

DELEGATED REPORT

Report by Helen Pressley	Date of report: 12/01/2024	Ref: 70352/NON
Registration: 21/12/2023	LDFC:	Expiry Date: 18/01/2024
Site Visit: 09/01/2024	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Non-material amendment following grant of planning permission 68826 for single storey side extension and first floor side dormer extensions: Ground Floor: Reduced front porch; Enlarged flush casement windows to snug on rear elevation facing 429 Holcombe Road; Enlarged double door to snug on rear side garden elevation facing 1 Austell Drive; Enlarged terrace glazing with sliding doors on rear elevation facing 429 Holcombe Road and minor internal alterations. First Floor: Two additional flush casement windows at first floor level facing St Austell Drive; Reduced bedroom 3 window on rear side garden elevation facing 1 Austell Drive

Location: 431 Holcombe Road, Tottington, Bury, BL8 4HB

Description

The property is a detached dormer bungalow. It is located on a corner plot with a low stone wall with hedges screening the front garden along Holcombe Road and which runs around to the St Austell side where there is a drive and integral garage. To the west side is a garden and patio with planting to the boundaries and a higher stone wall to the footpath. The neighbouring property to the south side is 429 Holcombe Road a two storey detached house. Beyond the west side boundary is 1 St Austell Drive a bungalow.

Planning permission has been granted to extend out to the east and west roof slope with dormer type extensions. They would extend out by 0.8m and 1.1m to the level of the existing ground floor walls creating a two storey dwelling. To the east side which fronts Holcombe Road a single storey extension would project 4.5m for 5.9m across. The extensions would form a living room at ground floor with the existing becoming a dining room. At first floor the existing bedrooms, bathroom and an office would be extended. To the north side a pitched roof open porch would come out 0.5m deeper than the existing covered entrance. To this side it is also propose to add an existing parking space and widen the drive.

A non-material amendment is proposed following grant of planning permission 68826 for:
Ground Floor:

- Reduced front porch;
- Enlarged flush casement windows to snug on rear elevation facing 429 Holcombe Road;
- Enlarged double door to snug on rear side garden elevation facing 1 Austell Drive;
- Enlarged terrace glazing with sliding doors on rear elevation facing 429 Holcombe Road and minor internal alterations.

First Floor:

- Two additional flush casement windows at first floor level facing St Austell Drive;
- Reduced bedroom 3 window on rear side garden elevation facing 1 Austell Drive

Relevant Planning History

01708/E - Proposed second storey with new roofline & single storey extension at side - Enquiry completed 09/05/2018

02513/E - Proposed two/single storey extension at front, first floor extension to existing dwelling including alterations to roof - Enquiry completed 13/05/2021

65773 - Two storey extension at front/side, pitched roof to existing rear dormer and alterations to existing elevations - Withdrawn by Applicant 03/09/2020

68826 - Single storey side extension; First floor side dormer extensions - Approve with Conditions 07/11/2022

Publicity

N/A

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, 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.

Visual Amenity

The proposed front first floor windows are considered to be suitably aligned and tie in with the existing window arrangement.

The amendments to the style of the proposed side windows and rear windows are considered to be acceptable, suitably aligned and would not detract from the character of the dwelling.

The reduction in the front porch is considered to be acceptable and would see a minor (.3mm) increase in height of the ridge that would not impact on the overall design of the proposal.

Residential Amenity

The reduction in the size of the porch would not have a material impact on the residential amenity of neighbouring properties.

Whilst the enlargement of windows at ground floor would increase the glazing to some of the proposed openings this increase is minimal and the proposed windows would relate to the same room use as previously approved. These windows are also at ground floor. As such there would be no significant change in privacy levels when compared to the previously approved scheme.

The reduction in the window associated with bedroom 3 would not impact on the residential amenity of the neighbouring properties.

The proposed amendments would not impact adversely on the design of the proposed development or the residential amenity of the neighbouring properties. Therefore, the proposal would still be in accordance with the overall principles in terms of the approved application 68826 and the policies against which this was approved. As such, the application is a non-material amendment.

Recommendation: Approve

Conditions and Reasons:

- 1 The proposed amendments would not impact adversely on the design of the proposed development or the residential amenity of the neighbouring properties. Therefore, the proposal would still be in accordance with the overall principles in

terms of the approved application 68826 and the policies against which this was approved. As such, the application is a non-material amendment.

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