

Description

The application relates to a detached bungalow with dormers to the front and rear of the dwelling. At the front there is a small garden with a hedge along the front and south side boundaries. The north side boundary is open adjacent to no.7 next door. To the rear there are fences and planting to all boundaries and given the gradient of the land the rear garden is lower to the south side.

The proposal is to raise the ridge height of the existing dwelling, add a single/first floor extension to the front, dormer to the front, single/two storey rear extension and a front porch. There would also be a loft window to the front and external alterations including white render to all elevations.

At the front the porch would project 1.37m forward of the main front elevation and it would measure 3.36m wide. The roof would be flat and the walls would be clad with Eco Scape Vertical cladding.

The height of the ridge would be increased by 1m and the first floor front extension would project 2.44m over the existing ground floor. This section would measure 4.34m wide and the roof would be pitched. A pitched roof dormer would also be installed to the front of the roof. It would measure 4m wide and would be slightly set back from the front wall. The ground floor of the front elevation, first floor extension and the dormer would all be finished with white render. There would be a single rooflight to the front of the roof and one to the south side of the first floor extension.

At the rear the single storey extension would project 2.16m from the north side rear elevation and it would extend 9.12m across the rear elevation where it would be built up to the existing single storey extension. The two storey section would measure 10.13m wide and there would be a dual pitched roof. There would be bi-fold patio doors installed to the rear elevation.

The existing garage/side extension would be finished with Eco Scape vertical cladding to the front, side and rear elevations and the rest of the walls of the property would be rendered white. Existing windows would be replaced with grey upvc windows to match the new grey upvc windows.

Although not part of the proposal the agent has also shown on the plans that the drive way would be extended across part of the front garden area. This would be completed as permitted development.

Relevant Planning History

N/A

Publicity

7 neighbours notified on 26/06/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

<SQLDCPolicyComRep>

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.

As well as creating a more substantial first floor level the proposed extensions to the property would be a very modern design compared to the existing dwelling. However, Hillstone Close is made up of different styles of properties, many of which have been previously extended. There are bungalows, dormer bungalows and two storey homes along

Hillstone Close. The design of the proposal is considered acceptable in this location and it would not have any significant detrimental impact 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 -

- There would be around 12.5m from the rear elevation of the rear extension to the boundary. This distance would be acceptable in terms of SPD 6.
- The rear extension would be single storey only to the north side adjacent to no.7 with no windows facing this boundary.
- The 45° rule would be satisfied with regard to habitable room windows to the rear of numbers 3 and 7 Hillstone Close.
- As the rear extension would be around 1.6m set in from both side boundaries there would be no concern regards encroachment on to neighbour's land.
- The first floor front extension would project just over 1m forward of the front elevation of no.3 to the south of site. As the site is due north of no.3 it is considered that there would be no significant detrimental effect on light and residential amenity to the front of this property.
- The side elevation of the front dormer would be around 5m away from the shared boundary with no.7 where there is a garage and driveway adjacent to the boundary. As such the front dormer would not have any significant detrimental impact on residential amenity at no.7 Hillstone Close.
- The porch would be built relatively central to the front elevation, well away from both side boundaries. Given its location the porch would not have any seriously detrimental effect on residential amenity at either adjacent neighbour.
- The position of the porch would not interfere with parking arrangements to the front of the site.
- The velux windows to the front and side of the roof would not cause any significant detrimental harm in terms of residential amenity at neighbouring properties.
- An existing first floor bedroom window to the south elevation would be replaced with a bathroom window. As this would be obscurely glazed there would be no detrimental effect on residential amenity at no.3 next door.
- One existing ground floor window to the south elevation would be removed.
- To the north side the existing garage window would remain and an existing utility room window would serve a ground floor wc. At first floor there would be a bathroom window in a similar position to the existing first floor bathroom window. As none of these windows would be classed as habitable room windows there would be no significant detrimental effect on privacy levels at no.7 next door.

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 separation distance to the surrounding properties.

Extended driveway -

The driveway is to be extended over part of the garden to the south side of the existing driveway. This is not part of the proposal and would be constructed as Permitted Development. The agent has confirmed via email that the extended driveway would be created using permeable material and also that the hedges along the front and side boundaries would remain in situ. The access point would not be altered. Given that the hedges and access point would remain in situ would obscure much of the new parking from view in the streetscene.

Parking -

The proposal would increase the number of bedrooms from 3 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 an area at the front for parking up to 3 vehicles, plus the garage. The drive to the front would be extended and would still provide on site parking for 2/3 vehicles. There are also no parking restrictions to the highway in front. In this instance then the parking arrangements are considered sufficient.