

DELEGATED REPORT

Report by Amanda

Date of report: 18/12/2024

Ref:71294/FUL

Uhunmwagho

Registration: 28/10/2024

LDfC: 27/11/2024

Expiry Date: 23/12/2024

Site Visit: 22/11/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Double storey side & rear extension; Single storey front porch

Location: 551 Manchester Road, Bury, BL9 9ST

Description

Planning permission was previously granted at the property in July 2023 for a single storey front extension and two storey side extension. The current proposal also seeks to build a single storey front extension, a slimmer two storey side extension and there is the addition of a single/two storey rear extension.

The application relates to a two storey semi-detached house. There is a small front garden with a brick wall to the front and southern boundaries. There is a fence to the north side and rear boundaries and there is room to park one vehicle to the front of the site. Access to the rear is via a path to the north side of the property. The rear garden has a lower ground level compared to the property. To the north of the site is a BP Petrol station.

The proposal is to build a single storey front extension and two storey side extension. At the front the extension would project 675mm forward of the existing front elevation and it would measure 3302mm wide. The roof over the entrance would be pitched and the remainder of the single storey roof would be mono-pitched.

The two storey extension would measure 1339mm wide at the front x 9585mm long. It would be built flush with the existing front elevation and at the rear it would project 2500mm from the existing rear elevation. Across the rear the two storey extension would measure 4050mm and the roof would hipped at the front and pitched to the rear. Part of the rear extension would be single storey. This would project 2500mm from the original rear elevation and it would measure 2462mm wide. The roof would be mono-pitched and the side elevation would be around 150mm off the shared boundary with the attached property.

Relevant Planning History

69726 - Single storey front extension and two storey side extension - Approve with Conditions 14/07/2023

Publicity

9 neighbours notified on 06/11/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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.

Normally when a two storey side extension is proposed next to a boundary a first floor setback of at least 1.5m would be required. However, as there are no residential properties to the side of the site there would be no concerns regards terracing and therefore it would be acceptable for the front elevation to be built flush with the existing front elevation of the dwelling. It is noted that the extension would also be over 1000mm away from the northern boundary.

The extension would be built with materials and a design that would be considered to be in keeping with the existing building and it would not have any significant detrimental effect on the character of the existing streetscene.

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 and rear of the site would be a sufficient distance from where the extension would be built not to have any significant detrimental effect on residential amenity at those properties.
- The two storey side extension to the north side of the property would not cause any detrimental impact on the residential amenity at no.553 Manchester Road next door.
- The two storey extension to the rear would be a sufficient distance from the shared boundary with no.553 not to have any significant detrimental impact on residential amenity at the rear of that property.
- The proposed single storey rear extension would project just 2500mm from the rear elevation which would be within the limits for permitted development as set out in SPD 6. The extension would also be set off the shared boundary by around 150mm. As such it is considered that the single storey rear extension would not have any significant detrimental impact on residential amenity at no.553 next door.
- There would be over 7m from the rear elevation of the extension to the rear boundary meaning there would be no significant detrimental impact on residential amenity at properties to the rear of the site.
- There is a BP petrol station and car wash directly to the north of site. As this is not a residential site it is considered that the proposed extension would not cause any detrimental harm in terms of residential amenity to the north of the site.
- To the front of the extension there would be 5m of drive length remaining. This would be acceptable in terms of SPD 6.

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 of the site.

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 ZT23-196-01, ZT24-196-02, ZT23-196-03 and ZT23-196-04 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 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, and Places for Everyone Joint 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>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 18/12/2024		HL - 18/12/2024	