

DELEGATED REPORT

Report by Mo Warsame	Date of report: 26/04/2023	Ref: 69446/FUL
Registration: 13/03/2023	LDFC: 14/04/2023	Expiry Date: 08/05/2023
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Loft conversion with side dormer, rear first floor window with juliette balcony and alteration to first floor window; Front porch

Location: 141 Cotswold Crescent, Bury, BL8 1QL

Description

The site is a detached bungalow in the middle of a row of similar design bungalows. There is a garden to the front, and a drive to the side which leads to a detached garage. A large garden is situated to the rear.

The adjacent properties on either side are No.143 Cotswold Crescent which has extended on the first floor and No.139 Cotswold Crescent which remains a bungalow. To the rear of the site is the playing fields of Elton High School.

Planning permission is sought for a loft conversion with side dormer, rear first floor window with Juliette balcony and alteration to first floor window on the front elevation together with the construction of a new front porch canopy. The loft conversion would accommodate two additional bedrooms one with ensuite and a new storeroom. The proposal also includes a pitched roof porch canopy which would project 1.1m to the front and run 2.6m. The proposed dormer extension would have flat roof and overall, the proposal would utilise the use of matching materials.

Relevant Planning History

None.

Publicity

Neighbour letter sent on the 24/03/2023. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations

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.

Visual Amenity

UDP Policy H2/3 and SPD 6 seek to achieve a high standard of design that complements the original dwelling and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

The bungalows on the estate have many examples of dormers most of which are flat roofed, and the proposed dormer would be similar style to some of the existing dormers within this street. Furthermore, the 1.2m set back from the front gable and the 0.2m set back from the ridge of the roof would be considered acceptable in terms of the impact on the street scene. Additionally, the plans indicate that the dormer extension would utilise the use of some matching materials.

The single storey front porch canopy would be modest in scale and come with a simple rectangular design. The development would be built with design and materials that would be in keeping with the existing building and therefore would be acceptable. The proposed

rear first floor window with Juliette balcony and alteration to first floor window on the front elevation would be acceptable as they would suitably align with the existing windows.

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.

- In terms of overlooking and privacy to the rear; there would be sufficient distance to the rear boundary and beyond there would be the playing fields of Elton High School.
- The proposed side dormer extensions would be built entirely within the building's existing footprint.
- The proposed dormer windows would be facing towards a blank wall. Furthermore, the proposed ensuite bathroom window would be obscured glazed as indicated on the submitted plans. Additionally, none of the proposed side facing No.143 Cotswold Crescent would be primary windows.
- There would be over 20 metres from the properties to the front.
- The existing outdoor private amenity space would be unaffected.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policy H2/3 and SPD6.

Parking

The proposal will result in two additional bedrooms, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

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.

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- 2 This decision relates to the drawings received on 13/03/2023 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 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 The proposed ensuite bathroom window subject to this application shall remain obscure glazed up to 1.7m.
Reason: To protect privacy pursuant to policy: H2/3 and SPD 6

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	26/04/2023	DM	26/04/23