

DELEGATED REPORT

Report by Mo Warsame	Date of report: 14/11/2023	Ref: 70014/FUL
Registration: 20/09/2023	LDFC: 13/10/2023	Expiry Date: 15/11/2023
Site Visit: 20/10/2023	Site Notice: N/A	Press Date: N/A
10:00:00		
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Loft conversion with rear dormer, the erection of outbuilding at rear and the extension to existing vehicular access along with internal and external alterations.

Location: 50 Dales Lane, Whitefield, Manchester, M45 7NN

Description

The property is a double bay fronted bungalow that has a front garden screened by hedges and with a stone wall along the front boundary and timber fence to either side. There is a drive to the side that leads to a detached garage and rear garden. The property to the rear is screened by the trees and planting to the rear garden. No. 48 and No. 52 Dales Lane are adjacent to the property on either side.

Planning permission is sought for a loft conversion with rear dormer, the erection of outbuilding at rear and the extension to existing vehicular access along with internal and external alterations. The proposed dormer to the rear would have a balcony, come with a pitched roof and would be setback from the ridge and eaves of the existing roof. The proposed outbuilding would measure approximately 2.2m high on one side and 2.7 high on another, 3.1m wide and 5.1m long. The outbuilding would be construed with timber effect cladding and would have a sloped roof. The proposal would be constructed with some matching materials, and it would accommodate a new lounge area with a balcony, and a new bathroom via the loft conversion.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections subject to conditions.

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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 to the rear the dormer extension would not be visible from the street scene. The dormer extension would have a simple and unobtrusive design, which would not detract from the character of the dwelling. It would not project beyond the principle rear elevation to the rear and would have a pitched roof replicating the shape and style of the original and neighbouring dwellings. The proposed dormer would be modest extension and could be

built under Permitted Development rules. The proposed balcony would also be acceptable as it would be mainly shaded by the existing roof. Additionally, the proposed windows would align with the existing windows and therefore would also be acceptable.

The proposed outbuilding would be between 2.2 and 2.7 m high, 3.1m wide and 5.1m long the structure would not be extensive for a domestic outbuilding, particularly given the size of the plot. Additionally, the development would be sufficiently setback from all neighbouring properties as it would be located at the end of a large garden. Furthermore, the existing scrubs and trees would further shade the outbuilding from the neighbouring properties. In terms of materials the proposal presents a small-scale modern design. The proposed timber effect cladding walls finish are considered appropriate materials for a domestic setting.

Given the above the proposal conforms to Bury UDP Policies EN1/2 - Townscape and Built Design, 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

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

- The proposed dormer extension would be built entirely on the existing footprint of the roof. There would be no proposed primary or habitable windows on either side and the proposed balcony would be shaded by the existing roof on either side. Furthermore, number of properties within this street have similar development approved. Therefore, the proposed rear dormer extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.
- The proposed outbuilding would be a single storey and therefore any overshadowing would not be seriously excessive above and beyond the existing situation. Furthermore, it would be shaded by the existing scrubs and there would be sufficient distance to the adjacent properties on either side. Therefore, the proposed development would not overlook any of the adjacent dwellings. It is therefore considered to be acceptable and complies with adopted guidance in SPD6. The proposed outbuilding would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Overall, there would be no serious impact on amenities 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.

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 Dwg. no. 202308/052, Dwg. no. 202308/Es 1, Dwg. no. 202308/SkC1 Rev A 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 amended access and parking arrangements indicated on approved plan reference 202308 / SkC1 Revision A, incorporating the provision of an additional footway crossing, all associated highway remedial works following removal of the boundary wall, demarcation of the limits of the adopted highway and enlarged hardstanding in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway, shall be implemented to the satisfaction of the Local Planning Authority before the new parking facilities hereby approved are brought into use. (HY08 Amended).
Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety.
- 4 The development hereby approved shall not be commenced unless and until facilities for the storage of construction materials have been provided within the curtilage of the site to the satisfaction of the Local Planning Authority. The facilities shall be retained for the intended purpose and the area identified shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	14/11/2023		