

DELEGATED REPORT

Report by Amanda Uhunmwagho	Date of report: 09/03/2023	Ref: 69292/FUL
Registration: 30/01/2023	LDfC: 22/02/2023	Expiry Date: 27/03/2023
Site Visit: 16/02/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side extension and Single storey rear extension

Location: 8 Aldford Grove, Radcliffe, Bolton, BL2 6RY

Description

The application relates to a two storey semi-detached property. The whole of the front of the site is paved providing on site parking for at least two vehicles. Along the side of the property there is a path leading to the rear garden. There is a detached garage to the rear corner of the garden but this is not accessible by car as there is only a pedestrian gate for access to the rear garden. There is a conservatory to the rear elevation and fences to all boundaries of the rear garden.

The proposal is to build a two storey side extension and a single storey rear extension. The two storey side extension would be built flush to the existing front and rear elevations and it would measure 1.8m wide. The roof would be pitched and the walls would be finished with brick to the ground floor and render to the first floor, with mock Tudor cladding to the side elevation.

The single storey rear extension would project 4.27m from the original rear elevation and it would measure 6.52m wide. It would have a mono-pitched roof with two rooflights and bi-folding doors to the rear elevation.

Relevant Planning History

N/A

Publicity

7 neighbours notified on 31/01/2023 - 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.

In most situations where a two storey side extension would be built adjacent to a boundary a first floor set back of at least 1.5m would be required in order to prevent terracing with a neighbouring property in the future. In this instance no.10 Aldford Grove, unattached to the south, is positioned around 1.7m forward of the application dwelling. Taking this in to account along with the proposal to leave a 600mm gap between the proposed extension and shared boundary there would be no concerns regards future terracing with no.10, even if the owner of that property chose to extend their home in a similar manner. As such the

proposal to build the two storey side extension flush with the existing front elevation would be considered acceptable in this instance.

The side extension would be finished with brick to the ground floor and render to the first, with a mock Tudor design to the side elevation. The single storey rear extension would also be finished in brick. The design of the proposal is considered to be in keeping with the existing building and the fact that no.10 Aldford Grove is positioned around 1.7m forward of the application dwelling and there would be a gap of 600mm from the side of the extension to the shared boundary means the proposal is considered acceptable in terms of 'terracing' and the effect on the 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 -

- Properties to the front and rear of the site would be a sufficient distance from the extension not to have any significant detrimental impact on residential amenity.
- There are no habitable room windows on the side elevation of no.10 Aldford Grove, unattached to the south and the extension would be around 600mm away from the shared boundary. As such there would be no significant detrimental impact on residential amenity at this property and no concerns regards encroachment.
- As the two storey extension would be built on the south side of the property it would not have any detrimental impact on residential amenity at no.6, attached to the north side of the application dwelling.
- The single storey rear extension would project 4.27m along the shared boundary with no.6 and the plans show the side elevation would be around 160mm away from the boundary. Taking the Larger Homes scheme in to consideration and that the attached neighbour has not objected to the proposal the project of more than 3m along the boundary would be considered acceptable in terms of residential amenity, in this instance.
- There would be around 8.6m of drive length remaining to the front of the property, which would be acceptable in terms of SPD 6.

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 and the 45° rule from nearest relevant window of the unattached property to the south.

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 front garden and drive.

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:

DELEGATED REPORT

- 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 2301-001, 2301-002, 2301-003, 2301-004, 2301-005 and 2302-006 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 - 09/03/2023		DM 09/03/23	