

DELEGATED REPORT

Report by Amanda

Date of report: 26/10/2020

Ref:65929/FUL

Uhunmwagho

Registration: 07/09/2020

LDFC: 06/10/2020

Expiry Date: 02/11/2020

Site Visit: 08/10/2020

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey extension at side/rear and single storey extension at rear with rear dormer and front porch

Location: 1 Grosvenor Street, Bury, BL9 9BJ

Description

The application dwelling is a previously extended two storey, bay fronted semi-detached house fronting on to Grosvenor Street with a back street running along the north side of the site. There is a wall along the front boundary and fences to the sides and rear. To the front of the dwelling the site is completely block paved providing on site parking for several vehicles.

The garden to the rear is divided from the front area with a fence and a gate. To the rear of the property there is a very large garden area which has some grassed area but is mostly brick paved. Directly to the rear of the site is a detached garage belonging to no.220 Market Street.

No.3 Grosvenor Street, attached, also has a single storey rear extension which projects to the same point as the existing two storey rear extension on the application property.

The proposal is to build a two storey side/rear extension along with a single storey extension to the rear, dormer to the rear and porch to the front. At the side the extension would project 3.91m and it would measure 13.17m along the north side. To the rear it would project 4m from the existing rear elevation and the width would measure 10.1m. The two storey section would also project 4m and would measure 6.7m wide. The roof would be hipped and it would have bay windows to the front.

Along the boundary with no.3 to the rear the extension would be single storey only with a flat roof.

The flat roof rear dormer would extend from the party wall with no.3 Grosvenor Street and at the front the porch would project 1.35m forward of the front elevation and it would measure 2.2m wide. It would have a pitched roof.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 16/09/2020 - No objections received and one neighbour at 6 Grosvenor Street has advised they support the proposal.

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.

SPD 6 seeks to prevent first floor side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. In this instance the application property does not have any other dwelling directly adjacent and there is a back street in between the site and the rear yards of properties on Wellington Road to the north. With this in mind there would be no specific requirement for a first floor set back.

At the front there would be bay windows to the ground and first floors which would mirror the existing bay windows to the front of the existing property and the roof would also be hipped, thus maintaining the existing character of the property. This along with the addition of the porch to the centre of the front elevation gives the building a well balanced appearance. The design of the proposal is considered to be in keeping with the existing building.

SPD 6, Paragraph 5.1 it states that *'On corner plots, extensions will normally be required to occupy not more than half of the available width of the side area or to leave a minimum of 2m from the boundary with the public highway to the side. However, a lesser setback may be acceptable where the site is well screened or where the prevailing pattern of development in the locality is typified by relatively shallow frontages;'*

In this instance the two storey side extension would occupy more than half of the available width to the side of the dwelling and it would be set back 1m from the side boundary. However, the immediate area consists of properties (terraced and semi-detached), built very close to boundaries with the highway and some terraced properties are built directly abutting the highway (pavements). This has been taken in to account and in this instance it is considered that the proposed two storey side extension, built 1m from the north side boundary would be in-keeping with other properties in the immediate vicinity and it would not have any seriously detrimental effect on the current street scene.

As the site is relatively open the rear extensions and dormer would also be visible from surrounding properties and from the back street to the north. As they would be built with a design and materials that would compliment the existing property there would not be any seriously detrimental impact on the character of the existing street scene.

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 remain over 20m from the extended property.
- At the rear there would be approximately 11m from the rear elevation of the two storey section to the rear boundary. This would be acceptable in terms of SPD 6 and there would not be any detrimental impact on privacy levels to the property at the rear.
- Houses on Wellington Road to the north would be over 17m from the side elevation of the two storey extension. As there would only be three obscurely glazed bathroom windows in the side elevation this separation distance would be acceptable in terms of SPD 6.
- At the rear the two storey section would be built over 3m away from the shared boundary with no.3, attached to the south. With this in mind the 45° rule would be satisfied in respect of ground floor windows on the rear elevation of no.3.
- The flat roof single storey rear extension would project 4m along the shared boundary.

Given the north position of the extension and the existing western position of the existing dwelling there would not be any seriously detrimental impact on light to the rear of no.3 because of the construction single storey extension. It has also been taken in to consideration that the occupier of no.3 has not objected to the proposal.

- To the north the side extension would be built 1m back from the boundary with the back street of Wellington Road. This is not a main road and the extension would be built approximately 8m back from the junction with Grosvenor Street. With this in mind there would be no detrimental impact on traffic and/or pedestrians using this back street.
- The front area of the site is currently brick paved providing on site parking for at least two/three vehicles. Given the position of the porch to the centre of the front elevation and that there would be 5.6m from the bay window of the extension to the rear of the pavement in front there would be space to park two vehicles directly in front of the proposed extension and possibly a third at an angle across the front of the dwelling. With this in mind there would not be any seriously detrimental effect on existing parking arrangements on the site.
- With regards to the rear dormer there would be approximately 15m to the rear boundary meaning there would be no detrimental impact on privacy levels to properties at the rear.
- It is noted that both the proposed dormer and single storey rear elevation are to be built directly abutting the shared boundary with no.3 Grosvenor Street. However, notice has been served on this neighbour and certificate B has been signed and included with the application. The neighbour at no.3 has not objected to the proposal. With this in mind the proposed extension and dormer would be considered acceptable in terms of SPD 6 regards their relationship to the attached dwelling.

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.

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 drawing numbered RAD/2234/20/1 received on 30/09/2020 as modified by RA Design and Project Management Ltd. 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 to 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

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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 windows on the north 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 - 26/10/2020		DM	28/10/2020