

DELEGATED REPORT

Report by Mo Warsame	Date of report: 19/12/2022	Ref: 68693/FUL
Registration: 20/10/2022	LDFC: 15/11/2022	Expiry Date: 15/12/2022
Site Visit: 30/11/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Raise roof ridge height with loft conversion and rear dormer; Single storey rear extension; Front porch

Location: 6 Poynton Close, Bury, BL9 9EA

Description

The application relates to a mid-terraced property located on Poynton Close. The premises has a garden area to the front and rear and does not appear to have been previously extended.

Planning permission is sought for the raise of roof ridge height with loft conversion and rear dormer along with a single storey rear extension and a front porch extension. The proposed single storey front extension would project approximately 1.8 metres from the existing front elevation and run for 1.9 metres. The single-storey rear extension would project 2.9 metres to the rear and run for 4.9 metres. The front porch extension and the single storey rear extensions would both have pitched roofs, while the proposed dormer to the rear would have a flat roof. The eaves heights on both the front and rear would remain unchanged, while the proposed roof would have an increase of approximately 0.25 metres to its ridge height.

The development would utilise the use of matching materials and would accommodate an entrance porch and a dining room on the ground floor level. The proposed loft conversion with the rear dormer would facilitate additional bedroom with ensuite.

Relevant Planning History

None.

Publicity

Neighbour letters sent on 24/10/2022. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

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.

Visual amenity

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

Situated in the front the, the front extension would be visible from the street scene. However, the extension would have a rectangular, simple, and unobtrusive design, which would not detract from the character of the dwelling. The proposed single-storey rear extension and the dormer at the rear would also be modest in size. The proposed dormer

would have a flat roof while the front porch and the single storey rear extension would both have pitched roofs to replicate the shape and style of the original and neighbouring dwellings. The proposed increase of roof's ridge height would be subtle and only increase by 0.25 metres. Therefore, this would not cause any detrimental adverse impact on the street scene or the character of the property.

The proposed development would utilise the use of matching materials which would create a harmonious development. The proposal would be considered a suitable scale and massing and would not overwhelm the original dwelling or result in over development of the associated residential amenity space.

It is therefore considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and as such complies with UDP Policy H2/3 and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- Given the position of the proposed single storey extension to the rear there would be no direct views towards the adjoining properties. Additionally, the extension will have no proposed side windows.
- SPD states that a single storey extension should not project more than 3 metres along a neighbouring boundary. At which point the 45° rule would apply. The proposed development would only project 2.9 metres to the rear and therefore would be considered acceptable.
- In terms of overlooking and privacy to the rear; there are sufficient separation distance to properties to the rear. The proposed dormer extension would be built entirely on the existing footprint of the property and would have no windows on either side facing the adjoining properties.
- The proposed front porch would be a relatively small and would not be classed as a habitable room. Additionally, there would be sufficient distance to the properties in front of the dwelling. Therefore, there would be no serious impact on residential amenity.

Overall, there would not be any seriously detrimental effect on the residential amenity of the adjacent neighbouring properties. The proposal therefore 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 will result in one additional bedroom, however there will be no changes to site access, or parking. The parking at its current condition meets the maximum parking requirements.

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 drawing numbers: J2007/ 001 (Rev B) 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 Unitary Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building plus rendering as outlined in drawings submitted.
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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	19/12/2022		