

DELEGATED REPORT

Report by Mo Warsame	Date of report: 11/07/2024	Ref: 70744/FUL
Registration: 17/05/2024	LDfC: 14/06/2024	Expiry Date: 12/07/2024
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 2	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two Storey Side Extension to include garage; Front canopy; Single Storey Rear Extension; Loft Conversion with rear dormer

Location: 18 Kendal Road, Ramsbottom, Bury, BL0 9SP

Description

The property is a semi-detached house situated on a corner plot. The site is on a large triangular shaped plot with green gardens to the side and rear along with a paved yard to the front. The attached property is No.16 Kendal Road and on the opposite side and to the rear, the site shares boundaries with properties from Holcomb Court.

Planning permission is sought for two storey side; single storey side/rear extension; loft conversion with rear dormer and the erection a front canopy.

The two-storey side extension would project 3015 mm to the side and run to the principal rear elevation. To the rear, the proposed single storey rear extension would project approximately 3000 mm from the original rear elevation and would align with the single storey side extension that would exist in-between the two-storey side extension and the single storey rear extension. The proposed rear dormer would have a flat roof and would be constructed within the footprint of the existing roof. The two-storey side extension would also have a pitched roof, while the single storey elements would have a flat roof with roof light. The proposal would accommodate a garage and utility area along with a open-plan kitchen/diner and living on the ground floor level. The proposal would facilitate an additional bedroom with en suite bathroom and walking in wardrobe on the first floor. There would be two additional bedrooms and a separate bathroom on the second floor.

Relevant Planning History

21/0044 - Untidy land and building - 25/01/2022

Publicity

Neighbour letters sent. Two objections received.

Comments

There are concerns regarding the proposed use of plain concrete grey roof tiles on one half of the semi-detached building as the objecting party believe it could be detrimental to the overall look and balance of the semi-detached properties. There is also a concern in regards to the single storey rear extension winch the objecting party believe would cause loss daylight sunlight.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Development Plan and Policies

H2/3 Extensions and Alterations

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), 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.

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.

SPD 6 seeks to prevent two storey side extensions from causing a terracing effect by requiring a first floor 1.5 metre set back to the main frontage or to the boundary. In this instance there would be sufficient distance to the side boundary and beyond there would be a public highway as this site is located on a corner plot. It is considered that the proposal would not lead to the uncharacteristic terracing and as such would be acceptable.

The proposed two storey side extension would have a pitched, gable roof that would match the existing roof of the original dwelling. The proposed dormer would have a flat roof which is a common feature in this area. Furthermore, the proposed dormer would not be visible from the street scene at front of the house and would therefore be acceptable.

The proposed single storey side/rear extension and the proposed canopy at the front would both have a simple and unobtrusive design that would not be overly dominant. The proposed windows and doors would be suitably aligned. The use of in-keeping materials is also considered to be acceptable. Overall, the proposed extensions would be of a suitable scale and massing and would not result in the over development of the associated residential amenity space.

Given the above, it is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene, nor create terracing effects 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.

- Properties to the front and rear would be over 20 metres away and the site is located on a corner plot, therefore there would be sufficient distance to the neighbouring properties to the west.
- SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule should be applied. Given, the proposed development would extend no more than 3 metres to the rear, it would be considered acceptable. Furthermore, the extension would have no proposed side windows.
- The proposed two-storey side extension would not project beyond the principal rear elevation and therefore there would be no detrimental impact on the attached neighbours. Moreover, in terms of overlooking and privacy there would be no proposed side windows.
- The proposed dormer extension would be built entirely on the existing footprint of the property. The proposed dormer would not have windows to the sides. Furthermore, number of properties within this street have similar development approved. Therefore, the proposed rear dormer extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.
- The proposed porch/canopy would be a modest structure that would not interfere with the existing parking arrangements

Overall, there would be no serious impact on amenities of the adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Parking

The proposal would not affect the existing parking arrangements above and beyond the recent the existing situation.

Response to Objections

The agent have confirmed that they will now use rosemary tiles which would be acceptable. As mentioned on the report above, SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule should be applied. Given, the proposed development would extend no more than 3 metres to the rear, it would be considered acceptable and as such, there would be no detrimental impact on the sunlight/daylight currently enjoyed by the adjacent neighbour. Furthermore, the rear extension would have no proposed side windows.

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 Dwg no: 001, Dwg no: 002, Dwg no: 003, Dwg no: 004, Dwg no: 005 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 roof finishing materials for the proposal hereby approved shall be rosemary tiles, superseding the information submitted on the planning application form.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	11/07/2024	DM -	11/07/2024