

DELEGATED REPORT

Report by Helen

Date of report: 02/12/2020

Ref:66106/FUL

Goldsbrough

Registration: 22/10/2020

LDFC: 20/11/2020

Expiry Date: 17/12/2020

Site Visit: 12/11/2020

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey front extension; Single/two storey side and rear extensions; Widening of driveway

Location: 253 Brandlesholme Road, Bury, BL8 1DH

Description

The application relates to a semi-detached dwelling house located on Brandlesholme Road. The dwelling has a garden and driveway located to the front that leads to a single storey attached garage at the side of the property. The dwelling has been previously extended with a porch to the front, and single storey extension to the rear.

Planning permission is sought for the construction of a two storey side extension that project approximately 2400mm to the side. The two storey side extension would include a first floor front set back of approximately 650mm. To the front it is proposed to construct a single storey extension that projects approximately 1100mm. To the rear it is proposed to construct a two storey extension that projects approximately 3000mm, and a single storey extension that projects 4120mm. The proposal also seeks to widen the existing driveway to 3500mm.

Relevant Planning History

None

Publicity

Neighbour letters sent 29/10/2020. No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections subject to recommendation of a condition in relation to implementation of the driveway works.

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. 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 victimization;

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.

SPD 6 seeks to prevent two storey side extensions from causing a terracing effect by requiring a first floor 1.5 metre set back to the main frontage or to the boundary. In this instance a 650mm set back and 800mm gap to the boundary are proposed. This equates to approximately 1450mm which is 50mm below the 1.5 metres requires. In this instance it is considered that this deficit is minimal and the proposal would not lead to the uncharacteristic linking up of dwellings.

The proposed side extension would have a pitched, gable roof that replicates the shape and style of the original and neighbouring dwellings. The hipped roof of the two storey rear extension, and mono pitch roof of the single storey extension is not visible from Brandlesholme Road and is therefore considered to be acceptable the proposed front extension would not project excessively from the front elevation of the dwelling and the lean

to style roof is considered to be in keeping with the style of the other front extensions and porches within the row.

The proposed extensions are considered to be of a simple, and unobtrusive design that would not detract from the original dwelling. The proposed windows are considered to be suitably aligned. There are a number of various materials used within the immediate vicinity of the site and as such the use of render, in a residential context is considered to be appropriate. The set back at first floor, and the lower ridge height of the side extension gives the impression of subservience. The overall scale and massing of the proposed additions are considered to be acceptable and would not lead to over development of the associated residential amenity space. An area of soft landscaping would be retained following the widening of the driveway and as such this element of the proposal would have a limited impact on the character of the street scene.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore comply with UDP Policy H2/3 and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- Proposed front first floor bedroom window would be located approximately 80 metres from the front of the directly facing properties, would be separated by a highway and would project no further forward than the existing window arrangements. As such no overlooking foreseen.
- The proposed front ground floor study, and porch openings relate to non-habitable rooms. The proposed dining room window would be located approximately 77 metres from the front of the directly facing properties and would be separated by a highway. As such no overlooking foreseen.
- No proposed first floor side windows facing towards No. 255.
- Proposed side ground floor windows facing towards No. 255 relate to non-habitable rooms (utility and bathroom) and face towards the gable of the neighbouring property. As such aspects not applied.
- Proposed rear first floor windows located approximately 17 metres from the directly facing rear boundary exceeding the 7 metres required by SPD 6.
- Proposed rear ground floor windows would be screened by the existing boundary treatments.
- No proposed side windows facing towards No. 251
- No. 251 has extended at single storey to the rear. The proposed first floor would not project more than 3 metres beyond the rear first floor elevation of No. 251, and the proposed ground floor would not project more than 3 metres beyond the rear of No. 251 as extended. As such the proposal complies with SPD 6.
- No. 255 has extended at single storey to the rear. The proposed first floor would not project more than 3 metres beyond the rear first floor elevation of No. 255, and the proposed ground floor would not project more than 3 metres beyond the rear of No. 255 as extended. As such the proposal complies with SPD 6.
- Proposed ground floor front extension would not impact on a 45 degree line as taken from the midpoint of the nearest ground floor habitable room window of No. 251.
- Proposed ground floor front extension would not impact on a 45 degree line as taken from the midpoint of the nearest ground floor habitable room window of No. 255.

Highways and Parking

Policy H2/3 and SPD 6 seek to maintain highway safety and ensure that visibility for pedestrians, cyclists and drivers of motor vehicles are considered in relation to house extensions and alterations.

The existing footway crossing is wider than the existing driveway so would not need to be extended as part of the proposals. The Traffic Section have raised no objections to the

proposal, subject to implementation of the driveway works. As such the proposal is considered to be acceptable in highways terms.

The proposal would increase the bedrooms at the property from 3 to 5. SPD 11 requires a maximum of 3 spaces for a dwellinghouse of this size. The proposal seeks to retain 2 off street spaces to the front of the dwelling. A third can be accommodated on the drive itself, or on street parking utilised if needed. The area is considered to be high access, walking distance to local shops and amenities and on a bus route. As such the parking proposed is considered to be acceptable.

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 Location Plan, Sheet 1, Sheet 2 Rev 1, Existing and Proposed Site Plans and Proposed Drive Details 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.
- 3 The widened driveway shall be constructed in a porous/permeable material as indicated on the approved plans and the existing footway adjacent to the site affected by the repositioning of the pillar/partial removal of the boundary wall shall be reinstated to its former condition within 1 month of the proposed development being brought into use. The scope and specification for the ground reinstatement if required as a direction result of the proposal shall be submitted to and agreed with the Local Planning Authority prior the proposed development being brought into use and carried out in accordance with the approved details.
Reason. To ensure that the proposal will not result in surface water being discharged onto the adjacent adopted highway and in order to maintain the integrity of the adopted highway in accordance with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and 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>
Helen Goldsbrough	2/12/2020	DM	09/12/2020