

DELEGATED REPORT

Report by Amanda

Date of report: 22/08/2022

Ref:68574/FUL

Uhunmwagho

Registration: 20/06/2022

LDfC: 08/08/2022

Expiry Date: 15/08/2022

Site Visit: 27/07/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Part single/Part two storey extension at side with canopy

Location: 15 Park Avenue, Ramsbottom, Bury, BL0 0DA

Description

The application relates to a two storey semi-detached property situated on Park Avenue, Ramsbottom. As it is situated on a bend in the road the property, and the attached properties are positioned at an angle compared to number 11 Park Avenue to the north and number 12 Shipperbottom Lane to the east. There is an existing garage to the east side of the property which is linked to the main dwelling.

The M66 motorway is to the west of the site and to the south there are open fields. The area to the south of the south is part of the designated Green Belt. Park Avenue and Shipperbottom Lane are not situated within the designated Green Belt.

The proposal is to build a part single/part two storey side extension with a canopy. The existing garage would remain as a garage in the same position with the extension being built to the front and sides of the main dwelling with a first floor extension above the garage to the side of the property. The extension would provide a kitchen and hall extensions at ground floor level with a third bedroom at first floor with an en-suite bathroom. The roof would be hipped with two rooflights to the front. The canopy roof at ground floor level would also be hipped.

Relevant Planning History

N/A

Publicity

Neighbours notified on 18/07/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

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.

The design and finished materials of the proposed extension would be considered in keeping with the existing building. The brick work and render finish would match the existing property and would remain in-keeping with neighbouring properties.

Given the way the property is positioned at an angle compared to no.12 Shipperbottom Lane to the east and that there is a slight land level difference between the two properties

there would be no concern regards future terracing with the next door property. 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 -

- At the rear there would be around 7m from the first floor window to the rear elevation of the extension. As the window would be to an en-suite and as such obscurely glazed this distance would be more than sufficient in terms of SPD 6.
- At the front any views from the new first floor bedroom window would be over open fields and as such there would be no concerns about loss of privacy to the front.
- There would be no windows in the east side elevation facing no.12 Shipperbottom Road next door and there are no habitable room windows to the side of that property. As such there would be no significant detrimental effect on residential amenity at no.12 Shipperbottom Road next door.
- The two car drive way in front of the garage and extension would be at least 5m to the back of the highway in front which would be acceptable in terms of SPD 6.
- As the extension would be to the east side of the dwelling there would be no significant detrimental effect on residential amenity at no.13 Park Avenue attached to the north west side of the application property.

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 distances to neighbouring properties.

Parking -

The proposal would increase the number of bedrooms from 2 to 3 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 2 parking spaces. The existing parking arrangements on site would remain as they are now, which would be a single space within the garage and two spaces on the drive way in front. As such in this instance then the parking arrangements are considered sufficient.

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 drawings numbered 22-10-01, 22-10-05, 22-10-09-A and 22-10-10-A 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

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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 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 - 22/08/2022			