

DELEGATED REPORT

Report by Amanda

Date of report: 29/07/2022

Ref:68508/FUL

Uhunmwagho

Registration: 30/05/2022

LDfC: 14/07/2022

Expiry Date: 25/07/2022

Site Visit: 21/07/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Enlarged front porch, enlarged front and rear dormers, single storey / two storey extension at side and new dormer extension at front

Location: 16 Hazel Dene Close, Bury, BL9 9SA

Description

Hazel Dene Close is a short cul-de-sac comprising of 9 detached dormer style bungalows along with a small garage colony to the west side of the road. The application property is position at the top end of the road set back in a corner position. There is a small front garden with planting along the front boundary, a drive and flat roof garage to the side. At the rear there is a private garden with fencing to all boundaries. Beyond the rear boundary is Bury cemetery and there are lots of trees directly along the site boundary.

The proposal is to enlarge the existing front porch, enlarge the front and rear dormers, build a single storey / two storey extension at side and new dormer extension at front.

Relevant Planning History

N/A

Publicity

Neighbours notified on 23/06/2022 - No comments or objections 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.

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 properties along Hazel Dene Close all have dormers to the front which are a mixture of flat roof and pitched and they are finished in a variety of different materials. The design of the proposal is considered to be in keeping with the existing building as well as other properties along Hazel Dene Close.

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 rear of the site.
- The rear dormer would be an extension of an original dormer which would be just over 8m from the rear boundary.

- The north side of the rear dormer would be around 10m to the rear of 24 Birch Lea Close and there are trees along the shared boundary (on land belong to 24 Birch Lea Close), which screen much of the views to and from the site.
- At the front there would be around 11m from the front dormer to the boundary of 18 Hazel Dene Close. Any views from the new window would be towards the side boundary of the rear garden of this property and not directly towards the dwelling itself. As such the separation distance would be acceptable.
- The existing parking arrangements on site would remain the same with a single garage and parking space in front.
- The existing porch would be extended but would remain in the same position. It would not interfere with existing parking arrangements.
- The north side elevation would be around 1m from the shared boundary with properties on Birch Lea Close. As such there would be no concern regards encroachment on to the neighbouring land.

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 in terms of residential amenity.

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 an area at the front for parking one vehicle along with a garage. This would remain following the completion of the development. The area is high access in terms of public transport and there is on street parking available along Hazel Dene Close. 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 proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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 22/697/01, 22/697/02, 22/697/03, 22/697/04, 22/697/05 and 22/697/06 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 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

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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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 29/07/2022			