

DELEGATED REPORT**Report by** Amanda**Date of report:** 26/08/2022**Ref:**68520/FUL

Uhunmwagho

Registration: 06/07/2022**LDfC:** 29/07/2022**Expiry Date:** 31/08/2022**Site Visit:** 26/08/2022**Site Notice:** N/A**Press Date:** N/A**Objections:** 0**Con Area:****Adv Type:** N/A**Reason for Delay:****EIA:** NA

N/A

Dec Level: DEL**Stat Class:** HOUS

Proposal: Demolition of existing garage and erection of single storey extension at side / rear including new garage

Location: 9 Carr Bank Drive, Ramsbottom, Bury, BL0 9DG

Description

The application relates to a two storey semi-detached property on Carr Bank Drive, Ramsbottom. The property is situated at the end of a cul-de-sac and the site is surrounded by lots of planting and trees, mainly to the south side of the site. The land on site is higher to the front and it drops down at the rear. There is a flat roof garage to the south of the property which is much lower compared to the ground level of the main dwelling. Access to the rear garden is via a path between the dwelling and the garage with steps leading down to the garden at the rear.

The proposal is to build a single storey side and rear extension as well as a new garage. To the front the extension and garage would have an overall width of 6.18m and at the rear the width would measure 8.31m. The overall length of the extensions would be 10m. The garage roof would be flat and there would be pitched roofs to the single storey side and rear extensions.

The existing garage height is 2.33m at the front and 3m to the rear. This would be increase to 3m at the front and 4.4m at the rear. The single storey side extension would have glazing to the side gable and there would be one rooflight to the rear. There would also be an access door to the rear garden from the proposed single storey rear extension.

Relevant Planning History

63778 - Single storey extension at front, side and rear with raised terrace area at rear and porch at front - Approve with Conditions 16/04/2019

64957 - Non-material amendment following grant of planning permission 63778 for single storey extension at front, side and rear with raised terrace area at rear and porch at front: Change to roof. Now features a window in the gable end - Approve with Conditions 12/12/2019.

Publicity

Neighbours notified on 08/07/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

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.

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 design of the proposal is considered to be in keeping with the existing building and as such it would not appear out of keeping in the existing streetscape.

Given its position at the very end of the cul-de-sac and the fact that the land slopes down from the front of the site to the rear the height of the garage extension to the side would not appear overbearing in the existing streetscape. 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.

Residential Amenity -

- The proposed development would be a sufficient distance from neighbouring properties and gardens not to have any significant detrimental effect on residential amenity at these properties.
- The only opening that would face no.7 to the north of site would be an access door. As this would be to a hallway only and taking in to account how much lower the rear gardens of these properties are compared to the dwellings there would be no significant detrimental effect on residential at no.7 next door.
- The plans show that all of the proposed extensions would be built within the curtilage of the site.
- Any views from the rear extension would be over the applicant's own garden and not directly over neighbouring gardens.

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 garage and drive way in front.

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 the drawings received on 08/07/2022 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and

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Extensions to Residential Properties.

- 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 26/08/2022			