

DELEGATED REPORT

Report by Mo Warsame	Date of report: 08/07/2024	Ref: 70699/FUL
Registration: 09/05/2024	LDfC: 04/06/2024	Expiry Date: 04/07/2024
Site Visit:	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: Single storey rear extension; Conversion of garage to living accommodation with single storey side extension/canopy and new pitched roof; External alterations

Location: 3 Treetops Avenue, Ramsbottom, Bury, BL0 9RJ

Description

Detached bungalow set within a cul de sac. There is a drive to the side leading to an attached garage. There is a small garden to the front a larger one to the rear. The adjacent property No 2 is a similar house type and the property on the opposite side (No.5) is a two storey detached property.

Planning permission is sought for a single storey rear extension, the conversion of existing garage to living accommodation, along with a single storey side extension/canopy and the replacement of the existing flat roof over the garage with a new pitched roof. The development would utilise the use of some matching materials and it would accommodate a bathroom, extension to the existing dining area and a new bedroom via the proposed garage conversion.

Relevant Planning History

None.

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PFE Policies 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 - 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 proposed rear extension would be a simple and unobtrusive design that would not overwhelm the dwelling. it would have patio doors to the rear that would align with the existing windows which would be acceptable. Moreover, the extension would be constructed that would match the existing dwelling and it would be located at the rear and would not be visible in the street scene.

The conversion of existing garage to living accommodation would also be acceptable as it could be realised under permitted development. This part of the development would also include a modest side extension with a flat canopy connecting to the existing garage along with the changing the of garage's roof from flat roof to pitched to replicate the style and shape of the main house.

Overall, the proposed development would not have a detrimental impact upon the character of the dwelling and would not be a prominent feature in the street scene. Therefore, the proposed development would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

Residential amenity - SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The proposed rear extension would project less than 3 metres to the rear and it would not project beyond the principal rear elevation. Therefore, there would be no detrimental residential impact and as such, the development would comply with the guidance in SPD6.
- Both, the proposed rear and side extensions would have no proposed side windows facing the adjacent neighbours and there would be a sufficient distance to the rear boundary. Furthermore, the side extension would not project beyond the principal front and rear elevations and such, would not cause any detrimental impacts above and beyond the existing condition.

Overall, there would be serious impact on amenities of the adjacent neighbouring properties. The proposal therefore not conform to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - 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 dwg no. 1, dwg no. 2 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>
MW	08/07/2024	DM	09/07/2024