street scene at the front. Overall, the proposed structure would appear subservient to the existing dwelling and would be constructed with matching materials. Therefore, there would be no detrimental impact on the street scene.

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 -

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The proposed side/rear extension would project 2.2m beyond the rear elevation of the existing dwelling and 3.2m to the side. However, there would be sufficient distance to the rear and side boundaries.
- There would be no proposed side windows, except for the window on the new utility room. However, this would be a non-habitable room and it would not be directly facing any neighbour. Furthermore, the existing high scrubs would further shade the proposed window from this property. Therefore, the proposed side window would not have any detrimental impact the residential amenity of the adjacent properties.
- There would remain an acceptable amount of outdoor private amenity space.
- As there would be no increase to the number of bedrooms at the property the existing parking arrangements would be considered acceptable.

Overall, there would be no serious impact on the amenity of any adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - 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 dwg no. 001 (Rev E), dwg no. 002 (Rev C), dwg no. 003 (Rev B) 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 H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

- 4 The amended parking and turning arrangements indicated on approved plan reference 003 revision C, incorporating the retention of the existing access and a hardstanding to the dimensions shown in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway, shall be implemented to the satisfaction of the Local Planning Authority before the extensions and new parking facilities hereby approved are brought into use.
Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to UDP Policy HT6/2.
- 5 Facilities for the storage of construction materials shall be provided within the curtilage during the course of construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy HT6/2.

<u>Case Officer</u> MW 17/11/23	<u>Date</u>	<u>Sign off Officer</u> DM 17/11/23	<u>Date</u>
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