

Description

The application relates to a red brick, two storey semi-detached house. The front garden has planting throughout and there is a red brick wall along the front and side boundaries. There is a driveway to the front and side of the property leading to a detached garage at the rear. At the rear of the property there is a private garden with lots of planting and trees. Directly to the rear of the house is a patio area and the rest of the garden is lawn. There is a detached outbuilding to the end of the garden.

The proposal is to build a single storey extension to the front, side and rear along with widening of the existing driveway and vehicular access. The existing garage would be demolished.

At the front the extension would project 1.24m forward of the existing front elevation and it would measure 4.6m wide. Along the side it would measure 4.82m at which point the extension would be stepped back away from the site boundary by 675mm. The side elevation would continue to the rear for 8.43m. To the rear it would measure 7.52m wide and it would be a minimum of 150mm of the shared boundary with the attached neighbour. The roof would be hipped to the front and side and pitched to the rear. There would be four rooflights to the rear extension.

Relevant Planning History

N/A

Publicity

Nine neighbours notified on 15/06/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections. Condition and informatives suggested.

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 proposed extension would be built with materials and a design that would be considered to be in keeping with the existing building. As such it would not have any 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 -

- As no.3 Hollyedge Drive to the north has a much higher ground level compared to the side the proposed extension would most likely be a similar height to the garage at no.3 next door and the plans show that all of the development would be within the site boundary. As such there would be no significant detrimental effect on residential amenity at this property.
- There would be two windows installed to the north elevation facing no.3. The ground floor shower room would have a high level window facing the side wall of the neighbour's garage and the utility room window and door would face the boundary wall and planting at no.3. As these rooms are classed as non-habitable the position of these two windows would be considered acceptable in terms of SPD 6.
- There are several windows in the side of no.3, and it is not clear what type of rooms they serve. However, given the land level difference between this property and the site the single storey extension would not have any significant detrimental impact on the windows to the side of no.3 Hollyedge Drive.

- At the rear there would be more than sufficient distance from the rear of the extension to the rear boundary so that the extension would not have any detrimental impact on residential amenity at properties to the rear.
- No.7, attached to the south side has a single storey extension adjacent to the shared boundary as well as a two storey extension further away from the boundary. The single storey extension would project less than 1m past the rear elevation of the single storey extension next door, which would be acceptable in terms of SPD 6.
- The drawings advise that the extension would be at least 150mm off the boundary with no.7, which means there would be no concerns regards encroachment of this boundary.
- At the front part of the garden area would be paved to create a second parking space to the front of the house. The plan states the materials would be permeable which would help to ensure there would be no surface water flooding on to the highway in front.
- A section of the existing boundary wall would be removed to widen the vehicular access to the side and the dropped kerb to the front would also be extended. Given there is no on street parking directly to the front of the property the extended dropped kerb would not cause any significant problems. In fact given that the cul-de-sac is so tight it is essential that the owners can park a second vehicle within the site.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. However, the proposed parking arrangements to the front would ensure two vehicles could be parked within the site.