

DELEGATED REPORT

Report by Amanda

Uhunmwagho

Date of report: 21/06/2023

Ref:69548/FUL

Registration: 05/05/2023

LDFC: 02/06/2023

Expiry Date: 30/06/2023

Site Visit: 22/05/2023

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

N/A

EIA: NA

Dec Level: DEL

Stat Class: HOUS

Proposal: Erection of new roof with raised eaves height; Pitched roof dormer and 2 no. rooflights to both sides of the roof; Alterations to external doors and windows; Rear extension; demolish existing garage.

Location: 10 Uppingham Drive, Ramsbottom, Bury, BL0 9DP

Description

The application relates to a detached steeply pitched dormer bungalow with a dormer to both sides of the roof. Properties to the upper end of Uppingham Drive all have the same design with dormers to the side of the roofs. Some have also been extended.

There is a single storey extension to the east side and a drive to the west leading to a detached garage at the rear. The front garden is open to the highway in front and at the rear the garden has fences and planting to all boundaries. Directly to the rear of the site are open fields.

The proposal is to replace the existing roof with raised eaves height to the rear elevation from 2.39m to 4.67m. There would be a pitched roof dormer and two rooflights to either side of the roof, a rear extension, alterations to doors and windows to all elevations and the existing garage is also to be demolished. At the rear the building would be extended 3m from the original rear elevation and it would be as wide as the existing building. The roof would be built to the same height as the existing roof.

Relevant Planning History

69669 - Lawful development certificate for proposed construction of a new single-storey outbuilding with flat roof, roof drained into existing rainwater drainage system -

Publicity

Neighbours notified on 12/05/2023 - One neighbour initially emailed to say that they may object to the proposal. They left the following comments on 12/06/2023;

I received a letter from you on the 12th May about the development of No10 Uppingham drive, Ramsbottom. The applicant gave me the plans of the new development on the 14th May. Which I wasn't going to object. He's sent me new plans on the 14th June. These new plans will hinder light from a window of my property and I will object.

On the 14th June the same neighbour emailed to advise they had seen the new plans and they are happy there would be no problems caused by the new extension. They have no objection to the development.

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.

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.

Although the design is not ideal, with its top heavy appearance, the building would be very similar to other properties along Uppingham Drive, some of which have also been extended in the past. Properties along Uppingham Drive have a variety of types of cladding so the proposed off-white cladding to the front elevation and grey cladding to the dormers would not appear out of keeping in the streetscene. The proposed finished materials would be considered acceptable on this property and in the general streetscene. As such the proposal is considered acceptable in this location.

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 -

- There are no residential properties directly to the front or rear of the site.
- There would be a new entrance door to the west elevation facing the side of no.9 Uppingham Drive and two obscure glazed windows. As such there would be no concerns regards privacy between the two properties.
- The extension would be set back from the rear elevation of no.9 by around 2.6m and the side elevation would be around 2.6m away from the shared boundary. As such there would be no significant detrimental effect on residential amenity at no.9.
- On the east side elevation there would be one high level window to the ground floor to a dining area and the dormer window would be to a new bedroom. The window would be obscurely glazed up to a height of 1.7m as measured from the internal floor level, at which point the top part of the windows would be clear glazed. As such there would be no significant detrimental impact on privacy levels at no.11 next door.
- At the rear the extension would project around 3.6m past the rear elevation of no.11 and the side elevation would be around 1m from the shared boundary, with a gap of approximately 1.2m on the opposite side of the boundary to the side of no.11. It was unclear from the site visit exactly what windows are on the rear of no.11, so the 45° measurement was taken from an approximate point, in from the side elevation by approximately 1.5m on the rear elevation where a window might be positioned. The 45° rule was satisfied from this point and there is also a lot of planting along the boundary, in the neighbour's control. As such it is considered that the extension to the rear would not have any significant detrimental effect on residential amenity at this property.
- The garage would be removed but the drive way measuring around 15m to the front boundary would remain.

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.

Parking -

The proposal would increase the number of bedrooms from 2 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 side of the dwelling and a detached garage. One parking space would be lost by removing the garage on site. However, the remaining drive way measures around 15m which would be sufficient enough to park three vehicles within the site if necessary. In this instance then the parking arrangements are considered sufficient.

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 AL(--)-001 and AL(21)030 received on 05/05/2023 and revised drawing numbered AL(--)-002 Revision D received on 16/06/2023 as modified by the email from Burton Architects dated 16/06/2023. The development shall not be carried out except in accordance with the details 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 be concrete roof tiles, facing brick walls and upvc windows to match those of the existing building, as well as dark grey cladding to the dormers and off-white cladding to the front elevation.
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 dormer window on the east elevation shall be fitted with obscured glazing up to 1.7m as measured from the internal floor level 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 21/06/2023			