

**DELEGATED REPORT**

**Report by** Amanda

**Date of report:** 16/06/2025

**Ref:**71837/FUL

Uhunmwagho

**Registration:** 25/04/2025

**LDfC:** 21/05/2025

**Expiry Date:** 20/06/2025

**Site Visit:** 03/06/2025

**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:** Single storey extension at side; first floor extension over existing garage incorporating front & rear dormers

**Location:** 7 St Austell Drive, Tottington, Bury, BL8 4EY

**Description**

The proposal relates to a detached bungalow with an attached garage to the side and a single storey extension to the opposite side. There is a garden to the front with a short wall along the front boundary and a driveway for two to three vehicles. There is a hedge and other planting along the shared boundary with no.5 St Austell Drive.

At the rear there is a private garden with fencing and planting to all boundaries. There is also a timber hut at the end of the garden.

The proposal is to build a single storey side extension, first floor side extension above the existing garage incorporating front and rear dormers. The front dormer would be pitched whilst the rear dormer would be flat to match the existing dormer on the rear of the dwelling. The first floor side extension would be built to the same height as the existing ridge.

**Relevant Planning History**

N/A

**Publicity**

7 neighbours notified on 30/04/2025 - No comments or objections received.

**Statutory/Non-Statutory Consultations**

None

**Pre-start Conditions** - Not relevant.

**Development Plan and Policies**

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

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.

The proposed extensions would be built with a design and finished materials that would be considered to be in keeping with the existing building. The front dormer would be pitched and would not occupy a large amount of the roof space. As there are many different styles of properties in this area it would not have any significant detrimental impact on the character of the existing streetscene,

The rear dormer would not be visible in the public realm at all and it would be a similar design to an existing flat roof rear dormer on the property. The design of the proposal is considered acceptable in this location.

The materials are to be conditioned to match the materials of 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 -**

- There would be no windows to the side elevation of the extension to the west of the existing dwelling.
- On the east side an existing ground floor window would be replaced with a new window in a similar position. As the garage would be retained at ground floor level the new window would not have any more of an impact on residential amenity than the existing window does now.
- The drawings show that the whole of the development would be built well within the site boundaries and there would be no concerns regards encroachment.
- Views from the front and rear dormers would not have any direct views over adjacent properties and gardens and the distance to properties and gardens to the front and rear of the site would be acceptable.
- The proposed extensions would not impact existing parking arrangements within the 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.

**Parking -**

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. This can then require the proposal to provide a maximum of 2 parking spaces.

Parking would be as existing to the front drive which would be unaffected by the development and there is space for 2 to 3 vehicles. The area has on street parking and there is public transport available nearby. In this instance then the parking arrangements are considered sufficient.

**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.

## **DELEGATED REPORT**

- 2 This decision relates to drawings numbered 1 of 3, 2 of 3 and 3 of 3 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

- 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.

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|---------------------|-------------|-------------------------|-------------|
| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
| AU - 16/06/2025     |             |                         |             |