

DELEGATED REPORT

Report by Jane Langan	Date of report: 07/07/2023	Ref: 69588/FUL
Registration: 11/05/2023	LDfC: 06/07/2023	Expiry Date: 06/07/2023
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: Two storey extension at front; Single storey extension at side / rear; first floor extension at rear and external alterations

Location: 134 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 a garage/outbuilding. To the rear the house is extended single storey. There is a fenced rear garden which borders the rear gardens to 5 & 7 Rhiwlas Drive which are at a lower level. The adjoining property is No.132 and is extended two/single storey at the rear along the boundary. Above the single storey is a balcony. To the opposite side the unattached property is No.136 and has its drive alongside that to the site and which leads to an outbuilding. 136 is extended single storey at the rear.

The application includes a two storey extension at the front 1.2m deep and 2.8m across to form a hall and extended bathroom. To the rear a first floor extension would project 3.3m deep from the original rear elevation for the full width. At ground floor it would extend out single storey a further 3m deep for 2.7m across. At this point it would come out a further 2.8m in depth for 1.7m across and then a further section would be 5.5m deep for 3.3m across. This extension would form a kitchen, dining room, bathroom and two bedrooms at ground floor with two extended bedrooms at first floor.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter on 18/05/23. A further 21 day letter was sent 30/05/23 as a two storey front extension was added. A further 10 day letter was sent 26/06/23 regarding the rendering of the front elevation. 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. There is approval for the same front extension at the adjacent No.136 (69587). This proposal includes white render to the whole of the front elevation. Render is a common finish in the area and would not be out of character. As such it is not considered that the proposed front extension would project excessively and it would fit well in relation to the existing building and would not appear out of place or intrusive in the street. There have also 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 and the single storey a monopitch and the deeper section a dual pitch. To the rear materials would be brick and roof tiles to match the existing.

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 which would be over 5m in length following the front extension. The plans also note that part of the front garden would be surfaced in porous materials to provide additional space, some of the 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 adjoining No.32 is extended two and single storey at the rear. The proposed two storey would project 1.2m past the two storey to No.32 to come around level with its single storey. Where extending out single storey along the boundary with 132 it would project 3m deep.

To the opposite side to No.136 the proposal where two storey would not encroach a 45 degree line from the mid point of its one first floor rear window. The proposed single storey would run along the full length of the east side of the site garden. It would have a dual pitched roof with eaves to a height of 2.7m. A length of 6.5m would run adjacent the outbuilding to 136 and a further 3m along the current gap between the outbuilding and 136. This gap would however be potentially reduced to approximately 1.5m as this property has a recent approval for a single storey extension (69587). As such it is not considered there would be any significant loss of light to the garden to No.136. There would be two windows and a door to the ground floor side of the proposal to the side to No.136. They would be set 1.65m in from the boundary and there is fencing along the shared boundary that provides screening.

There would be a distance in excess of 7m, at approximately 10.5m-11.5m, from the proposed first floor rear windows to the boundary. This would be sufficient including taking into account the lower levels of the properties 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, Sheet 3 Rev 2, Sheet 4 Rev 1, Existing site plan, Proposed site plan 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	07/07/23		