

DELEGATED REPORT

Report by Amanda

Date of report: 13/08/2024

Ref:70850/FUL

Uhunmwagho

Registration: 13/06/2024

LDFC: 10/07/2024

Expiry Date: 08/08/2024

Site Visit: 05/07/2024

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: Two storey side extension, first floor side extension, front porch entrance, single storey rear extension, solar panels, brick boundary wall and railings to the front of site, new pedestrian access and widening of the existing vehicular access.

Location: Cromer House, Cromer Road, Bury, BL8 1ES

Description

The application relates to a two storey property which has a single storey side/rear extension and a detached garage at the rear. There are garden areas to three sides and a driveway to the west which can accommodate several vehicles within the side boundary. There are fences to all boundaries with some planting to the front, rear and east sides. There is a patio area to the rear of the house and the garden areas are divided into different sections.

The proposal is to build a two storey side extension to the east side of the existing dwelling, first floor extension to the west side, front porch, single storey rear extension, solar panels, new boundary wall with railings including the widening of the existing vehicular access and a new pedestrian access gate.

The two storey side extension would measure 4500mm wide x 8957mm long and the roof would be hipped. The extension would have bay windows to the ground and first floor to mirror the existing bay windows on the front of the property.

The first floor side extension to the west would measure 3000mm wide x 12,146mm long. It would be set back from the new front porch by 1300mm and the roof would be hipped. The first floor extension would project 3189mm beyond the existing rear elevation.

The single storey rear extension would project 3189mm from the existing rear elevation and would measure 10,003mm wide. It would have a flat roof with a raised roof lantern. There would be patio doors to the rear elevation and full length windows to the side.

At the front the new porch would measure 1300mm x 3010mm and the roof would be pitched. Solar panels would be installed to the rear section of the roof and a new boundary wall with railings would be erected along the front boundary. This would also include a new pedestrian gate and widening of the existing access gates which would be fitted with wrought iron gates. There would be no changes to the existing dropped kerb to the front of the site.

The wall along the front boundary would be built on an incline in the road. As such it would have different heights along the extent of the boundary from around 369mm to 500mm. Similarly the pillars would measure 1277mm upto 1570mm and there would be railings in between. The pillars to the vehicular access would measure 1990mm high and there would

be inward opening gates.

Relevant Planning History

N/A

Publicity

7 neighbours notified on 19/06/2024 - No comments or objections received.

Neighbours re-notified on 18/07/2024 due to amendment to the proposal - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections. Suggested conditions and informatives to be added to any approval.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
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 extensions would be constructed using materials that would be considered to be in keeping with the existing building.

In terms of the design the proposed bay windows to the front would reflect the existing bay windows and the small triangular bay windows to the side would reflect the existing triangular bay windows which are currently on the side elevation. The overall design of the proposed extensions would be considered to be in keeping with the existing building.

There are a number of different types of boundary treatments to the front of properties in the local vicinity. Therefore the proposed brick wall with railings and the new gates would be considered acceptable in this location.

The solar panels would be on the rear of the property and not openly visible in the streetscene along Cromer Road.

SPD 6 states that a two storey extension should be at least 2000mm from a boundary with a highway. The proposed first floor extension would be built directly above the existing single storey side extension and would be around 3000mm away from the front boundary. This would be considered acceptable in terms of SPD 6.

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 -

- The closest property to the front (north) of site would be around 20,000mm away from the proposed extensions and properties to both sides would be over 30,000mm away. These separation distances would be more than sufficient in terms of SPD 6.
- The rear corner of the two storey side extension would be around 12,000mm from the side elevation of no.4 Cromer Road to the rear. There don't appear to be any habitable room windows to the side of this property and given the angle of the application property there would be no habitable room windows in the extension which would overlook this property. There would be a first floor window to the rear elevation which would be to an en-suite bathroom. This window would be obscurely glazed and it would

also be around 12,000mm away from the shared boundary. Taking this into account the development would not have any significant detrimental effect on residential amenity at this property.

- The first floor side extension to the west side of the dwelling would have a first floor bedroom window to the rear elevation, but as this extension would be around 14,000mm from the shared boundary with no.4 it would be considered acceptable as per SPD 6.
- There would be around 6000mm from the closest corner of the two storey side extension to the east boundary. As there are no residential properties directly to the side of the site this distance would be considered acceptable in terms of SPD 6.
- On the west side the first floor extension would be around 6400mm from the shared boundary with numbers 322 and 324 Brandlesholme Road. As both of these properties have garages/outbuildings adjacent to the shared boundary there would be no significant detrimental impact on residential amenity to the rear gardens.
- The proposed development would not have any impact on the existing parking arrangements within the site.
- The front boundary wall would not encroach onto, or under the highway in front.
- The solar panels would be installed on the rear of the property and could possibly be erected as permitted development. They would not have any significant detrimental effect on residential amenity in the area.

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 6 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 a drive at the side of the main house for the parking of at least 4 vehicles. The area has on street parking and there is public transport available nearby. In this instance then the parking arrangements are considered sufficient.

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 drawing numbered 003 Rev P1 received on 13/06/2024, drawing numbered 001ED Rev E1 received on 08/07/2024, drawings numbered 007 Rev P and 008 Rev P0 received on 09/07/2024, drawings numbered 004 Rev P2 and 005 Rev P2 received on 18/07/2024, drawing numbered 006 Rev P2 received on 19/07/2024 and drawing numbered 010 Rev P received on 24/07/2024 as modified by the emails from Mr C.Cordes dated 08/07/2024, 09/07/2024, 18/07/2024, 19/07/2024 and 24/07/2024. 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.

- 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 proposed boundary wall shall incorporate foundations that do not encroach under the adjacent adopted highway.

Reason : To maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.

- 5 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.

Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

- 6 Within one month following construction of the boundary wall, a programme of highway remedial works required to reinstate the adjacent footway, identified as a result of the dilapidation survey, shall be submitted and agreed by the Local Planning Authority and the works implemented in accordance with the approved programme.

Reason - To maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in 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 - 13/08/2024		HL - 14/08/2024	