

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 13/03/2024	Ref: 70451/FUL
Registration: 23/01/2024	LDFC: 22/02/2024	Expiry Date: 19/03/2024
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Single storey extension for toilet facility

Location: Hewlett Court, Newcombe Road, Ramsbottom, Bury, BL0 9XJ

Description

The application site relates to sheltered housing accommodation for the elderly. The building is located at the junction of Longsight Road and Newcombe Road and is set within its own grounds. The building is constructed from brick with a tile roof and is a mixture of single and two storeys in height.

There are residential properties to the east side and a school and its playing field to the north. Access off Newcombe Road.

The application seeks a single storey extension to provide an additional WC facility.

The extension would be located on the northern elevation and infill a gap in the building. The extension would be 5.6m wide and 2.6m deep with a 3.5m high pitched roof.

External materials would be brick to match the existing.

Relevant Planning History

63313 - Two storey extension at side - Approve with Conditions 09/11/2018

Publicity

Letters sent to 46 properties.

No responses received

Statutory/Non-Statutory Consultations

Environmental Health - Contaminated Land - No comments

Borough Engineer - Drainage Section - No response received

Traffic Section - No objection

Pre-start Conditions - Applicant/Agent [Not relevant/has/has not] agreed with pre-start conditions

Unitary Development Plan and Policies

NPPF National Planning Policy Framework

PFE Places for Everyone

EN1/2 Townscape and Built Design

CF1/1 Location of New Community Facilities

CF3 Social Services

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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.

Policy CF states that the Council will consider favourably proposals for the provision of new, and the improvement of existing social services facilities for children, young people, elderly people, people with mental and/or physical handicaps and illnesses, and other groups with special needs.

The proposed development would provide additional WC facilities for the sheltered housing facility and as such considered acceptable in principle.

Impact on surrounding area

The extension would infill a gap between two projecting elements of the build and would not project any further than existing building lines.

The extension would be single storey and a relatively minor addition contained fully within the site and as such would not affect any surrounding properties.

As such the proposed extension is considered acceptable and comply with EN1/2 and SPD6.

Design

The proposed extension would be brick built and single storey and designed to be in keeping with the existing building in terms of appearance.

As such the proposed development is considered acceptable and would comply with EN1/2.

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 - Red edge site location plan; Proposed site layout; Proposed elevations and floor plans, plans received 23/1/24, 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 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u> JT 13/3/24	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
-----------------------------------	-------------	-------------------------	-------------