

DELEGATED REPORT

Report by Amanda

Date of report: 06/12/2021

Ref:67675/FUL

Uhunmwagho

Registration: 18/10/2021

LDfC: 23/11/2021

Expiry Date: 13/12/2021

Site Visit: 23/11/2021

Site Notice: N/A

Press Date: N/A

Objections: 2

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Demolition of garage; Addition of first floor to property with increase in roof height; Single storey side extension

Location: 18 Hillstone Close, Tottington, Bury, BL8 4EZ

Description

The application relates to a detached bungalow which has dormers to either side of the roof and a porch to the front. There is a garage to the side which is linked to the dwelling via a canopy. There is currently parking to the front and side of the garage on site and there are gardens to the front and rear.

The proposal is to add a single storey extension to the side of the original building. It would be wider at the rear of the extension measuring a total of 7762mm wide. It would be built flush to the existing front and rear elevations and the roof would be pitched. This section of the extension would provide a store to the front, kitchen extension to the rear along with a bedroom/snug and en-suite bathroom.

At first floor level the building would be extended forwards above the porch and the internal layout is to be rearranged. The height of the ridge would be increased to add a further bedroom along with a walk in wardrobe and en-suite. According to the proposed plans the ridge height would be increased by 2145mm. The outer walls are to be rendered.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 01/11/2021 - Two objections from neighbour's at 521 and 523 Holcombe Road to the rear of site. Their concerns are noted below.

521 Holcombe Road -

We believe the proposed plan would be an overdevelopment of the current property and far too big compared to the surrounding properties, making it 3 floors and with a ridge height approx 2.5m higher than its closest neighbour. The build is out of character with the existing property and other properties on the road.

We would be overlooked and suffer loss of privacy, specifically due to the addition of a third floor. These additional windows will have a direct view into our lounge, kitchen, bedrooms and patio area.

In addition, it will block the setting sun in late Summer, early Autumn and compromise our enjoyment of our garden and patio area.

We appreciate the wish to modernise the property but ask that more consideration is given

so that it compliments the surrounding properties, the immediate vicinity and has much less visual impact.

523 Holcombe Road -

Overlooking/loss of privacy: We are currently overlooked by 1 obscured glass window from the bathroom, as such this does not cause any privacy or overlooking issues. The proposed plan would increase this to 3 clear glass windows (2 being main bedrooms) plus 1 obscured window. This is further compounded by 1 of the proposed bedroom windows being in direct line of our main lounge area.

Due to the proximity of the property to our shared boundary, our privacy would become compromised in 80% of our garden including our patio/outdoor eating area. Completely compromised in our main lounge, dining room and kitchen.

Proposed Development is over-bearing and out of scale. The existing development of Hillstone Close is made up of predominantly Dorma bungalows with low overall ridge heights. This planning application takes the property over 2.1 metres taller than its current height, and to 3 floors; this will be overbearing to the surrounding properties and completely out of scale.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/3 Extensions and Alterations

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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

Visual Amenity -

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.

Hillstone Close is predominantly made up of detached bungalows, many with dormers. and/or high level roofs with rooms in the roof space. Some of the properties along this road have two storey extensions as well and there is a variety of finishing to all the buildings included brick, cladding and render. Number 20 Hillstone Close next door has a large two storey extension adjacent to the shared boundary.

The height of the building would be increased by 2145mm. A street scene drawing included with the application shows that the extended building would be higher than no.16 to the south of the site but would be similar to no.20 to the north. The property is situated at the top of the cul-de-sac and is set well back from the highway in front. The existing gap to the side adjacent to no.18 would remain and the two storey element of the extension would be built well away from the boundary with no.20. It is noted that there are other properties on Hillstone Close that have been extended in a similar manner. With this in mind it is considered that the extended property, including the proposed render would not appear overbearing or out of character within the existing street scene.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity.

Residential Amenity -

- Numbers 521 and 523 Holcombe Road to the rear of the site would be over 20m from the rear of the proposed dwelling and there would be around 9.8m from the rear of the extension to the shared boundary with these properties. These separation distances would be inline with the requirements as set out in SPD 6 in terms of the first floor habitable room windows to be installed on the rear elevation.
- The proposed loft room windows located on the rear elevation would be to an en-suite and a walk-in wardrobe. Both of these rooms would be considered non-habitable and the bathroom would be obscurely glazed. There would be 9.8m from these windows to the rear boundary. Given that the rooms are non-habitable this separation distance would

be considered acceptable in terms of SPD 6 and they would not cause any significant detrimental impact on residential amenity to properties at the rear of the site.

- At the front the extension would be just over 12m from the front boundary which would be inline with the requirements as set out in SPD 6 so there would not be any significant detrimental impact on residential amenity at properties to the front of site.
- The proposed plan shows that the drive length to the front of the single storey extension would measure 6.5m directly forward of the extension and there would also be parking in front of the front entrance providing on site parking for up to 4 vehicles if needed. There are also no parking restrictions to the highway in front. The proposed parking would be acceptable at this location.
- There would be no windows to the side of the single storey extension and just one first floor bedroom window to the north side of the two storey section. As this window would be over 9m from the shared boundary with no.20 it would be acceptable in terms of SPD 6.
- No.16 to the south is a previously extended dormer style property (ref.37203). There are several windows in the side elevation adjacent to the shared boundary including a lounge at ground floor level and a dormer to the side which is a bedroom. According to plans for this property the lounge window at ground floor level is a secondary window to this room and as such it would carry less weight than if it were the only and an original window to this room.
- The dormer, which was an extension at no.16 already faces a dormer to the side of the roof at the application property. If the extension is built as shown this window would face on to the side elevation of the house and two smaller obscurely glazed windows. This would improve privacy levels to this room. Any impact on light to this window would be minimal due to the fact the site is due north and the existing property already overshadows this window. It is noted there have been no objections from the neighbour at no.16.
- There would be one small high level window installed on the southern elevation. As it would be high level it would not have any significant detrimental effect on privacy levels at no.16 next door.
- Although the extension would be quite large the site is also a good size and as such there would be ample amenity space remaining to the front and rear of the property. It would not result in over development of this site.

The proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties.

Response to neighbour objections -

The concerns of the neighbours have been addressed in the report above.

In terms of the impact on sun light to the rear of numbers 521 and 523 Holcombe Road there would be a separation distance of around 24m to the rear of no.523 Holcombe Road and around 28m to the rear of no.521. The increase in height to the property would be 2.145m. Given the separation distance between these properties the taller building would not have any significant detrimental impact on the path of the sunlight throughout the day and the proposal conforms to UDP Policy 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 SP01, SP02, SS01, LE01 and LE02 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in 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>
AU - 06/12/2021		DM	07/12/2021