

DELEGATED REPORT

Report by Tom Beirne	Date of report: 19/05/2022	Ref: 68187/FUL
Registration: 28/03/2022	LDFC: 29/04/2022	Expiry Date: 23/05/2022
Site Visit: 17/05/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Garage and lobby extension at side; Loft conversion with dormer extension at side.

Location: 1 Carnforth Drive, Tottington, Bury, BL8 4DQ

Description

The application relates to a dormer bungalow on a corner plot on a residential estate of similar styled properties.

The existing garage would be demolished and a smaller replacement single pitched roof garage, constructed on a similar footprint with a single storey link between the garage and house. Brick finish to match the house.

The new flat roof dormer on the side would look over the side garden and garage with a 7.3m distance to the side boundary with No.3 Carnforth Drive. It would accommodate two additional bedrooms and be finished in grey tiles to match the roof.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 08/04/2022. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

Pre-start Conditions - N/A

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 - The proposed garage and single storey link would be modest in scale and be in keeping with the main dwelling. The new dormer would sit within the roof plane and would not be particularly prominent within the streetscape. Materials - brick and tile, to match the house are acceptable. The proposal is acceptable and complies with UDP Policy H2/3 and SPD6 in terms of visual amenity.

Residential Amenity - The garage and single storey extension raise no issues with neighbours and the dormer is set back from the side boundary by over 7m and as such does not impact on privacy. The proposal is acceptable and complies with UDP Policy H2/3 and SPD6 in terms of residential amenity.

Access - There are no highway issues arising from the proposal although the traffic team have suggested a condition relating to storage of materials within the site.

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 IM/PIEx01/A, 02, Pr01/A and 02 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 proposal 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 4 All construction materials shall be stored within the curtilage of the site to the satisfaction of the Local Planning Authority. The storage area shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	19/05/2022		