

DELEGATED REPORT

Report by Amanda

Date of report: 13/11/2023

Ref:70059/FUL

Uhunmwagho

Registration: 28/09/2023

LDFC: 26/10/2023

Expiry Date: 23/11/2023

Site Visit: 16/10/2023

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at rear; repositioning of boundary wall and formation of additional car parking space at side and removal of ground floor window at side and replacement with new larger window

Location: 2 Wadebridge Drive, Bury, BL8 2NN

Description

The application relates to a two storey detached house situated on the corner of Ainsworth Road and Wadebridge Drive. There is an open front garden to the front with various planting throughout. To the side of the property is a brick and railings boundary wall with planting in front and a detached garage to the rear. Access to the rear garden is via a gate to the side of the property. There is a single driveway to the front of the garage and a second sub-standard driveway to the side.

At the rear there is a garden with fences to all side and there is a conservatory on the rear elevation. Directly to the rear of the house is a patio area with brick/timber pergola.

The proposal is to build a single storey rear extension, remove the existing boundary wall repositioning it closer to the side boundary, formation of an additional parking space to the side of the existing car parking space in front of the garage and the removal of a ground floor window to the side elevation would be replaced with a larger window.

The single storey rear extension would project 3.5m from the original rear elevation and it would measure 9m wide. The roof would be pitched and to the rear elevation there would be 3 sliding glazed doors with glazing above. The existing kitchen window to the side would be replaced with a full height window to the new living area.

A second parking space would be created to the side of the existing parking space in front of the existing garage and the existing boundary wall to the west side of the site would be repositioned 4.7m closer to the highway at the side. It would be rebuilt in brick with timber fence panels between pillars. It would measure 1.82m high.

The second existing parking space would be removed and the dropped kerb reinstated. The area to the outside of the wall would be grass.

Relevant Planning History

N/A

Publicity

3 neighbours notified on 05/10/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections. Conditions and Informatives suggested.

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, 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.

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.

As the extension would be to the rear of the property it would not be openly visible in the public realm but the proposed render finish would match the existing render to the first floor on the existing building. As such it would be considered acceptable in terms of SPD 6.

The existing boundary wall is brick with railings in between pillars and the proposed boundary wall would also be brick with pillars, but there would be timber panels in between as oppose to railings. This would be very similar to the existing boundary fence at no.1 Wadebridge Drive opposite. There are also examples of other fences and walls close to the highway along the road. It would be set back from the boundary with the highway at the side by around 1.6m.

The existing drive space to the front of the boundary wall would be removed and the dropped kerb would be reinstated. The area to the outside of the boundary wall would be grass/planting as it is currently. As such it would be considered to be in keeping with the existing streetscene

The driveway to the front of the garage would be extended to create a second space. This would be finished with materials to match the existing drive and the existing dropped kerb would be extended for access. The proposed driveway would remain in keeping with neighbouring driveways in the immediate area. The design of the proposal would be considered to be in keeping with the existing building.

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 applicant could build a single storey rear extension under Permitted Development Rules projecting upto 4m from the original rear elevation. The proposed extension would project 3.5m. As such it is taken into consideration that the applicant could build a similar extension without planning permission.
- The rear extension would be around 2m away from the boundary with 10 Bidston Close which has a two storey elevation adjacent to the boundary and a conservatory on the rear. As the extension would be single storey only and there would be no windows facing this property it would be considered that there would not be any significant detrimental impact on residential amenity at this property.
- The extension would be a sufficient distance to the rear boundary not to have any significant detrimental impact on residential amenity at no.4 Wadebridge Drive to the north.
- Any views from the extension would be over their rear garden only and the existing boundary fence would screen the majority of views to and from the proposed extension.
- The proposed new drive space would measure around 6m in length which would be more than sufficient in terms of SPD 6.
- The repositioned boundary wall would be closer to the side boundary, but it would still be set back from the highway at the side by around 1.6m. Taking the set back into account the proposed wall would not have any significant detrimental impact on the highway and junction to the west of the site.

Taking the above into 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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. There are currently two parking spaces within the site, plus the garage. Once the development is complete there would still be two parking spaces and the garage. As such in this instance then the parking arrangements are considered sufficient.

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, ZT23-196-02, ZT23-196-03 and ZT23-196-04 received on 07/09/2023 and drawings numbered ZT23-196-07 received on 06/11/2023 as modified by the email from Thorp Design Services dated 06/11/2023. 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 proposed single storey rear extension hereby approved shall be off white/cream render walls, black upvc windows and doors, and roof tiles to match the existing property. The boundary wall shall be brick to match the existing boundary wall with timber fence in-fills.
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 amended parking and boundary wall arrangements indicated on approved plan reference ZT23-196-07, incorporating the extension of the existing footway crossing that serves the garage, reinstatement of the redundant footway crossing to adjacent footway levels, all associated highway remedial works, enlarged hardstanding to the dimensions shown in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway and the repositioning of the boundary wall to the position shown, shall be implemented before the extensions and new parking facilities hereby approved are brought into use.
Reason -
To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 5 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the

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intended purpose for the duration of the construction period.

Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU -	13/11/2023	DM	17/11/23