

Description

The application relates to a two storey semi-detached house which has been previously extended. There is an attached garage to the side of the house with a drive to the front. There is an area of lawn to the front of the property and there are railings to the front and north side boundaries. There is a fence to the southern boundary which abuts the rear garden of no.2 Agecroft Road West.

The proposal is to build a single storey front extension, convert the garage into a store and study, as well as alterations to the existing vehicular access and extended dropped kerb to the front. The extension would project 1.6m forward of the existing garage and it would measure 5.35m wide. It would have a hipped roof with a single rooflight to the side, and over the new front entrance there would be a pitched roof.

The whole of the front of the site would be finished with pattern imprinted concrete or resin, with an ACO drain to the front boundary. The railings would remain to the north side boundary at the front and part of the front boundary. The new entrance/dropped kerb would measure 4.5m wide and there would be two parking spaces provided within the site.

Relevant Planning History

N/A

Publicity

Neighbours notified on 05/07/2023 - No comments or objections received.

Neighbours were notified regards amended drawings on 25/07/2023 - No comments or objections have been received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections.

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 well as being similar to other front extensions along Sandy Lane.

The fully paved frontage would be similar to what other properties have in the immediate vicinity. As such it would not appear out of keeping in the existing streetscape. The design of the proposal is considered acceptable in this location.

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 of the site would be more than a sufficient distance from the proposed extension not to have any significant detrimental effect on residential amenity at those properties.
- The rear elevation of no.2 Agecroft Road West faces the south side of the application property. As the extension would project just 1.6m forward of the existing dwelling, it would be single storey only, with no new windows to the side elevation, and it would be to the north of this property it is considered that there would be no significant detrimental effect on residential amenity at no.2 Agecroft Road West.
- The drive length directly to the front of the extension would be 5.25m which means a vehicle could be parked clear of the highway. There would also be a second parking

space angled across the front of the property. This would be acceptable in terms of SPD 6 and Highways requirements.

- As the extension would be around 1.6m away from the shared boundary with no.23 Sandy Lane and the new drive area would be similar to what is at no.23, the proposal would not have no significant detrimental impact on residential amenity at this property.

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.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. However, there are currently two parking spaces within the site (one to the drive and one to the garage), and following completion of the extension there would still be two parking spaces available within the site.