

DELEGATED REPORT

Report by Amanda

Date of report: 03/07/2023

Ref:69550/FUL

Uhunmwagho

Registration: 08/06/2023

LDfC: 01/07/2023

Expiry Date: 03/08/2023

Site Visit: 20/06/2023

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: First floor extension at side and demolition of existing garage and construction of an outbuilding at rear to be used for storage and garden room

Location: 62 Bury New Road, Ramsbottom, Bury, BL0 0BY

Description

The application relates to a two storey semi-detached house on Bury New Road, Ramsbottom. There is a single storey side extension and the whole of the front and side of the site is hardstanding, providing on site parking for at least three vehicles. To the rear of the site is a large garden with a stone wall and fence along the west boundary, fencing to the rear and a fence and planting along the east boundary.

The proposal is to build a first floor extension above the existing single storey side extension. It would measure 7.1m long and would be set back from the existing front elevation by around 900mm. The roof would be hipped and it would be finished with materials that would match the existing dwelling. There would be a bedroom window to the rear and an en-suite window to the front.

The existing detached garage is to be removed in order to build the proposed outbuilding. The building would be 4.5m away from the rear elevation of the main dwelling. It would measure 8.3m long and 3.77m wide. Along the east boundary the side elevation would measure 4m high and the roof would slope down to the west. The roof over the store would be finished with blue-grey slates and the roof over the garden room would be glazed.

There would be a single door to the store on the north elevation and the garden room would have windows and doors to the west elevation overlooking the garden. There would also be glazing to the south elevation.

Relevant Planning History

N/A

Publicity

Neighbours notified on 09/06/23 - No comments or objections 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.

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 first floor side extension would be built with materials and a design that would be

considered to be in keeping with the existing building. The 900mm set back to the front and the fact that the roof would be set down from the existing roof, the extension would remain subservient to the main dwelling. It would not have any significant detrimental effect on the character of the streetscene.

The outbuilding to the rear would not be openly visible in the public realm and it would only be partially visible from adjacent properties. The proposed materials would be considered to be 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 -

- Distances from the extension to properties to the front and rear of the site would be more than sufficient and as such there would be no significant detrimental effect on residential amenity at these properties.
- As the extension would be to the east side of the existing dwelling the first floor extension would not have any impact on residential amenity at no.60 Bury New Road, attached to the west side.
- No.64 Bury New Road to the east is an extended two storey dwelling. Given the steep gradient on Bury New Road this property has a higher ground level compared to the site. This property has a two storey side extension with a window facing the site. The only information that could be found regards this extension is that it was approved 33 years ago (ref 25285). There is no further information about the use of this room but it has been noted that the owner of no.64 has not objected to the proposal.
- The first floor window to the side of the extension at no.64 has views over the rear garden of the site. As such the first floor extension would not have any significant detrimental effect on this particular window at no.64.
- There is a door and an obscurely glazed window to the ground floor of the side elevation at no.64.
- As the extension would be to the first floor there existing parking arrangement to the front of the site would not be affected by the proposed development.
- The existing detached garage at the rear would be demolished in order to build the proposed outbuilding.
- The outbuilding would have a store to the front and garden room to the rear. It would extend 8.3m adjacent to the shared boundary with no.64. The roof would be mono-pitched sloping down from east to west. The plans show that the outbuilding would only be partially visible above the fence line from no.64 and there would be no windows in the elevation adjacent to the boundary. As such there would not be any significant detrimental impact on residential amenity at the rear of no.64 next door.
- The plans show that the outbuilding would be built within the site boundary. As such there would be no concerns regards encroachment on to land at no.64.
- There would be windows and doors to the west elevation. These would be around 7.5m from the shared boundary with no.60. The existing planting along the shared boundary would screen all ground floor views to and from the garden room, but even if they were removed the aspect standard distance to the boundary would be satisfied in terms of SPD 6.

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 increase the number of bedrooms from 2 to 3 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 2 parking spaces. Parking would be as existing to the front drive which would be unaffected by the development and there is space for three vehicles. The area has on street parking and

there is public transport available. 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.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered 22-10-01, 22-10-12-A, 23-01-05-A and 23-01-10-A 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 - 03/07/2023			