

DELEGATED REPORT

Report by Amanda

Date of report: 06/05/2022

Ref:68193/FUL

Uhunmwagho

Registration: 09/03/2022

LDfC: 14/04/2022

Expiry Date: 04/05/2022

Site Visit: 25/04/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey extension at rear

Location: 56 Stanford Hall Crescent, Ramsbottom, Bury, BL0 9FD

Description

The application property is a two storey detached house situated on a good sized plot. The side elevation faces on to the highway with the front elevation to the north . The drive way is to the front of the property with a detached garage to the north of the dwelling. There are fences to all boundaries of the rear garden and adjacent to the rear boundary there is an existing timber cladded out building.

The proposal is to build a two storey rear extension projecting 4m from the existing rear elevation and extending across the rear elevation. The roof would be hipped.

Relevant Planning History

N/A

Publicity

Neighbours notified 23/03/2022 - 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 proposed extension would be built with materials and a design that would be considered to be in keeping with the existing building. As the dwelling is built at an angle to the highway to the side the proposed extension would not be any closer to the boundary than the existing dwelling is not. With this in mind there would be no significant detrimental effect on the character of the existing street scene.

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 -

- As the extension would be built on the rear elevation only there would be no detrimental impact on residential amenity at no.54 Stanford Hall Crescent to the north.
- No.37 Stanford Hall Crescent to the west side is located on the opposite side of the road. There would be sufficient distance in between the extension and this property that

there would not be any significant detrimental impact on residential amenity at either property/garden.

- There are no residential properties to the west of the site.
- No.58 to the south has a conservatory on the side/rear elevation closest to the shared boundary. The rear elevation of the extension would be around 13m to the side of the conservatory and around 16m from the main side elevation of this property. As the extension would be angled away from this property and there are no habitable room windows in the side elevation of no.58 there would be no significant detrimental effect on residential amenity at this property.
- In addition to the above the extension would be over 7m from the rear boundary which would be in line with the requirements as set out in SPD 6.
- The side east side elevation facing on to the highway would be well over 2m from the boundary which would be acceptable in terms of SPD 6 in terms of the relationship of the extension to the adjacent highway.
- There would be a new first floor bedroom window installed in the side elevation facing on to the highway. SPD 6 states that first floor habitable room windows should be at least 7m from a boundary in order to retain privacy levels between properties/gardens. In this instance the new bedroom window would be around 5m to the side boundary. As the window would overlook the highway the lesser distance of around 5m would be acceptable in this instance.

With the above in mind 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 increase the number of bedrooms from 3 to 5 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. The proposed extension would be built at the rear of the existing dwelling and would not interfere with the existing parking arrangements to the front of the site. At the front of the property there is a single garage (attached to the garage belonging to no.54) and a shared drive way. Given that the applicant could park two vehicles to the front of the garage and would have a third space in the garage 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 22/689/01, 22/689/02, 22/689/03, 22/689/04 and the existing and proposed site plans 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 - 06/05/2022			