

DELEGATED REPORT

Report by Amanda

Date of report: 02/01/2025

Ref:71373/FUL

Uhunmwagho

Registration: 22/11/2024

LDFC: 30/12/2024

Expiry Date: 17/01/2025

Site Visit: 17/12/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey rear extension; Rear dormer

Location: 16 Edgeworth Drive, Bury, BL8 2EB

Description

The application relates to a semi-detached, dormer style bungalow with a dormer to the front. There is a garden to the front with a low wall along the front boundary. At the side of the property is a long driveway leading to a detached double garage to the rear. The rear garden is much wider compared to the front given the triangular shape of the site. The applicant has also submitted a separate application for a dormer to the front of the house.

The proposal is to build a single storey rear extension and rear dormer. The extension would project 3000mm from the original rear elevation and it would extend across the whole width of the existing dwelling. It would have a flat roof with patio doors to the rear elevation. The walls would be brick to match the existing property.

The rear dormer would have a flat roof and would have UPVC cladding. It would be set down from the ridge and in from both side elevations. The dormer would provide two further bedrooms at the property.

Relevant Planning History

71372 - Front dormer - Approve with Conditions

Publicity

7 neighbours notified on 06/12/2024 - 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.

As the extension and dormer would be built on the rear of the property they would not be visible in the public realm at all. However, the extension would be finished with a design that would be considered acceptable and with materials that would match the existing building.

The dormer would be cladded with UPVC which would not be particularly in keeping with

the existing property, but it would be similar to other dormers throughout the estate. As such it is considered that the proposal would not have any significant detrimental impact on visual amenity in the area and 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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- The rear extension would project 3000mm from the existing rear elevation which would be in line with recommendations set out in SPD 6.
- There would be no windows in the side elevation adjacent to the shared boundary with the attached property and the drawings show that there would be a gap of around 150mm from the side elevation to the boundary, meaning there would be no encroachment onto neighbouring land.
- The opposite side elevation would be over 7000mm away from the shared boundary with no.18 and there would be no new windows in the side elevation.
- At the rear there would be around 10,000mm from the rear of the extension to the rear boundary which would be more than sufficient in terms of SPD 6.
- The position of the proposed extension would not interfere with existing parking arrangements within the site.
- The proposed dormer would be around 13,000mm from the rear boundary which would be acceptable in terms of SPD 6.
- There would be no windows to either side of the dormer.
- The drawings show that the dormer would be set in from the party wall with the attached neighbour, so there would be no concerns regards encroachment at that property.

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 and that it is no more than 3000mm on the boundary.

Parking -

The proposal would increase the number of bedrooms from 1 to 3 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 2 parking spaces. Parking would be as existing to the driveway and double garage to the rear which would be unaffected by the development and there is space for several vehicles. The area has on street parking and there is public transport available nearby. 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 P01, P02, P03, P04, P05 and P06 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 match those of the existing building.
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.
- 4 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 02/01/2025		DM - 02/01/2025	