

DELEGATED REPORT

Report by Tom Beirne	Date of report: 18/06/2024	Ref: 70746/FUL
Registration: 20/05/2024	LDfC: 12/06/2024	Expiry Date: 15/07/2024
Site Visit: 11/06/2024	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 front extension

Location: 13 Crag Avenue, Summerseat, Ramsbottom, Bury, BL9 5NZ

Description

The property is a red brick bungalow situated in a well established residential area which is positioned just outside of Summerseat Conservation Area and washed over by the Green Belt. There is currently a garage to the side of the property and a driveway to the front suitable for two vehicles. Houses to the front are over 20m away. Number 11 next door has a garage and drive adjacent to the site and a conservatory at the rear close to the shared boundary. To the north number 13 is a previously extended detached property. This has a dormer on the front and it also appears to have a slightly higher ground level to that on site.

The proposed single storey extension would project out 1.5m to come flush with the front elevation. It would measure 3.4m across to the side elevation, have a flat roof and be finished in brickwork to match the existing bungalow.

Relevant Planning History

59320 - Single storey extensions to front, side and rear - Approve with Conditions
19/11/2015

Publicity

Immediate neighbours notified by letter dated 21/05/2024.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Development Plan and Policies

H2/3	Extensions and Alterations
OL1/2	New Buildings in the Green Belt
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), 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.

Green Belt - The site is within the green belt but with a built-up residential area of Ramsbottom. Th every modest extension would have no impact on either the character or openness of the green belt and as such the proposal is acceptable in terms of Green belt Policy.

Visual amenity - The extension is modest in scale and would not appear prominent on the bungalow or within the streetscape. Finished in brick to match the bungalow. The proposed extension is acceptable and complies with UDP Policy H2/3 and guidance in SPD6 relating to visual amenity.

Residential amenity - Given the scale and siting in relation to neighbours, there are no residential amenity issues arising. Small high level side window does not impact on privacy. Complies with UDP Policy H2/3 and guidance in SPD6 relating to residential amenity.

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 1, 2 and 3 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>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	18/06/2024	DM	20/06/2024