

DELEGATED REPORT

Report by Jane Langan	Date of report: 17/05/2022	Ref: 68221/FUL
Registration: 16/03/2022	LDFC: 22/04/2022	Expiry Date: 11/05/2022
Site Visit: 20/04/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extensions at rear; Dormers at front and rear; New window to top of side gable wall

Location: 176 Peel Brow, Ramsbottom, Bury, BL0 0AX

Description

The property is an end terraced house located on a road that slopes down steeply to the west. It has a yard to the rear enclosed by a stone wall and which leads on to a back street. Across part of the rear elevation it has a two storey outrigger.

The adjoining property is 178. It has a rear yard with a stone wall separating from the site yard. The rear elevation has ground and first floor windows to the party wall and there is then a two storey outrigger which has a number of windows in the side. To the opposite side No.170 is a detached bungalow at a lower level and has a detached garage to the site side.

The application includes a loft conversion to form a bedroom with ensuite. It would comprise of two pitched roof dormers to the front, a flat roofed dormer to the rear and a new window to the top of the side gable wall. To the rear of the property a single storey extension would infill the area to the side of the outrigger to provide a dining room with the existing becoming a the kitchen. To the rear of the outrigger a single storey extension would come 1.6m deep and 2.5m across to form a boot room.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter on 29/03/22 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 property is an end terraced on a row that slopes down towards the west. There is one other property with a front dormer and it is flat roofed. The dormers proposed would each be 1.3m wide and set approximately 1.8m back from the front wall. They have been aligned above the first floor windows as far as is practical. The front of the dormers would be mainly glazing and the walls tile hung in slate to match the existing roof. Given the dormers size and constructed in appropriate materials it is not considered that they would appear overlarge or intrusive and the addition of a new window to the top of the gable would not appear out of place. To the rear the dormer would be flat roofed and the walls tile hung grey. Located to the rear it would be less visible than the front dormers and rear dormers can be constructed under permitted development. There is a flat roofed dormer further along the row at the rear.

The single storey extension would have a monopitch glazed roof and be an infill to the side of the outrigger. The proposed single storey bootroom would also have a monopitch roof finished in white render.

The extensions would reduce the outside amenity space in the yard however there would

still be some remaining. Permitted development can also allow some single storey extensions and it is not considered that there are grounds for refusal with regard to loss of amenity space.

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 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. In this case however there is no off street parking or means to create any. The area has on street parking and there is public transport available.

Residential amenity - There are no properties directly at the rear for the dormer to overlook. The proposed window to the top of the gable would be plain glazed as the applicant has requested this as the elevated position of the property allows views across Ramsbottom. No.170 is to this side and a bungalow. With the gable to the site at such an elevated level the new window would look across the roof to No.170 and beyond. To note there have been no concerns raised by No.170.

The single storey at the side would infill along the boundary with the adjoining No.178 up to the site outrigger level projecting approximately 5.2m. No.178 has a main window to its rear elevation and with regard to the 45 degree line then, due to the proximity of the window to this neighbouring property the 45 degree line would be encroached at a point less than 3m. The consideration then is the impact of the additional 2.2m in excess of the 3m. The proposed extension would have a monopitch roof sloping away and as existing the site has a stone wall running along separating the yards. The eaves height would be approximately 2.4m which would not be significantly above the 2m height a wall could be constructed to and less than the 2.5m height of a permitted development outbuilding. No neighbour comments have been received on the proposal. For the reasons as stated above there are not considered to be any justified grounds for refusal in this case with regard to loss of light and overshadowing. The 1.6m deep bootroom extension would be set 2.3m in from the boundary.

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 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.

DELEGATED REPORT

- 2 This decision relates to drawings numbered ZT22-196-00, ZT22-196-01, ZT22-196-02, ZT22-196-03, ZT22-196-04, ZT22-196-05 received 16/05/22 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	17/05/22		