

DELEGATED REPORT

Report by Helen Leach	Date of report: 30/08/2022	Ref: 68642/FUL
Registration: 01/07/2022	LDFC: 30/08/2022	Expiry Date: 26/08/2022
Site Visit: 23/08/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension

Location: 79 Bury New Road, Ramsbottom, Bury, BL0 0BZ

Description

The application site relates to a semi-detached dwelling, which is constructed from red brick with a slate roof. The property has been extended at the side by two storeys and there is a single storey extension at the rear along the boundary with No. 77. Vehicular access is via Fletcher Close and there is a garage in the rear garden.

The site is bounded by residential properties to all boundaries, including the dwellings to the north, which are under construction.

The proposed development involves the erection of a single storey rear extension. The proposed extension would connect to the existing single storey rear extension and would be constructed from brick with a flat roof and roof lantern.

Relevant Planning History

51967 - Two storey extension at side at 79 Bury New Road, Ramsbottom. Approved with conditions - 30 December 2009

Adjacent site

60370 - Outline - residential development including means of access only at land to west of Manchester Road, Ramsbottom. Approved with conditions - 22 November 2016

63617 - Reserved matters application relating to outline planning application - 60370 for the erection of 35 no. dwellings with approval sought for the remaining matters at land to west of Manchester Road, Ramsbottom. Approved with conditions - 14 June 2019.

Publicity

The neighbouring properties were notified by means of a letter on 8 August 2022.

Statutory/Non-Statutory Consultations

None required.

Pre-start Conditions - Applicant/Agent [Not relevant/has/has not] agreed with pre-start conditions

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
EN1/2	Townscape and Built Design
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 - 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 rear extension of is a simple and unobtrusive design that would not overwhelm the dwelling. The proposed extension would have patio doors in the rear elevation, which would be acceptable and the proposed openings would be suitably aligned. The proposed extension would be constructed from brick with a flat roof, which would match the existing dwelling. The proposed extension would be located at the rear and would be partially visible from Fletcher Close. However, the proposed extension would be at a lower level and the overall design would be acceptable. The proposed extension would not have a detrimental impact upon the character of the dwelling and would not be a

prominent feature in the streetscene. Therefore, the proposed development would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

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

- The proposed extension would project 3 metres, which would comply with the guidance in SPD6.
- The proposed extension would not project past the existing single storey rear extension and would not have an adverse impact upon the occupiers of No. 77 Bury New Road.
- There would be at least 13 metres between the proposed extension and the blank gable of No. 1 Fletcher Close, which would be acceptable.

Therefore, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

Highways issues - The proposed development would not impact upon the existing access to the driveway and garage at the rear of the property. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and 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 drawings numbered Location plan, 1, 2 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.
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>
HL - 30/08/2022			