

DELEGATED REPORT

Report by Jane Langan	Date of report: 11/10/2023	Ref: 69990/FUL
Registration: 29/08/2023	LDFC: 23/09/2023	Expiry Date: 24/10/2023
Site Visit: 28/09/2023	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: Conversion of existing conservatory and garage to habitable space and single storey extension at side

Location: 7 Nuttall Close, Ramsbottom, Bury, BL0 9LQ

Description

The property is a two storey semi detached house located towards the top of a cul de sac and has a garden and drive to the front. To the side works have commenced on infilling an area at ground floor that the application form notes was a car port to the front of the garage and which has a first floor extension above. To the rear the conservatory to be converted to a single storey extension is almost complete and the roof extended across the flat roofed garage as a monopitch.

The adjoining neighbour is No.6 and is not extended at the rear and fencing separates the gardens. To the opposite side No.8 sits at an angle to the site and is extended at the side. There are no properties directly at the rear.

The application relates to the commenced works and comprises of :-

- Conversion of the attached garage to a playroom and infill of the ground floor beneath the existing first floor extension to form a bathroom.
- The conservatory as shown on the plans has been replaced with a single storey extension which is almost complete. It is 2.4m deep and run across to link to the two storey at the side and form a dining room.

Relevant Planning History

14187/83 - Bedroom extension over garage at side - AC 10/02/83.

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 proposal would see the area beneath the first floor side extension infilled and a window added to the front elevation. To the rear the single storey would have a monopitch roof which would extend across the existing flat roofed garage. Materials would be to match the existing.

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 a drive to the front and whilst the loss of the car port would reduce the parking area the plans note two 2.4m wide by 4.8m length parking spaces retained. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered

sufficient

Residential amenity - To the adjoining No.6 the proposed single storey would project less than 3m from its rear elevation at 2.4m and the side elevation would be blank wall. To the opposite side No.8 sits at an angle separated by the drives. The proposal would see minor works to this side with the infill of the car port and pitched roof to the converted garage.

There would then be no serious impact on the amenity of any 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 2238/110 Revision 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 Unitary Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	11/10/23		