

DELEGATED REPORT

Report by Amanda

Date of report: 07/06/2023

Ref:69615/FUL

Uhunmwagho

Registration: 10/05/2023

LDfC: 01/06/2023

Expiry Date: 05/07/2023

Site Visit: 17/05/2023

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: Garage conversion; New access ramp with ballustrade to front and rear elevation

Location: 95 Longsight Road, Ramsbottom, Bury, BL0 9TA

Description

The application relates to a previously extended, two storey semi-detached house situated on Longsight Road, Ramsbottom. The whole of the front of the site is paved with potted plants and a short stone wall to both sides. There is also a small conifer directly to the front of the house. At the rear there is a single storey extension with patio doors leading out to the garden. The rear garden is paved with planting to both side boundaries.

The proposal is to convert the existing garage/store in to a second entrance to the property and shower room, to be used by the applicant who is a wheelchair user. There would also be an external store at the front. The garage door would be replaced with two black upvc doors.

Access ramps would be installed to both the front and rear elevations. They would both have a 1:12 gradient and a width of 1.2m and they would have galvanised metal handrails and balustrades.

Relevant Planning History

N/A

Publicity

Neighbours notified on 11/05/2023 - 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 change from the existing black garage door with two black upvc doors would remain in keeping with the existing building and would not appear intrusive in the existing street scene.

The proposed access ramps would have galvanised metal handrail and balustrades which would be considered to be an acceptable material in terms of access ramps of this nature. The proposal is considered 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 proposed doors to the front elevation, and the conversion from a garage/store to a new entrance and store would not have any detrimental impact on residential amenity at no.97 next door.

The proposed access ramps to the front and rear elevations would be for access to the property only and not considered to be an area where any significant amount of time would be spent. As such the location of the ramps would not have any significant detrimental effect on residential amenity at either of the adjacent properties and their gardens.

The proposed ramp to the front of the property would not interfere with existing parking arrangements to the front of the site. As such 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.

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 2301-01 and 2301-02 received on 02/05/2023 and revised drawings numbered 2301-110A and 23101-120 received on 06/06/2023 as modified by the email from Chesham Design dated 06/06/2023. The development shall not be carried out except in accordance with the details 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 and the access ramps to the front and rear of the dwelling would have galvanised metal handrails and balustrades.
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.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU -	07/06/2023	HL	07/06/23