

DELEGATED REPORT

Report by Mo Warsame	Date of report: 22/11/2022	Ref: 68660/FUL
Registration: 29/09/2022	LDfC: 28/10/2022	Expiry Date: 24/11/2022
Site Visit: 07/11/2022	Site Notice: N/A	Press Date: 06/10/2022
Objections: 0	Con Area: SUMM	Adv Type: LBCA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Conversion of garage to garden room and the addition of new windows/doors to front and side elevations

Location: 239 Summerseat Lane, Ramsbottom, Bury, BL0 9UL

Description

The application property is a two storey building within the Summerseat Conservation Area. The dwelling comprises of a main from 18th century with the addition of a newer wing built in the late 20th century.

Planning permission is sought for the conversion of garage to garden room and the addition of new windows/doors to front and side elevations. The alterations do not fundamentally alter the relationship of these two elements as no extensions in footprint or any increase in height of the newer extension are proposed. The proposed materials and new building elements will match the existing, except for the rendered infill panel which will have a finer render.

Relevant Planning History

None

Publicity

Neighbour letters sent on 29/09/2022. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer. No objection.

Pre-start Conditions

N/A

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN2/2	Conservation Area Control
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

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.

Conservation Area

UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control seek to preserve or enhance the character and appearance of these areas. Development will only be acceptable if it preserves or enhances these areas with regard to the nature of the development in terms of bulk, height, materials, design, relationship to the surrounding area, and impact of a new use on the character of the surrounding area.

The development would be modest in scale and would not cause any significant impact on the character of the surrounding area. Heritage statement has been submitted which is acceptable, and the conservation officer has not raised any objections.

Visual Amenity

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

The proposal involves the conversion of garage to garden room and the addition of new windows/doors to front and side elevations. The proposal would not have any significant impact on the character and appearance of the area and as such, would be considered acceptable.

Overall, the development complies with Policies EN2/1, EN2/2, H2/3 and SPD6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

Given its location, the proposed development would not be visible from the neighbouring properties. Therefore, the proposal would have no impact on the residential amenity.

Parking

The existing garage would be converted to habitable. However, there would be no change to the existing parking arrangements on the drive and the development would result in no increase in the number of bedrooms. The existing on-site parking would provide ample car spaces and would therefore be considered sufficient.

The proposed extension would be acceptable and comply with the associated guidance in SPD11.

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 11/07/2022 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 Unitary Development Plan listed.

<u>Case Officer</u> MW	<u>Date</u> 22/11/2022	<u>Sign off Officer</u>	<u>Date</u>
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