

DELEGATED REPORT

Report by Jane Langan	Date of report: 09/10/2023	Ref: 69937/FUL
Registration: 10/08/2023	LDFC: 08/09/2023	Expiry Date: 05/10/2023
Site Visit: 23/08/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey front extension; Two storey side extension and 1.5m high wall and gate on front boundary

Location: 504 Bolton Road, Bury, BL8 2DU

Description

The property is a bay fronted semi detached house. It has garden to the front and a drive that runs along the side and to a detached garage half of which belongs to No.502. To the rear the site is extended single storey and this is attached to that to the adjoining No.506. The unattached No.502 is extended single storey at the rear. To the rear the site has a fenced garden and the lawn is at a raised level from the patio at the back of the house. The rear boundary borders the rear gardens to 33 & 35 Kenmor Ave.

The application includes the removal of the front porch and replacement with a single storey extension 1.47m deep and 5.5m across. A two storey side extension would come out 2.8m and run up to the existing rear elevation. The first floor front would be set back 1.31m from the existing front elevation. Along the front would be a boundary wall comprising of 1.5m high pillars with 1m wall and 0.5m infill panels between and a 1.4m high sliding gate. The extensions would form a porch, store, playroom and utility at ground floor with an extended bedroom and ensuite at first floor.

Relevant Planning History

None.

Publicity

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions for the parking arrangements and wall/gates and for the storage of materials.

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 proposed extension would be built to within 0.19m of the side boundary. With the first floor set back 1.31m terracing would not be an issue. The roof has been amended from the originally submitted gable to a hipped design which would see it in keeping with the roof character of the area. It would also reduce the bulk and retain space between the neighbouring property to result in a development acceptable in the street scene.

The single storey to the front would not project excessively and the ground floor would have a monopitch roof to the garage and a dual pitched roof to the porch.

Materials for the extension would be off white render and brick to match and roof tiles to match the existing colour.

The proposed wall would be 1.5m in total height comprising of pillars with 1m high wall in brick to match the property and with 0.5m the infill panels of grey aluminium. The gate would also be to match the aluminium infill panels. The proposal would provide an open

appearance to the frontage and be of a similar size and design to others boundaries along the street.

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 extension would be built on an area currently used for parking and the proposal includes creating parking in the front garden with a permeable/porous surface. There would be two spaces and the hardsurfaced area over 5m in length. The site is also on a main road with easy access to public transport. The parking arrangements are then considered sufficient.

Residential amenity - The proposed two storey would run along the side to No.502. It would not project past the front or rear elevations and therefore the principle windows to the main aspect to this neighbouring property would not be affected. There would be two windows to the proposal at ground floor to the side. The playroom would be high level at 1.7m from inside floor level to cill. The window to the wc is noted to be obscure glazed.

There would be a distance in excess of 7m from the first floor window to the rear boundary and which is also to a non habitable room as an ensuite

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 ZT23-196-00, ZT23-196-01, ZT23-196-02, Revised plans ZT23-196-03, ZT23-196-04, ZT23-196-09 received 04/10/23, Revised plan ZT23-196-08 received 05/10/23 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 amended access and parking arrangements, indicated on the approved plans, shall be implemented to the satisfaction of the Local Planning Authority before the extensions and new parking facilities hereby approved are brought into use.
Reason. To ensure good highway design in the interests of road 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.

- 4 The gate shall be a sliding type and thereafter maintained as such whilst the development is in place.
Reason. To ensure good highway design in the interests of road 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.
- 5 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	09/10/23		