

DELEGATED REPORT

Report by Tom Beirne	Date of report: 27/02/2024	Ref: 70271/FUL
Registration: 09/01/2024	LDfC: 31/01/2024	Expiry Date: 05/03/2024
Site Visit: 27/02/2024	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension; Loft conversion with front and rear dormer extensions and Hip to gable roof extension

Location: 32 Victoria Street, Ramsbottom, Bury, BL0 9ED

Description

The application relates to a white rendered bungalow with hipped roof on a residential road with a mix of single storey and two storey render, brick and stone properties. At the rear on Earl Street there are two storey semi-detached houses which are set up on higher ground. There is a small single storey outrigger at the rear and the rear garden measures approximately 8m from the original rear elevation. The site is not within the Ramsbottom Conservation Area but the boundary runs along the opposite side of Victoria Street.

The proposal which is effectively an amendment to a previous approval for a similar scheme, has four elements, the hip to gable extension, dormers on the front and rear roof planes and the single storey extension at the rear.

The dormers on the extended roof would extend across the roof, leaving a gap of approximately 300mm to the side. They would be set down from the ridge and up from the eaves in a similar fashion to the dormers on the attached neighbour. The rear extension would project out 2.5m at the rear and run across the rear elevation (6.2m) is in a similar position to the existing single storey rear outrigger. The dormers would be clad in tiles to match the roof of the property and the extensions would be rendered to match the house.

Work has commenced on the property in line with the previous approval.

Relevant Planning History

66557 - Single storey rear extension; Front and rear dormer extensions; Hip to gable roof extension - Approve with Conditions 01/04/2021

Publicity

Immediate neighbours notified by letter dated 09/01/2024. One objection from a resident to the rear with concerns about privacy and overlooking.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

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, 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.

Visual amenity - Although the front dormer with the flat roof is not particularly attractive, it would mirror the similar styled dormer on the attached neighbour and others along this side of the road therefore is considered appropriate in this context.

The hip to gable has been approved previously and is considered acceptable and mirrors the gable on the other side of the pair of semis. At the rear the dormer and single storey extension are similar to what has been previously approved and would not be prominent

when viewed from the public arena.

The single storey rear extension is similar to what has been approved already and would be modest enough to leave sufficient garden space for future residents and avoid overdevelopment.

In terms of visual amenity, the proposal is considered acceptable and complies with UDP Policy H2/3 and SPD6 in relation to domestic extensions.

Residential amenity - Given the modest single storey extension, projecting out only 2.5m, the neighbours on either side are not seriously impacted

It is noted that the rear dormer windows would face across the rear garden to the rear boundary approximately 8m away, with the rear elevations of the houses at the rear 16m away. Whilst the privacy issues raised by the neighbour to the rear are material planning matters, the distance to the rear boundary are deemed acceptable and compliant with government guidance. The revised rear dormer is a similar size to that previously approved but now only has one bedroom window facing to the properties at the rear. This is an improvement over the previously approved plan.

It is also noted that the applicant could construct a rear dormer out from the original roof under permitted development, with a bedroom window facing the properties at the rear, without planning permission. It is noted that the attached neighbour, along with other properties along the road have 'permitted' dormers at the rear.

The revised scheme is in line with government advice and considered acceptable in terms of guidance in document SPD6.

In terms of residential amenity, the proposed extensions are considered to be acceptable and compliant with UDP Policy and guidance.

Objection - The issues raised by the objector have been addressed in the above report.

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 D1171/23/01, 02, 03A, 04, 05 and 06 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> Tom Beirne	<u>Date</u> 27/02/2024	<u>Sign off Officer</u>	<u>Date</u>
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