

DELEGATED REPORT

Report by Amanda

Date of report: 10/11/2022

Ref:68783/FUL

Uhunmwagho

Registration: 15/08/2022

LDfC: 28/09/2022

Expiry Date: 10/10/2022

Site Visit: 23/09/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey garage extension at side with new driveway/raised garden areas at front and formation of rear patio with steps to garden level

Location: 9 Swan Road, Ramsbottom, Bury, BL8 4ES

Description

The property is a previously extended, two storey detached house with a lawned garden to the front with planting to the front corner boundary and a drive way for two vehicles. To the rear there is a private garden with fencing to all boundaries.

The proposal is to build a single storey garage to the side of the dwelling with extended drive way, repositioning of the drive way access, reinstatement of dropped kerb and raised garden areas to the front. At the rear of the property there would be a new patio with steps up to garden level.

The garage extension would measure 3.57m wide and 11.16m long. It would have a hipped roof and there would be no windows to the side elevation. The front of the site would be landscaped with raised garden areas to the south east of the site as well as planting to the west.

The existing dropped kerb access to the site would be removed and the kerbs reinstated. The drive entrance would be repositioned towards the west corner of the site. There would be parking available to the front of the site for two vehicles plus the new garage to the side.

At the rear a new patio area would be created directly to the rear of the property. A short retaining wall would be built as well as steps leading up to the garden at the rear.

Relevant Planning History

62728 - - ZZZ Special deleted application 23/04/2018

62732 - Two storey extension at front/side with bay window at front and new entrance canopy - Approve with Conditions 31/05/2018

Publicity

Neighbours notified on 07/09/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objections. Two conditions and informatives suggested.

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 garage extension would be built with materials and a design that would be considered to be in keeping with the existing building. It would not have any significant detrimental effect on the character of the existing streetscene.

The new landscaped areas to the front of the site and repositioning of the drive way and access point would be considered in keeping with neighbouring properties along Swan Road and therefore would be acceptable in this location.

The new patio to the rear would not be visible in the public realm.

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 -

- The only extension to the property would be the garage to the side. The structure would be a sufficient distance from properties to the front and rear not to have any significant detrimental impact on residential amenity at those properties.
- As the garage would be built on the west elevation there would be no impact on residential amenity at no.10 next door.
- No.8 Swan Road to the west has a higher ground level to that on site. There is a garage to the side of this property and drive way adjacent to the boundary with site, as well as an entrance door. There are no habitable room windows on the side elevation of this property. As the garage would be single storey only with no windows to the side elevation it would not have any significant detrimental effect on residential amenity at no.8 next door.
- The proposed landscaping to the front garden, new drive way and the patio to the rear garden would not have any significant detrimental effect on residential amenity along Swan Road.
- Conditions would be added regards storage of materials within the site during the build and that the existing dropped kerb should be reinstated prior to the new drive being used.

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 in terms of separation distances to surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. However, the proposed parking arrangements within the site would mean at least three vehicles could be parked on site, two vehicles on the drive way and one in the garage if needed. 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 Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 R-0469-SLP Rev A, R-0469-09 Rev A and R-0469-10 received on 15/08/2022 and revised drawings numbered R-0469-13 Rev A and R-0469-14 Rev A received on 07/11/2022 as modified by the email from Equilibrium Architects Ltd dated 07/11/2022. The development shall not be carried out except in accordance with the details 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.
- 4 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.
- 5 The revised access and car parking arrangements indicated on approved plan reference R-0469-13 Revision A, incorporating the reinstatement of the redundant footway crossing to adjacent footway levels and provision of a new footway crossing to a specification to be agreed on site with the Highway Authority incorporating edging to demarcate the limits of the adopted highway, hardstanding in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway the proposed footway crossing and all associated highway remedial works, shall be implanted prior to the new driveway hereby approved being brought into use and thereafter maintained available for use at all times.
Reason.
To secure the satisfactory development of the site in terms of highway safety, to allow adequate space to maintain a vehicle clear of the highway and maintain the integrity of the adopted highway pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU-	10/11/2022		