

DELEGATED REPORT

Report by Sam Summers	Date of report: 22/09/2022	Ref: 68668/GPDE
Registration: 22/07/2022	LDFC: 18/08/2022	Expiry Date: 16/09/2022
Site Visit: 20/09/2022	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Application for prior approval of a proposed enlargement of a dwellinghouse by construction of additional storeys - proposed addition of one storey to create a two storey house (maximum height 8.2 metres)

Location: 339 Manchester Road, Ramsbottom, Bury, BL9 5NA

Description

The application relates to a red brick white rendered bungalow on Manchester Road, Ramsbottom. There are bungalows to the side and rear with a two storey dwellinghouse to the south. Manchester Road to the front of the property is a busy road leading directly to the motorway just after these properties.

The proposal is to add a first floor to the bungalow to create a two storey house. The first floor extension would mirror the existing footprint. The new window openings at first floor are aligned to match the existing window openings of the bungalow.

The application has been submitted for prior approval under Part 1, Class AA.

Relevant Planning History

None

Publicity

Neighbours notified by letter dated 28/07/2022 - One objection received with the following issues raised:

Proposed development would not be in character with the area as all properties locally are of similar height.

Issues over access including restrictions in the deeds of the private drive, issues involving the motorway slip road and how an increase in traffic could increase the hazard.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

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.

The proposal would comply with all the limitations and conditions as laid out under Article 3 Schedule 2 Part 1 Class AA of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However the LPA must make a determination as to the impact on:

Amenity of any adjoining premises, the external appearance of the dwellinghouse, air traffic and defence asset impacts and impact on a protected view.

Amenity of adjoining premises -

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

There are no ground floor habitable room windows facing the two storey blank wall from 331 Manchester Road. Any first floor windows at 331 would be over 7m from

the blank wall which would comply with the aspect standards in SPD6. There would be a blank side wall facing the adjacent neighbour at 329 Manchester Road. There is a significant distance between the property and 341 Manchester Road meaning there would not be significant impact on the amenity of that property. As such, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties.

External appearance of the dwellinghouse -

The dwellinghouse would use brick which is the same material used in the original construction of the dwellinghouse and would match many of the nearby properties which are also built from brick. The principal elevation would have new window openings at first floor these are positioned so as to match the existing window openings at ground floor level. The property is set back significantly from the road with a large garden area in front of it. Whilst many of the properties in the row are single storey bungalows the nearby property 331 Manchester Road is two storey, as is the building at the other end of this row of properties the Red Hall Hotel. This gives the entire row the appearance of being bookended by buildings with multiple storeys.

Air traffic and defence assets -

There are no impacts on air traffic and defence asset impacts of the development

Impact on a protected view -

There would be no impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012 issued by the Secretary of State.

Response to objections -

The issues raised which relate to the development not being in character with the rest of the street have been addressed in the above report.

As for the issues surrounding traffic the prior approval application does not allow the LPA to assess the possible impact of traffic increases from the development, also many of the issues raised involving the motorway slip road or the deeds of the private driveway are not planning related.

Recommendation: Prior Approval Required & Granted

Conditions and Reasons:

- 1 The development must be completed within a period of 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 21069-01 & 21069-12 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 Before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact

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of
noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated.
Reason. As required by sub paragraph 3b Condition AA.2. of Schedule 2, Part 1,
Class AA.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
SS	22/09/2022		