

DELEGATED REPORT

Report by Amanda

Date of report: 01/07/2022

Ref:67794/FUL

Uhunmwagho

Registration: 23/11/2021

LDfC: 16/12/2021

Expiry Date: 18/01/2022

Site Visit: 01/12/2021

Site Notice: N/A

Press Date: 02/12/2021

Objections: 0

Con Area: N/A

Adv Type: ARW

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Roof extension to facilitate rear dormer extension; Widening of dropped kerb

Location: 24B Meadway, Bury, BL9 9TY

Description

The application property is a two storey detached dwelling with garden and parking to the front and also a garden to the rear. There are open fields to the rear and a small river running along the rear boundary.

The proposal includes raising the ridge of the existing roof by 600mm. The eaves height would remain as existing. A flat roof dormer would be erected on the rear of the roof to create a further bedroom. The outer wall of the dormer would be set back from the existing rear elevation by around 465mm and set in from either side by around 100mm. The plans show that the dormer roof would be set down from the new ridge.

Relevant Planning History

02639/E - Proposed increase in height to facilitate new dormer roof extension. - Enquiry completed 13/10/2021.

Publicity

Neighbours notified on 24/11/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

Public Rights of Way Officer - No comments or objections received.

Highways - No objections to revised plans received on 07/06/2022. Conditions/Informatives suggested.

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.

The design of the proposal and materials to be used in the construction of the new ridge and rear dormer would be considered to be in keeping with the existing building.

In terms of the streetscene along Meadway there are a mixture of different house types. The ridge of the roof would only be increased by 600mm and the gaps between the application property and the adjacent dwelling would remain as existing. The overall appearance of the property as viewed from the front would remain as it is now and as such there would be no significant detrimental effect on the character of the streetscene.

Given the above the proposal conforms 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 -

- The ridge height would be increased by 600mm and the gaps between the application property and the properties to either side would remain as it is now.
- There would be no new windows installed to either side elevation.
- Directly to the rear of the site there is a small river with farmland on the opposite side.
- The only addition to the front elevation would be two rooflights in the new attic space.
- The extended drive way would be similar to others in the area and would provide an extra off road parking space.
- In order to construct the new drive space the existing streetlighting column would be removed and a new one installed to the front corner of the site. The position of the new lighting column would not have any significant detrimental impact on residential amenity in the area.

Taking the above in to account it is considered that the proposal would conform to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of the residential amenity at the adjacent properties.

Parking -

The proposal would increase the number of bedrooms from 4 to 5 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 at the front for the parking of one vehicle. The proposed plan shows that a second space would be created to the front of the site and in addition the area has on street parking and there is public transport available nearby. With the two proposed spaces it is considered that the parking arrangements are sufficient and there are not grounds for refusal.

Streetlighting Column -

There is currently a streetlighting column situated to the south side of the existing parking space in the front garden of the site. In order to create the second parking space on the site the streetlighting column would need to be repositioned. The agent has shown on the revised plan RAD/2468/21/2/RevD that the streetlighting column would be removed and a new column installed to the southern corner of the front of the site. The repositioning of the streetlighting column is not specifically a Planning consideration but the column would need moving in order to create the second parking space. The Highways engineer has suggested a condition regarding the proposed drive way and new streetlighting column.

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:

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- 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 drawing numbered RAD/2468/21/2/RevD received on 07/06/2022 as modified by the email from RA Design & Project Management Ltd dated 07/06/2022. 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.
- 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 The development and widened driveway hereby approved shall not be brought into use unless and until the access and car parking alterations indicated on approved plan reference RAD/2468/21/2 Revision D, incorporating the provision of a footway crossing extension, disconnection and removal of the affected street lighting column, provision and connection of a replacement 6 metre column and LED lantern to a specification to be agreed with Street Lighting, hardstanding in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway, demarcation of the limits of the adopted highway and all associated footway remedial works required to reinstate the footway to its former condition prior to commencement of the development, have been implemented.
Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in 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 - 01/07/2022			