

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 20/03/2024	Ref: 70499/FUL
Registration: 08/02/2024	LDfC: 07/03/2024	Expiry Date: 04/04/2024
Site Visit: 23/02/2024	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Extension of existing front dormer

Location: 94 Watling Street, Bury, BL8 2TG

Description

The application relates to a semi detached dormer bungalow within a row of similar type dwellings within an established residential estate.

Each dormer on the pair of semi's are identical in that they are positioned centrally within the middle of the roof slope to appear connected each one is set in from the side of the house by approx 3.2m. Some of the dormers have been altered from the original flat roof to a sloping pitched roof.

The dormer to the application property has been painted a dark grey.

The application seeks the extension of the existing front dormer to No 94.

The dormer would be extended by approx 3m to span across the full front of the roof, leaving a gap of approx 0.3m to the edge of the house.

The dormer would have a flat roof and be clad in the same grey upvc boarding.

Relevant Planning History

n/a

Publicity

Adjacent neighbours notified 14/2/24

No responses received.

Statutory/Non-Statutory Consultations

n/a

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

PFE Places for Everyone

EN1/2 Townscape and Built Design

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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.

Impact on surrounding area

The existing dormers are relatively narrow and small in comparison to the extent of the roof plane and are not visually intrusive to the streetscene.

The proposed extension to the front dormer would be the first on this row of properties.

However, given the scale of development, it is considered the proposal to extend the width of the dormer only would not result in a disproportionate addition within the roof or result in an unbalanced or discordant appearance within the streetscene.

The proposed development is therefore considered acceptable and would comply with H2/3 and SPD6.

Residential amenity

The proposed extension would not encroach the adjacent property or project so as to cause issues of overlooking or impacts on privacy to the adjacent dwellings.

The proposed development would comply with H2/3 and SPD6.

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 - Location plan PC1-00; Existing plan and elevations PC1-01; Proposed plans and elevations PC1-02; Existing block plan PC1-03; Proposed block plan PC1-04; 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 Unitary Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	20/3/24	DM	21/03/24