

DELEGATED REPORT

Report by Amanda

Date of report: 09/05/2022

Ref:68230/FUL

Uhunmwagho

Registration: 18/03/2022

LDfC: 26/04/2022

Expiry Date: 13/05/2022

Site Visit: 03/05/2022

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: Single storey extension at rear and Garage conversion

Location: 10 Lumb Carr Avenue, Ramsbottom, Bury, BL0 9QG

Description

The application relates to a two storey detached house which currently has been previously extended. There is a garage to the side with utility room to the rear. There is parking to the front of the site for one vehicle. At the rear there is a private garden with fences to all boundaries. Given that Lumb Carr Avenue is built on a steep hill no.8 has a much lower ground level and no.12 is higher.

The proposal is to build a single storey rear extension to create further living space as well as converting the garage in to a bedroom and en-suite shower room. At the rear the extension would project 3m from the original rear elevation and it would measure 6.28m wide. The roof would be flat with a glazed roof lantern to the centre. To the front of the property the garage door would be replaced with a window.

Relevant Planning History

31067 - Two storey side extension - Approved with conditions 20/06/1995.

Publicity

Neighbours notified on 04/04/22 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

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

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.

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.

In terms of Planning the garage could be converted as Permitted Development. The change from a door to a window at the front would not have any significant detrimental impact on the character of the existing street scene.

The single storey extension would be built on the rear elevation and therefore not readily visible in the public realm. It would have a flat roof and rendered walls which would be quite different to the existing dwelling. However, its modern style would compliment the existing building and as it would be to the rear of the property it would only be visible from the immediately adjacent gardens/properties.

The design of the proposal is considered to be acceptable in this location and 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 would be a more than sufficient separation distance from the new front ground floor bedroom window to properties on the opposite side of the road not to have any significant detrimental impact on residential amenity at those properties.
- There would be over 10m from the rear elevation of the single storey rear extension to the northern site boundary. With this in mind there would be no significant detrimental impact on residential amenity at properties to the rear.
- The extension would be built around 3.5m away from the shared boundary with no.12 next door and there would be no new windows in the side elevation facing this particular neighbour. With this in mind and taking in to account that the site is much lower compared to no.12 there would be no significant detrimental effect on residential amenity at this property.
- On the opposite side the extension would project 3m from the existing rear elevation and the side wall would be around 1m from the shared boundary with no.8 Lumb Carr Avenue. This would be the same as the main dwelling on site and there would be no windows in the side elevation. Although no.8 has a much lower land level to that on site it has been previously extended and so the proposed extension would project just over 1m beyond its rear elevation. With this in mind there would be no significant detrimental effect on residential amenity at this property.

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 distances to surrounding properties.

Parking -

The property has been previously extended in 1995. Unfortunately the plans are not available to view online and as the current application is for an extension and alterations to the ground floor only the first floor at the property has not been surveyed. However by converting the existing garage in to living space parking availability within the site would be reduced from two to one space and there would be an additional bedroom created.

Given that the additional bedroom would increase the number of bedrooms at the property SPD6 requires parking spaces to be assessed as set out in SPD 11 Parking Standards. This can then require the proposal to provide a maximum of 2 parking spaces within the site boundaries. The existing front driveway would be unaffected by the development and there is space for one vehicle. There may be potential for further if the applicant should require it. The area has on street parking and there is public transport available nearby. In this instance then the parking arrangements are considered sufficient.

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.

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Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 2 This decision relates to drawings numbered ZT22-196-00, ZT22-196-01, ZT22-196-02, ZT22-196-03 and ZT22-196-04 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 - 09/05/2022			