

DELEGATED REPORT

Report by Jane Langan	Date of report: 02/06/2023	Ref: 69540/FUL
Registration: 20/04/2023	LDFC: 17/05/2023	Expiry Date: 15/06/2023
Site Visit: 03/05/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey side and rear extension; Garage conversion; Widening to existing driveway/vehicular access

Location: 1 Birch Grove, Ramsbottom, Bury, BL0 9RP

Description

The property is a two storey detached house. It has garden and drive to the front and an attached garage at the side linked to the side wall to No.3, also a detached house. This neighbouring property sits with a deeper rear elevation to the site. The site garage runs into a utility and store at the rear and the main house is extended across part with a conservatory. To the opposite side the site borders the rear gardens to 3 & 5 Springwater Ave and to the rear the garden to 2 Honeywood Close.

The application includes the conversion of the garage to a store and playroom. To the rear the store would be removed and a single storey extension 3.3m deep and 2.3m across would infill up to the rear elevation. The flat roofed to the garage would be replaced with a pitched one and extend across the new extension. To the rear the conservatory would be replaced with a single storey 2.7m deep and 3.3m across to form a seating area off the dining room. The drop kerb would be widened to allow for 2 parking spaces.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection. Conditions for implementation of the new parking arrangements and storage of materials.

Pre-start Conditions - Not relevant.

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. 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 and design - The converted garage would have a pitched roof with a garage door to the front. The single storey to the rear would have a monopitch roof with patio doors to the side and window in the rear. Materials would be brick and roof tiles to match the existing.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The proposal would increase the off street parking with the front drive widened and surfaced in porous/permeable materials.

Residential amenity - The proposed garage conversion would see the addition of a pitched roof to the side to No.3 Birch Close. Certificate B has been completed as there would be lead flashing to attach to this property. The proposed extension to the rear of the garage would be blank wall to the side and run along the blank side of No.3 and would not come as deep as its rear elevation. The proposed single storey to the rear would be 2.7m

deep and blank wall to the side which runs adjacent the rear garden to 3 Springwater Ave and where fencing screens.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 drawings numbered ZT23-196-00, ZT23-196-01, ZT23-196-02, ZT23-196-03, ZT23-196-04, ZT23-196-07 revised plan received 24/05/23 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 car parking alterations indicated on approved plan reference ZT23-196-07, incorporating the extension of the existing footway crossing to a scope and specification to be agreed with the Highway Authority, demarcation of the limits of the adopted highway, hardstanding to the dimensions and limits shown in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway and all associated remedial works required to reinstate the footway to its former condition prior to commencement of the development, shall be implemented to the satisfaction of the Local Planning Authority.
 Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 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.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	02/06/23	HL	02/06/23