

DELEGATED REPORT

Report by Amanda

Date of report: 27/10/2023

Ref:69522/FUL

Uhunmwagho

Registration: 02/08/2023

LDfC: 31/08/2023

Expiry Date: 27/09/2023

Site Visit: 08/09/2023

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey extension at side, front porch with canopy across the front, single storey extension to front/side and alterations to the driveway

Location: 21 Newcombe Road, Ramsbottom, Bury, BL0 9UU

Description

Planning permission was granted at this property for a two storey side extension in 2020 (different applicant), and more recently a detached garage was refused at the front of the site in 2022 as it would have been right up against the front boundary (same applicant).

The property is a two storey semi-detached house with garden areas to three sides. The largest area is to the front which is currently used for parking and the main garden areas have been removed. There is a container at the front of the site, which is not part of the current proposal and would be removed once the extensions are complete. At the rear there is a small garden and there are fences to the rear and side boundaries.

The applicant has also built a brick boundary wall along the front and around part of the corner with Hawthorn Avenue. This is currently part of an enforcement investigation and the agent has advised that the applicant will be submitting a separate planning application for this.

The current application includes the previously approved two storey side extension, as it is not yet built as well as a single storey extension to the side/front which would be used as a garage/store. There would also be a porch to the front, canopy across the front elevation and alterations to the driveway.

The two storey side extension would have a total width of 4.96m and it would be built flush to the front and rear elevations of the original dwelling. Due to the angle of the rear boundary with no.2 Hawthorn Avenue the extension would be stepped in to the rear and the roof would be pitched. The porch would be built central to the front elevation. It would measure 1.12m x 2.42m and it would have a pitched roof. A canopy would also be erected across the whole of the front elevation.

The single storey garage/store extension would be built at an angle to the main property, due to the angled rear boundary. It would measure 6.3m x 5.4m overall and at the front it would measure 3.3m wide. The roof would be pitched.

The plans also show that there would be two parking spaces to the front of the garage which would be constructed using porous asphalt. Directly in front of the main house would be a path to the front door and a small area of garden. Land to the left of the driveway (west) would have a loose stone covering providing extra parking within the site. The plans show that all elevations would be finished with off-white coloured k-render and the roof would have grey tiles.

Relevant Planning History

65625 - Two storey extension at side, erection of porch at front with canopy across frontage and driveway widened - Approve with Conditions 12/08/2020
68814 - Detached single storey garage to front of dwelling and Extended driveway - Refuse 07/11/2022
22/0367 - Boundary wall over 1 metre in height and storage container - 20/09/2023

Publicity

9 neighbours notified on 19/09/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections. Conditions and informative suggested.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
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.

Newcombe Road consists of mostly two storey semi-detached houses and some bungalows. The houses have very similar designs but some have been extended. Finished materials to neighbouring properties include brick, cladding and render. As such the proposed render to all elevations would not be considered significantly detrimental in terms of the streetscene.

The extensions would be built with materials and a design that would be considered to be in keeping with the existing building, as well as with neighbouring buildings. It is considered that it would not cause any significant detrimental harm in the existing streetscene.

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 extension would be a sufficient distance from properties to the front and south west side in terms of SPD 6.
- The rear elevation would be close to the shared boundary with no.2 Hawthorn Avenue which is built at an angle to the application property and has a slightly lower ground level. This property has a two storey side extension. However, no planning history was found in respect of this property apart from a single storey garage extension approved in 1983. This extension has a secondary kitchen window at ground floor level facing the shared boundary with site, and what appears to be a bedroom window to the first floor. Habitable room windows on the rear elevation are closer to the shared boundary with no.4 Hawthorn Avenue. Ground floor windows to the rear of the proposed extension would have views towards the boundary fence and the new bathroom and bedroom windows to the first floor would be obscurely glazed. A condition would be added to the decision stating that these particular windows would need to remain obscurely glazed at all times in the future.
- The garage/store would be single storey only and there would be no windows in the rear elevation facing the boundary with no.2 Hawthorn Avenue.
- The extensions would have some detrimental impact on the ground floor window to the side elevation of no.2 Hawthorn Avenue, but as the window is a secondary kitchen window to an extension it would be given less weight when assessing the application than windows to the front and rear of the property.
- As the extensions would all be to the west of the existing dwelling and there would only be the canopy adjacent to the attached neighbour it is considered that there would not be any significant detrimental impact on residential amenity at this property.
- The front porch would not interfere with proposed parking arrangements within the site

and it would be more than a sufficient distance from properties on the opposite side of Newcombe Road in terms of SPD 6.

- There is a container on site, positioned directly adjacent to the front boundary. The applicant has advised that this is used as storage for items that would be placed in the new garage/store and extension once it is complete. As such a condition would be added to the decision stating that the container must be removed from site within one month of the extension being substantially complete.

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 neighbouring properties.

Parking -

The proposal would increase the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The proposed site plans shows that there would be two parking spaces to the front of the property and one to the side of the garage/store. In addition the remainder of the site to the south west would also provide extra parking for vehicles if necessary. The area is also high access in terms of public transport. In this instance then the parking arrangements are considered sufficient.

Boundary wall -

The applicant has built the existing boundary wall to the front of the site without planning permission. As it is over 1m in height it would require permission. The agent/applicant have been advised that they would need to apply for permission for the wall to remain at its current height, or they need to reduce the height to no more than 1m.

They were given the opportunity to include the wall in the current application but the agent advised that the applicant would be submitting a separate planning application for the wall. The wall is part of a live enforcement investigation. As such the enforcement officer has been advised of the situation.

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 drawing numbered 1 received on 11/04/2023 and revised proposed drawing numbered 2B received on 11/10/2023 as modified by the email from Mr Neil Butterworth dated 11/10/2023. The development shall not be carried out except in accordance with the details 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 Extensions to Residential Properties.
- 3 The external finishing materials for the proposal hereby approved shall be dark grey roof tiles and off-white K-render to all elevations as shown on revised drawing number 2B received on 11/10/2023.
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.

- 4 The amended parking arrangements indicated on the approved plans, incorporating a 5.5m minimum long hardstanding in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway, demarcation of the limits of the adopted highway and any associated remedial works required to reinstate the footway to its former condition prior to commencement of the development, shall be implemented before the extensions and new parking facilities hereby approved are brought into use
Reason -To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.
- 5 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason -To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.
- 6 Within one month of substantial completion of the development hereby approve the container shall be removed from the site.
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.
- 7 Before the first occupation of the extension hereby permitted all new windows to the first rear elevation shall be fitted with obscured glazing and be unopenable below a height of 1.7m from the internal floor level, and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with 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 - 27/10/2023		DM	27/10/2023