

DELEGATED REPORT

Report by Jane Langan	Date of report: 28/06/2023	Ref: 69587/FUL
Registration: 09/05/2023	LDFC: 01/06/2023	Expiry Date: 04/07/2023
Site Visit: 18/05/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey / two storey rear extension; Two storey front extension and external alterations

Location: 136 Parkhills Road, Bury, BL9 9AW

Description

The property is a two storey bay fronted semi detached house. It has a garden to the front and drive that runs along the and side up to an outbuilding. To the rear the house is extended single storey across part of the elevation. There is a fenced rear garden which borders the rear garden to 9 Rhiwlas Drive which is at a lower level. The adjoining property is No.138 and is extended single storey at the rear along the boundary. To the opposite side the unattached No.134 has its drive alongside that to the site and which leads to a detached garage. The house is extended single storey at the rear.

The application includes a two storey extension at the front 1.2m deep and 2.7m across to form a porch and extended bedroom above. To the rear a two storey extension would project 4m deep for 5.1m across, the remaining 1.2m across to the boundary would be single storey. The single storey would also be deeper by 1.5m across the full width. This extension would form an extended kitchen and dining room with two additional bedrooms above.

Relevant Planning History

None.

Publicity

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

Statutory/Non-Statutory Consultations

None.

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 - SPD6 has a presumption against large front extensions in order to protect the street scene. In this case the proposed front extension would have a dual pitched roof extending out from the existing hipped roof. It would sit adjacent the full height bay window and have entrance door with one window above. Materials are noted 'as existing'. There is an application pending for a front extension of the same size at the adjacent No.134 (69588). On balance it is not considered that the proposed front extension would project excessively and would fit well in relation to the existing building and would not appear out of place or intrusive in the street. There have been several approvals for similar front extensions further along Parkhills Road including semis at 183 & 185 (67813 & 67814) and 179 (68254). Also the close by No.126 (67805) however this property is detached. To the rear the two storey would have a hipped roof with the deeper ground floor a monopitch. A standard matching materials condition is added.

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 increase the number of bedrooms from 3 to 5 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 a drive to the front/side, the length of which would not be affected by the proposal. There is also a front garden and there may be potential for further parking if the applicant should require it, some neighbouring properties have created such. The area also has public transport available. In this instance then the parking arrangements are considered acceptable.

Residential amenity - The proposed front extension at 1.2m deep would not be located in close enough proximity to any neighbouring properties for it to have any significant impact.

The adjoining No.138 is extended single storey at the rear and the proposed extension where adjacent the boundary would project less than 3m from the rear of No.138 as extended. The proposal where two storey would encroach a 45 degree line from the mid point of the first floor window to No.38 but would not taking the 25 degree line up. The elevations of the proposal to this side would be blank wall.

To the opposite side there is a gap between the site and No.134 which is extended single storey at the rear. There would be no encroachment over the 45 degree line from the mid point of the closest first floor window or principle window to the ground floor as extended. This property also has an application under assessment for a single storey extension at side/rear and a first floor extension at the rear (69588). The proposal would have a kitchen window and door to the side at ground floor which would replace an existing larger dining room window and the first floor side would be blank wall.

There would be a distance in excess of 7m, at approximately 11.5m, from the proposed first floor rear windows to the boundary. This would be sufficient including taking into account the lower levels to the rear.

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 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 drawings numbered Sheet 1, Sheet 2, Existing and proposed site plans received 09/05/23 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 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> JL	<u>Date</u> 28/06/23	<u>Sign off Officer</u>	<u>Date</u>
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