

DELEGATED REPORT

Report by Amanda

Date of report: 05/09/2023

Ref:69845/FUL

Uhunmwagho

Registration: 04/07/2023

LDfC: 10/08/2023

Expiry Date: 29/08/2023

Site Visit: 24/08/2023

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 front extension; Single storey side/rear extension

Location: 6 Nuttall Close, Ramsbottom, Bury, BL0 9LQ

Description

The application relates to a two storey semi-detached house with a porch to the front and car port to the side leading to a detached garage in the rear garden. At the front there is a small front garden and parking on site. To the rear there is a private garden with fences to all boundaries.

The proposal is to build a two storey extension at the front and a single storey extension to the side/rear. The two storey front extension would provide an extension to the existing hall at ground floor and bathroom at first floor level. It would project 1.5m forward of the existing front elevation and would measure 2.57m wide. The roof would be pitched.

At the side the extension would be built right up to the next door neighbour's extension at no.5 Nuttall Close and it would measure 9.9m long. It would wrap around to the rear of the property measuring 8m wide and projecting 3m from the original rear elevation. The roof would be pitched with three rooflights. All the new and existing walls would be rendered.

Relevant Planning History

N/A

Publicity

Neighbours notified on 20/07/2023 - No comments or objections received.

Neighbours notified of revised drawings on 18/08/2023 - No comments or objections received.

Notice served on neighbour at 5 Nuttall Close on 05/07/2023 and Certificate B submitted with the planning application.

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.

Nuttall Close is a small cul-de-sac consisting of 11 properties. There are a mixture of brick and render finishes to the properties. As such the proposal to render the existing building and the extensions would not appear out of character in the existing street scene.

With regards to the proposed two storey front extension there is an existing porch on the front of the house and the extension would be around 550mm forward of this. The structure would be very similar to the two storey front extension at no.5 next door. The existing streetscene has an irregular building line, as well as different house types and designs. As the extension would only project 1.5m forward of the main front elevation it would be considered to be relatively modest in size. As such it would not be an obtrusive or dominant feature in the streetscene.

The single storey side and rear pitched roof extensions would be built with a design and materials that would be acceptable on this property, but as most of this part of the development wouldn't be visible in the streetscene it would not have any significant detrimental impact on visual amenity in the area.

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 -

- The side extension would be built right up to the side elevation of no.5 next door. Notice was served on this neighbour on 05/07/2023 and certificate B was submitted with the application. As such the applicant has done what is required in terms of the planning application. If any concerns arise in the future it would be a civil matter between the relevant parties.
- The two storey front extension and the single storey side extension would be an acceptable distance from properties to the front not to have any significant detrimental impact on residential amenity at those properties.
- The two storey front extension would be positioned well away from the shared boundary with no.7 to the north. As such there would be no significant detrimental effect on residential amenity at the front of no.7 Nuttall Close.
- The drive length to the front of the two storey extension would be 5.75m according to the proposed site plan. This would be acceptable in terms of SPD 6.
- At the rear the single storey extension would be around 11.2m from the rear boundary. As such there would be no significant detrimental impact on residential amenity at properties to the rear.
- The rear extension would project 3m from the original rear elevation which would be acceptable in terms of SPD 6. It is noted that the applicant could build a single storey extension up to 3m off the original rear elevation as permitted development.
- No.7 Nuttall Close has removed a conservatory adjacent to the shared boundary and have submitted a planning application which includes a single storey rear extension in the same position. As such the proposed rear extension would not have any significant detrimental effect on residential amenity at that property.
- The plans show that the rear extension would be built within the site boundary and as such there would be no encroachment on to land at no.7 next door.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the front of the site.

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 23/735/01 and 23/735/03 received on 05/07/2023, drawings numbered 23/735/04A and 23/735/05A received on 18/08/2023 and drawing numbered 23/735/02 received on 05/09/2023 as modified by the emails from Mr John Hodgkinson dated 18/08/2023 and 05/09/2023. 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 be k-render to the extensions and all existing elevations of the building. The roof tiles shall match those of the existing roof.
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 - 05/09/2023			