

DELEGATED REPORT

Report by Tom Beirne	Date of report: 21/12/2023	Ref: 70246/FUL
Registration: 13/11/2023	LDFC: 15/12/2023	Expiry Date: 08/01/2024
Site Visit: 21/12/2023	Site Notice: 21/11/2023	Press Date: 23/11/2023
Objections: 0	Con Area: SUMM	Adv Type: CA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extension at rear, first floor Juliet balcony at rear and changes to existing door and window frame colour

Location: 14 Higher Summerseat, Summerseat, Ramsbottom, Bury, BL0 9UG

Description

The application relates to a large two storey detached house with integral garage on a residential road of similar sized dwellings. The building is a substantial dwelling, finished in reconstituted stone, with feature stone quoins to external corners and window/door surrounds. The roof has a grey slate finish. All windows and doors to the property are light brown uPVC framed fittings.

The application property and neighbouring property, No. 16, were constructed as part of the same bespoke development and are near replicas, both mirroring each other from the street scene and they share driveway access from Higher Summerseat highway. The shared access to the west leads to the open car parking area where 4No cars are able to be parked to each dwelling. There is a large garden/patio to the rear of the dwelling with a dense boundary hedgerow. To the east of the garden is open agricultural land.

The proposed works are to the rear of the dwelling, comprising:

- A single storey flat roof ground floor extension projecting 3m out from the rear elevation. Finished in reconstituted stone to match the house.
- The incorporation of a Juliet balcony at first floor/rear.
- It is also proposed to change the colour of the existing window and door frames to the entire property to a grey.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 15/11/2023. Site notice and press notices posted 21st and 23rd November respectively. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection.

Pre-start Conditions - N/A

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
EN1/1	Visual Amenity
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
OL1/2	New Buildings in the Green Belt

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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.

Heritage - Given the modest nature of the proposal and the siting of the extensions, there would be no detrimental impact on the heritage value of the site and surroundings. As such, the proposal would preserve the character of the Summerseat Conservation Area and comply with UDP Policies EN2/1 and EN2/2 and related guidance on conservation areas.

Visual Amenity and Green Belt - All the proposed extension works are located to the rear of the dwelling and will not be readily visible from Railway Street and as such there would no negative impact on the existing street scene. The scale of the development would not have a seriously detrimental impact on the openness or character of the Green Belt.

The change in window colour would be permitted development. In any case the proposed grey colour would be acceptable and be in keeping with the existing house.

The design of the extensions are in keeping with the existing rear façade and all materials would match the existing dwelling. In terms of visual amenity the proposal is acceptable and complies with UDP Policy H2/3 and guidance in SPD6.

Residential amenity - Given the size and nature of the proposed extension in relation to the neighbours on either side, there are no serious residential amenity issues arising. The proposed juliet balcony, looking down the applicant's own garden, would not result in any significant increase in overlooking over and above a window that could be opened. The proposal is acceptable and complies with UDP Policy H2/3 and guidance in SPD6 in this respect.

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 001, 002, 003, 100, 101 and 102 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 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>
Tom Beirne	21/12/2023		