

DELEGATED REPORT

Report by Jane Langan	Date of report: 28/01/2022	Ref: 67842/FUL
Registration: 29/11/2021	LDfC: 04/01/2022	Expiry Date: 24/01/2022
Site Visit: 05/01/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey front/side extension

Location: 6 Bramworth Avenue, Ramsbottom, Bury, BL0 9EJ

Description

The property is a two storey semi detached house located on a short cul de sac. It has a garden and drive to the front and a single storey attached garage and porch which project from the front elevation. To the rear is a patio from the house and a lawn at a raised level. The rear boundary backs on to the rear gardens to 7 & 9 Heapworth Avenue where the properties are at a higher level. The adjoining neighbour is No.8 and to the opposite side No.4 is a semi which sits at an angle to the site and has a garage at the side and a single storey to the rear of this. Fencing separates from the site garden.

The application proposes to remove the garage and porch and replace with a two storey extension. It would project 0.9m from the front elevation for 5.5m across and extending along the side to the level of the existing rear elevation. It would form a hall, study and extended kitchen at ground floor and at first floor an extended bedroom and an additional one with ensuite.

Relevant Planning History

33708 - Porch, garage and conservatory extension at front / side - AC 09/12/97.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

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.

Visual amenity and design - The proposed side extension would come to within 0.9m of the side boundary. With the adjacent No.4 set back and at an angle it is not considered that there would be potential for terracing in this instance. The site is also on a short cul de sac with 3 pairs of semis to this side of the road and two pairs opposite.

The proposal would see the property extended two storey at the front. It would not project excessively from the front coming out 0.9m the same as the existing single storey porch/garage. The extension would form a front gable with the roof extending from the main ridge and then forming a side gable wall. Whilst the cul de sac is of properties of the same house types, some extended single storey at the front/side, the proposal is of an acceptable design and it is not considered that it would appear out of place or intrusive in the street. The existing house is in a brick finish with rendered panels and the proposed extension walls would be in render. Roof tiles are not specified therefore a standard matching condition is added.

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 increase the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces.

The site as existing has a drive to the front in excess of 5.5m and which would remain as the proposed front extension would be the same depth as the existing garage. There is a front garden and there may be potential for further parking if the applicant should require it. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient.

Residential amenity - The proposed extension would be to the side to the unattached No.4. This property is angled away from the site and with its garage/shed and single storey along the side screened by fencing. The gap between the site and No.4 is such that the proposal would not have any significant impact on its principle windows to the front and rear. The side elevation of the proposed extension would be blank wall.

There would be a distance in excess of 7m from the proposed first floor window to the rear boundary and the window is also to a non habitable room as an ensuite.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 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.
- 2 This decision relates to drawings numbered ADL 10215712/1, ADL 10215712/2, ADL 10215712/3, ADL 10215712/4 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 The roof tiles for the proposed extension 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>
JL	28/01/22		