

DELEGATED REPORT

Report by Tom Beirne	Date of report: 12/03/2024	Ref: 70392/FUL
Registration: 07/02/2024	LDFC: 29/02/2024	Expiry Date: 03/04/2024
Site Visit: 27/02/2024	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: Conversion of existing garage to habitable space and external alterations including render to all elevations and the front/side boundary wall and installation of bi-fold doors at rear
Location: 474 Bolton Road, Bury, BL8 2DU

Description

The application relates to a brick built, two storey detached house on a large residential plot on the corner of the A58/Bolton Road and Colville Drive. There is a mix of house types in the immediate area including part brick/part rendered properties immediately to the west. Driveway to the front onto Bolton Road with a brick boundary wall to the front and side.

Planning permission is sought for the conversion of the integral garage to living accommodation and the building up of the front wall and installation of a window. The white silicone render to the external elevations and boundary wall would be through coloured. The timber panels above the wall at the side would be replaced with grey composite panelling at the same height as the existing fence panels.

Relevant Planning History

53575 - Two storey extension at side; roof extension with dormers front and rear - Refused 01/03/2011
53808 - Two storey side extension and new wall with electric gates (Resubmission of 53575) - Approve with Conditions 06/05/2011
57782 - Two storey extension at side with front dormers; Single storey extension at side; Alterations to existing roof with increase of ridge height at side and pitched roofs to flat roof bays at front/side; Replacement garden wall and gates - Approved 27/08/2014
60945 - Two storey extension to both sides; Single storey extension at front; Dormers to front; Alterations to existing roof with increase of ridge height at side and pitched roofs to flat roof bays at front/side and replacement garden wall and gates - Approved 02/02/2017
67580 - Demolition of existing dwelling and erection of replacement dwelling - Approved 20/07/2022

Publicity

Immediate neighbours notified by letter dated 08/02/2024. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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 - The conversion of the existing garage would have no significant impact on the character of the existing house or wider streetscape.

The render to the elevations of the house would not be out of keeping with the streetscape given the immediate neighbours to the west are a mix of brick and a significant amount of render. The render to the boundary wall whilst being more prominent, would not be out of keeping with the rendered house on the plot. It is also noted that there are a couple of

properties along this part of Bolton Road that have rendered their boundary walls without have a detrimental visual impact on the wider streetscape. The replacement panels above the wall on the side boundary, at the same height of the timber panels, would not have a detrimental impact.

The proposal is acceptable in terms of visual amenity and streetscape and complies with UDP Policy H2/3 and guidance with SPD6 relating to alterations and extensions.

Residential amenity - Given the modest nature of the proposals and the relationship to neighbours, there are no significant residential amenity issues arising. The proposals are acceptable and comply with UDP Policy H2/3 and guidance in relation to residential amenity.

Access and Parking - The existing access from Bolton Road would remain and there is sufficient space within the paved driveway/curtllage at the front to accommodate four cars. The proposal is acceptable and complies with UDP Policy H2/3 and guidance in relation to parking and access.

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 PL001/P2 and 002/P3 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> Tom Beirne	<u>Date</u> 12/03/2024	<u>Sign off Officer</u> DM 12/03/24	<u>Date</u>
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