

## **DELEGATED REPORT**

|                                 |                                   |                                |
|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Mo Warsame     | <b>Date of report:</b> 20/08/2024 | <b>Ref:</b> 70845/FUL          |
| <b>Registration:</b> 07/06/2024 | <b>LDFC:</b> 08/07/2024           | <b>Expiry Date:</b> 02/08/2024 |
| <b>Site Visit:</b> 02/08/2024   | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| 09:00:00                        |                                   |                                |
| <b>Objections:</b> 0            | <b>Con Area:</b> N/A              | <b>Adv Type:</b> NONE          |
| <b>Reason for Delay:</b>        |                                   | <b>EIA:</b> NA                 |
| N/A                             |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** Two storey extension at side/rear; Single storey front/side/rear extension to include white/grey render to all elevations

**Location:** 156 Nuttall Lane, Ramsbottom, Bury, BL0 9LE

### **Description**

The application relates to a two storey semi-detached house on a road of similar styled properties. Driveway to the front and side and a conservatory attached at the rear. The attached property (No.158) has a single storey flat roof extension, projecting out approximately 2.5m out at the rear. The property on the other side (No.154) has a side door and a landing/stair window on the gable facing the site.

The proposal has three main elements and comprises extensions to the front, side and rear. The proposed front porch would have a footprint 2.7m by 1.1m with a mono-pitched roof which would extend across the front of the proposed side extension.

The side extension at ground floor would extend from the front elevation to the rear and across the shared side boundary with a setback of 1.5m at first floor from the principal front elevation. The roof of the side extension would be pitched and carry over onto the existing roof.

At the rear the single storey element of the extension would project out 3.7m and run across the width of the house. The two storey element would project out 1.9m and run across half the width of the house (5.1m).

The development would accommodate two additional bedrooms, one with ensuite bathroom on first floor and extended kitchen/diner along with an office, utility, external store and porch at the ground floor. The extensions would

It would be constructed in brick and tile to match the existing house.

### **Relevant Planning History**

66645 - Two storey extension at side/rear; Single storey rear extension; Single storey front extension - Approve with Conditions 28/04/2021  
67451 - Outbuilding in rear garden - Approve with Conditions 07/10/2021.

### **Publicity**

Neighbour letters sent. No objections received.

### **Statutory/Non-Statutory Consultations**

N/A

## **Pre-start Conditions**

N/A

## **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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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**

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that complements the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

The proposed development would be simple and unobtrusive design that would not detract from the character of the dwelling. The single storey extensions to the rear and front would both be considered suitably in design and modest in scale. The two-storey rear element would also be acceptable give it would be a modest structure with a projection of 1.9m to the rear. Additionally, its design would be in-keeping with the existing dwelling, and it would not be visible from the front as it would be constructed to rear of the site.

The two-storey side extension would have a setback of 1.5m on the first floor from the principal front elevation. Furthermore, there would be a further setback of 0.3m from the shared side boundary. This would equate to a total setback of 1.8m which would be acceptable.

The side extension, in terms of design and appearance would be in keeping with the existing house and wider streetscape. The set back at first floor front and side would mitigate the appearance of terracing by introducing articulation within the frontage. The proposal would therefore be acceptable and would comply with UDP Policy H2/3 and guidance.

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

Given the existing single storey extension at the rear of the attached neighbour at No.158, the extensions would not have a significant impact on this neighbour. On the other side, No.154 has a driveway and garage along the shared side boundary and a kitchen window closest to the site. The extensions would not have a significant or detrimental impact on the residential amenity of the neighbour at No.154 either in terms of habitable rooms or garden area. The proposal would be acceptable in terms of residential amenity and complies with UDP Policy H2/3 and guidance in SPD6.

### **Access and parking**

The proposed extension would extend over the driveway to the side of the house but would not impact on the driveway to the front of the house. This would be retained at a length of approximately 6.5m and accommodate at least one parking space. The proposal complies with UDP Policy H2/3 and guidance in terms of parking.

### **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 Dwg no: ZT21-196-01, Dwg no: ZT21-196-02, Dwg no: ZT21-196-03, Dwg no: ZT21-196-04, Dwg no: ZT21-196-05 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.
- 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.

| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
|---------------------|-------------|-------------------------|-------------|
| MW                  | 20/08/2024  | DM -                    | 20/08/2024  |