

DELEGATED REPORT

Report by Jane Langan	Date of report: 31/08/2023	Ref: 69902/FUL
Registration: 14/07/2023	LDfC: 25/08/2023	Expiry Date: 08/09/2023
Site Visit: 09/08/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two/single storey rear extension

Location: 50 Woodhey Road, Ramsbottom, Bury, BL0 9RB

Description

The property is a two storey detached house. The front garden is hard surfaced for parking and it has an integral garage. To the rear is a fenced garden and there are no properties directly at the rear. The neighbouring property to the west side is No.48, a detached house that has been extended first floor at the side. To the opposite side No.52 is also a detached house. Its rear elevation adjacent the site is deeper and further across it extends out two storey and also with a conservatory.

The application proposes an extension to the rear that would come out two storey 4m deep to the south west side for 5.28m across. At this point it would reduce to single storey for the remainder of the rear elevation. The extension would form an extended kitchen and a lounge with a master bedroom at first floor, the existing becoming a dressing room and ensuite.

Relevant Planning History

61538 - Porch at front with parapet wall above - AC 12/07/2017

37302 - Two storey side extension - AC 09/02/01

Publicity

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

Statutory/Non-Statutory Consultations

None.

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 proposed extension would have a dual pitch to the main roof with the single storey a flat roof with lantern light. The first floor would have a feature Juliette balcony window and at ground floor glazed bi fold doors. Materials would be light render to the walls with the rear having dark vertical slatted cladding around the windows and the roof in grey tiles

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 site as existing has the front garden area surfaced for parking and this would not be affected by the proposal.

Residential amenity - To the side to No.52 the proposal would be single storey, the side blank wall, and project less than 3m from the rear of this neighbouring property.

To the opposite side, and closest to the boundary, No.48 has a blank rear wall to the garage at ground floor and is extended with a bedroom at first floor. The proposed two storey would not encroach a 45 degree line from the mid point of the closest original rear

windows, SPD6 affords limited weight to extension windows. This neighbouring property does have a recent approval (67642 AC 27/01/22) for a single storey rear/ first floor extension with balcony to the rear of the garage/first floor that works have yet to commence on.

There would then be no serious impact on the amenity of the 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 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 WHR-RALA-XX-XX-DR-A-(PL)-0000 P00, WHR-RALA-XX-XX-DR-A-(PL)-0001 P00, WHR-RALA-XX-XX-DR-A-(PL)-0002 P00, WHR-RALA-XX-XX-DR-A-(PL)-0003 P02, WHR-RALA-XX-XX-DR-A-(PL)-0004 P02 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>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	31/08/23		