

DELEGATED REPORT**Report by** Amanda**Date of report:** 03/10/2022**Ref:**68617/FUL

Uhunmwagho

Registration: 29/06/2022**LDFC:** 19/10/2022**Expiry Date:** 24/08/2022**Site Visit:** 19/08/2022**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: Two storey front extension; First floor bay window at front; Juliet balcony to the front; Two storey side extension with gable roof; Ridge height to be raised by 200mm; Dormer extension at rear: Two storey rear extension.

Location: 3 Brocklehurst Avenue, Bury, BL9 9AQ

Description

Planning permission was granted at this property, along with planning permission for works at no.1 next door, on 12/01/2022. The majority of the current proposal is the same and there are to be no revisions to the proposed front elevation. The current application seeks a larger two storey rear extension and dormer.

The application relates to a two storey semi-detached house situated at the end of a small cul-de-sac comprising of just six properties (three pairs of semis). There is a small front garden with a short wall along the front boundary and there is a drive way for two vehicles on site to the front/side of the dwelling. At the rear of the property there is a private garden with fences to all boundaries.

This application has been submitted at the same time as a proposal at no.1 Brocklehurst Avenue next door (ref 68616), which would mirror the proposed development at no.3. The proposal is to build a two storey side front extension, two storey side extension with hipped roof, first floor bay window to the front, Juliet balcony to the front, two storey rear extension and a rear dormer.

At the front the two storey porch/landing extension would project 1.5m forward of the existing front elevation and it would measure 3.14m wide. The roof would be pitched.

The side extension would be set back from the front elevation by 500mm and it would have bay windows to ground and first floor levels. It would measure 2.77m wide x 10m long. The side extension would be set back from the two storey front extension by around 1.2m and the roof would be pitched. The overall height of the roof would be increased by 200mm.

The two storey rear extension would project 3m from the original rear elevation and it would extend across the rear elevation measuring 9m. It would be built adjoining the proposed two storey rear extension at no.3 next door.

The rear dormer would have a flat roof and would be set down from the ridge and back from the eaves. It would measure 8.89m wide, set in from the gable elevation by around 236mm and away from the proposed dormer at no.3 by approximately 900mm.

The plans also show that the existing drive way would be extended slightly into the garden area to the front of site to create further two parking spaces in front of the main dwelling. The plans advise that this area would be constructed from permeable/porous materials.

which would be considered Permitted Development.

Relevant Planning History

67735 - Two storey front extension; First floor bay window at front; Juliet balcony to the front; Two storey side extension with gable roof; Ridge height to be increased by 200mm; Dormer extension at rear; Single storey rear extension - Approve with Conditions
12/01/2022

68577 - Non-material amendment following grant of planning permission 67735 for 'Two storey front extension; First floor bay window at front; Juliet balcony to the front; Two storey side extension with gable roof; Ridge height to be increased by 200mm; Dormer extension at rear; Single storey rear extension'; Amend single storey rear extension to two storey rear extension - Withdrawn - Invalid 28/06/2022

Publicity

Neighbours notified on 27/09/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

Transport for Greater Manchester - No comments.

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/3 Extensions and Alterations

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.

The whole of the front elevation of the side extension would be set back from the front elevation by 500mm and the path to the side of the property would measure around 761mm to the shared boundary. Taking this in to account there would not be any concerns regards terracing with no.5 Brocklehurst Avenue next door.

The ridge height would be increased by around 200mm. Given that there are only 6 properties along Brocklehurst Avenue with numbers 1 and 3 being at the very top of the road this increase would be very minimal and as such it is considered that it would not have any significant detrimental impact on the character of the existing streetscape.

The proposed design of the development would modernise the appearance of the existing property as viewed in the streetscape with the Juliet balcony and new pitched roof. This would be different to the two more traditional hipped roof semi-detached properties on Brocklehurst Avenue. However, given that the road is only a short row of six homes and the proposed materials would match and/or compliment the existing building the proposed development would be considered acceptable in this location.

The rear extension and rear dormer would be increased in size compared to what was previously approved but as this part of the development would not be visible in the streetscape along Brocklehurst Avenue it would not have any significant detrimental effect on the character of the existing street scene.

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 -

- The two storey front extension would be approximately 4800mm from the front boundary. As the first floor window in this extension would be to a non-habitable room and any views would be over the highway and athletics ground opposite there would be no significant detrimental effect on residential amenity due to the position of this extension to the front of the building.
- There would be around 5.2m from the front elevation of the side extension to the front

boundary. This would be ample space to park a vehicle directly to the front of the extension, clear of the highway. This would be acceptable in terms of SPD 6.

- The side extension would be built away from the shared boundary with no.5 next door. As there would be no habitable room windows installed to the side elevation this distance would be acceptable in terms of SPD 6.
- There would be around 10.87m from the rear extension to the rear boundary and just over 11m from where the proposed dormer would be positioned. These distances would be acceptable in terms of SPD 6 to ensure there would be no significant detrimental effect on privacy levels at properties to the rear of site.
- The rear extension would be built joined to the proposed rear extension at no.1 next door and they would both project out to the same point. As the same person owns both number 1 and 3 Brocklehurst Avenue certificate A has been signed with regards to both properties. As such although the two extensions would be joined it is considered that there would not be any significant detrimental impact on residential amenity in this instance.
- The rear dormer would be set in from the party wall with no.1 by about 900mm.

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 increase the number of bedrooms from 3 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 to the front which would be widened to provide up to 2 parking spaces within the site. As 5000mm is the minimum this length would be sufficient. The proposed drive way would allow one vehicle to be parked directly to the front of the proposed side extension, with a second space at an angle across the front of the property.

The area has on street parking and there is public transport available nearby. In this instance then the parking arrangements are considered sufficient. Therefore 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.

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 21/673/01, 21/673/02, 21/673/03A, 21/673/04B, 21/673/05B, 21/673/06 and 21/673/07B received on 29/06/2022 and

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proposed site plan received on 03/09/2022 as modified by the email from Mr John Hodgkinson dated 03/09/2022. The development shall not be carried out except in accordance with the details 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.

- 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.

- 4 The development hereby approved shall only be carried out at the same time as the development approved at the attached property (reference 68617).

Reason - To protect the residential amenity of the property known as 3 Brocklehurst Avenue pursuant to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in 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 - 03/10/2022		DM	10/10/2022