

DELEGATED REPORT

Report by Amanda

Date of report: 27/10/2022

Ref:68638/FUL

Uhunmwagho

Registration: 23/08/2022

LDfC: 17/09/2022

Expiry Date: 18/10/2022

Site Visit: 16/09/2022

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 infill extension at front/side; Single storey extension at rear and Single storey extension to garage at rear to connect to dwelling

Location: 14 Hawthorn Avenue, Ramsbottom, Bury, BL0 9UZ

Description

The application relates to a detached bungalow with gardens to the front and rear. There is a detached garage at the rear and drive way to the front/side of the dwelling. Along the front boundary there is a short brick wall and some planting. Hawthorn Avenue consists of both bungalows and two storey dwellings.

The proposal is to add a single storey infill extension to the front/side of the house, a single storey extension to the rear and also a single storey extension to the side to extend the existing garage and connect it to the main dwelling.

At the front the extension would square off the property. It would measure 3.16m x 2.27m and the roof would be pitched. At the rear the extension would project 3m from the original rear elevation and it would measure 8.36m wide. The roof would be hipped with one rooflight to the rear.

At the side the existing garage would be extended to the front and rear. It would have an overall length of 9.43m x 3.32m wide. The roof would remain flat.

Relevant Planning History

N/A

Publicity

Neighbours notified on 26/08/2022 - 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.

The design and proposed materials of the proposed extensions would be considered in keeping with the existing building as well as neighbouring properties. The extension to the front would not extend forward of the main front elevation. With this in mind the proposal would be considered to be in keeping with the existing building and therefore 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 -

- The extended property would be a sufficient distance from properties to the front and rear not to have any significantly detrimental impact on residential amenity at these properties.
- At the rear the extension would be more than 7m from the rear boundary which would be acceptable in terms of SPD 6 and there would not be any privacy concerns at neighbouring properties and gardens.
- There would be no windows in the side elevation to the south side elevations and no windows to the north side elevation of the extended garage.
- The plans show that the garage extension would be built within the site boundary to match the existing garage on site, which is directly adjacent to the garage at no.16 next door. Any concerns regards encroachment would be a civil matter which the applicant would need to discuss with the owner/occupier of no.16 if necessary.
- The drive way to the front of the extended garage would be over 15m in length which would be more than sufficient to accommodate two vehicles within the site boundaries. There are also no parking restrictions to the highway in front.
- To the south side the rear extension would be built in close to the shared boundary with no.12 to the south to the north of the detached garage at this property. As the extension would only run alongside the drive way at this property it would not cause any significant harm in terms of 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 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 front garden and drive.

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 LB1-01, LB1-02, LB1-03 and LB1-04 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

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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 - 27/10/2022			