

DELEGATED REPORT

Report by Amanda

Date of report: 11/03/2022

Ref:68032/FUL

Uhunmwagho

Registration: 28/01/2022

LDfC: 24/02/2022

Expiry Date: 25/03/2022

Site Visit: 10/02/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: First floor hip to gable loft conversion with rear dormers

Location: 561 Bolton Road, Bury, BL8 2DJ

Description

The application relates to a red brick detached bungalow situated on the junction of Bolton Road and Kensington Drive. It has a hipped roof with a small dormer to the west side. The front of the site is brick paved providing on site parking for at least two vehicles and the parking area can be accessed from both Bolton Road to the front and Kensington Drive to the side. There is a short brick wall with pillars at either end along the front boundary and both vehicle access points are open. There is a garage to the east side of the property. To the rear there is a private garden area with fences to all boundaries. The garden is at a lower level compared to the dwelling.

The proposal is to create a first floor hip to gable loft conversion with rear dormers. The plans show that a gable wall would be created to the front of the property with a flat roof dormer to either side of the roof. Both dormers would measure the same length but the proposed dormer on the east side would be larger than that on the west. The plans show that the east side dormer would be built up from the existing outer wall and so the dormer would be set back from the edge of the roof by around 190mm. On the west side the dormer would be set back from the out wall by around 998mm. The roof would be lower than the ridge of the main dwelling and the cheeks of the dormer would be tile hung to match the existing roof. The plans also note that the front and rear gable walls would be cladded at first floor level to match the dormer colour.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 04/02/2022 - No comments or objections received.

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.

Bolton Road consists of many different types of properties and it is a very busy main road from Bury to Bolton. Most properties are two storey and either detached or semi-detached. The application property is the end detached bungalow in a row of 7 similar style detached bungalows. Apart from the application dwelling none of these properties have dormers

fronting on to Bolton Road. There are three detached bungalows to the west of the site, one of which has a small dormer to the front elevation.

The difference between other properties along Bolton Road and the application property is that most properties front on to Bolton Road, whereas the application property has a side elevation fronting Bolton Road. The existing dormer to the west side is quite different to other properties in the immediate vicinity but given it is relatively small compared to the main roof it does not appear overly intrusive in the streetscene.

The property is in a prominent position on the junction of Kensington Drive and Bolton Road and is visible from all sides. The flat roof dormers on either side of the roof along with the creation of a gable wall to the front of the dwelling would appear bulky and make the building appear very box-like which would be completely out of character in immediate streetscene which is typified by detached hipped roof bungalows and two storey properties opposite also with hipped roofs. As such the design of the proposal is not considered to be in keeping with the existing building or acceptable in this location.

It is annotated on the plans that the cheeks of the dormers would be hung with grey tiles to match the existing roof and the front and rear gables would be cladded to match the dormers. However, the existing roof has red tiles. This could simply be a mistake on the notes and easily rectified and if the application had been recommended to be approved then amendments would have been sought.

Given the above the proposal does not conform 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 currently two bedroom windows to the existing dormer on the west side of the property. The new dormer would have two bedroom windows and a landing window. The distance between the new windows and no.565 Bolton Road would be sufficient in terms of privacy as set out in SPD 6.
- There would be three new windows to the east side facing no.559 Bolton Road next door. As all these windows would be obscurely glazed there would be no significant detrimental effect on residential amenity at this property.
- The distance to properties at the front and rear of the site would be acceptable in terms of SPD 6.
- As the extensions would be to the roof only and there would be no increase to the number of bedrooms at the property the existing parking arrangements within the site would be acceptable.

Taking the above in to account 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.

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

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed development would, by reason of its size, position and design, be an incongruant, prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions 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>
AU - 11/03/2022			