

DELEGATED REPORT

Report by Amanda

Date of report: 22/07/2024

Ref:70761/FUL

Uhunmwagho

Registration: 05/06/2024

LDfC: 26/06/2024

Expiry Date: 31/07/2024

Site Visit: 05/07/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey rear extension; Single storey side/rear extension; Front porch

Location: 17 St Edmund Hall Close, Ramsbottom, Bury, BL0 9DE

Description

The application relates to a previously extended two storey detached house located at the head of a small cul-de-sac on St. Edmund Hall Close, Ramsbottom. There is a small open front garden with driveway to the side leading to a detached garage (attached to the next door neighbour's garage). There is a gate from the driveway to the rear garden.

At the rear of the dwelling there is a large conservatory projecting around 5500mm from the main rear elevation. There is a large garden which drops in level to the rear and there are two outbuildings, one to the rear of the garage and one along the rear boundary. There are fences to all boundaries.

The proposal is to build a porch at the front, two storey rear extension and single storey side/rear extension. The front porch would project 1940mm from the front elevation and it would measure 2380mm wide. Along the west side boundary close to the boundary with no.15 the porch would measure around 2300mm and the roof would be pitched.

At the rear the extensions would project a total of 6000mm from the original rear elevation. The single storey element would measure 6385mm wide and around 8900mm on the north side. It would project 1190mm from the north side elevation and the roof would be pitched. There would be patio doors to the rear elevation and two slim, full length windows to the south side elevation.

The two storey extension would project 3m from the original rear elevation and it would measure around 4400mm wide, which would be the same width as the existing building. The extension would be to two existing bedrooms and would also create a new en-suite bathroom to the main bedroom.

Relevant Planning History

N/A

Publicity

5 neighbours notified on 05/06/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
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.

All of the extensions would be built with materials and a style that would be considered to be in keeping with the existing building, and would remain in character with other dwelling along this section of St. Edmund Hall Close. The majority of the building works would also be to the rear of the property and generally visible from the neighbouring rear gardens. The design of the proposal is considered acceptable in this location.

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 -

- There are no properties directly to the front of the house and there would be around 11500mm from the front of the porch to the front boundary.
- The proposal would not affect the existing parking arrangements within the site.
- At the rear there would be around 6000mm from the closest point of the single storey section and around 10,600mm from the two storey rear elevation to the rear site boundary. These distances would be acceptable in terms of SPD 6.
- Properties to the rear of the site are a sufficient distance from where the extension would be built not to have any significant detrimental impact on residential amenity at those properties.
- No.15 to the north west side of the site is built at a slight angle to the site with no habitable room windows in the side elevation. All windows in the rear elevation have views away from the site only. The proposed single storey extension would extend around 8900mm close to the shared boundary with this property, but as there would be no windows in this side elevation of the extension and there would be a gap of at least 1000mm from the extension to the shared boundary it is considered that the single storey extension would not have any significant detrimental impact on residential amenity at this property.
- The two storey extension would project 3000mm beyond the existing rear elevation of the property. There would be no windows in the side elevation facing no.15 and the wall would be no closer to the shared boundary than the existing two storey elevation. Taking this into account and that the extension would angle away from no.15 it is considered the two storey extension would not have any significant detrimental effect on residential and no.15 next door, or its garden areas.
- The extension would be at least 6500mm away from the shared boundary with no.19 on the southern side and the development would be set back behind the existing garages belonging to the two properties. As such the proposed ground floor windows to the south side elevation of the extension would only have views towards the applicant's garage and garden. It is considered there would be no seriously detrimental effect on residential amenity at no.19 next door.

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.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the drive to the front/side of the house as well as the garage.

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 A101, A102, A103 and A105 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	22/7/24	DM	22/7/24