

DELEGATED REPORT**Report by** Amanda**Date of report:** 02/10/2023**Ref:**69992/FUL

Uhunmwagho

Registration: 14/08/2023**LDfC:** 20/09/2023**Expiry Date:** 09/10/2023**Site Visit:** 19/09/2023**Site Notice:** N/A**Press Date:** N/A**Objections:** 1**Con Area:** N/A**Adv Type:** N/A**Reason for Delay:****EIA:** NA

N/A

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

Proposal: Two storey front extension; Single storey extension at front/side and conversion of existing garage to habitable room with new rooflights; Dormer at rear; External alterations to include changes to windows /doors, juliet balcony at rear and render/cladding to elevations

Location: 8 Slaidburn Drive, Bury, BL8 3DG

Description

The property is a large dormer style bungalow with a gable to the front elevation. There are dormers to the front and south west side of the roof. To the north east side there is a flat roof garage attached. To the front there is a large open plan garden with drive way for several vehicles. Access to the rear garden is via a path to the south west side. At the rear there is a small patio area directly to the rear of the dwelling and the garden area slopes up to the stone wall along the boundary. Beyond the rear boundary is a road and open fields. The area to the rear of the site is Green Belt, but the site is not located within the Green Belt.

The proposal is to build a two storey front extension, single storey front/side extension along with the conversion of the garage in to living accommodation which would have two rooflights. At the rear there would be a new flat roof dormer and external alterations including a Juliet balcony to the rear and changes to other windows and doors. The walls would be finished with a smooth white render with areas of composite slatted cladding to the front, rear and north east side boundaries.

The two storey front extension would project 2m forward of the existing front elevation and it would measure 4.5m wide. The roof would be pitched to match the pitch of the existing roof. This would provide a new kitchen at ground floor level and a bedroom above.

To the south west side an existing dormer which serves a bathroom would remain but two windows would be installed in place of the single one. One window would be to a shower room and the second would be a secondary window to a first floor lounge. Both windows would be obscurely glazed.

At the rear there would be a new flat roof dormer to the north east side corner of the property, which would be to a bedroom. The existing rear bedroom would become a living room and the window would be replaced with a Juliet balcony.

To the north east side of the building there would be a single storey extension and the garage would be converted to provide a ground floor bedroom and en-suite as well as a new hallway, porch, guest wc, utility area and outside storage. The roof would be flat with two rooflights to the rear which would be slightly raised and angled towards the rear of the property.

Relevant Planning History

N/A

Publicity

Neighbours notified on 30/08/2023 - One objection and one comment received.

One neighbour is concerned about the scale of the proposed rear dormer and the effect its side elevation would have on their side bedroom/sewing room window.

A second neighbour asked for reassurance that the front extension, which would be around 6.5 feet forward of the excising property, would not impact on neighbour's light and views, and that the extension would be within the guidelines as noted on the plan as they have a ground floor office and bedroom that may be impacted.

They are concerned about solar panels that would be opposite their bedroom windows and would like to know if there would be any glare or other distractions to consider, and they have asked if the side dormer windows would be obscure glazing as they may be opposite a bedroom window.

Statutory/Non-Statutory Consultations

None.

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.

Slaidburn Drive consists of 20 detached properties which are a mixture of dormer bungalows and two storey dwellings, all with different orientations to the highway in front. They all have differing designs and finished materials. The design of the proposed extensions to the application dwelling and the finished materials would be considered to be in keeping with the existing building, as well as with the existing streetscene.

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 -

- There are no residential properties to the rear of the site, but the property would remain over 10m from the rear boundary which would be acceptable in terms of the distance required from the proposed dormer and Juliet balcony to the rear boundary, as set out in SPD 6.
- Properties to the front would be more than a sufficient distance from the front elevation for there not to be any significant detrimental effect on residential amenity at those properties.
- The north east side elevation adjacent with no.6 Slaidburn Drive would remain single storey with two new rooflights angled to the rear of the site and two new obscure glazed ground floor windows. A condition would be added to the decision ensuring the windows would remain obscure at all times. This would ensure privacy levels would not be detrimentally affected between the two properties.
- There would be one new rooflight installed to the side of the roof adjacent with no.6. As this would be above a stairwell it would not have any significant detrimental impact on residential amenity at no.6 next door.
- At the rear a flat roof dormer would be constructed on the side of the roof closest to no.6 Slaidburn Drive. As the application property is due south west of no.6 any extensions to the property may impact on light to no.6 and/or its garden areas. It is noted that there is a first floor bedroom window in the side of no.6 that directly faces the side of the application dwelling. The side of the dormer would be around 3.2m off the shared boundary and around 4.4m away from the side of no.6, and it would be

positioned to the north side of the property. Any impact on light to the side of no.6, or its gardens would most likely not be any different from the impact the existing roof has on that property already. As such the proposed rear dormer would be considered acceptable in terms of its impact on residential amenity and would comply with the requirements of SPD 6.

- On the south west elevation the existing dormer would be replaced with a slightly larger one, which would be around 4.8m away from the shared boundary with no.10 Slaidburn Drive. As both windows would be obscurely glazed it would not have any significant detrimental effect on residential amenity at no.10 next door. A condition would be added to the decision advising the dormer windows should remain obscurely glazed in the future to protect privacy levels at both properties.
- There would be a new kitchen window and door to the south west elevation. As a kitchen is classed as non-habitable and any views from this window would be over the neighbour's driveway and open front garden only there would be no concerns regards loss of privacy next door.
- The two storey front extension would be around 4.8m away from the shared boundary with no.10 and around 7.8m from the front boundary. In addition there would be no windows to the south west side of the extension, and the pitch of the roof would be built in-line with the existing pitch. Taking this into account, and the distance from the extension to no.10 next door it is considered that there would be no significant detrimental impact on residential amenity at no.10 Slaidburn Drive.
- There would be no changes to the existing driveway on site.
- The plans show that all of the development would be built wholly within the site boundaries. As such encroachment would not be a concern.

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 reduce the number of bedrooms from 4 to 3 therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the driveway at the front of the site.

Response to neighbours' objection and comments -

An email was sent to the neighbour enquiring about the dormer windows, two storey front extension and solar panels on 29/09/2023 advising them that the dormer windows would be obscurely glazed and that the solar panels would be installed as permitted development. The position of the two storey extension was also clarified in the email. The neighbour replied to the email on 02/10/2023 advising they would speak to the applicant about the solar panels once they move in to the property. No further comments or objection received.

Regards the objection the impact of the proposed rear dormer on the neighbouring properties has been addressed in the report above.

Revised drawings -

Revised drawings were requested from the agent when they advised that the solar panels shown on the submitted plans were to be installed as Permitted Development and were not part of the proposal. The agent removed the solar panels from the drawings on 26/09/2023. There were no other changes to the drawings.

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 ZZ-XX-DR-A-4101, SI-XX-DR-A-1001, SI-XX-DR-A-0800, B1-XX-DR-A-8101, B1-XX-DR-A-0801, B1-XX-DR-A-0802 and B1-XX-DR-A-0803 received on 14/08/2023 and revised drawings numbered B1-XX-DR-A-2101 Rev B, B1-XX-DR-A-3101 Rev B and SI-XX-DR-A-2100 Rev C received on 26/09/2023 as modified by the email from Jenkins Design Services dated 26/09/2023. 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 proposal hereby approved shall be white render to the walls with composite slatted or panelled cladding, with brickwork below DPC level to be painted a blue grey colour. The windows would be anthracite grey UPVC and the doors would be composite in an anthracite grey colour.
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 ground floor bathroom windows on the north east side elevation and the dormer windows to the south west 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 02/10/2023		DM	06/10/23