

DELEGATED REPORT

Report by Tom Beirne	Date of report: 16/12/2021	Ref: 67750/FUL
Registration: 03/11/2021	LDfC: 01/12/2021	Expiry Date: 29/12/2021
Site Visit: 08/12/2021	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Raise roof ridge height/roof extension to existing bungalow to form two storey dwelling with apex to front, replace bay windows with cottage style windows/pitched roofs and new bay window to side; Alterations to front boundary treatment/vehicular access

Location: 491 Bolton Road West, Ramsbottom, Bury, BL0 9RN

Description

The application relates to a red brick bungalow on a busy residential road to the west of Ramsbottom. There are two storey houses on either side and to the front. At the rear, there are houses on a lower level on St Clair Road. No.495 has a detached garage along the shared side boundary

The proposal is to add a first floor to the bungalow to create a two storey house and alter the access and front boundary.

The first floor extension would mirror the existing footprint. The main elevational treatment would be red brick at ground floor and a render above with red clay roof tiles and rosemary red tiles to bay windows to reflect other properties in the immediate vicinity. White uPVC cottage style windows to front & side sprayed uPVC windows & sliding doors to rear.

The new window openings and door openings are aligned to suit the existing bay window geometries. New windows to front & sides will be white uPVC in a cottage style to complement the traditional feel to the property. New windows to rear will be sprayed uPVC.

The existing porch will be removed & existing arched opening lifted in height to create solid arched door opening. A secondary band of arched brickwork will be recessed by 102.5mm within the existing arch to emphasise a shadow around the existing archway to keep the traditional character.

Access would be slightly widened and there would be parking and turning for at least three cars. The front boundary would be a low wall and boundary hedging.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 11/11/2021. One representation from the neighbour at No.489 Bolton Road West, suggesting that there is not enough information to make an informed decision.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions.

Pre-start Conditions - Agreed.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
H2/3	Extensions and Alterations
HT2/4	Car Parking and New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
NPPF	National Planning Policy Framework

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 streetscape - Given the preponderance of similar styled two storey

detached and semi-detached houses along this part of Bolton Road West, the proposal to add a first floor to the existing bungalow with elevational alterations would be in keeping with the character of the streetscape. The eaves and ridge levels would be similar to the properties either side and the brick and render finish would be in keeping in terms of appearance. The new boundary low wall/fence along the frontage would be generally in keeping with the other frontages along the road and the new hedging would help 'green up' the frontage. The proposal would be acceptable in terms of visual amenity and streetscape and complies with the NPPF and UDP Policies EN1/2 and H2/3.

Residential amenity - Given the position of neighbours, there are no issues with regard to overshadowing or overlooking. The new house would be in line with neighbours and there are no habitable room windows on the side of neighbouring properties that would raise concerns. The rear garden drops down but there is over 17m to the shared boundary with No.4 St Clair Road which despite the drop in levels is considered a sufficient distance to minimise overlooking. There is a secondary side window on the house but this looks onto the garage on the shared side boundary at No.495 and so does not present any serious issues. The proposal does not raise any residential amenity issues and complies with the NPPF and UDP policy H2/3 and associated guidance.

Highways - As the proposed access onto Bolton Road West is similar to the existing and there is sufficient parking and turning within the site, there are no objections from the Traffic Team. Conditions relating to construction traffic management and alterations to the footway. The proposal is acceptable in terms of highways and complies with the NPPF and UDP Policies.

Representations - The neighbour at No.489 has indicated plans are not detailed enough however full plans have been submitted and are available to view. Not sure why the neighbour could not view the plans.

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 received 3/11/2021 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 Details/Samples of the (materials/bricks) to be used in the external elevations, walls and hardstanding shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy

EN1/2 Townscape and Built Design.

- 4 The development hereby approved shall not be commenced unless and until facilities for the storage of construction materials have been provided within the curtilage of the site to the satisfaction of the Local Planning Authority. The facilities shall be retained for the intended purpose for the duration of the construction period and the area identified shall not be used for any other purposes other than the storage of construction materials.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety.
- 5 The access and boundary wall alterations indicated on the approved plans, incorporating the extension (if required) of the existing footway crossing, new boundary wall with foundations that do not encroach under the adjacent adopted highway, demarcation of the limits of the adopted highway as a result of the access widening, inward opening/sliding pedestrian/vehicular gates, new porous asphalt driveway and/or measures to prevent the discharge of surface water onto the adopted highway and all necessary highway remedial works required to reinstate the footway to its former condition prior to the removal of the existing boundary wall, shall be implemented the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use.
Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	16/12/2021	DM	16/12/2021