

DELEGATED REPORT

Report by Amanda

Date of report: 28/06/2022

Ref:68322/FUL

Uhunmwagho

Registration: 03/05/2022

LDfC: 25/05/2022

Expiry Date: 28/06/2022

Site Visit: 13/06/2022

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 with velux windows; First floor side obscure glazed window; Raised decking to rear

Location: 266 Parr Lane, Bury, BL9 8LU

Description

Planning permission for a similar development was approved at this property in 2019. The current proposal seeks permission to build a wider side extension at the property. The extension approved in 2019 would have measured 2.8m wide whereas the proposed extension would measure 3.56m wide.

The application relates to a detached bungalow on Parr Lane, Bury. There is a front garden with pedestrian access and along the front boundary there is a short brick wall as well as a hedge screening much of the property from view on Parr Lane. There is an existing drive way to the north side of the site at the front. There is a rear garden with fences to all boundaries and there is an existing dormer to the rear of the property.

To the side of the area where the proposed extension would be built there is a two storey block of 8 apartments. They are separated by the fencing to the site and have a grassed strip adjacent the building. The side elevation of the building has two ground and two first floor windows. The front and rear of the building has the main windows and the entrance to the block centrally located to the rear elevation.

To the rear of the site is a garage block and a car park.

The proposal is to extend the existing dwelling to the side to extend the existing lounge and dining room. At first floor level there would be a gallery area at the top of the staircase. The extension would measure 3.56m wide and 7.73m long, built flush with the existing front and rear elevations. The ridge would be built to the same height as the existing ridge. There would be rooflights installed to the front and rear of the property and a small obscurely glazed escape window to the side elevation.

To the rear leading out from the new dining room would be an area of decking 2.4m deep and 6m across with steps down to the north side corner. The plans also note the existing gate posts to be removed to provide an additional parking space.

Relevant Planning History

64537 - Two storey side extension and decking at rear - Approve with Conditions
24/09/2019

64874 - Lawful development certificate for proposed construction of dormer to rear elevation, addition of rooflights and removal of rear door and replacement of rear window. -
Lawful Development 23/12/2019

Publicity

Neighbours notified on 04/05/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/3 Extensions and Alterations

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.

Parr Lane consists of many different styles of property and in the immediate vicinity there are apartment blocks, terraced houses and semi-detached houses. The roof would be extended to the side from the existing ridge and the eaves would run to the same height as the existing property. The proposed materials to be used in the construction would match the existing building. Therefore the proposal is considered acceptable and in keeping with the existing property and would not have any seriously detrimental effect on visual amenity in this area.

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 -

- To the side of the proposal site is the apartment block at 1-8 Victoria Mews. The principle elevations front Parr Lane and the car park and landscaped area at the rear where the entrance is located. The side elevations have two windows at the ground floor and two at first floor. The proposal would bring wall in closer proximity to these side windows. There would be a gap of approximately 5.6m separating and the proposed extension to the side elevation of the proposed extension which would only have one upper floor obscurely glazed window. A condition would be added to the decision advising that this window must remain obscurely glazed once the extension is occupied. As such it is not considered that the proposal would impact on the outlook from these windows to any significant level.
- There are no residential properties directly to the rear of the site. On the opposite side of the rear boundary fence is an access road to the rear of numbers 268 to 274 Parr Lane and three garages. Beyond this area is a car park which services Victoria Mews apartments to the north east of the site.
- The extension would be around 9.2m to the rear site boundary.
- At the front the extension would be around 6.4m to the boundary with the highway in front and properties on the opposite side of Parr Lane would be a sufficient distance from the site not to be significantly detrimentally affected by the proposal.
- As the extension would be built on the north east side of the existing dwelling there would be no concerns regards its impact on residential amenity at no.268 Parr Lane next door.
- The proposed decking would be built to a height of approximately 0.7m providing level access from the rear of the property and not an area raised to any significant level. It would be built well away from the boundary with the adjacent property No.268 Parr Lane and the end section close to the boundary with the apartments would be the steps down and positioned towards the end of the block to Nos 1-8 which has its principal elevations to the front and rear with landscaping and parking. There would be no significantly detrimental impact on residential amenity at the apartments.

With the above in mind 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 residential amenity.

Parking -

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The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The plans do show that the pillars to the existing vehicular access at the front of the site would be removed in order to park a second vehicle to the front of the property. The agent has confirmed that there would be no further hardstanding created to the front of the property. As such the proposed parking arrangements at this site would be 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 drawings numbered 1146.01 Revision C and 1146.10 received on 11/04/2022, drawing numbered 1146.14 received on 04/05/2022 and revised proposed drawing numbered 1146:09 Revision A received on 27/06/2022 as modified by the email from R.A.Fisk and Associates dated 27/06/2022. 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 Before the first occupation of the extension hereby permitted the upper floor window on the side elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with 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 - 28/06/2022			