

Description

The property is at No. 5 Ramsey Grove, a semi-detached bungalow located within a street of different style properties. The dwelling has a drive with an attached garage to the front of the property and a fenced garden to the rear. On either side are No. 3 and No. 7 Ramsey Grove. To the rear, the proposed site borders the rear garden of No. 22 and 23 Saxon Close.

Planning permission is sought for a dormer at rear and the conversion of existing garage to habitable room along with the alterations to fenestration including addition of ground floor and first floor windows to side elevation. The proposed dormer would have a flat roof and would be setback from the sides and the main roof ridge. The proposal would accommodate two additional bedroom and a bathroom on the first floor and facilitate a new playroom and utility area on the ground floor via the conversion of the garage into habitable. The proposed development would be constructed using matching materials.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

<SQLDCPolicyComRep>

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

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 proposed flat roof dormer would be of a simple and unobtrusive design and would not detract from the character of the dwelling. Moreover, the dormer would be set in from the side and rear walls by an appropriate amount and would not dominate the rear roof slope of the dwelling.

The proposed windows would also be suitably aligned, and the use of matching materials would appropriate within this residential setting. It is therefore considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore comply 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.

In terms of overlooking and privacy, there would be no new habitable windows proposed in either side of the property. Additionally, the proposed first floor side window facing No. 3 Ramsey Grove would be conditioned to be obscure glazed up to 1.7m and the proposed side window on the ground floor would be shaded by the existing high fencing and scrubs. Furthermore, this adjacent neighbour has no habitable side windows projecting to the side, and to the rear, the distance to the shared boundary would be considered sufficient.

Overall, there would be no serious impact on amenities of the adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Parking

The proposal will result in two additional bedrooms, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking

requirements.