

DELEGATED REPORT

Report by Helen

Date of report: 12/11/2020

Ref:65966/FUL

Goldsbrough

Registration: 21/09/2020

LDfC: 19/10/2020

Expiry Date: 16/11/2020

Site Visit: 24/09/2020

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Raise ridge height of roof and roof extension with single storey extension at side and rear, and two storey extensions at side and front, to include overhanging canopy. Creation of new access and parking area to front of property.

Location: 119 Cornwall Drive, Bury, BL9 9EX

Description

The application relates to a detached bungalow located on Cornwall Drive. The dwelling has parking to the side with areas of garden to the front and rear. A previous planning application at the site appears to have been partially implemented and the dwelling currently has a partial dormer to the rear. The roof has also been removed from the property.

Planning permission is sought for the construction of a part single and part two storey side extension that projects approximately 2700mm to the side of the original property. The front elevation of the two storey extension would run flush with the principal front elevation of the dwelling. To the front it is proposed to extend at two storey projecting approximately 2540mm. This extension would extend along the front of the existing property, and across the front of the proposed two storey side extension.

At the rear of the property it is proposed to construct a single storey rear extension that projects approximately 4150mm. It is also proposed to raise the ridge height of the original dwelling by approximately 1873mm. A new access, and parking are also proposed to the front of the dwelling.

The application is a resubmission of 65461 with the provision of a two storey, rather than single storey extension along the front of the existing dwelling. The proposal has been submitted with a demolition statement to show how the dwelling can be extended without the need to demolish the entire property, and includes slight modifications to the design to allow this to be possible.

Relevant Planning History

50182 - 1. the proposed works are an extension to the left hand side of the house (facing) the extension will be to the full height of the building to allow living on both ground floor and the first floor. 2. to construct dormer roof to the current bury metropolitan guidelines to the front and rear of the building, including to above the new proposed extension at front and rear. 3. to relocate the front entrance door to centralise the door between the existing right hand side ground floor window and the new proposes left hand side window. - Withdrawn - Invalid 08/09/2008

50805 - Two storey extension at side and front; single storey extension at rear; alterations to main roof - Approve with Conditions 05/02/2009

63866 - Dormers at front and rear - Approve with Conditions 18/06/2019

65139 - Demolition of existing dwelling and erection of 1 no. replacement dwelling -
Withdrawn - Invalid 25/02/2020

65246 - Demolition of existing dwelling and erection of 1 no. replacement dwelling -
Approve with Conditions 31/03/2020

65461 - Raise ridge height of roof and roof extension with two storey extension at side and single storey extensions at front, side and rear. Creation of new access and parking area to front of property. - Approve with Conditions 30/06/2020

Enforcement

16/0384 - Untidy land - 27/10/2017

17/0498 - Untidy Land - 25/02/2019

18/0172 - Untidy land and building - 18/02/2019

18/0423 - Untidy land and building - 16/09/2019

Publicity

Neighbours notified by letter dated 25/09/2020. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section - no objection.

Pre-start Conditions - None

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

SPD11 Parking Standards in Bury

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 victimization;

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.

Principle (demolition)

The application submitted includes a number of extensions, including an increase in ridge height however elements of the existing side walls, and front corners of the original dwelling have been indicated as retained. The applicant has also submitted a demolition statement to indicate how they intend to build the proposals, without removing all of the original fabric of the building.

In order to construct the proposal the applicant states they would reinstate the existing first floor joists with lateral restraint straps to brace the side walls to be retained. The roof timbers for the property are also still in place and would either be strengthened or replaced. Works to construct the internal walls would then be progressed, in order to strengthen the original structure to allow it to be extended.

This demolition/construction statement will be conditioned as part of any approval to ensure that the resulting development is an extension of the original property rather than an entirely new build dwelling. The proposal is therefore considered to be acceptable in principle.

Visual Amenity

The immediate street scene is depicted by residential properties, the majority of which are bungalows. A number of these bungalows however have had loft conversions that include the provision of dormers to the front and rear. There are a number of residential alterations visible within the street scene, as the residential estate has evolved and as such there is no longer a single cohesive style of dwelling.

It is acknowledged that the proposal would result in a dwelling that is higher than the neighbouring bungalows. The site however is located on the inside bend of a corner, and at the end of a row of properties. Larger properties, located on corner plots tend to hold the corner and as such it is considered that the proposal would not appear overly intrusive within the context of the street scene.

The proposed alterations would result in a property that is considered to be of a suitable scale, with windows and doors appropriate aligned. The front canopy adds some interest to the street scene and would replicate the porch additions visible within the wider context of Cornwall Drive. Whilst the building materials within the wider street scene are largely restricted to facing brickwork, and red tiles the use of render, grey roof and tiles is not uncommon within a residential setting and as such is considered acceptable in this instance.

In this instance it is considered that the proposal would not have a detrimental impact on the character of the street scene, or neighbouring dwellings and would therefore comply with UDP Policy H2/3 and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- Proposed side ground floor bedroom window would face towards the side gable of No. 1 Hampshire Close and would be screened by existing boundary treatments. An informative will be included to state that this window will not be protected should the neighbouring property extend in the future.
- Proposed first floor side windows facing towards No. 1 Hampshire Close relate to non-habitable rooms (ensuite, landing) and are therefore considered to be acceptable.
- Proposed first floor rear bedroom windows would be located approximately 9.6 metres from the directly facing rear boundary exceeding the 7 metres required by SPD 6.
- Proposed rear ground floor windows would be screened by existing boundary treatments.
- Proposed ground floor side windows facing towards the boundary with No. 2 Wiltshire Close relate to non-habitable rooms (WC/Cloak, Bathroom and utility) and are therefore considered to be acceptable.
- Proposed first floor side window facing towards No. 2 Wiltshire Close relates to a non-habitable room (bathroom) and is therefore considered to be acceptable.
- Proposed front ground floor and first floor windows would have a direct onward view of a road, rather than residential properties. Any views of residential properties would be at an angle and separated by a road. These windows are therefore considered to be acceptable.
- Proposed front extension would not project beyond the front of No. 1 Hampshire Close.
- Proposed front canopy would have open sides and as such limited impact.
- Proposed ridge height increase would create a two storey wall that projects more than 1 metre beyond the rear of No. 1 Hampshire Close (approximately 2 metre projection). Proposed rear wall would not impact on a 45 degree line as taken from the 1 metre point on the boundary with No. 1 and as such complies with guidance.
- Proposed single storey rear extension would project more than 3 metres beyond the rear of No. 1 Hampshire Close but would not impact on a 45 degree line as taken from the mid point of the nearest ground floor window of this property and therefore complies with SPD 6.
- Proposed single storey extension would be located approximately 10.6 metres from the rear elevation of No. 2 Wiltshire Close exceeding the 6.5 metres required by SPD 6.

Highways and Parking

The proposal seeks to use an existing dropped kerb access and create a new dropped kerb access to the front and side of the property. Traffic Section have been consulted as part of the application and as part of a condition discharge in relation to the dropped kerb relating to application 65461 and have raised no objections to the amended access arrangements. As such the proposal is considered comply with UDP Policies Policy H2/3 and SPD 6.

The proposed extensions would result in a dwelling that would have 5 bedrooms. SPD 11 requires a maximum of 3 parking spaces for proposed dwellings with more than 4 bedrooms. 3 parking spaces have been shown on the submitted site plan. The proposal is therefore considered to comply with UDP Policies Policy H2/3, SPD 6 and SPD 11.

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 MA3-00, MA3-01, MA3-02, MA3-03, MA3-04, MA3-05 and MA3-06 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 Before the first occupation of the extensions hereby permitted the first floor side windows 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.
- 4 The formation of the new vehicular access and driveway indicated on the approved plans, incorporating the provision of a footway crossing, 5.0m minimum length driveways in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adjacent adopted highway, and all associated footway remedial works abutting the site required as a result of the proposed development, shall be implemented to the specification agreed under Condition 4 of application 65461 prior to the extensions hereby approved being occupied/access and driveway hereby approved being brought into use.
Reason. To secure the satisfactory development of the site in terms of highway safety and maintain the integrity of the adopted highway 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 The extensions hereby approved shall be constructed in accordance with the details set out within the Demolition Statement submitted on the 25th September 2020.
Reason: To ensure satisfactory extension of the original structure 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>
HG	12/11/2020	DM	12/11/2020