

DELEGATED REPORT

Report by Steven Gunn
Russell

Date of report: 10/02/2022

Ref:67715/FUL

Registration: 18/11/2021

LDfC: 16/12/2021

Expiry Date: 13/01/2022

Site Visit: 19/11/2021

Site Notice: N/A

Press Date: 25/11/2021

Objections: 0

Con Area: RAMS

Adv Type: CAAF

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey rear extension

Location: 52 Tanners Street, Ramsbottom, Bury, BL0 9ES

Description

The application relates to a two-storey mid-terraced house within Ramsbottom Conservation area with its steep topography overlooking the valley. While the front of the terrace is highly attractive and well maintained the rear elevation of this terrace is generally inconsistent in appearance dotted with a mismatch of extensions of various designs. There is an existing small kitchen extension and yard. Both attached neighbours have an existing single storey extension at the rear.

At the rear there is a back lane that appears to function as an unofficial communal space laid out with artificial grass, seating, and tables. Neighbours to the rear have trees and shrubs on the boundary. There is a good size front garden with separate pedestrian terraced footway raised above the road level.

Planning permission is sought for a rear single storey extension that would project out 4.7m and have a flat roof. Materials would include stone (to match existing) with EDfN or GRP for the roof and upvc windows.

Although the proposed rear extension extends to what would normally be considered position of the rear yard wall, the applicant has submitted a site boundary that includes the communal back lane. As such there would be a separation of 4.3m to the rear boundary.

Relevant Planning History

None relevant.

Publicity

Immediate neighbours notified by letter dated 18/11/2021 sent to 3 (three) neighbours. No representations were received.

Objections -

Concerns are summarised below:

No objection, however, I do have two concerns about the plans:

- How will the space between the two buildings will be covered?
- Where will the rainwater run off the new extension? There are no drains in the back street therefore where will the water go if not in a drain?

Relevant concerns of the neighbours have been addressed in this report.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection.

Pre-start Conditions

N/A

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN1/2	Townscape and Built Design
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.

Heritage – The property is within Ramsbottom conservation area as the wider town is a Pennine textile town which developed around the manufacturing and processing of cotton in the late 18th and early 19th centuries. Narrow streets and alleyways add to the tight and intimate feel of the conservation area.

The quality of stonework in Tanners Street is high, with some of the terraces constructed from massive blocks of sandstone, which can be easily seen on the gable ends of cottages on Tanners Street. The front elevations of houses include details such as raised quoins, string courses and moulded stone cornices.

Given that the proposed extension is at the rear alongside other neighbours extensions it is considered the development will have no overall effect on the Ramsbottom Conservation Area and the historic frontage of the property will remain intact.

Visual amenity - In terms of design and appearance the extension is generally in-keeping with the existing house. Situated at the rear, the extension would not be readily visible from the public arena. The proposed extension would be single storey and will not encroach on the communal area at the rear. In this respect the extension complies with UDP Policy H2/3 and associated guidance in SPD6.

Residential amenity - In terms of overlooking and privacy to the rear, the 4.3m separation distance to the rear boundary across the back lane from the extension is considered to be acceptable given it matches the existing building line of neighbouring dwellings and complies with adopted guidance in SPD6. The uphill gradient plus existing tree and shrub planting along the rear boundary would further reduce the impact on the residents to the rear.

With regard to adequate outdoor private amenity space it is considered that although the proposal would result in the complete loss of the private back yard, there would remain a good size garden at the front (raised above road level) in addition to the communal back lane.

The single storey extension is acceptable in relation to both the attached neighbours which both have an existing extension up to the back lane, and therefore complies with the '45-degree rule' within SPD6. Similarly, there would be no impact on daylight as the extension is set off the shared side boundaries in between two neighbours existing extensions. As such any overshadowing would not be seriously excessive above and beyond the existing situation. The extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Note to neighbour – Although drainage in terms of surface water runoff is a matter relevant to planning, the issue of drainage in relation to buildings and roofing is a matter for the applicant to agree with the builder and to comply with the Building Regulations.

Highways – No changes proposed.

Conclusion – In consideration of the above, it is considered that the proposed development would be acceptable in terms of the design, and sitting, of this development.

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As such, the proposed development is therefore considered to be acceptable and complies with UDP Policies EN2/3, H2/3, and associated guidance in SPD6.

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 Drawing 2346_BUR_01_Planning 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 be stone to match the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN2/2 Conservation Area: Ramsbottom, H2/3 - Extensions and Alterations, 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>