

DELEGATED REPORT

Report by Helen

Date of report: 09/10/2020

Ref:65863/FUL

Goldsbrough

Registration: 09/09/2020

LDfC: 08/10/2020

Expiry Date: 04/11/2020

Site Visit: 24/09/2020

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. Dormer at rear. Render at front and rear. Increase length of existing single storey extension at rear

Location: 38 Holcombe Lee, Ramsbottom, Bury, BL0 9QR

Description

The application relates to a semi-detached dwelling house located on Holcombe Lee. The premises has parking to the front and side, leading to a detached garage at the rear of the site. The premises has an existing single storey extension, and a paved garden area located to the rear.

Planning permission is sought for the construction of a two storey side extension that projects approximately 2800 mm to the side of the original dwelling. The proposed extension would run flush with the original rear elevation of the dwelling, and includes a first floor set back of approximately 800mm at the front. It is proposed to extend the existing single storey rear extension to the rear of the proposed two storey rear extension. This extension would project approximately 3000mm. At rear first floor it is also proposed to construct a flat roof dormer.

Relevant Planning History

60885 - Certificate of lawfulness for proposed single storey rear extension - Lawful Development 12/01/2017

61130 - Two/single storey extension at rear - Approve with Conditions 05/04/2017

Publicity

Neighbour letters sent 15/09/2020 and 16/09/2020. No representations received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

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 victimization;

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

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.

SPD 6 seeks to prevent first floor side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. An 800mm first floor set back is proposed and a gap of approximately 600mm is proposed to the side boundary. This equates to approximately 1.4 metres. Whilst this is 100mm below the guidance, the property is located within a relatively short row of 4 properties, with the adjacent property (No. 36) located on a lower plot. Given the above it is considered that the proposed gap, and set back are sufficient to prevent the uncharacteristic linking up of dwellings.

The proposed two storey side extension would have a pitched, gable roof replicating the shape and style of the existing and neighbouring properties. The proposed windows are considered to be suitably aligned, and the lean to style roof of the proposed ground floor is

acceptable. The proposed rear extension would continue the projection, and roof line of the existing rear extension and as such would not detract from the character of the property. The proposal shows that the existing house, and proposed extensions would be rendered. This is considered to be acceptable in a residential context.

Whilst flat roof dormers are not acceptable in prominent positions, the proposed dormer located to the rear with any views largely screened by the intervening properties. The proposed dormer would be limited to the roof slope of the original dwelling, and is not dissimilar in style to what could be constructed under permitted development. In this instance therefore the proposed rear dormer is considered to be acceptable.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and as such complies with UDP Policy H2/3 and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- Proposed first floor rear bedroom window would be located approximately 9 metres from the directly facing rear boundary exceeding the 7 metres required by SPD 6.
- The proposed dormer windows would be located approximately 9 metres from the directly facing boundary. This is 1 metre below the 10 metres required by SPD 6. In this instance however the onward view of this dormer would be the gable of No. 1 Dalton Close rather than habitable room windows, or private amenity space. The deficit of 1 metre is therefore considered to be acceptable.
- Proposed first floor front window would relate to a non-habitable room (dressing room) and therefore aspects not applied.
- Proposed front ground floor window would project no further forward than the existing window arrangement and would be separated from the directly facing properties by a highway.
- Proposed rear ground floor window would be screened by the existing rear boundary treatment.
- No proposed side windows.
- Proposed single storey rear extension would project approximately 3 metres beyond the rear of No. 36 complying with SPD 6.
- Proposed two storey side extension would not project beyond the principal front and rear elevations of No. 36, and would be sited adjacent to the driveway and side gable of this property. As such, the siting of the proposed side extension is considered to be acceptable.

Parking

SPD 11 requires a maximum of 3 spaces for a 4 bedroom property. Parking is to be retained as existing to the front of the property with 3 spaces shown on the submitted site plan. Whilst the parking space in front of the porch appears to be substandard at 4.3 metres, this would still allow for 2 vehicles to be parked within the curtilage of the site. Given that parking is unrestricted in the locality, and the property is within walking distance of local amenities the parking on site is considered to be acceptable.

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 MMD069.01.20.01, MMD069.01.20.02, MMD069.01.20.03 and MMD069.01.20.04 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>
Helen Goldsbrough	09/10/2020	DM	28/10/2020