

DELEGATED REPORT

Report by Amanda

Date of report: 08/10/2024

Ref:71108/FUL

Uhunmwagho

Registration: 23/08/2024

LDfC: 08/10/2024

Expiry Date: 18/10/2024

Site Visit: 23/09/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey front and rear extensions; loft conversion with rear dormer and juliet balcony; ridge height increase of 300mm

Location: 23 Hillstone Close, Tottington, Bury, BL8 4EZ

Description

The application relates to a detached bungalow at the head of a cul-de-sac. It is set well back from the highway in front with driveway and gardens in front of the house. There are also garden areas to the side and rear of the dwelling. There is a conservatory to the rear and single storey side extension along with two sheds and a third outbuilding to the rear garden.

The proposal is to raise the ridge height by 300mm and add a flat roof dormer to the rear with a Juliet balcony. There would be a single storey porch extension to the front and a single storey rear extension. The front extension would create a porch entrance measuring 1.08m x 3.93m and it would have a flat roof.

At the rear the single storey extension would measure 5.30m x 6.67m wide and it would have a flat roof. The dormer would be to the west side of the rear elevation and it would serve a new bedroom, en-suite bathroom and staircase. It would measure 2.60m x 8.62m and the bedroom would have a Juliet balcony style window to the rear as well as bathroom and stairwell windows. The dormer would be finished with Silver Birch Ecoscape cladding.

The walls of the dwelling would be finished in Silver Birch Ecoscape cladding, black panelling and off-white render. The windows would be black Crittall style and the doors would also be black. The roof would be finished with grey artificial slates.

Relevant Planning History

N/A

Publicity

6 neighbours notified on 09/09/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
PFE	Places for Everyone

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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 property is set well back from the highway in a corner position at the head of a cul-de-sac and Hillstone Close consists of many different styles of properties. The proposed finished design and materials of the extended property would be 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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- There are no properties directly to the front of the site and to the rear there would be more than a sufficient distance from the rear dormer not to have any significant detrimental impact on residential amenity at those properties.
- There would be around 20m from the dormer to the rear site boundary.
- There would be no new windows to either side elevation.
- Given the angle/position of the dwelling the proposed ridge height increase of 300mm would not have any significant detrimental effect on residential amenity at neighbouring properties and gardens.
- The increase in roof height would and extensions to the property would not have any detrimental impact on existing parking arrangements within 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 increase the number of bedrooms from 3 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 at least 4 vehicles and this would remain following the property being extended. 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 ZT24-196-01, ZT24-196-02, ZT24-196-02.5, ZT24-196-03, ZT24-196-04 and ZT24-196-04.5 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 in terms of visual amenity, and Places for Everyone Joint Development Plan listed.

- 3 The external finishing materials for the proposal hereby approved shall be Silver Birch slatted cladding, off white render and black panelling to the walls, grey artificial slate to the roof and black Crittall style windows and black door frames as stated on the application form and proposed drawings.

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>
AU - 08/10/2024		DM - 10/10/2024	