

DELEGATED REPORT**Report by** Amanda**Date of report:** 22/08/2024**Ref:**70939/FUL

Uhunmwagho

Registration: 12/07/2024**LDFC:** 09/08/2024**Expiry Date:** 06/09/2024**Site Visit:** 09/08/2024**Site Notice:** N/A**Press Date:** N/A**Objections:** 0**Con Area:****Adv Type:** NONE**Reason for Delay:****EIA:** NA

N/A

Dec Level: DEL**Stat Class:** HOUS

Proposal: Two storey side/rear extension; Single storey rear extension; Hip to gable loft conversion with rear dormer and 2 no. front velux windows; Front porch; 2 no. front pike windows; New driveway to the front and new vehicular access/dropped kerb.

Location: 7 Grosvenor Street, Bury, BL9 9BJ

Description

The application relates to a two storey, red brick semi-detached house with gardens to the front and rear of the dwelling. At the front there is a short brick wall along the boundary and a fence along the shared boundary to both sides. There is a driveway to the side of the dwelling leading to a detached garage. At the rear there is a single storey flat roof extension and the rear garden has fences to all boundaries. The attached neighbour has been extended and they have a detached outbuilding to the rear of the garden. No.9 (unattached) does not appear to have been extended.

The proposal is to build a two storey side/rear extension measuring approximately 3037mm wide x approximately 10,283mm in length. Across the rear the extension would measure around 9215mm and it would project approximately 3961mm from the original rear elevation. The roof would be pitched. At the front the existing bay windows would be replaced with square bays to the ground and first floor levels, and at first floor the glazing would extend up to the eaves of the pike roof. This would be mirrored on the front of the two storey side extension. There would be two rooflights installed to the front of the existing roof.

There would be a flat roof dormer installed on the rear of the roof to provide two further bedrooms and bathroom. It would measure approximately 8210mm x 2914mm and would be set in from both side elevations by at least 500mm. Also to the rear there would be a single storey rear extension which would measure approximately 2011mm x 9215mm with a mono-pitched roof.

At the front, a new porch would be built centrally on the front elevation, measuring approximately 2000mm x 2668mm with a pitched roof. There would be glazing to the sides of the door and also above.

The new access originally proposed has been dropped in favour of a narrower, more centralised access with sliding electric gates.

Relevant Planning History

58403 - Two storey and single storey extensions to side and rear; Erection of granny annexe in rear garden - Approve with Conditions 26/03/2015.

Publicity

9 neighbours notified on 19/07/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic - No objection subject to conditions.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/3 Extensions and Alterations
PFE Places for Everyone

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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.

Grosvenor Street consists of two storey bay fronted semi-detached houses and a row of terraced properties on the opposite side of the road. Some of the neighbouring homes have been previously extended to the front/side.

The proposed development would result in the complete modernisation of the existing property by way of the modern bay windows with peaks and the pitched roof porch on the front. It would be very similar to the development at no.11 Grosvenor Street and it is also noted that Nos.1 and 5 have also been extended with modern features/extensions to the front. It is considered that the proposed development would not appear out of keeping along the road and as such it would not cause any significant harm in terms of visual amenity. The design of the proposal is considered acceptable in this location.

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 attached neighbour at No.5 has been extended in a similar way and there are no residential amenity issues with regard to overlooking or overshadowing raised in relation to this property. The '45 degree rule' is complied with.

The unattached neighbour has a garage on the shared side boundary and there are no residential amenity issues arising in relation to this neighbour. There are no issues to the rear. No comments or objections have been received from neighbours.

The proposal conforms to UDP Policy H2/3 Extensions and Alterations and the requirements of Supplementary Planning Document 6 in terms of residential amenity.

Access and parking - The new driveway would accommodate two vehicles within the site and this is considered acceptable. The proposed access has been amended to conform with highway comments - reducing the width of the access. The proposal is now acceptable and complies with UDP Policy H2/3 Extensions and Alterations and the requirements of Supplementary Planning Document 6 in terms of parking highway safety.

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 SHT 1 of 2 and SHT 2 of 2 (Revised and received by email 22/08/2024) 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 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 Before the first occupation of the extension hereby permitted the first floor bathroom to the side elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 5 The revised parking arrangements indicated on the approved plans, incorporating the demarcation of the limits of the adopted highway, boundary wall and sliding gate not exceeding 1.0m in height, wall foundations (if required) that do not encroach under the adjacent adopted highway, new driveway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway and all highway remedial works required to reinstate the adopted highway to its condition prior to commencement of the development and following removal of the affected boundary treatment, shall be implemented to the satisfaction of the Local Planning Authority prior to the extended driveway and extensions hereby approved being 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.
- 6 The development hereby approved shall not be commenced unless and until facilities for the storage of construction materials have been provided within the curtilage of the site. The facilities shall be retained for the intended purpose and the area identified shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	22/08/2024	DM	30/08/24

