

DELEGATED REPORT

Report by Jane Langan	Date of report: 01/12/2020	Ref: 65932/FUL
Registration: 25/09/2020	LDFC: 22/10/2020	Expiry Date: 20/11/2020
Site Visit: 05/10/2020	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Rear dormer extension with raising of roof ridge; Front porch extension; Part render of property

Location: 1 Portinscale Close, Bury, BL8 1DB

Description

The property is a modern detached house located on a corner plot. It has garden and a drive to the front and an enclosed rear garden. The rear elevation has been extended single storey. To the north side runs a path though to Leigh Lane and to the rear is a school playing field. The neighbour to the side is No.3.

The application includes the infilling of the open section to the single storey front entrance to bring it flush. The roof ridge would be raised by 0.877m and rear dormers added and roof lights to the front. This would provide 2 additional bedrooms with an existing at first floor converted to a walk in wardrobe. The existing front bays and proposed single storey infill would be finished in off white render.

Relevant Planning History

61230 - Single storey rear extension; Raising ridge height by 0.4m and rear dormer extension - AC 26/04/2017.

Publicity

Surrounding neighbours were notified by letter. No responses have been 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.

Visual amenity and design - The proposed front infill would be a minor alteration and this and the bays would be finished in off white render, a common domestic finish. The entrance would be timber framed. The roof ridge would be increased by 0.877m and roof lights added to the front. To the rear the dormers would be flat roofed set below the ridge and 0.8m in from each side. The dormers would be visible as the property is located on a corner plot. They would be of a modern design with large windows in the rear and the walls finished in raised seam zinc cladding. The new ridge would be higher however it would not be to a significant amount that would result in an intrusive feature in the street. An existing and proposed street scene plan has been provided to demonstrate this. In this instance the design and proposed materials are considered acceptable and the proposal would not have a detrimental impact on the visual amenity of the area.

Residential amenity - There are no residential properties directly to the rear for the dormers to overlook.

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

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

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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 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 2.01, 2.02 Revision A2, 2.03 Revision A2, 2.04, 2.05 Revision B 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	01/12/20	DM	03/12/20