

DELEGATED REPORT**Report by** Amanda**Date of report:** 30/05/2022**Ref:**68195/FUL

Uhunmwagho

Registration: 10/03/2022**LDfC:** 22/04/2022**Expiry Date:** 05/05/2022**Site Visit:** 22/04/2022**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:** Part single/Part two storey at rear and Two storey extension at side.**Location:** 174 Parkhills Road, Bury, BL9 9AW**Description**

The application relates to a two storey semi-detached house fronting on to the junction of Parkhills Road and Topham Street. The whole of the front of the site is paved providing on site parking for 2/3 vehicles and there is a short wall with pillars to the front and side boundaries. To the rear of the dwelling there is a single storey extension and a small patio area directly to the rear of the house. The main rear garden is much lower in comparison to the dwelling and there are steps leading down to the garden adjacent to the boundary with no.2 Topham Street next door. No.2 Topham Street has been extended to the side. The agent has advised that the extension at this property

The proposal is to build a part single/part two storey extension to the rear and two storey extension to the side. At the side the extension would be set back from the original front elevation by around 3.2m. It would measure 2.5m wide and 7.28m long. The plans show that the side elevation would be around 150mm off the shared boundary with no.2 Topham Street next door.

At the rear the extension would project a maximum of 4.2m and would measure 7.6m side. The two storey extension would extend around the rear of the dwelling measuring 6.37m wide. On the west side the single storey extension would project 3m from the original rear elevation at which point the rear corner would be chamfered at a 45° angle. The side elevation would be 1m away from the shared boundary with no.172 Parkhills Road. The two storey extension would have a hipped roof and the roof to the single storey section to the rear would be flat.

Relevant Planning History

N/A

Publicity

Neighbours notified on 31/03/2022 - 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.

The proposed design and materials to be used in the construction of the proposed

extensions would be considered to be in keeping with the existing building as well as neighbouring properties in the immediate vicinity.

The two storey side extension would be built adjacent to the extension at no.2 Topham Street next door and the front elevation would be built more or less flush with the front elevation of that extension. However, the appearance of terracing would not be a significant concern given that the main front elevation of the application property project around 3m forward of where the extension is to be built, given the frontage an acceptable degree of articulation. On balance, the proposed side extension would be acceptable within the streetscape and comply with UDP Policy6.

With this in mind there would not be any significant detrimental effect on the character of the existing street scene and 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 over 20m from the extended dwelling which would be more than sufficient not to have any significant detrimental impact on residential amenity at these properties.
- There would be around 17m from the rear elevation of the proposed extension to the rear boundary.
- The attached property has a single storey extension to the rear elevation. The proposed single storey rear extension would project around 500mm past the rear elevation of this extension which would be acceptable in terms of SPD 6.
- As the two storey rear extension would project 3m to the west side and it would be built around 1m away from the shared boundary, with the rear corner chamfered at a 45° with no.172 the 45° angle would be satisfied with regards to the closest first floor bedroom window at no.172.
- The plans show, and the agent has confirmed that all of the development would be built within the site boundary. The agent has confirmed that the extension at no.2 Topham Street does encroach over the shared boundary. With this in mind if there are any concerns regards the shared boundary the applicant and the relevant neighbour would need to discuss this as a civil matter.

Taking the above in to account 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.

Parking -

The proposal would increase the number of bedrooms from 3 to 5 and so 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 whole of the front of the site is paved and could accommodate up to 3 vehicles. The proposed extension would be built at the side of the original dwelling, set back from the main front elevation. As such the existing parking arrangements to the front of the site would not be affected by the proposed development. The area has on street parking and there is public transport available. 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 existing and proposed site plans as well as drawings numbered Sheet 1 and Sheet 2 received on 10/03/2022 and the development shall not be carried out except in accordance with the drawings 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU	30/05/2022		