

DELEGATED REPORT

Report by Helen Pressley	Date of report: 05/05/2023	Ref: 69449/FUL
Registration: 24/03/2023	LDfC: 02/05/2023	Expiry Date: 19/05/2023
Site Visit: 04/05/2023	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: Variation of condition no. 2 (approved plans) of p/p 69043 to change the colour of the render to off white, colour of the window to clay and timber detailing to bay windows; introduction of 2 no. first floor side windows; amendments to existing front first floor bay window; retention of existing chimney; introduction of ground floor side window in rear extension; amendments to the first floor rear window arrangements.

Location: 20 Longsight Road, Ramsbottom, Bury, BL0 9TD

Description

The application relates to a bay fronted, detached property on Longsight Road. The property has gardens to the front and rear. A driveway is located to the side of the premises.

Planning permission has been granted for the construction of a single storey side extension that projects approximately 3159mm to the side of the existing dwelling. To the rear it is proposed to constructed a single storey extension that projects approximately 3000mm. A new pitched roof is shown above the existing side/rear two storey extension. Alterations to the existing windows are also proposed with an amendment to the first floor and ground floor rear window arrangements, and removal of existing side windows.

A variation of condition no. 2 (approved plans) of p/p 69043to change the colour of the render to off white, colour of the windows to clay and timber detailing to bay windows; introduction of 2 no. first floor side windows; amendments to existing front first floor bay window; retention of existing chimney; introduction of ground floor side window in rear extension; amendments to the first floor rear window arrangements.

Reference 69354 is a lawful development certificate for a first floor extension that is being considered separately.

Relevant Planning History

69043 - Single storey side and rear extensions; New pitched roof over existing two storey flat roofed extension; Alterations to existing windows; Render to new and existing walls - Approve with Conditions 25/01/2023

69119 - Erection of 1 no. dwelling - Withdrawn by Applicant 07/02/2023

69354 - Lawful development certificate for existing first floor extension projecting 3m from existing building line - Lawful Development

17/0287 - Not built in accordance with approved plans (bin stores) - 04/07/2017

23/0059 - Not built in accordance with approved plans of planning permission 69043 (two storey extension being added) - 27/02/2023

Publicity

Neighbour letters sent 24/03/2023. No representations received.

Following receipt of amended plans and an amended description further neighbour letters sent 21/04/2023. No representations received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary 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) 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 side extension would have a pitched, gable style roof replicating the shape and style of the original dwelling. The single storey extension to the rear would have a flat roof, with parapet wall detailing however this would not be visible from Longsight Road and is therefore considered to be acceptable. In relation to the new roof to the existing two storey side/rear extension SPD 6 confirms that the conversion of existing flat roofs is generally considered to be acceptable and the proposed roof would respect the shape and style of the original property and is therefore acceptable in this instance.

The alterations to the proposed window arrangements are located to the rear of the rear and side of the property and would not detract from the overall character of the dwelling. Windows, and doors within the proposed extensions are considered to be suitably aligned. The gable detailing, and existing bay windows to the front of the property would be retained, with the height of one of the original bay windows being amended from the originally approved scheme. This increase in height would have limited impact on the overall character of the front elevation and is therefore considered to be acceptable. The retention of the existing chimney is considered appropriate and will help to maintain the character of the original property. The overall scale of development is appropriate and would not overwhelm the original dwelling or result in over development of the associated residential amenity space.

The use of render for the external elevations is considered to be acceptable. and the amendment of colour to off white with clay windows and timber detailing to bay windows are considered to be acceptable alterations.

It is therefore considered that the proposal complies 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.

The proposed single storey rear extension would not project more than 3 metres beyond the rear of No. 22 as extended, and is sited approximately 7.4 metres off the shared boundary. The proposed single storey side extension would be located adjacent to the access road and blank ground floor side elevation of the flats at Valley Court. The proposed new pitched roof would be sited above an existing two storey rear/side extension. Due to the locations of the proposed extensions, it is considered that the proposal would comply with guidance as set out within SPD 6 and would not be unduly overbearing.

Whilst the arrangement of the proposed first floor rear habitable room windows has been altered from the originally approved scheme they would still be located approximately 32.6 metres from the directly facing rear boundary exceeding the 7 metres required by SPD 6. No balcony is proposed, with the flat roof of the proposed single storey extension broken up by the insertion of roof lights/lanterns to prevent use of this area. Due to the nature of rooflights no overlooking foreseen. The proposed side first floor windows would relate to non-habitable rooms (ensuite) and therefore aspect standards have not been applied.

The side window within the proposed single storey rear extension would be a secondary window, screened by the side boundary fence with No. 22. The proposed rear ground floor

windows would be partially screened by the existing rear boundary fencing and are located a minimum of approximately 29.6 metres from this boundary. Whilst noted that screening provided by trees and planting has been removed from the site the proposal complies with aspect standards as set out within SPD 6 and as such the requirement for further screening is not supported by policy.

The amendments to the front bay window, would not extend the existing habitable room windows any further forward than the existing windows and is therefore considered to be acceptable.

It is therefore considered that the proposal complies with UDP Policy H2/3 and SPD 6.

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 000 Rev A, 001, 002, 003 received 21st April 2023 and 004 received 21st April 2023 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	05/05/2023	DM	05/05/23