

Description

The application relates to a two storey detached house with bay windows to the front and an attached garage at the side. Along the front boundary there is a low wall as well as planting. There is a driveway for one vehicle and pedestrian access to the site to the north side of the site.

To the rear there is a single storey extension and a patio area with steps leading down to the garden. There are fences and planting to all boundaries. On the north west side elevation there is a ground floor bay window and also a couple of detached brick stores adjacent to the shared boundary with no.111 Park Road.

The proposal is to build a two storey side extension, single storey rear extension, front porch, bay window to front elevation and associated roof alterations including dormer to the rear and extend parking area to the front (access point to remain as existing).

The two storey side extension would measure 4m wide x 12.2m long and the roof would be pitched. At the front the first floor would be set back from the original front elevation by 1.2m and the side elevation would be 300mm away from the shared boundary with no.107 Park Road next door. On the rear of the roof there would be a pitched roof dormer which would provide light access to the bedroom at first floor level below.

The single storey rear elevation would be built to the centre of the rear elevation projecting 3m from the original rear elevation and measuring 4.82m wide. The roof would be flat with a glazed roof lantern.

At the front the existing curved bay windows are to be replaced with square bay windows and there would be a small porch erected to the front of the existing access. It would project forward of the existing front elevation by around 500mm and it would measure 3.3m wide. The roof would be mono-pitched. There would also be a rooflight installed to the front and rear of the roof and the front garden would be paved with permeable paving.

Relevant Planning History

N/A

Publicity

Neighbours notified on 12/04/2023 - One comment received. No objections received. The comment received is noted below.

- Further to the application, we request your professional guidance and advice as to the exact position the proposed extension will be built in relation to the boundary line? Our reasoning is that should we or any other residents of the adjoining address, 107, wish to extend at some future date, we understand a gap should exist between the two buildings. Please give guidance on this.
- Secondly, please advise regarding any guttering overhang, should not encroach over the adjoining boundary line, and what provisions are in place to access said guttering for repair or replacement.

A reply email was sent to the neighbour on 02/05/2023.

Revised drawings were received on 30/06/2023 and 05/07/2023. The neighbours were notified of the revisions, which included a change of description to include a rear dormer on 05/07/2023.

On 11.07/2023 the neighbour who made a previous comment emailed to advise they could not view the revised drawings online - The revised plans were emailed to them on 12/07/2023. No further comments have been received.

Statutory/Non-Statutory Consultations

Traffic Section - Objection to original proposal to widen the existing drive access and dropped kerb and to the creation of a new access point to the north side of the site. Following receipt of the Highways officer's comments the agent has removed all proposed parking and have confirmed that the access would remain as existing by way of revised drawings submitted on 17/07/2023.

24/07/2023 - Highways confirmed they have no objections to the revised proposal. Condition and informatives suggested.

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.

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 the proposed square bay windows would be different to the original bay windows and from the bay windows on both adjacent properties the design would be considered in keeping with the rest of the development at the property. In addition Park road consists of many different styles of properties. As such it would not appear out of character in the existing streetscene.

The pitched roof dormer to the rear would not be visible in the public realm, but it would be constructed with materials and a design that would be considered acceptable on this building. It would not cause any significant detrimental harm in terms of visual amenity.

The proposed design and finished materials of the proposal would be considered to be in keeping with the existing building and the 1.2m first floor set back to the front and 300mm gap to the side boundary means the proposal is considered acceptable in terms of 'terracing' and the effect on the 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 would be more than a sufficient distance from the extended property not to have any significant detrimental impact on residential amenity at those properties.
- To the rear of the site are playing fields only.
- The dormer to the rear would be part of a feature window to the bedroom at first floor level below. There would not be any new rooms created at roof level. As such the addition of the dormer would not cause any significant detrimental harm to residential amenity in the area.
- As there would be no development to the north west side of the property there would be no detrimental effect on residential amenity at no.111 Park Road next door.
- There would be no windows in the side elevation adjacent to the shared boundary with no.107 next door, and there are no habitable room windows to the side of no.107.
- The plans show that the whole of the extension would be set away from the shared boundary with no.107 so there would be no concerns regards encroachment on to the neighbour's land.
- The applicant proposes to add permeable paving to the whole of the front of the site. This would be acceptable in terms of Planning and is something they could undertake as permitted development. As the paving would be permeable it would reduce the risk of flooding on to the adjacent highway.
- The newly paved area to the front of the site would provide a second parking space if required. The paving would not have any significant detrimental impact on residential amenity in this area.
- The front porch would be used for entrance to the property only and it would be positioned to the centre of the front elevation. As such it would not cause any significant detrimental harm in terms of residential amenity at either of the adjacent properties.

- The new square bay windows would replace existing windows in the same position. As the room types would remain the same there would be no detrimental effect on residential amenity.
- The single storey rear extension would be built centrally to the rear elevation, well away from both side boundaries. It would not have any significant detrimental effect on residential amenity at the neighbouring properties and gardens.

Taking the above in to account 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.

Parking -

The proposal would increase the number of bedrooms from 4 to 6 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 at the front for the parking for one vehicle, plus the garage space. The garage space would be lost following the development of the dwelling, but the applicant proposes to create further hardstanding to the front of the site which would mean the applicant could park two vehicles within the site. The area has on street parking and there is public transport available. The proposed parking arrangements would be considered acceptable in this instance.

Response to neighbour comments -

A reply email was sent to the relevant neighbour on 02/05/2023 regards the questions they asked and they were notified of revised plans, along with other neighbours, on 05/07/23. They later advised they could not view the revised plans online. As such they were emailed to them 12/07/23. No further comments or objections have been received.