

DELEGATED REPORT

Report by Amanda

Date of report: 21/02/2025

Ref:71463/FUL

Uhunmwagho

Registration: 21/12/2024

LDfC: 21/02/2025

Expiry Date: 15/02/2025

Site Visit: 13/02/2025

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at rear; Enlargement/extension of existing rear dormer and extension of existing front dormer

Location: 4 Lowes Road, Bury, BL9 6PJ

Description

The application relates to a semi-detached bungalow with dormers to the front and rear of the roof. At the front there is a small garden with some planting to the front boundary and there is a driveway for one vehicle. There is also a garage at the property. Access to the rear garden is via a path to the side of the house.

At the rear there is small patio area with a lean-to covered area. Beyond that is a long garden with fences to all boundaries. At the end of the garden is an area of decking and also a shed. Beyond the rear of site are the grounds of Chesham Primary School.

The proposal is to extend the front and rear dormers and also add a single storey rear extension. The rear extension would project 3500mm from the original rear elevation of the house and it would measure 8245mm wide. It would have a flat roof with two flat rooflights.

The front dormer would be widened across the front. It would be finished with white upvc cladding to match the existing dormer. At the rear the proposed dormer would be extended out towards the rear elevation. It would also be finished with white upvc cladding to match the existing dormer materials.

Relevant Planning History

N/A

Publicity

2 neighbours notified on 16/01/2025 and 2 additional neighbours notified on 30/01/2025 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions -Not relevant.

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

PFE Places for Everyone

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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.

Lowes Road is made up of dormer bungalows to the south side and two storey properties on the north. All of the bungalows have dormers to the front and/or rear and all, except numbers 4 and 6 have extended the front dormers. The front dormer would be extended to the side and it would not be any further forward than the existing front dormer. As such it would not cause any significant detrimental harm to the character of the existing streetscene.

The existing rear dormer would be widened and also increase in size, bringing it out at the rear. It is noted that this part of the development could be undertaken as permitted development and that there are dormers to the rear of neighbouring dwellings. No.8 Lowes Road has a similar rear dormer and extension to what is proposed.

The proposed single storey rear extension would be built with materials and a design that would be considered acceptable in this location and as it would be to the rear of the dwelling it wouldn't be visible in the public realm. The design of the proposal is considered to be in keeping with the existing building.

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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- Directly to the rear of the site are the grounds of Chesham Primary School only. There are no residential properties to the rear of the site.
- Properties to the front of site would be a sufficient distance from the extended dormer not to have any significant detrimental impact on residential amenity at those properties.
- There would be no new windows to either side elevation and there would be no windows in the side elevations of the proposed rear extension.
- The front dormer extension would be set back up on the roof to the same point as the existing dormer. As such it would not have any significant detrimental effect on residential amenity at both of the adjacent properties.
- The rear dormer would be extended out and to the side, bringing it closer to no.6 next door. However, as it would not project beyond the original rear elevation of the dwelling it would not have any significant detrimental impact on residential amenity at this property.
- The single storey rear extension would project 3500mm from the original rear elevation. This would be 500mm more than what would normally be acceptable in respect of single storey rear extensions on attached properties, according to SPD 6. However, as the neighbours have not objected to the proposal the projection of 3500mm would be considered acceptable under the Larger Homes Scheme.
- The drawing shows that the rear extension would be around 100mm away from the shared boundary with no.2 to the west and around 846mm away from the east boundary with no.6.
- There would be over 20,000mm from the rear elevation of the extension to the rear boundary.

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.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the drive at the front of 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 D24.11.15/P01, D24.11.15/P02 and D24.11.15/P03 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 in terms of visual amenity, and Places for Everyone Joint Development Plan listed.
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- 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 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>
AU - 21/02/2025		DM - 21/02/2025	