

**DELEGATED REPORT**

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| <b>Report by</b> Jane Langan    | <b>Date of report:</b> 06/01/2023 | <b>Ref:</b> 68973/FUL          |
| <b>Registration:</b> 02/11/2022 | <b>LDFC:</b> 25/11/2022           | <b>Expiry Date:</b> 28/12/2022 |
| <b>Site Visit:</b> 28/11/2022   | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b> 0            | <b>Con Area:</b> N/A              | <b>Adv Type:</b> NONE          |
| <b>Reason for Delay:</b><br>N/A |                                   | <b>EIA:</b> NA                 |
|                                 |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** Roof extensions at first floor level to front and rear; Two storey side extension

**Location:** 14 Springwater Avenue, Ramsbottom, Bury, BL0 9RH

**Description**

The property is a detached dormer bungalow. It has an attached garage at the front and the front garden is fully surfaced for parking. To the rear is a fenced garden and beyond the rear boundary the rear garden to 85 Summerseat Lane which has some screening from fencing and conifers. The neighbouring property to the south side is No.16, also a dormer bungalow at a slightly lower level. To the opposite side No.12 is another dormer bungalow and extended single storey at the side to the rear of its garage.

The application includes extending 2.8m out two storey at the side in the area to the rear of the garage. The new and existing side elevations would be built up to form gable walls with piers to the front and rear and a new roof would extend across. The extensions would form a utility and extended kitchen at ground floor and two additional bedrooms at first floor with an existing becoming an ensuite.

**Relevant Planning History**

None.

**Publicity**

Surrounding neighbours were notified by letter and no responses have been 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.

**Visual amenity and design** - The proposed two storey would be built almost to the boundary and generally SPD6 can require a first floor set back at the front of 1.5m in order to prevent the potential for terracing. The site is on a road where, at this particular section, there are 5 of this type of dormer bungalow. No.10 has extended two storey at the side and run its front dormer across. The proposal would see the first floor front elevation flush, except for the brick piers to each side. With the potential for the other 3 properties on the row to come forward with a similar scheme the consideration then is the potential loss of gaps along the row. The dormer bungalows are set well back from the street and the garages project at the front as fairly dominant features. The site is also part of a short row of this particular house type. For these reasons it is not considered that, in this instance at this particular site, the proposal would result in an out of character development that would result in unacceptable harm to the street scene that would give grounds for refusal with regard to terracing. In addition the area has a mix of house styles and this type of extension is seen in the immediate vicinity including No.20 and No.7 across the street.

Materials for the new roof would be black tiles and the areas of brickwork would be to match the existing and with grey upvc cladding to the first floor front and rear.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

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**Parking** - The proposal would increase the number of bedrooms from 3 to 4 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 has the front garden full surfaced for parking and the proposal would not affect this.

**Residential amenity** - The proposed two storey side extension would run as blank wall adjacent the side blank wall to No.16.

To the rear there would be a distance in excess of 7m from the proposed first floor bedroom window to the boundary and it would be same separation distance as existing first floor windows.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - 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 ZT22-196-00, ZT22-196-01, ZT22-196-02, ZT22-196-03, ZT22-196-04, ZT22-196-05, ZT22-196-06, ZT22-196-07 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.

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| <u>Case Officer</u><br>JL | <u>Date</u><br>06/01/23 | <u>Sign off Officer</u> | <u>Date</u> |
|---------------------------|-------------------------|-------------------------|-------------|