

DELEGATED REPORT

Report by Jane Langan	Date of report: 02/10/2023	Ref: 69999/FUL
Registration: 15/08/2023	LDFC: 20/09/2023	Expiry Date: 10/10/2023
Site Visit: 25/09/2023	Site Notice: N/A	Press Date: N/A
Objections: 2	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Hip to gable roof extension to sides with loft conversion and rear dormer; Single storey extension at side/rear; Single storey front extension and garage conversion

Location: 971 Manchester Road, Bury, BL9 8DN

Description

The property is a two storey detached house with garden and drive to the front and integral garage. To the rear it has a single storey extension, attached shed and a conservatory. The rear garden is fenced and the side and rear boundaries have hedges. The rear boundary borders the rear garden to 12 Hopwood Close which is at a lower level and the site hedges screen. The neighbouring property to the north side is No.969, a detached house extended at the rear with a conservatory. To the opposite side No.973 is also detached and extended single storey adjacent the site boundary and two storey at the rear.

The application includes hip to gable roof extensions to both sides and a flat roofed dormer to the rear slope. The additional roof space would form an additional bedroom with ensuite. To the front the garage would be converted to a store and extended out by 1m for 5.2m across which would also extend the entrance hall.

To the rear the existing extensions and shed would be removed and replaced with a single storey extension 5.2m deep across the full width of the rear and which would also infill the area at the side of the removed shed.

Relevant Planning History

52538 - First floor extension with dormer at side; Hip to gable roof extension at rear; Bay window at front - AC 28/07/2010.

Publicity

Surrounding neighbours were notified by letter and two responses have been received from nearby neighbours their concerns in summary are :-

- Loss of privacy from dormer to garden and windows
- Not notified of 52538 in 2010
- Current hedge at rear allows natural light. Increasing height would take natural eyeline above roof line of adjacent properties on along Manchester Road. Hedge already a height that requires a ladder to maintain.
- Willing to contemplate a revised application with dormer facing Manchester Road
- Any consent should be conditioned that no later applications to convert proposed single storey that encourages further adjustment to the roof aspect

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.

Visual amenity and design - The site is located on a main road where the immediate properties are detached houses, there is a mix of designs with many having been extended and altered.

The proposal would see a single storey extension to the front which at 1.7m deep would not

project excessively. The garage door would be replaced with a window and a monopitch roof would run across the extension and the existing bay adjacent as a replacement canopy. The main roof would see hip to gable extensions to each side and the front slope would have two roof lights. It would be of a similar design to 559 Manchester Road (61717). To the rear the extended roof slope would have a flat roofed dormer set approximately 0.4m below the ridge, 0.5m in from each side wall and 0.5m behind the rear wall. The single storey would be flat roofed with a parapet wall and two lantern roof lights. Materials for the extensions would be brick work and roof tiles to match. The dormer would be tile hung to match the main roof.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would increase the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has a drive to the front and following the front extension it would be 5m in length. As this is the minimum a length a condition is added. The area also has public transport available. In this instance then the parking arrangements are considered sufficient.

Residential amenity - The extended hip to gable roof would be blank wall to each side and would be adjacent the hipped roof slope to each of the neighbouring properties at Nos.969 & 973.

The proposed single storey rear extension would project less than 3m from the rear of both the neighbouring properties to the side as extended.

The side to No.969 would be blank wall. The opposite side to No.973 would have an additional window to the ground floor side elevation to a utility room and a window to the existing side elevation to a shower room. The existing side elevation has a window to the side to the garage and there is fencing between providing screening.

There would be a distance of 15.5m from the proposed dormer bedroom window to the rear boundary with the rear garden to 12 Hopwood Close. This would be sufficient to comply with SPD6 Aspect standards including taking account of the levels difference.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Response to objections - The proposal would comply with SPD6 Aspect Standards which sets out separation distances in order to provide adequate privacy distances and avoid overbearing relationships.

Notification letters were sent to the relevant neighbouring properties, including the objectors, regarding planning application 52538 on 17/06/10.

The application is submitted for a rear dormer and is assessed as such.

It would not be reasonable to attach conditions restricting potential applications. They would be assessed on their own merits should an application come forward.

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 R0796-SLP, R-0796-01, R-0796-02, R0796-04 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 A minimum hardstanding of 5m measured between the front elevation of the single storey front extension hereby approved and the boundary with the public footpath shall be provided to the satisfaction of the Local Planning Authority and thereafter maintained.
Reason. To allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated 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>
JL	02/10/23		