

DELEGATED REPORT

Report by Amanda

Date of report: 04/04/2025

Ref:71616/FUL

Uhunmwagho

Registration: 14/02/2025

LDfC: 13/03/2025

Expiry Date: 11/04/2025

Site Visit: 07/03/2025

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: Decking at rear; Alterations to existing garage roof.

Location: 51 Bury New Road, Ramsbottom, Bury, BL0 0BZ

Description

The application relates to a red brick semi-detached house on Bury New Road, Ramsbottom. At the front there is a garden area a red brick wall along the front, side and rear boundaries. There is a garage attached at the side which is accessed from the rear of the site. At the rear the garden area is mostly paved and there is a fence along the shared boundary with no.53 Bury New Road, attached to the application property.

The applicant originally proposed to add a driveway and new access at the front of the site, from Bury New Road, but as the Highways officer advised they would not support this part of the proposal, or a new dropped kerb, they removed this part of the development from the proposal.

The proposal is to add decking at the rear and add a mono-pitched roof to the existing garage. The decking would be accessed from the existing dwelling and it would measure 650mm from ground level at its highest point and there would be a 1100mm high railings, according to the proposed drawing. A trellis measuring 1800mm high would be added to the top of the existing fence along the length of the decking, to ensure privacy is protected at the adjoining property.

The proposed garage would be built up at the rear by 1230mm and the roof would slope down away from the main dwelling.

Relevant Planning History

N/A

Publicity

4 neighbours were notified on 19/02/2025 - No objections were received and one neighbour wrote the following in support of the original proposal.

- I would support the front drive way as at present it is very difficult for my family and I to leave and enter our property due to the cars parked outside number 51 Bury New Road by the applicant's family.
- The decking and change to the garage roof I would also support. However, I would like to be consulted about the fence height between our properties once the decking is in place as I know this will bring up the height of the floor outside their back room where the decking will be.

Statutory/Non-Statutory Consultations

Traffic Section - Objected to the original plans submitted. The applicant has since removed

the proposed works to the front of the site, so the existing parking arrangements would not change.

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.

The change of roof design to the side garage/store would be constructed using materials and a design that would be considered to be in keeping with the existing building.

The decking at the rear would not project beyond the rear elevation of the dwelling and as such would be set well back from the rear boundary. It would be constructed using materials that would be expected in terms of decking. As it would be to the rear of the dwelling it would not be readily visible in the public realm. The design of the proposal is considered acceptable in this location.

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 -

- The only change to the garage/store at the side of the house would be the change from a flat roof to a mono-pitched roof. The building would remain well away from the shared boundary with no.49 Bury New Road, so there would not be any concerns about encroachment at this property.
- At the front the only change would be the roof height increase. This would not have any significant detrimental on residential amenity at properties to the front of the site, on the opposite side of Bury New Road.
- There are no properties directly to the rear of the site.
- The proposed decking would be built on the rear of the dwelling and it would project 3885mm and would measure 4060mm wide (according to the drawings). As the property has a higher floor level compared to the outside area the decking would measure 650mm high and it would have steps to the rear leading down to the garden area. The fence along the shared boundary would be increased to 1800mm high in order to retain privacy levels between users of the decked area and the property and garden and no.53 Bury New Road.
- No.53 has patio doors and patio area directly adjacent to where the decking would be erected and there is a garden area to the rear. The neighbour at no.53 has not objected to the proposal. The proposed height of 1800mm would be acceptable in terms of SPD 6 and a condition would be added to the decision to ensure it is erected as proposed in order to maintain privacy levels between the two properties.

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 rear of the site.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 ZT24-196-00, ZT24-196-01, ZT24-196-02, ZT24-196-03, ZT24-196-04, received on 04/04/2025 as modified by the email from Thorp Design Services Ltd dated 04/04/2025. The development shall not be carried out except in accordance with the details 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.
- 4 Before the first occupation of the decking hereby permitted the boundary fence along the length of the decking shall be increased to 1.8m high 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 04/04/2025			