

DELEGATED REPORT

Report by Jane Langan	Date of report: 26/01/2022	Ref: 67820/FUL
Registration: 24/11/2021	LDfC: 16/12/2021	Expiry Date: 19/01/2022
Site Visit: 30/11/2021	Site Notice: 30/11/2021	Press Date: 02/12/2021
Objections: 0	Con Area: N/A	Adv Type: ARW
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side extension with extension of existing front and rear dormers; Single storey rear extension; Alterations to parking area at front

Location: 27 Cotswold Crescent, Bury, BL8 1QF

Description

The application relates to a semi-detached property located on Cotswold Crescent. The premises has an existing single storey detached garage located to the side and garden areas to front and rear. Footpath 149BUR runs along the front of the site.

The application is a resubmission of 66933 which approved a single storey rear extension and refused a two storey side extension with front and rear dormers. This application seeks to address the reasons for refusal which were the inadequate parking arrangements and insufficient information on the plans with regard to proposed habitable rooms.

The proposed two storey side extension would come 3.5m out at the side from the front elevation reducing down to 2.5m out from the rear elevation and include extensions to the existing front and rear dormers. To the rear a single storey would project 3m deep and 5.5m across.

Relevant Planning History

66933 - Proposal A: Single storey rear extension; Proposal B: Single storey rear extension; Front and rear dormer extensions - Split Decision 26/08/2021

Publicity

Surrounding neighbours were notified by letter on 25/11/21. A site notice was posted on the 30/11/21 and a press notice placed in the Bury Times on 02/12/21. No representations have been received.

Statutory/Non-Statutory Consultations

Public Rights of Way Officer - No response received.

Traffic Section - No objection subject to conditions for the implementation of the parking arrangements and materials storage and an informative.

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

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.

With regard to the two storey side extension. SPD 6 seeks to prevent first floor side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. In this instance there would be a 2 metre gap to the boundary and the extension is set at an angle in relation to the neighbouring property. As such it is considered that the proposal would not lead to the uncharacteristic linking up of dwellings.

The proposed side extension would replicate the shape and style of the original property and would see the existing front and rear dormers extended to create first floor accommodation. The proposed use of matching materials is appropriate and the windows are suitably aligned.

The proposed single storey rear extension would have a flat roof however this would be screened from public view and is therefore considered to be acceptable. The proposed extension would not overwhelm the original dwelling or result in over development of the associated residential amenity space. The use of matching materials is appropriate and the proposed rear bi-folding door is considered to be appropriately aligned.

Parking - The proposal would not increase the number of bedrooms however it is noted that an existing bedroom is to be converted to a home office and as such the bedrooms could increase from 3 to 4. 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 previous application was refused as it proposed a sub standard drive length. This scheme includes relocating the drive, the current drive is sub standard as existing, to create a 5.5m space within the front garden with a new drop kerb and the front wall in the area of the existing kerb would be rebuilt across. Whilst there would not be scope to add further spaces it would improve the parking arrangements to the site from the current unuseable space. The area has on street parking and there is also public transport available. In this instance then there are not considered to be grounds for refusal with regard to parking arrangements.

An informative is added for the new drive to be porous/permeable or provision made for natural drainage within the site.

Residential Amenity - SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

The proposed side extension would be located adjacent to the gable of No. 25 and due to the orientation of this neighbouring property would not impact on its original, principal habitable room windows. The proposed windows to the side extension would be located to the front and rear elevations with the side wall blank. To the front the closest neighbour is located across the road. The proposed windows to the rear, which would be closest to the boundary with the adjacent No.25, would be a utility room door to the ground floor and a bathroom window to the dormer above. As such SPD6 Aspect Standards need not apply however a condition is added to ensure the bathroom window is obscure glazed.

To the rear the proposed single storey would not project more than 3 metres beyond the rear of the adjoining No. 29. Due to the angle of the adjacent property at No. 25 and the existing extensions at this property the proposed rear extension would not project beyond the rear of No. 25 by more than 3 metres. No side windows are proposed within the rear extension and the proposed rear bi-fold door would be screened by the existing rear boundary treatment.

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

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 P.01 Revision S1, P.02 Revision S1, 03. Revision S1 received 10/01/22 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 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.
- 4 Before the first occupation of the extension hereby permitted the bathroom window to the rear dormer shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 5 The revised car parking arrangements indicated on approved plan reference 03 Revision S1, incorporating the provision of a new footway crossing and reinstatement of the redundant one with replacement boundary wall not exceeding 0.9m in height shall be made available for use prior to the extension hereby approved being brought into use and thereafter maintained available for use at all times.
Reason. To secure the satisfactory development of the site in terms of highway safety, to allow adequate space to maintain a vehicle clear of the highway and maintain the integrity of the adopted highway 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.
- 6 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u> JL	<u>Date</u> 26/01/22	<u>Sign off Officer</u>	<u>Date</u>
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