

DELEGATED REPORT

Report by Amanda

Date of report: 25/01/2024

Ref:70290/FUL

Uhunmwagho

Registration: 29/11/2023

LDfC: 22/12/2023

Expiry Date: 24/01/2024

Site Visit: 09/01/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at front

Location: 291 Hornby Street, Bury, BL9 5DR

Description

The application relates to a two storey semi-detached property. The whole of the front of the site is paved and open to the highway in front. There are short fences to both side boundaries. Hornby Street consists of both semi-detached and terraced houses. There is currently a canopy above the front window which is attached to the canopy to the front of the attached dwelling.

The proposal is to build a single storey front extension which would provide a new porch and an extended lounge. The porch would project 1.6m from the original front elevation and it would measure 2.23m wide. The lounge extension would measure 3.61m wide and it would project 1m from the original front elevation. The northern corner of the extension would be chamfered and the roof would be pitched. In addition to the front extension the drawings also show that a kitchen door and window to the side elevation would be bricked up.

Relevant Planning History

68640 - Single storey side/rear extension - Approve with Conditions 09/09/2022

Publicity

Five neighbours notified on 01/12/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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.

There do not appear to be any examples of front extensions in the immediate vicinity but many of the properties have bay windows to the front elevations. The proposed extension would be chamfered off at the corner. This would help to retain the bay window style at the front and the roof would overhang which would be considered similar to the canopies on the surrounding properties. It would be built with materials that would also be considered to be in keeping with the existing building.

The agent has confirmed that the neighbouring canopy at no.293 Hornby Street next door would be finished appropriately.

The proposal to brick up a kitchen door and window to the side elevation would be considered to be Permitted Development and given their position to the side of the dwelling this part of the development would not have any significant detrimental impact on the character of the existing streetscene. The design of the proposal is considered acceptable in this location.

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 extension would be just over 2m from the shared boundary with no.289 Hornby Street to the south and there would be no windows facing this property. As such there would be no significant detrimental impact on residential amenity at this property.
- To the north the extension would project 450mm close to the shared boundary with no.293 and the wall would be chamfered away from the boundary. As such it is considered that there would be no significant detrimental effect on the ground floor habitable room window to the front of no.293.
- The front elevation of the extension would be around 3m from the front boundary, where it meets the highway. The front of the site is completely paved but it is not used as a parking area and would not be used as such once the extension is built. It is noted that there is no dropped kerb to the front of the site and all parking would be to the highway, as it is for many other properties along Hornby Street.
- Properties to the front would be a sufficient distance from the extension so that there would not be any significant detrimental impact on residential amenity at those properties.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the highway in front.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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.

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- 2 This decision relates to drawings numbered ZT22-196-01 and ZT22-196-02 received on 29/11/2023 and revised drawings numbered ZT22-196-03 and ZT-196-04 received on 17/01/2024 as modified by the email from Thorp Design Services dated 17/01/2024. 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 25/01/2024			