

Description

The application relates to a two storey, bay fronted semi-detached property with gardens to the front and rear of the dwelling. There is a brick boundary wall across the front of the site with pillars to either side of the driveway. The property is elevated to the highway in front. To the rear of the property is a single storey extension. There is a patio area directly to the rear of the dwelling with garden to the rear. The site abuts open fields to the rear. The site is not within the Green Belt, but land to rear is designated Green Belt.

Planning permission has been granted at this property for a single/two storey development in February 2023. The current application is for a single storey front, side and rear extension. It would have a pitched roof to the front and part of the side, and to the side/rear the extension would have a flat roof.

At the front the extension would measure 2.91m wide and it would measure 11.7m along the side. To the rear the extension would measure 8.31m wide and it would project 4m from the original rear elevation. There would be two roof lanterns to the flat roof at the rear.

Relevant Planning History

69180 - Two storey side/rear extension; Single storey rear extension; Single storey front extension - Approve with Conditions 20/02/2023

Publicity

Neighbours notified on 10/05/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

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.

Although a flat roof extension may not be considered to be in keeping with the existing property that section of the extension would be to the side and rear of the dwelling and would not be readily visible in the public realm. The extension roof would be pitched to the front to retain the character of the existing building. As such it is considered the finished design and materials would be in keeping with the existing building, as well as remaining similar to neighbouring buildings.

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 -

- There are open fields only to the rear of the site.
- Properties to the front of site would be more than a sufficient distance from the extended property not to have any significant detrimental effect on residential amenity.
- At the rear the flat roof, single storey extension adjacent to the shared boundary with no.488 Bolton Road West would project around 1m beyond the rear elevation of an existing single storey extension on the rear of no.488. This would be acceptable in terms of SPD 6.
- No.484 Bolton Road West to the north east of site is positioned around 5.5m from the shared boundary with site and its front elevation is approximately 3m set back from the front elevation of the application property. There is a detached garage adjacent to the shared boundary. Given the distance of this property from the shared boundary and that there would be no habitable room windows in the side elevation of the proposed single storey side extension it is considered that there would not be any significant detrimental

impact on residential amenity at this property.

- The remaining driveway to the front would measure 6m from the front of the extension to the rear of the pavement in front. This would be acceptable in terms of SPD 6.
- There is an existing landing window to the side elevation. This window would remain in a similar position, but it would be raised by around 700mm to accommodate the proposed side extension. As this window would still service the landing/stairs it would be considered to be non-habitable and would not have any significant detrimental impact on residential amenity at no.484 Bolton Road West next door.

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. The parking arrangements would remain as existing where there is parking to the drive at the front. There is also access to public transport to the highway in front.