

DELEGATED REPORT

Report by Steven Gunn
Russell

Date of report: 22/07/2022

Ref:68523/FUL

Registration: 02/06/2022

LDfC: 21/07/2022

Expiry Date: 28/07/2022

Site Visit: 13/07/2022

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: Dormer extensions at front and rear

Location: 12 Croft Drive, Tottington, Bury, BL8 3HT

Description

The application relates to a true bungalow on a residential street of similar bungalows on this side of the street and two-storey semis opposite. The attached neighbour has an existing dormer extension at both the front and rear (both flat roofs), and the neighbour on the other side is as originally built. The rear boundary has small shrubs and a boundary fence approx. 1.8m high.

Planning permission is sought for dormer extensions at both the front and rear that would be entirely within the existing footprint and have a flat roof on both sides, beyond which are two-storey detached houses. Materials would match existing. There are no new side windows proposed.

There would be a separation of 7.5m to the rear boundary, although there is no new boundary treatment proposed.

Relevant Planning History

None

Publicity

Immediate neighbours notified by letter dated 30/06/2022 sent to 5 (five) neighbours. No representations were received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

NPPF National Planning Policy Framework

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

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that complements the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

In terms of scale, design, and appearance the proposed extension would be generally in-keeping with the existing house.

Situated at the front, the proposed flat roofed dormer extension would be readily visible from the public arena, although it would be adjacent to an attached bungalow with an existing very similar flat roofed dormer extension. Together the two properties would have a generally symmetrical appearance. Therefore, its design and scale is considered to be appropriate for this property and streetscene.

Situated at the rear, the proposed flat roofed dormer extension would not be readily visible from the public arena, although it would be adjacent to an attached bungalow with an existing very similar flat roofed dormer extension. Together the two properties would have a generally symmetrical appearance. Therefore, its design and scale is considered to be appropriate for this property.

SPD6 states that flat roofed dormer extensions at the front elevation should normally be avoided. However, on this occasion given that the adjacent bungalow has an existing flat roofed dormer extension on both sides, and this is a short street, the proposed design is therefore considered to be acceptable.

The proposed materials including tiles, windows (white upvc), and walls would match existing, plus felt shingles to match adjoining property.

The existing small shrubs along the rear boundary together with the existing 1.8m high fencing would further reduce the impact on the residents to the rear. In this respect the proposed extension complies with UDP Policy H2/3 and associated guidance in SPD6.

Residential amenity

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- In terms of overlooking and privacy to the rear, the 7.5m separation distance to the rear boundary from the extension is considered to be acceptable and complies with adopted guidance in SPD6.
- The proposed extension is acceptable in relation to the attached neighbour as the proposed extension would not project past the front and rear elevations and as such, the proposed extension would not have an adverse impact upon the amenity of either neighbour.
- There are no new side windows proposed.
- The neighbouring bungalow at No.14 has some ground floor windows on the side elevation, however these are all either non-habitable windows or side windows, and the gap between the dwellings would be 9m which is considered to be acceptable.
- There would be an acceptable amount of outdoor private amenity space.
- In terms of the general prominence and impact on daylight the proposed extension is set entirely within the existing footprint, would remain lower than the main roof pitch, is to the east of No.14 and west of No.10. The proposed extension would have some impact on the rear gardens but any overshadowing would not be seriously excessive above and beyond the existing situation.
- The plans indicate that all of the development would be built within the site boundaries and Certificate A has been signed. As such there should be no encroachment on to either of the adjacent neighbours' land.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways

The proposal would increase the number of bedrooms from 2 to 3 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered, which requires the proposal to provide a maximum of 3 parking spaces within this low access area. Existing on-site parking provides 1 car space, and there is additional parking available on street. Given the situation and the fact there are no changes to parking layout other than driveway width/length, it is therefore considered that the parking arrangements are sufficient.

The proposed extension would be acceptable and comply with UDP Policy HT2/4 and associated guidance in SPD11.

Conclusion

In consideration of the above, it is considered that the proposed development would be acceptable in terms of the design, and siting, of this development. As such, the proposed development is therefore considered to be acceptable and complies with UDP Policy H2/3 and associated guidance in 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 drawing D22.05.12/P02 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 plus rendering as outlined in drawings submitted on 17/03/2022.
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.
- 5 Before the first occupation of the extension hereby permitted the bathroom/ toilet windows on the front and rear elevations shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
SGR 22/07/2022			