

DELEGATED REPORT

Report by Amanda

Date of report: 25/04/2022

Ref:68098/FUL

Uhunmwagho

Registration: 16/02/2022

LDFC: 18/03/2022

Expiry Date: 13/04/2022

Site Visit: 03/03/2022

Site Notice: N/A

Press Date: 03/03/2022

Objections: 0

Con Area: N/A

Adv Type: ARW

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey side extension; single storey front & rear extensions & detached garden store/garage

Location: 31 Quarlton Drive, Tottington, Bury, BL8 4JY

Description

Planning permission has been previously granted at this site to demolish the existing dwelling and build a replacement dwelling house. However, the applicants have now decided to extend the existing property instead.

The application site contains a detached, two storey dwelling that sits within an L-shaped plot with a large expanse of garden located to the west of the dwelling. The dwelling is located at the head of the cul-de-sac (Quarlton Drive). The residential estate is depicted by detached dwellings set back from the main highway and is at a slightly elevated height compared to the highway that leads up to the site.

There is an existing driveway accessed directly off Quarlton Drive, which leads to a single storey garage that is attached to the main dwelling. There is garden space to the front, rear and sides of the dwelling with significant tree screening to the north and west of the rear garden.

There are residential properties to the east and west of the application site and open fields to the west of the garden associated with the application site. There is a public right of way along the northern boundary with a residential property and open fields beyond.

The proposal is to build a two storey side/rear extension; single storey front & rear extensions & detached garden store. The proposed single storey front extension would project 1.2m forward of the existing dwelling and it would measure 9.6m wide. It would have a flat roof.

The two storey side extension would project 4m from the existing two storey side elevation and it would measure 9m long. The roof would be pitched and at the front it would project forward of the main elevation by 1.2m. The two storey section would extend across the rear elevation. It would be built up to an existing two storey section on the rear elevation.

To the north west corner of the rear elevation there would be a single storey extension which would be built at an angle of the rear corner of the property. It would have a pitched roof with four velux rooflights.

The applicant also proposes to build a detached garden store to the rear of the property. It would measure 3m wide x 3.59m long and it would have a pitched roof. It would be built to the north east corner of the site.

Relevant Planning History

01901/E - Pre - app enquiry for replacement dwelling at 31 Quarlton Drive - Enquiry completed 09/11/2016

62715 - Demolition of existing dwelling house and erection of replacement dwelling house with detached garage - Approve with Conditions 14/11/2018

08/0538 - Erection of large garden shed - 07/01/2009

Publicity

Neighbours notified on 24/02/2022 and the notified again on 07/03/2022 as part of the description had not been included on the initial notification - No comments or objections have been received.

Statutory/Non-Statutory Consultations

Public Rights of Way Officer - No comments or objections received.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

OL1	Green Belt
OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework

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 as well as the impact on the surrounding Green Belt.

Green Belt -

Section 13 of the NPPF confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. In this respect, the NPPF does not provide any specific definition of what constitutes a disproportionate addition.

SPD 8 - New Buildings and Associated Development in the Green Belt provides greater clarity and states that in general terms, extensions up to a third of the volume of the original dwelling would not be considered disproportionate, but that every application is to be assessed on its merits. This guideline is duplicated in SPD 6 - Alterations and Extensions to Residential Properties.

The measure of (dis)proportion is widely taken to be an assessment of the volume, mass, scale, footprint and dimensions of a proposal relative to the original and its impact on the openness of the Green Belt.

Hawkshaw falls within the Greater Manchester Green Belt. Many properties within Hawkshaw have been extended in some way over the years. The proposed extensions to this property would be built within the site boundary and there would be ample gardens areas remaining within the site to the front, side and rear of the dwelling.

The proposed extensions would be built to the front, side and rear of the existing dwelling. The agent has noted on the planning statement that the volume increase would be 49.98%.

They have noted in the planning statement that this would be less than the volume increase allowance of up to 50%. However, a volume increase of up to 33% as set out in SPD 6 and SPD 8 would actually be applied in most cases in terms of householder planning applications within the borough of Bury.

As the proposed extensions would equate to more than 33% of the original volume of the

property special circumstances would normally be required. Unfortunately as the agent has referenced in their statement that the limit is 50% they have not provided any special circumstances as to why the larger extensions should be approved. However, in terms of the site it is positioned amongst other residential properties, many of which have been extended. The existing amenity space around the dwelling would remain very similar to how it is currently.

The scale of the proposed extensions would not be considered disproportionate on the existing dwelling or within the existing street scene. Therefore, the proposed development would not have any adverse impact upon the openness of the Green Belt and the proposed development would comply with Bury UDP policies OL1 and OL1/3 of the Bury UDP and the NPPF.

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.

Many of the properties along Quarlton Drive have been extended in a similar style to the proposed front/side extensions. The single storey rear extension would be set back from the front boundary and not readily visible in the street scene.

The proposed materials and design of the extensions would be considered to be in keeping with the existing building as well as neighbouring properties. As such there would be no significant detrimental effect on the character of the existing streetscape.

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 -

- At the front there would be around 8m from the front of the extension to the boundary with the highway in front and as the property is positioned at the head of the cul-de-sac there are no other residential properties directly to the front of the site.
- To the east side elevation there would be one secondary ground floor window facing the boundary with no.12 Quarlton Drive. As no.12 has a slightly higher ground level to that on site and there is existing hedge/planting along the shared boundary any views from the side window would be towards the hedge only and not directly over the property next door or its garden.
- On the west side elevation there would be one circular window in the side elevation which would be around 4.5m from the shared boundary with no.29 Quarlton Drive. Like the window on the opposite side any views would be over the applicant's own garden and not directly towards the property next door.
- Also on the west side elevation there would be two first floor windows. One would be to an en-suite bathroom and therefore obscurely glazed. The second is an existing secondary bedroom window. As this window is already in this position there would be no significant detrimental impact on residential amenity next door. In fact the application would be removing an existing bedroom window to create the new en-suite bathroom. Therefore improving privacy levels between the site and no.29 next door.
- The plans show that there would be a new bedroom window on the rear elevation which would be around 6m from the rear boundary. SPD 6 states that normally a distance of at least 7m would be required from a first floor habitable room window to a shared boundary in order to retain privacy levels between properties and their gardens. In this instance the mature trees that line the rear of the site and so even from first floor windows views to the north would be very limited. In addition to this there is a track that runs along the rear of the site or access to the property known as Melrose. Taking the mature trees in to account as well as the fact there is a track in between the rear of the site and where it meets land belonging to Melrose, and that Melrose itself is around 30m

from the rear of the application property begins the lesser distance of 6m to the rear boundary would be acceptable on this occasion and it is considered that there would be no significant detrimental effect on residential amenity to land and properties to the rear.

- The garden store would be relatively small in size compared to the site it would be built on. It would be positioned to the north east corner of the site behind the main dwelling. As there would be no windows in the side elevation facing no.12 next door there would be no concerns regards residential amenity at no.12.

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 proposed site plan shows that the applicant intends to create a double parking space where the existing single drive way is currently as well as a single drive space directly to the front of the property. This part of the development does not form part of the property and it would appear the new drive areas would be constructed under Permitted Development rules. The plans show that the surfaces would be permeable.

Given that the extended property would have four bedrooms three parking spaces within the site would be acceptable. It is also noted that there are no restrictions regards on street parking along Quarlton Drive. In this instance the parking as shown would be considered acceptable.

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 2148/KW/SLP, 2148/KW/01, 2148/KW/02, 2148/KW/03 and 2148/KW/04 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.
- 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.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 25/04/2022			