

DELEGATED REPORT

Report by Jane Langan	Date of report: 27/09/2023	Ref: 69970/FUL
Registration: 07/08/2023	LDfC: 14/09/2023	Expiry Date: 02/10/2023
Site Visit: 30/08/2023	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: Single storey rear extension; Loft conversion with rear dormer; Conversion of existing garage to habitable room

Location: 34 Grasmere Drive, Bury, BL9 9GB

Description

The property is a detached house located on a residential estate. It has a parking to the front where the garden is fully hard surfaced. There is a path to each side which leads round to a fenced rear garden. Beyond the rear boundary is open land and recreation area. To the west side is the vehicular access and drives to 36-42 Grasmere Drive who face towards the side of the site. To the opposite side is No.32. Its main rear elevation is set back from that to the site and it is extended single storey at the rear to the boundary side.

The application includes the conversion of the garage to an office. To the rear a single storey would come out 6.3m for 4.6m across to the west side of the rear elevation. It would form a lounge and dining room. The loft would be converted and a flat roofed rear dormer added. The additional roof space would add a bedroom with ensuite and a steam room and sauna.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

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 - To the front the alteration would see the conversion of the garage with the door replaced with a window which would be in keeping with the existing frontage.

The single storey rear extension would be flat roofed to a height of 2.66m and with 2 roof lights. Doors would be located to the rear and the side elevation into the garden. The walls would be in red brick to match the existing and with buff brick headers.

The dormer would occupy the majority of the rear roof slope. It would be set fractionally below the ridge and 0.2m back from the rear wall. The sides would have a set in 0.5m from the roof edge. Materials for the dormer walls would be black or charcoal composite cladding. The windows would be full height and the agent was asked to consider smaller ones. The applicant however wishes to maximise the light and retain the design of a 'japanese paper screen'. Given its location to the rear the dormer would not be readily visible from the main street view, but with some visibility from the playing fields to the rear, it is not considered there are any grounds for refusal with regard to design.

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 4 to 5 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 the front garden fully surfaced for parking 2 cars with a drive 6.2-6.3m and which would not be affected by the proposal. 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 single storey rear extension would be set away from the boundary with the adjacent No.32 at approximately 4.3m. The site and this neighbouring garden are north facing and fencing separates. With this and the proposed extension single storey and to a height of 2.6m there would be no significant loss of light or loss of privacy to No.32.

To the opposite side 40 Grasmere Drive would directly faces the side of the proposed single storey and there would be a separation distance in excess of 6.5m, at approximately 11.8-12.3m, and with the site fencing screening.

The plans note a door to the west side elevation would be changed to be a window to the kitchen. It would be mostly screened by the site fence and beyond is the drive into the properties to the side. This type of alteration is also generally permitted development.

There are no properties directly at the rear for the dormer to overlook.

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.

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 JK8-00, JK8-01, JK8-02A, JK8-03A, JK8-04, JK8-05 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> JL	<u>Date</u> 27/09/23	<u>Sign off Officer</u>	<u>Date</u>
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