

DELEGATED REPORT**Report by** Amanda**Date of report:** 03/03/2023**Ref:**69137/FUL

Uhunmwagho

Registration: 02/12/2022**LDFC:** 16/01/2023**Expiry Date:** 27/01/2023**Site Visit:** 23/12/2022**Site Notice:** N/A**Press Date:** N/A**Objections:** 1**Con Area:** N/A**Adv Type:** NONE**Reason for Delay:****EIA:** NA

N/A

Dec Level: DEL**Stat Class:** HOUS

Proposal: Alterations to dormer bungalow including first floor extension to front and rear and two storey extension to side to form a two storey property; Front porch; Single storey rear extension; Alterations to driveway and widening of existing dropped kerb.

Location: 46 Booth Way, Tottington, Bury, BL8 3JW

Description

The application relates to a dormer style semi-detached house with dormers to the front and rear of the house. There are gardens to the front and rear of the dwelling with a driveway on site for one vehicle. To the front of the site is a lawned garden which is open to the highway in front and at the rear there is a conservatory and canopy across the patio area immediately to the rear of the property. The rear garden is completely paved with some planting to the side boundaries. There are fences to all boundaries at the rear.

The proposal is to make alterations to the dormer bungalow including first floor extension to front and rear and two storey extension to side to form a two storey property. There would also be a front porch, single storey rear extension, alterations to driveway and widening of existing dropped kerb.

At the side the extension would measure 1.37m wide x 8m long. the roof would be pitched to match the existing ridge height and the existing dormers to the front and rear would be extended out to the outer elevation and a mono-pitched roof added to the front and rear of the house. A canopy would be erected to the front of the extension to match the existing canopy across the front elevation.

The porch would be built at the front entrance of the dwelling. It would measure 1.15m x 2.46m and the roof would be pitched.

At the rear the single storey extension would project 3.49m from the original rear elevation and it would measure 6.63m wide. The roof would be flat with two rooflights and it would measure 2.57m in height.

All of the development would be finished in a white silicone based render except for the west side elevation of the single storey rear extension and the two storey side elevation to the east, which would be finished in brick.

The applicant also intend to replace the existing white UPVC windows with Anthracite grey UPVC windows and doors. To the front of the site the existing access would be widened to 4.5m and it would be paved with permeable materials across the whole of the front area.

Relevant Planning History

N/A

Publicity

4 neighbours notified on 21/12/2022 - One objection received. A summary of their objections is listed below.

- They point out that usually measurements are provided on drawings to indicate height, width and length. It doesn't help them that they have been drawn to scale. They want to know if the development would overshadow their property, due to them being at a lower level compared to the site.
- They can see from the plans that the double storey extension would be the same width as the existing single storey side extension but there are no measurements on the plans to confirm this. They ask if a double extension wall is recommended to be built wider than that of a single storey.
- They are concerned about the main drain access and ask if deeper footings are needed for foundations would the footings need to be deeper. This could impact on the drains.
- They have a lower land level to no.46 and have a retaining wall between the two properties. They ask if the construction of the two storey extension cause destabilisation of the wall.
- The extension would be overbearing given its close proximity to their property.
- They question if the planning officer would visit the property to ascertain their concerns.

Following a change in the proposal description the neighbours were notified of the change on 17/02/2023 - No further comments or objections have been received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections.

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 proposed extension would result in a two storey property rather than a dormer style, but it would still retain the overall character of the property and would remain similar to others in the local vicinity. As there are a mixture of brick, render and cladded finishings to properties along Booth Way the propose render would not have any significant detrimental effect on the character of the existing sreet scape. The design of 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 -

- Properties to the front and rear of the site would be a sufficient distance from the extended property not to have any significant detrimental impact on residential amenity at those properties.
- As the two storey extension would be built on the east side of the dwelling there would be no impact on residential amenity at 48 Booth Way, attached to the west side of the application property.
- The two storey side extension would not project beyond the front or rear elevations of no.44 next door (east) and there would be a gap of 900mm from the side of the extension to the shared boundary. There are no habitable room windows to the side of no.44. With this in mind it is considered that the two storey side extension would not have any significant detrimental effect on residential amenity and privacy at no.44 Booth Way.
- The site is slightly higher than that at no.44. However, as the ridge of the extension would be built to the same height as the existing roof it would be no higher than the ridge of no.44 next door. With this in mind it is considered that the side extension would

not have any significant impact in terms of being over bearing and given that the application dwelling is positioned directly west of no.44 the impact on the path of day light would not be significantly affected by the proposed two storey side extension.

- At the rear the single storey extension would project 3.4m from the original rear elevation and it would measure 6.63m wide. The west side elevation would be around 300mm off the shared boundary with no.48 (attached). There are no extensions to the rear of no.48, but taking the larger homes scheme in to account, along with the fact the neighbour has not objected to the proposal the project of 3.4m would be considered acceptable in this instance.
- The single storey extension would project around 3.4m past the rear elevation of no.44, unattached to the east and the side elevation would be around 900mm away from the shared boundary. With this in mind the single storey rear extension would be considered acceptable in terms of SPD 6.
- At the front the porch would not interfere with new parking arrangements within the site where there would be one space allocated to the east side of the porch.
- The plans show that new paving to the front of the site would be porous, which would be acceptable in terms of SPD 6.
- The extended access, to 4.5m would not have any significant detrimental effect on residential amenity. There would still be room to park a vehicle on the road side, directly in front of the site.

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.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the front of the site.

Response to neighbour objection -

Most of the concerns of the neighbour would be considered to be Building Control concerns rather than Planning. An email was sent to the neighbour concerned on 09/01/2023 advising them that a site visit had been carried out previously and that their concerns were really questions for Building Control.

Following a change in proposal description the neighbours were re-notified on 17/02/2023. On 27/02/2023 the objector contacted the Development Management team for advice on what the letter meant. They were reassured that there were no changes to the proposal, only the description was changed because it was felt that the extension was more a two storey extension rather than an extension to the dormer.

They were also advised that the two storey extension would be built inline with the existing front and rear elevations of the application dwelling.

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 2259-L01, 2259-S01, 2259-S02, 2259-P02, 2259-P03 and 2259-P04 received on 02/12/2022, drawing numbered 2259-S03 received on 06/02/2023 and drawing numbered 2259-P01 Rev B received on 02/03/2023 as modified by the emails from Studio John Bridge Ltd dated 06/02/2023 and 02/03/2023. 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 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.
- 4 The revised access and car parking arrangements indicated on the approved plans, incorporating the extension of the existing footway crossing to limits to be agreed with the Highway Authority, all highway remedial works required to reinstate the adopted highway to its condition prior to commencement of the development, demarcation of the limits of the adopted highway and new driveway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway, shall be implemented prior to the extension and widened access/driveway 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 HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 03/03/2023		DM 06/03/23	