

Description

The application relates to a two storey semi-detached house. There is small front garden with a brick wall to the front and southern boundaries. There is a fence to the north side and rear boundaries. There is room to park one vehicle to the front of the site. Access to the rear is via a path to the north side of the property. The rear garden has a lower ground level compared to the property. To the north of the site is a BP Petrol station.

The proposal is to build a single storey front extension and two storey side extension. At the front the extension would project 675mm forward of the existing front elevation and it would measure 4.2m wide. The roof over the entrance would be pitched and the remainder of the single storey roof would be mono-pitched.

The two storey extension would measure 2.25m wide x 7.7m long. It would be built flush with the existing front and rear elevations and the roof would be hipped. The existing porch to the rear would be removed.

Relevant Planning History

N/A

Publicity

Neighbours notified on 14/06/2023 - No comments or objections received.
Site notice erected on 21/06/2023.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

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.

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.

Normally when a two storey side extension is proposed next to a boundary a first floor setback of at least 1.5m would be required. However, as there are no residential properties to the side of the site there would be no concerns regards terracing and therefore it would be acceptable for the front elevation to be built flush with the existing front elevation of the dwelling.

The extension would be built with materials and a design that would be considered to be in keeping with the existing building and it would not have any significant detrimental effect on the character of the existing streetscene.

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 -

- Properties to the front and rear of the site would be a sufficient distance from where the extension would be built not to have any significant detrimental effect on residential amenity at those properties.
- As the extension would be built on the north side of the property there would be no detrimental impact on residential amenity at no.553 Manchester Road next door.
- There is a BP petrol station and car wash directly to the north of site. As this is not a residential site it is considered that the proposed extension would not cause any detrimental harm in terms of residential amenity to the north of the site.
- To the front of the extension there would be 5m of drive length remaining. This would be acceptable in terms of SPD 6.

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 increase the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has an area at the front for parking a vehicle and this would remain following the extension being built. There is a second area to park a vehicle to the front of the site and the area is high access in terms of public transport. In this instance then the parking arrangements are considered sufficient.