

DELEGATED REPORT

Report by Amanda

Date of report: 05/03/2025

Ref:71527/FUL

Uhunmwagho

Registration: 16/01/2025

LDfC: 20/02/2025

Expiry Date: 13/03/2025

Site Visit: 28/02/2025

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey rear extension; First floor side extension; Front porch

Location: 142 Parkhills Road, Bury, BL9 9AW

Description

The application relates to a previously extended, two storey semi-detached house. The whole of the front of the site is paved providing on site parking for at least two vehicles. Access to the rear of the site is through the house.

At the rear there is a patio area with lawn to the rest of the garden. There are fences to all boundaries and both adjacent properties have been extended.

The proposal is to add a single storey rear extension, first floor side extension and a front porch. The porch would project 1847mm forward of the front elevation and it would measure 3579mm wide. The roof would be pitched.

The first floor extension to the side would project around 961mm forward of the existing first floor side elevation and it would measure 2286mm wide. The roof would be pitched and the front of the extension would be set back from the original front elevation by 1500mm.

At the rear the flat roof single storey extension would project 4341mm from the existing rear elevation and it would measure 8266mm wide. It would provide a further living area plus a ground floor bedroom and wet room for a disabled person.

Relevant Planning History

- 49314 - Front porch; two storey side and rear extension; single storey rear extension - Approve with Conditions 13/03/2008
- 50437 - Conservatory at rear - Approve with Conditions 08/10/2008

Publicity

6 neighbours notified on 30/01/2025 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/2 The Layout of New Residential Development
PFE Places for Everyone

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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

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 development would be built with materials and a design that would be considered to be in keeping with the existing building and the 1.5m set back at first floor level from the original front elevation means the proposal is considered acceptable in terms of 'terracing' and the effect on the streetscene.

The flat roof extension to the rear would only be viewed from the neighbouring rear gardens but it would be built with materials and a design that would be considered acceptable in this location.

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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- Separation distances to houses at the front and rear of the site would be acceptable in terms of SPD 6.
- There would be around 15,769mm from the rear of the extension to the rear boundary.
- The single storey rear extension would project out to a similar point as the extension at no.140 Parkhills Road, attached to the west and there would be no changes to the first floor adjacent to this property. As such it is considered that there would not be any significant detrimental impact on residential amenity at this property.
- The single storey rear extension would project around 3800mm past the rear elevation of no.144 Parkhills Road to the east. This property has a two storey extension directly adjacent to the existing extension on site and the closest ground floor window on its rear elevation is to a kitchen. It is noted that this neighbour has not objected to the proposal. As such it is considered that the proposed single storey rear extension would not cause any significant detrimental harm in terms of residential amenity at this property.
- At the front the proposed porch would be located to the north east side of the site. As such it would not have any significant detrimental impact on residential amenity at no.140, attached.
- The porch would be built along the shared boundary with no.144 Parkhills Road and it would be adjacent to the driveway at this site. As such it would not have any significant detrimental impact on residential amenity on the next door property or its garden.
- The first floor extension would project around 961mm forward of the existing first floor extension. As there are no habitable room windows to the side of no.144 this would be considered acceptable in this instance.
- There would be around 5500mm of drive length remaining to the front of the extension which would be acceptable in terms of SPD 6, but the existing site is paved at the front and there would still be ample room to park at least two vehicles.

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 in terms of separation distance to the surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the drive to the front of the site.

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 SHT 1 of 4, SHT 2 of 4 and SHT 3 of 4 received on 16/01/2025 and drawing numbered SHT 4 of 4 Rev A received on 05/03/2025 as modified by the email from I.Planning Services dated 05/03/2025. The development shall not be carried out except in accordance with the details hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the 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, and Places for Everyone Joint 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 05/03/2025		DM - 10/03/2025	