

DELEGATED REPORT

Report by Amanda

Date of report: 12/01/2023

Ref:68946/FUL

Uhunmwagho

Registration: 31/10/2022

LDfC: 24/11/2022

Expiry Date: 28/12/2022

Site Visit: 23/11/2022

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: First floor extension at side; dormer extension at front and external alterations including increase in size of ground window at front; change in design of front door and removal of first floor window to side elevation

Location: 6 Coniston Close, Ramsbottom, Bury, BL0 9YE

Description

The application property is a semi-detached house with accommodation over two floors. Due to the way the land falls from west to east the property has the appearance of a bungalow to the front but two storey at the rear. There is a small front garden and the driveway to the side of the dwelling. The highway in front is much higher than the site with the road at a similar level to the existing roof.

At the rear there is a garden with fences to all boundaries. Properties to the rear on Stubbins Lane are positioned much lower down the hillside.

The proposal is to add a first floor extension to the side, a dormer to the front of the roof as well as external alterations including an increase in size to the front ground floor window, change of design to the front door and removal of a first floor window to the side elevation.

The first floor extension would be built directly over the existing garage conversion to the side of the dwelling. It would measure 2.98m wide x 4.61m long and it would have a pitched roof. The new window would be to the rear elevation. The extension would have timber cladding to the front and side elevations and would be rendered to the rear.

The proposed dormer to the front would have a flat roof. It would measure 6.21m wide and would be set in from both the party wall and the side elevation of the dwelling by around 200mm. It would be set back from the front elevation by around 1.1m. It would be rendered and there would be two small sections of timber cladding to the side of the windows.

To the front of the property the ground floor window would be replaced with a full length window in the same position and the style of the front door would be replaced with a more modern style door, in the same position.

Relevant Planning History

48426 - FIRST FLOOR EXTENSION AT REAR (RETROSPECTIVE) - Approve with Conditions 18/09/2007

59639 - Single storey side extension - Approve with Conditions 12/02/2016

17/0375 - Works to sub station - 11/09/2017

Publicity

Neighbours notified on 03/11/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

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 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.

Given the layout of the land the highway in front of the site is higher than the property and there are steps leading down to the house from the pavement in front. The removal of a window to the side elevation and changes to the ground floor window to the front elevation along with the new front door would remain in keeping with the style of the dwelling and would not have any detrimental impact on the character of the existing streetscene.

There are many examples of different types of finished materials to properties in the immediate vicinity including render, cladding, brick etc. The property is already partially rendered, as such the proposed rendering of the dwelling would be considered in keeping with the existing building.

The side extension is to have timber cladding to the first floor at the front and side. As this part of the development is set well back from the highway in front and it is at a much lower level compared to the road this would not have any significant detrimental impact on the character of the streetscene. Similarly, the two small areas of timber cladding to the front of the dormer would be considered in keeping with the resulting property and as there are different types of dormers in the immediate area it is considered that it would not cause any significant detrimental harm in terms of visual amenity.

The design of the proposal is considered to be in keeping with the existing building as well as being similar to other properties along Coniston Close that also have dormers to the front of the properties.

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 would be two new bedroom windows to the first floor on the rear elevation. These windows would be at least 7m from the rear boundary of the site which would comply with SPD 6 in terms of maintaining privacy levels between the site and properties to the rear.
- Properties to the front of the site have a much higher ground level to that of site and they would be a sufficient distance from the extended property not to have any significant detrimental effect on residential amenity.
- The proposed first floor extension to the south side of the property would not have any detrimental impact on residential amenity on no.8 Coniston Close, attached to the north side of the application dwelling.
- The front dormer would be set back from the front elevation and the windows would be to the front of the dormer only, with views towards the public highway.
- No.4 Coniston Close to the south of the site is separated from the application dwelling by the driveway on site and the driveway at no.4. They have a garage adjacent to the shared boundary and there are four windows to the side elevation. Two ground floor windows towards the front of the property and two upper floor windows. It is not clear what windows these windows serve but the proposed first floor extension would face the upper floor windows, which would be around 9m from the side of the extension. This distance would be acceptable in terms of SPD 6.
- The changes to the window and door to the front elevation would not have any

detrimental effect on residential amenity at neighbouring properties.

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 distances to surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the driveway for up to two vehicles.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 22109.000, 22109.003, 22109.004, 22109.006, 22109.010, 22109.011, 22109.012, 22109.091 and 22109.092 received on 03/10/2022, drawings numbered 22109.001-P2 and 22109.101-P2 received on 02/11/2022, revised drawings numbered 22109.204-P3, 22109.206-P3, 22109.210-P3, 22109.212-P3, 22109.291-P3 and 22109.292-P3 received on 15/12/2022 and drawings numbered 22109.013-P1 and 22109.213-P1 received on 11/01/2023 as modified by the emails from SHWilkinson Architects Ltd. 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 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 12/01/2023			