

DELEGATED REPORT

Report by Amanda

Date of report: 06/01/2023

Ref:68835/FUL

Uhunmwagho

Registration: 26/09/2022

LDfC: 26/10/2022

Expiry Date: 21/11/2022

Site Visit: 12/10/2022

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: Two storey extension at rear/side; Loft conversion with dormer extension at rear, new staircase installed within rear bedroom for access to loft.

Location: 32 Thornfield Road, Tottington, Bury, BL8 4BX

Description

Thornfield Road consists of mostly semi-detached properties which are either a traditional two storey design with pitched roofs or dormer style bungalows. There are also a couple of two storey detached homes.

The application Property is a two storey semi-detached house with gardens to the front and rear of the main dwelling. Access to the rear garden is via a path to the south side of the site. As Thornfield Road is built on a hill no.34 to the south has a slightly raised ground level to that on site and this property also has a detached outbuilding in the rear garden, adjacent to the shared boundary. The attached neighbour has a similar ground level to that on site.

The proposal is to build a two storey side/rear extension, a loft conversion with flat roof dormer to the rear and a new staircase installed for access to the loft. There would also be two rooflights installed to the front of the roof.

At the side the extension would be set back from the front elevation by around 5.73m. It would project 1.32m to the side x 3.83m in length. Across the rear the extension would measure 6.11m wide and would project 1.55m from the original rear elevation. The roof would be flat. The walls of the extension would be clad with black wood effect PVC boarding to the ground floor with render to the first floor. The new windows and doors would have black frames.

The flat roof dormer to the rear would measure 4.65m wide and would project a maximum of 3.86m. It would be set slightly back from the rear all and the roof level would be just below the ridge of the existing roof. The cheeks and gable of the dormer would be finished with a black wood effect PVC cladding to all sides with black UPVC window frames. Two rooflights would be installed to the front of the roof.

Relevant Planning History

N/A

Publicity

Neighbours notified on 27/09/2022 - No objections or comments received.

Following receipt of revised plans neighbours were re-notified on 19/12/2022 - No comments or objections have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

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.

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 only change to the front elevation of the existing dwelling would be the installation of two rooflights. These could be installed under permitted development rules and would not have any significant detrimental effect on the character of the streetscene.

The two storey, flat roof extension would be set well back from the original front elevation of the property but it would still be visible from Thornfield Road in front albeit marginally, and it would be particularly prominent when viewed from Claybank Drive from the south west side. To the rear of the site there are other examples of flat roof structures including first floor dormers, single storey extensions and a pair of flat roof detached garages belonging to 34 Thornfield Road and 1 Claybank Drive. Taking this in to account as well as the fact Thornfield Road slopes down from the south west to north east the proposed flat roof two storey rear extension would not appear out of character, or overly obtrusive in the existing streetscape. The fact that the upper floor would be rendered would help to lessen the impact on the extension in terms of visual amenity and with that in mind it would be considered acceptable in this location.

Similarly there are many examples of front and rear dormers to properties in the immediate vicinity. As such the rear dormer would not be considered to be significantly detrimental on the rear of the this property. It is also noted that the applicant could construct a rear dormer under permitted development rules.

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 -

- The only addition to the front elevation would be two rooflights. The rooflights would not cause any significant detrimental harm in terms of residential amenity.
- It could be possible to build a rear dormer of a similar size under permitted development rules. Views from the rear window would be directed to the rear only and there would be sufficient distance between the dormer window and properties to the rear not to have any significant detrimental impact on residential amenity. As such the rear dormer would be considered acceptable on the rear of the dwelling.
- The two storey rear extension would be over 7m from the rear boundary which would satisfy the requirements as set out in SPD 6.
- There would be one first floor window installed to the side elevation which would be to a landing. As a landing is not considered to be a habitable room and the window would face a blank side elevation next door there would be no detrimental impact on residential amenity to the neighbouring property due to the position of this particular window.
- There would be no windows in the side elevation adjacent to the shared boundary with the attached neighbour.
- Normally a two storey extension should not project more than 1m adjacent to a shared boundary where the neighbouring property does not have any extensions. In this instance the attached neighbour does not have any rear extensions. However, the property is a mirror image of the application dwelling which means the ground floor room to the rear of the property is a kitchen/diner with the kitchen window being closest to the shared boundary. There is a small area of hardstanding between the rear of the property and a raised patio area extending out in to the rear garden. With this in mind and given that the closest window is non-habitable the 1.55m projection would be

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considered acceptable in this instance. It is also noted that the neighbour has not objected to the proposal.

- The drawings show that no part of the extension or foundations would encroach the shared boundary with no.30 Thornfield Road, attached to the application dwelling.

Taking the above in to account 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 distances to 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 a vehicle and this would remain following the side extension which would be set back from the front of the property being completed. There are no parking restrictions to the highway in front and the area is close to public transport routes. 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 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 JF_100_00 Rev 0.0, JF_100_01 Rev 0.1, JF_100_02 Rev 0.1, JF_100_03 Rev 0.1, JF_100_04 Rev 0.1 and block plan received on 03/12/2022 and revised drawing nubered JF-100_05 Rev 0.2 received on 19/12/2022 as modified by the emails from jessica Fisher dated 03/12/2022 and 19/12/2022. 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

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 06/01/2023			