

DELEGATED REPORT

Report by Amanda

Date of report: 16/02/2023

Ref:69180/FUL

Uhunmwagho

Registration: 11/01/2023

LDfC: 02/02/2023

Expiry Date: 08/03/2023

Site Visit: 25/01/2023

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey side/rear extension; Single storey rear extension; Single storey front extension

Location: 486 Bolton Road West, Ramsbottom, Bury, BL0 9RU

Description

The application relates to a two storey, bay fronted semi-detached property with gardens to the front and rear of the dwelling. There is a brick boundary wall across the front of the site with pillars to either side of the driveway. The property is elevated to the highway in front. To the rear of the property is a single storey extension. There is a patio area directly to the rear of the dwelling with garden to the rear. The site abuts open fields to the rear. The site is not within the Green Belt, but land to rear is designated Green Belt.

The proposal is to build a two storey side/rear extension, a single storey rear extension and a single storey front extension. The single storey front extension would project 792mm forward of the main front elevation and it would measure 2.91m wide. The roof would be mono-pitched and would extend over the front entrance to form a canopy.

At the side the extension would have an overall length of 11.7m and it would project 2.5m from the existing side elevation. The first floor would be set back from the existing two storey front elevation by 500mm and the roof would be hipped.

To the rear the extension would project 4m from the existing rear elevation and it would measure 8.31m wide. The two storey section would measure 5.16m wide and the roof would be hipped. Adjacent to the shared boundary with no.488 Bolton Road West the extension would be single storey with a flat roof, which would have a roof lantern to the centre.

Relevant Planning History

N/A

Publicity

Neighbours notified on 12/01/2023 - 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.

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 proposed extension would be finished with materials and a design that would be considered to be in keeping with the existing building, as well as remaining similar to neighbouring buildings.

Normally a first floor set back of 1.5m to the front elevation would be expected where an

extension would be built adjacent to a shared boundary with another property. The plans show that there would be a first floor set back of just 500mm at this property. Taking in to account that no.484 Bolton Road West is over 5m away from the shared boundary and would be set back from the front of the extension by around 3m terracing with this property would be highly unlikely, even if the neighbour were to extend their property in a similar way. As such in this instance the lesser first floor set back of 500mm is considered acceptable and the proposed development would not have any significant detrimental impact on the character of 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 -

- There are open fields only to the rear of the site.
- Properties to the front of site would be more than a sufficient distance from the extended property not to have any significant detrimental effect on residential amenity.
- At the rear the flat roof, single storey extension adjacent to the shared boundary with no.488 Bolton Road West would project around 1m beyond the rear elevation of an existing single storey extension on the rear of no.488. This would be acceptable in terms of SPD 6.
- The 45° rule would be satisfied with regards to the nearest habitable room windows to the rear of no.488 next door.
- No.484 Bolton Road West to the north east of site is positioned around 5.5m from the shared boundary with site and its front elevation is approximately 3m set back from the front elevation of the application property. There is a detached garage adjacent to the shared boundary. Given the distance of this property from the shared boundary and that there would be no habitable room windows in the side elevation of the proposed two storey side extension it is considered that there would not be any significant detrimental impact on residential amenity at this property.
- Revised plans received on 02/02/2023 show that there would be no encroachment of the shared boundary with no.484 Bolton Road West.
- The remaining driveway to the front would measure 6m from the front of the extension to the rear of the pavement in front. This would be acceptable in terms of SPD 6.

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 the surrounding 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 site as existing has an area at the front for parking a vehicle clear of the highway and this would remain following the side extension being built. The area is high access in terms of public transport and there are no parking restrictions to the highway in front. 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 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 01, 02 and 03 received on 15/12/2022, drawing numbered 04 Rev B received on 31/01/2023 and drawings numbered 06, 05 Rev B and 06 Rev B received on 02/02/2023 as modified by the emails from Plans To Build It Ltd dated 31/01/2023 and 02/02/2023. 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 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.
- 4 Before the first occupation of the extension hereby permitted the windows in the east side elevation shall be fitted with obscured glazing 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 - 16/02/2023			