

DELEGATED REPORT

Report by Jane Langan	Date of report: 25/05/2022	Ref: 68201/FUL
Registration: 14/03/2022	LDFC: 22/04/2022	Expiry Date: 09/05/2022
Site Visit: 20/04/2022	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: Two storey extension at side; single storey extension at front and dormer roofs replaced with pitched lean-to roofs.

Location: 12 Caldry Drive, Ramsbottom, Bury, BL0 9TY

Description

The property is a detached dormer bungalow. It has a garden and drive to the front and a detached garage. To the rear is a fenced garden that backs on to the rear garden to 29 Springwater Ave. The neighbouring property to the west side is No.10 which is extended two and single storey at the side up to the boundary. To the opposite side No.14 is a dormer bungalow at a slightly lower level.

The application proposes to remove the detached garage and construct an extension coming 3.9m out at the side. It would run from the existing rear elevation for 7.9m as two storey and the ground floor would run for 11.1m projecting as single storey at the front, the entrance hall 1.8m deep and a garage projecting a further 1.2m. The ground floor would form a kitchen, utility, garage and hall with a master bedroom and ensuite at first floor.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and two responses have been received from nearby neighbouring properties. Their concerns in summary are :-

- Loss of privacy. New bedroom window will overlook back garden and kitchen. No tree screening or prospect of growing any tall enough.
- Large window should have shutters.
- Assume additional bedroom will increase occupancy levels. Essential to consider additional off road parking.
- The ground water and drainage issues experienced on the site of the subject property cause my adjacent property to be disrupted by foul smelling stagnant water. Ask a similar condition as attached to planning permission for No.10 for further investigation and design on the drainage system is applied.
- The development is constructed up to the boundary of the site and we would question whether there is a requirement to ensure that the development is a minimum distance from any existing building on the adjoining site. The proposed two storey height of the property in close proximity to No 14 would make maintenance and repair to the walls on both buildings very difficult; particularly the brickwork dormer section to the front elevation which is also noted as being inconsistent with the other similar style properties along Caldry Drive.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

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. 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 and design - 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 proposed extension would be built up to the boundary and SPD6 can require a 1.5m set back to the main frontage or to the boundary in order to prevent a terracing effect. In this case whilst the proposed extension would be built to the boundary there is a path to the side of No.14 leaving a gap between the proposed side elevation of the dwelling and the existing side elevation of No.14 and it is not considered likely that this small gap would be extended over and there is also a slight difference in levels. The adjacent No.10 has extended two storey at the side to the boundary and the character of the row is of properties in fairly close proximity. As such there are not considered to be grounds for refusal with regard to the uncharacteristic linking up of dwellings.

To the front the proposal would see the roof extended out from the main ridge linking the existing front dormer and the flat roof replaced with a monopitch roof. It would then be two storey with a hipped roof to both the first floor at the front and to the single storey to the front that would project deeper. To the rear the existing dormer would be extended across and would also have a monopitch roof. Whilst the proposed two storey side would see the front elevation extended out two storey it would be in line with the existing and extended front dormer and would not then appear intrusive in the street scene. Materials would be smooth grey concrete roof tiles and the dormer walls light grey cladding. The front and side elevation of the extension would be in a specified multi red brick and the rear elevation all rendered light grey.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

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 a drive to the front for one vehicle and this would remain and be of a length in excess of 5.5m following the extension. There may be potential for further parking to be created to the front garden if the applicant should require it. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient.

Residential amenity - The proposed two storey would run as blank wall along the side elevation to No.14, which is also blank wall, and it would not project past the front or rear elevations of this neighbouring property. The single storey at the front would project deeper however it would be the same as the existing garage was on the site. There would be a distance in excess of 7m from the proposed first floor window to the rear elevation to the rear boundary which would comply with SPD6 aspect standards.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Response to neighbour comments/objections

The issues regarding design, parking and privacy distances are addressed in the above report.

With regard to drainage then the condition attached to the planning permission at No.10 related to site specific issues. Drainage is a constructional matter which would be dealt with under Building Regulations and in this instance it is not considered reasonable to attach a pre commencement condition to the planning approval.

The proposal would extend up to the boundary however it would be within the applicants curtilage. How the applicant maintains the side wall is a matter for them to resolve.

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 12CD/1 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>
JL	25/05/22		