

DELEGATED REPORT

Report by Jane Langan	Date of report: 23/05/2023	Ref: 69520/FUL
Registration: 11/04/2023	LDFC: 21/05/2023	Expiry Date: 06/06/2023
Site Visit: 26/04/2023	Site Notice: 26/04/2023	Press Date: 27/04/2023
Objections: 0	Con Area: RAMS	Adv Type: CA
Reason for Delay: N/A		EIA: NA Dec Level: DEL Stat Class: HOUS

Proposal: Conversion of existing garage into a detached home office with new pitched roof

Location: 39 Bury New Road, Ramsbottom, Bury, BL0 0AR

Description

The site relates to a two storey stone house and the end property in a row of 3. The row is set back from the road and at a raised level. A shared drive leads up to the site and along the front boundary is a stone wall and mature planing provides a level of screening. The site is within Ramsbottom Conservation Area and also on the councils draft local list. To the side of the site is a graveled drive which leads to a detached flat roofed stone garage that extends into the rear garden. The site garden is lengthy and slopes up with mature planting that screens the rear boundary which backs on to the footpath to Eliza Street. The neighbouring property to the side of the proposed development is No.37, also a two storey stone house that sits separated by the site and its own drive.

The application proposes to add a pitched roof to the garage which would be converted to a home office with garden store. The stone walls would be retained and stone capping added. The eaves would be raised by approximately 0.6m and finished in dark grey composite timber cladding. The roof would be a dual pitch with a ridge height to 3.6m and finished in natural slate with roof lights to the south side slope. Existing glazing to the north side elevation would be replaced with dark grey composite timber cladding. The front elevation would have a full height picture window and a door and a glazed panel to the top of the front gable with a metal truss. The plans also note the existing garden gate removed and a 1.8m fence with gate in composite timber fence with dark grey framework and dark brown boards across from the house to the side boundary.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter on 19/04/23. A site notice was posted on 26/04/23 and a press notice placed in the Bury Times on 27/04/23. No representations have been received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
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.

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.

UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control seek to preserve or enhance the character and appearance of these areas. Development will only be acceptable if it preserves or enhances these areas with regard to the nature of the development in terms of bulk, height, materials, design, relationship to the surrounding area, and impact of a new use on the character of the surrounding area.

Proposals where appropriate should seek to implement measures to retain, replace, restore features of architectural interest, retain and enhance landscaping features, promote environmental enhancement and promote design guidelines to ensure sympathetic development.

Visual amenity, design and impact on the Conservation Area - The site property is set back from the road, at a raised level, and there is planting that provides some screening. The garage as existing is set back from the main frontage of the property and as such would not be readily visible from the main street view. This would also be the case to the rear where the site garden is raised in levels and planting screens from Eliza Street.

The 0.6m increase of the eaves and the ridge height to 3.6m would not be significant or overlarge for a detached domestic outbuilding. The materials of dark grey timber composite cladding to the walls and natural slate roof would be an appropriate finish. Much of the building would be screened by the 1.8m high fencing to run across the drive.

With the proposed extension to the building not readily visible from the main street view and the alterations an improvement and in appropriate materials, the character and appearance of the Conservation Area would be preserved.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The site as existing has a two car width drive that, following the addition of the fencing, would be approximately 11.6m in length.

Residential amenity - The neighbouring property to the side of the proposed development is No.37. It has a flat roofed stone single storey blank wall section along the side and is then separated from the site with a stone wall with timber fence above. The site garage is set back from the main two storey section of No.37 section which has windows to the first floor side. The proposal would have no windows to the side to No.37 and there would be a solid door. Roof lights would be located to the slope facing the site garden. As such there would be no privacy issues to No.37 and the proposal would not cause any significant loss of light or overshadowing.

The proposal complies with UDP Policies H2/3 - Alterations and Extensions, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control 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 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.

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- 2 This decision relates to drawings numbered 23-0007-00-000 Rev R01, 23-0007-00-001 Rev R01, 23-0007-00-101 Rev R01, 23-0007-20-000 Rev R01, 23-0007-20-001 Rev R01, 23-0007-20-101 Rev R01 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	23/05/23	HL	23/05/23