

DELEGATED REPORT

Report by Amanda

Date of report: 08/08/2024

Ref:70812/FUL

Uhunmwagho

Registration: 03/06/2024

LDfC: 28/06/2024

Expiry Date: 29/07/2024

Site Visit: 21/06/2024

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: Two storey rear extension; single storey extension to garage at rear; single storey extension to existing front porch; car port at side and external landscaping works

Location: 1 St Austell Drive, Tottington, Bury, BL8 4EY

Description

The application relates to a detached 3 bedroom bungalow (2 beds in the roof space) on St Austell Drive, Greenmount. The area has a mixture of bungalows and two storey properties which are north semi-detached and detached. There is a garden to the front with a short wall and planting along the front boundary. A pedestrian access point is to the east side of the site with a drive entrance to the west. Currently there is a driveway for two vehicles and a garage attached towards the rear of the property. At the rear of the dwelling is a private garden area with fences and planting to all sides and the site abuts the rear gardens of properties to three sides.

The proposal is to add a single storey extension to the front of the property, a two storey rear extension, single storey extension to the rear of the garage, a car port to the side and external landscaping works including extending the hardstanding to the front of the house.

The single storey front extension which would provide a new entrance to the property would be built to the front of the existing entrance. It would measure 2139mm x 2928mm and it would have a flat roof.

The car port to the west side of the dwelling would measure 2643mm x 5680mm. It would have a flat roof.

At the rear the two storey extension would project 3833mm from the rear of the existing building and it would measure 10,083mm wide. The roof would have two pitched sections with a flat roof section in between.

The single storey rear extension would measure 2139mm x 2928mm on the rear of the existing garage and it would have a flat roof. The overall width of extensions to the rear of the house would be 13,011mm. The existing property is finished with stone and render to the external walls and the proposed extensions would be finished with materials that would match this. The flat roof section (dormer) would be finished with timber to the walls with a reinforced bitumen roof.

At the front of the property part of the garden would be replaced with hardstanding to provide another parking space to the front of the site. There would be no changes to the existing entrance or dropped kerb.

Relevant Planning History

N/A

Publicity

7 neighbours notified on 06/06/2024 - No comments or objections received.

The 7 neighbours were notified of revised drawings on 19/07/2024 - No comments or objections have been 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.

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.

Changes to the front of the dwelling include a single storey extension to the front and extended hardstanding, and the car port to the side would be visible at the front. The proposed extension would have a flat roof and would be finished with materials that would be considered to be in keeping with the existing external finished materials on the house. As there are a mixture of different styles of properties in the immediate area the proposed flat roof to the front extension would not cause any significant harm to the character of the streetscene.

Many properties in the area have hardstanding to the front. As such the proposed hardstanding would not have any significant detrimental impact on the existing streetscene.

The car port to the side would be a light structure which could be built as permitted development. It's materials would be considered acceptable in this location.

The two storey rear extension would only be visible from the rear gardens of neighbouring houses and the flat roof section to the centre of the rear extension would only be partially visible from the properties directly to the rear of the site. It would be built with materials that would match the existing dwelling and its design 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.

Residential Amenity -

- Properties to the front of the site would be an acceptable distance from the proposed front extension which would be considered to be a non-habitable room.
- The applicant could replace all the garden areas to the front of the property with hardstanding as Permitted Development as long as the materials would be porous and/or there would be sufficient drainage within the site. The revised proposed site plan is annotated to show that the materials for the new hardstanding would be porous. As such there would be no reason to refuse this part of the proposal.
- There would be no changes made to the existing entrance or dropped kerb.
- The car port to the side of the property would be built within the site boundary meaning there would be no concerns regards encroachment on to land at no.3 St Austell Drive next door.
- The existing windows to the side elevation of the garage would be bricked up. This would ensure privacy levels would be retained between users of the new room and neighbours at no.3 next door.
- The single storey rear extension would be just over 1000mm from the boundary with no.3 St Austell Drive and there would be no new windows installed to the side elevation.
- At the rear the extensions would be around 8800mm from the rear boundary at the closest point. It would be around 11,000mm to the east side due to the way the rear

boundary is angled. These distances would be acceptable in terms of SPD 6 and would not have any significant detrimental effect on privacy levels to the gardens of properties to the rear.

- On the east side the extension would be around 1600mm away from the side boundary and there would be one new ground floor window to a pantry installed. The existing door to this side would remain. The pantry would be considered to be a non-habitable room and as such the distance to the side boundary would be considered acceptable.
- There are two existing bedroom windows (one to either side of the property), which would remain as they are. As these are existing there would be no significant detrimental impact on privacy at the two adjacent properties. There would be no new first floor windows installed to the side elevations.
- The three existing ground floor windows to the west side would remain as they are.
- No.431 Holcombe Road to the east has been extended and there are several windows which face on to the side of the site. As there would be no new windows installed to the east side elevation of the application property and the building would not be extended any closer to the shared boundary with no.431 Holcombe Road it is considered that there would be no significant detrimental impact on residential amenity at this property.
- No.429 Holcombe Road is located south east of the application property and windows to the rear of this building look over the rear garden of site. The separation distance between the extension and this property would be around 10,000mm at the closest points which has been measured from the south east corner of the extension to the north west corner of 429 Holcombe Road. None of the windows to the rear of the extension would have direct views over this property/garden.
- There is a detached garage at 429 Holcombe Road which lies in between the shared boundary and the neighbouring dwelling. The garage would screen the ground floor part of the proposed extension as viewed from the rear of 429 Holcombe Road.
- The extension would result in the bungalow becoming two storey at the rear. As such the building would have more of an impact on surrounding properties due to its increase in size and massing. However, apart from no.3 St Austell Drive next door all of the surrounding properties to the east side and rear (south) are two storey buildings, and the site is due north/north west of those properties. As such any detrimental impact caused by the proposed extension in terms of its size and impact on sun light throughout the day would be minimal and would not be considered detrimental enough to warrant refusal.

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. As the garage is to be converted into living accommodation one parking space would be lost within the site. However, as part of the front garden would be replaced with hardstanding there would be the potential to park up to three vehicles within the site. There are also no parking restrictions to the highway in front and public transport is readily available close by. 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 Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local

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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 00025-SP-XX-XX-DR-A-10001 S4_PL02_XXXX, 00025-SP-XX-XX-DR-A-10002 S4_PL02_XXXX, 00025-SP-XX-XX-DR-A-10010 S4_PL02_XXXX and 00025-SP-XX-XX-DR-A_S4_PL02_XXXX received on 03/06/2024, revised drawings numbered 00025-SP-XX-XX-DR-A-10104 S4_PL03_XXXX, 00025-SP-XX-XX-DR-A-10105 S4_PL03_XXXX and 00025-SP-XX-XX-DR-A-10202 S4_PL03_XXXX received on 18/07/2024, and drawing numbered 00025-SP-XX-XX-DR-A-10003 S4_PL04_XXXX received on 29/07/2024 as modified by the emails from Studio Pesa LLP dated 18/07/2024 and 29.07.2024. The development shall not be carried out except in accordance with the details 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 08/08/2024			