

DELEGATED REPORT

Report by Amanda

Date of report: 15/09/2023

Ref:69819/FUL

Uhunmwagho

Registration: 28/06/2023

LDFC: 05/08/2023

Expiry Date: 23/08/2023

Site Visit: 20/07/2023

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: PI

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Demolition of garage; Single storey side extension; Loft conversion with 2 no. dormers at front and increased ridge height; Front porch, erection of single storey garden store, relocation of vehicular access and dropped kerb and new sliding gate.

Location: 46 Vernon Road, Tottington, Bury, BL8 4DD

Description

The application relates to a semi-detached bungalow fronting on to Vernon Road with Caernarvon Close to the north east side. The rear elevation of the dwelling is attached to the side of no.1 Caernarvon Close. The whole of the front of the site is paved for parking and there is a detached garage. There is a low brick wall along the front and side of the site with planting and to the south west boundary there is a fence adjacent to the rear garden and a hedge. There is also a tree outside of the site adjacent to this boundary. There is a small yard area to the south side of the property and a fence along the shared boundary with no.1 Caernarvon Close.

The proposal is to demolish the existing garage and build a new garden store, build a single storey side extension, front porch and a loft conversion with 2 pitched roof front dormers and an increase in ridge height. All elevations would be rendered, including the porch and there would be stone cills to the ground floor windows on the front elevation. The existing fence along the south side boundary would be replaced with a new 1.8m high fence (1 panel closest to highway to measure 1m high), and there would be changes to the vehicular access to the front.

The existing ridge height of the property is 5.19m to the front and 5.57m to the rear. The ridge height of the main (front) part of the property would be increased to 5.57m which would be in line with the highest point of the roof to the rear of the existing dwelling and the same as no.1 Caernarvon Close attached to the rear. There would be two pitched roof dormers to the front and a velux rooflight. The cheeks of the dormers would be finished in render and there would be a single rooflight installed to the north and south sides of the roof. A new first floor window would be installed in the east side gable.

The front porch would project 1.35m forward of the main elevation and 2.7m wide. The roof would be pitched and the walls finished with brick. There would be a single door to the front with a slim full length glazed panels to either side. The overall height of the porch would be 3.6m.

The single storey side extension would project 3.82m from the existing south side elevation and it would measure 7m wide. The roof would be pitched up to the same height as the main ridge of the dwelling. To the front there would be a new window as well as bi-folding patio door and a window to the side. On the opposite side elevation of the dwelling one window would be replaced with patio doors. All windows and doors would be grey UPVC.

The proposed outbuilding would be built to the side/rear of the site. It would measure 5m x 2.5m and it would be 2.4m to the eaves. The roof would be pitched with an overall height of around 3.5m.

At the front of the site the existing access would be relocated further north along the front boundary. It would measure 5m wide. A new dropped kerb would be created to the front measuring 6.7m wide and the existing dropped kerb would be reinstated. A new low brick boundary wall would replace the existing access point and there would also be planting behind the new wall. There would be a new sliding gate installed to the front. This would be constructed from timber and it would measure around 1m high. At the side there would be a new 1.8m high fence, with 1 panel measuring 1m high to the front where the site meets the highway.

Relevant Planning History

N/A

Publicity

6 neighbours notified on 18/07/2023 and 1 neighbour notified on 01/08/2023 - No comments or objections received.

Site notice erected on 20/07/2023.

Statutory/Non-Statutory Consultations

Traffic Section - No objections. Conditions and informatives suggested.

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.

Vernon Road, and the surrounding estate are mostly bungalows, many with flat or pitched roof dormers, and there are variety of finished materials including brick, cladding and render. The proposed dormers would not appear out of keeping in the existing streetscene.

Properties throughout the estate are finished in a variety of materials including brick, render and cladding. Therefore, the proposal to render the whole of the property would be considered to be acceptable in this area.

The detached outbuilding would be built towards the rear of the site and would be finished with a design and materials that would be considered to be in keeping with the main dwelling. As it would be built towards the rear of the site it would not have any significant detrimental impact on the character of the existing streetscene.

There are a mixture of boundary treatments in the local vicinity including low walls, railings, fences and planting. The additional low wall and planting along the front boundary would be in-keeping with the existing boundary treatment along the front.

The new 1.8m high fence along the west side boundary would be set away from the entrance drive to the Nailers Green apartments to the west and there is a small tree on land at Nailers Green which screens some views of the site. There is also a hedge along this boundary, which the agent has confirmed belongs to the applicant. This would also screen a lot of the new fence.

The fence panel closest to the highway in front would be 1m high. This would be considered to be in-keeping with other boundary fences/walls along Vernon Road and would also enable vehicle users leaving the site to have a clear view of the highway.

The proposed timber gate would be different to a lot of gates in the area, which are mainly

wrought iron railings, but as it wouldn't be higher than 1m tall it could be installed as Permitted Development and as such there would be no reason to refuse it.

The design of the proposal is considered to be in keeping with the existing building and it would not cause any significant detrimental harm in the existing streetscene and as such 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 ridge of the roof would be increased to meet the highest point of the existing roof, which adjoins no.1 Caernarvon Close to the rear. As such this part of the development would not cause any significant detrimental impact on residential amenity at the attached property, or nearby properties.
- The extended property would remain a sufficient distance away from surrounding properties on Vernon Road, Caernarvon Close and the apartments known as Nailers Green, not to have any significant detrimental effect on residential amenity at those properties.
- The extension to the south west side of the existing dwelling would be built away from the shared boundary with no.1 Caernarvon Close and there would be no windows in the side elevation facing this property. As such it would not have any significant detrimental impact on residential amenity at this property.
- The new section of boundary wall to the front would be built at a low level to match the existing wall and there would be planting added to the rear of the boundary. This would not have any significant detrimental effect on passing pedestrians or traffic.
- The proposed 1.8m high fence to the side would be set back from Vernon Road to the front. There would be one panel leading up to the front boundary measuring 1m high. Although the fence would be positioned well away from the entrance to Nailers Green and also from the site entrance the lower fence panel to the front would ensure there would be no obstructions for vehicles entering or leaving both these sites.
- The proposed outbuilding would be situated to the rear of the site adjacent to the boundary with no.1 Caernarvon Close. It would be built around 200mm off the shared boundary. As such there would be no concerns regards encroachment on to the neighbours land.
- The site is due south of no.1 Caernarvon Close and as such the impact on light to windows on the rear of that property, as well as its garden has to be considered. The rear garden at no.1 Caernarvon Close is very open with no high planting or trees. The outbuilding would be a lot closer to the shared boundary than the existing garage on site and it would have a pitched roof. As the site is directly south of this property the new building could have some detrimental impact on light to the rear garden during the earlier hours of the day. However, the roof would be pitched away from the boundary which would lessen the impact on the neighbour's rear garden and in the afternoon/evening the sunlight would come from the west which would be less affected by the position of the outbuilding. As such the building would be considered acceptable in the position shown. It is also noted that the next door neighbour has not objected to the proposal.
- The front porch would project 1.35m forward of the main front elevation and given its position it would not have any detrimental impact on parking available within the site.

Taking the above into 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 in terms of separation distances to surrounding properties.

Parking -

The proposal would increase the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has

an area at the front for parking a vehicle and a garage. Although the garage would be removed the whole of the front of the site would remain as hardstanding providing on site parking for several vehicles. The area is high access in terms of public transport. In this instance then the parking arrangements are considered sufficient.

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 ZT23-196-01 and ZT23-196-05 received on 28/06/2023, drawing numbered ZT23-196-03 received on 01/08/2023, drawing numbered ZT23-196-06 received on 08/09/2023, drawing numbered ZT23-196-02 received on 13/09/2023 and drawing numbered ZT23-196-04 received on 14/09/2023 as modified by the emails from Thorp Design Services Ltd dated 01/08/2023, 08/09/2023, 13/09/2023 and 14/09/2023. 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 be off-white render to all elevations and the outbuilding, as well as stone cills to the ground floor windows on the front elevation. The porch would be finished in brick and the roof materials would match those of the existing building. All windows would be grey UPVC.
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.
- 4 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.
- 5 The amended access and parking arrangements indicated on the approved plans, incorporating the reinstatement of the redundant footway crossing to adjacent footway levels and 600mm high boundary wall abutting Newington Drive with

foundations that do not encroach under the adopted highway, provision of a new double footway crossing, hardstanding in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway, demarcation of the limits of the adopted highway and any associated remedial works required to reinstate the footway to its former condition prior to commencement of the development, shall be implemented before the extensions and new parking facilities hereby approved are brought into use.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in 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 - 15/09/2023			