

Description

The application relates to a detached bungalow fronting on to Garstang Drive with Watling Street to the side. There is an existing flat roof garage/kitchen to the side. At the front there is a drive which could accommodate two vehicles. The front garden is lawn and it is open to the highway in front.

At the side of the property is a fenced off garden area with a large area of grass on the outside of the garden fence, adjacent with Watling Street. The rear garden has fences and planting to all boundaries and the rear boundary abuts the side of 63 Watling Street.

The proposal is to build a front porch projecting 2.3m forward of the existing front elevation and measuring 1.81m wide. The roof would be pitched. The pitched roof would be extended above the existing garage/kitchen to the side and the garage would be converted in to a bedroom. The existing garden fence would remain as it is now.

There would also be a detached garage built to the rear of the site and new drive access off Watling Street. The garage would measure 3.5m wide x 6m long and the roof would be pitched. It would be finished with brick walls and roof tiles to match the main dwelling. The new drive in front of the garage would measure 10m in length and would be constructed with permeable surfacing. A new dropped kerb would be installed for access.

Relevant Planning History

N/A

Publicity

Neighbours notified on 10/05/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections.

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.

The front porch, new pitched roof to the side of the dwelling and detached garage would all be finished with a design and materials that would be considered to be in keeping with the existing building. As such there would be no 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 -

- The porch is not considered to be a habitable room. As such the distance to properties opposite would be more than sufficient in terms of SPD 6.
- The garage could be converted without planning permission, but the new bedroom window would be an acceptable distance from properties opposite in terms of SPD 6.
- Given that the property is the first house in the row the new pitched roof would not have any detrimental effect on any neighbouring properties and gardens.
- The garage and drive to the rear of the site would be built adjacent to the shared boundary with 63 Watling Street. As it would be built to the south of the garage and drive at this property it would not have any significant impact on residential amenity at this property.
- The new drive to the rear of the site would measure 10.4m long. This would be acceptable as per SPD 6.

- The garage would be a sufficient distance from the rear of no.4 Garstang Drive in terms of SPD 6.
- The new footway crossing would be directly adjacent to the crossing which services 63 Watling Street. The Highways officer has advised this would be acceptable.
- As the front porch and new pitched roof to the side of the dwelling would be built well away from the shared boundary with no.4 next door there would not be any significant detrimental effect on residential amenity at this property.

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 2 to 3 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 2 parking spaces. The site as existing has an area at the front for parking a vehicle and this would remain.

A parking space would be lost when the existing garage is converted, but the addition of a new detached garage to the rear of the site with 10m long drive in front means that the total numbers of parking spaces available within the site would be up to 4. This would be more than sufficient for this particular property. In addition there is ample on street parking available and the site is very close to local amenities and transport route.