

DELEGATED REPORT

Report by Jane Langan	Date of report: 09/11/2022	Ref: 68855/FUL
Registration: 05/09/2022	LDFC: 31/10/2022	Expiry Date: 31/10/2022
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: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey side extension and Loft conversion with front and rear dormers

Location: 100 Moorside Road, Tottington, Bury, BL8 3HR

Description

The property is a semi detached dormer bungalow. It has a garden and a drive to the front which slopes down. To the side it is extended with a single storey glazed lean to. The rear garden is fenced and there are no properties directly at the rear. The adjoining neighbour is No.102 and extended at the rear with a conservatory. To the opposite side is the unattached No.98. It sits at a higher level and with its drive along the side and a car port that leads down to a detached garage.

The application includes removing the existing side extension and replacing with a single storey that would come 1.7m out at the side from the existing rear elevation and run for 5.7m along. It would extend the kitchen and bathroom. Flat roofed dormers would be added to the front and rear roof slopes adding an ensuite and extending a bedroom.

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 - The site is located on an estate that is characterised by dormers. They are generally flat with some examples of pitched and numerous properties have added second or extended front dormers. Materials are generally upvc or tile hanging. The site currently has one front flat roofed dormer and it is proposed to add a second one. It would be level with the existing dormer and set 0.5m in from the side wall. The rear dormer would also be level to the existing and set 0.5m in. Materials are noted to be to match the existing.

The single storey at the side would be set back 3.5m from the front elevation and have a monopitch roof with a window to the side. Materials are noted as brick to match the existing. Standard matching materials conditions are added as the roof tiles are not specified and the dormer walls to the front and rear differ in being upvc and tiles. Either would be appropriate where matching.

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 plans do not note the existing rooms however the proposed plans show an extended bedroom at first floor. The side extension would extend further along the side however it would not be to any area currently used for parking, sitting behind the gated area, and the existing drive would remain. The area also has on street parking and there is public transport available. In this instance then the parking arrangements are considered

sufficient.

Residential amenity - The single storey side extension would be to the side to No.98 which is located at a higher level and has its drive and car port at the side. The site also has fencing along the boundary. As such there would be no overlooking issues.

To the rear the dormer would be to the same level as the existing one. There would be over 7m to the rear boundary and there are no properties directly at the rear.

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 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 P1, P2, P4, P3 & P5 revised plans received 26/10/22 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 proposed extension 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 materials for the walls to the front dormer hereby approved shall match those to the existing front dormer and the walls to the rear dormer hereby approved shall match those to the existing rear dormer.
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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	09/11/22	DM	14/11/2022