

DELEGATED REPORT

Report by Amanda

Date of report: 18/04/2024

Ref:70586/FUL

Uhunmwagho

Registration: 18/03/2024

LDfC: 11/04/2024

Expiry Date: 13/05/2024

Site Visit: 09/04/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at side; single storey infill extension at rear; first floor extension at side / rear and external alterations

Location: 13 Southfield Road, Ramsbottom, Bury, BL0 9ST

Description

The application relates to a two storey semi-detached property with gardens to the front and rear of the house. At the front there is a porch and a driveway for one vehicle. There is a brick wall along the shared boundary with no.11 next door and also along part of the front boundary. There is a short fence and planting along the shared boundary with no.15 Southfield Road.

At the rear there is an existing single storey extension which has been built abutting the single storey extension to the rear of no.11 next door. The single storey extension also extends to the side of the original dwelling. There is a private garden to the rear with fencing and planting to all boundaries and there is a detached garage at the end of the garden accessed from Montrose Avenue at the rear.

The proposal is to build a single storey extension to the side, a single storey in-fill rear extension and a first floor extension to the side/rear as well as external alterations. The single storey side extension would be built flush to the front of the existing porch and it would measure 1.8m wide. Along the side it would measure 6m and there would be one high level window to the side. The roof would be hipped.

At the rear there would be a small in-fill extension to the ground floor where the existing patio doors are and then the first floor extension would be built directly along the shared boundary with no.11 next door. It would project 2.9m from the original rear elevation, which would be the same as the existing ground floor extension. It would measure 6.23m across the rear and 5.32m along the side. At the side it would project 1.8m from the existing side elevation and the roof would be hipped. The first floor extension would provide an extension to an existing bedroom as well as adding a third bedroom.

Relevant Planning History

59870 - First floor extension at side and rear; Infill to single storey at rear - Approve with Conditions 28/04/2016

02904/E - 1st Floor - Up & Over Extension to Side & Rear. Infill in to Recess on Rear & Single Storey Utility on Side Outline with Front Porch - Enquiry completed 14/11/2023

Publicity

6 neighbours notified on 21/03/2024 - No objections received and one comment received.

- The linking in of the proposed build at the party wall and shared roof line between the

two properties in order to preserve the build integrity of my single storey kitchen extension.

- Having a differing overview of the party wall build I feel further investigation is needed to address my concerns.
- I would welcome an in-person visit from the architect in order to discuss the plans in more detail. This will hopefully lead smoothly to a satisfactory outcome for both parties prior to the planning decision.
- My second item of concern are the affects of light deprivation at the rear of my property.
- Finally, I would also like to be provided with additional information regarding guttering changes caused by the new roof line adjacent to my property.

Notice was served on the attached neighbour at 11 Southfield Road on 18/03/2024 and Certificate B was submitted with the application.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant

Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

PFE Places for Everyone

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.

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.

The majority of the proposed first floor extension would be located on the rear elevation of the property and the section to the side would be set well back from the front elevation. As such it would not be readily visible in the public realm. As the site backs on to Montrose Avenue the extension would be visible from this direction but the extension would be around 15.5m away from the rear boundary and there is a lot of planting to the rear which would screen a lot of the building from views off site.

However, even if the planting were to be removed the extension would be built with materials and a design that would be considered to be in keeping with the existing building. As such it would not cause any significant harm to the character of the existing streetscene to the front and rear of the site.

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 extension would abut the shared boundary with no.11 Southfield Road attached to the north side, and any gutters or soffits would possibly overhang the boundary at first floor level. Certificate B has been submitted with the application and notice was served to the owner of no.11 Southfield Road on 18/03/2024. This is what would be required in terms of the planning application being able to be assessed and if there would be any concerns from the neighbour at no.11 it would be considered to be a civil matter and they would need to discuss their concerns with the applicant directly.
- The first floor extension would have some detrimental effect on light availability to the first floor rear bedroom window at no.11. However, as there is a single storey rear extension at no.11 and the proposed first floor would not project more than 3m from the original rear elevation it would be considered acceptable in terms of the requirements of SPD 6 and it would not warrant refusal of the proposal.
- The extension would be around 15.5m from the rear boundary and there is a highway to the rear of the site. This distance would be considered acceptable in terms of SPD 6

and the first floor extension would not have any significant detrimental effect on privacy levels at properties to the rear.

- No.15, to the south has a single storey extension to the side. There is a non-habitable room window and door directly adjacent to the shared boundary with a kitchen window adjacent. The main ground floor habitable room window is on the opposite side of the rear elevation. The proposed first floor extension would project around 2.64m past the rear of no.15. The site is due north of this property and as such the impact on light to its rear elevation would be minimal and the 45° rule would be satisfied with regard to the ground floor habitable room window which is situated away from the shared boundary.
- The only new window to the south side elevation would be a high level utility room window. It is considered that this window would not have any significant detrimental effect on privacy levels at no.15 next door.
- The single storey side extension would not project forward of the existing porch. As such the existing parking arrangements within the site would not be adversely affected by the proposal.

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 and that it is no more than 3m on the shared boundary with no.11 Southfield Road next door.

Parking -

The proposal would increase the number of bedrooms from 2 to 3 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 2 parking spaces. Parking would be as existing to the front drive which would be unaffected by the development and there is space for one vehicle. The area has on street parking and there is public transport available near by. In this instance then the parking arrangements are considered sufficient.

Response to neighbour comments -

Concerns regards light have been addressed in the Residential Amenity section of the report above.

Certificate B has been submitted with the application and notice was served on the next door neighbour. Any concerns regards the party wall or how the extension would be built would be a civil matter that the applicants and the neighbour concerned would need to discuss privately.

The neighbour advised that they have requested a meeting with the applicant and agent to discuss the proposal.

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 1, 2, 3A, 4, 5A, 6A, 7A, 8, 9 and 10 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 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU -	18/04/2024	DM -	19/04/2024