

DELEGATED REPORT

Report by Jane Langan	Date of report: 20/10/2022	Ref: 68721/FUL
Registration: 29/07/2022	LDFC: 14/09/2022	Expiry Date: 23/09/2022
Site Visit: 07/09/2022	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: Single storey front extension; Single storey/two storey rear extension; Widening of existing vehicular access

Location: 5 Richmond Street, Bury, BL9 9BS

Description

The property is an end town house and has been extended two storey at the side. To the front it has an attached flat roofed garage and porch and to the side of this a front garden that has been hard surfaced. A boundary wall and gates run along the frontage with the wall extending around the side. To the rear is a garden and to the north west corner an electricity sub station. The adjoining neighbour is No.7 and has its garage attached to that to the site. To the opposite side the site borders Back Brierley Street and to the rear is a college building.

The application includes the removal of the garage and porch and the construction of a 2m deep single storey front extension across the full width. It would extend the kitchen and lounge and provide an entrance hall. The whole of the front elevation would be rendered white with the rear and side elevations brick to match the existing. The plans also note the windows to the first floor front elevation re sized. To the front the area of the removed garage would create off street parking with the existing drop kerb extended. To the rear a single storey extension would come out 2.5m deep for 7.4m across. To the north east corner of the rear elevation a two storey extension would come out 1.6m deep and 1.7m across extending a bedroom. The scheme is a revision to previously approved applications 62681 and 67037.

Relevant Planning History

62681 - Front porch extension and canopy; Widening of existing vehicular access - AC 29/05/2018

67037 - Single storey / two storey rear extension, front porch extension and canopy and widening of existing vehicular access - AC 09/08/2021

16142 - 2 storey bedroom & living room extension at side - AC 23/08/84

29754 - two storey side extension - AC 17/05/94

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to a condition for the revised parking arrangements.

Electricity North West Ltd - Advisory regarding adjacent operational land. Documents recommended 'Avoiding danger from underground services and Avoidance of danger from overhead power lines' are included as an informative and have been forwarded to the agent who has confirmed they have been passed on to the applicant.

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. 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.

Visual amenity and design - The single storey front extension would not project excessively. It would have a monopitch roof with a dual pitch to the entrance section centrally located. Materials would be white render to the front elevation with matching brick

to the side and rear and matching roof tiles. With the render to the front elevation the appearance of the property would see a change to the frontage in relation to the other properties on the row. As considered on the previous approval the overall design is domestic in its appearance and the proposal would not result in an intrusive feature in the street.

The single storey at the rear would have a monopitch roof with doors to the rear elevation. The two storey would have a hipped roof and whilst this would come off a gable it would be a small area of roof and located to the rear would not be visible from the main street view.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The area of the removed garage would create additional off street parking. As on the previous application an informative is added for porous materials/natural drainage for any replacement hard surfacing.

Residential amenity - The adjoining No.7 has its garage along the boundary where the garage to the site would be removed and replaced with the single storey front extension. To the rear the single storey would project less than 3m from the elevation of this neighbouring property.

There would be approximately 18.5m from the blank side wall of the proposed two storey at the rear to the rear of 44 Back Brierley Street and which is across the back street. To the rear of the site is a college building.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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.
- 2 This decision relates to drawings numbered Sheet 1, Sheet 2 Rev 2, Sheet 3 Rev 1 received 11/10/22 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 Unitary Development Plan listed.
- 3 The proposed vehicular access alterations indicated on approved plan reference Sheet 2 Revision 2, incorporating the widening of the existing footway crossing by 2

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No. dropped kerbs, partial removal of the existing boundary wall, removal of the existing gates, extension of the existing boundary wall with foundations that do not encroach under the adopted highway and all ground works to reinstate the adjacent footway to its former condition required as a result of the proposed development, shall be implemented to the satisfaction of the Local Planning Authority prior to the extension hereby approved being brought into use.

Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated 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>
JL	20/10/22		