

DELEGATED REPORT

Report by Amanda

Date of report: 10/01/2025

Ref:71398/FUL

Uhunmwagho

Registration: 28/11/2024

LDfC: 03/01/2025

Expiry Date: 23/01/2025

Site Visit: 07/01/2025

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: First floor side extension; Single storey rear extension to replace conservatory; Erection of front porch

Location: 4 Oak Avenue, Ramsbottom, Bury, BL0 9UY

Description

The application relates to a two storey detached house which has a conservatory to the rear. There is an open garden to the front with driveway for at least two vehicles, plus a garage. Access to the rear garden is via a path to the west side of the property. At the rear there is a private garden with fences to all boundaries and lots of planting. Houses to the east of site have a similar land level to the site, but no.2 Oak Avenue, to the west is slightly higher compared to site.

The proposal is to remove the existing conservatory and build a single storey rear extension, a first floor extension to the side and a front porch. The porch would be positioned directly in front of the existing front entrance. It would project a maximum of 1760mm forward of the front elevation and would measure 2140mm wide. The roof would be pitched.

The first floor side extension would measure 2735.5mm wide x 8022mm long and the roof would be hipped. The front elevation would be set back from the existing front elevation by 900mm. The porch and side extension would be finished with brick to match the existing building and there would be composite doors to the front and side of the property.

The single storey rear extension would project 4182mm x 8053mm wide. It would have a flat roof with two rooflights. There would be patio doors and glazing to the rear elevation and glazing to the south east side elevation. The rear extension would be finished with timber cladding with aluminium frame windows and sliding doors.

Relevant Planning History

N/A

Publicity

8 neighbours notified on 10/12/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

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), 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.

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 porch and first floor side extension would be built with materials and a design that would be considered to be in keeping with the existing building. The single storey extension would be a more modern style compared to the existing dwelling, but as it would be to the rear of the house it would not be visible in the public realm at all. It may be partially visible from the rear gardens of abutting properties but its design and finished materials would be considered acceptable in this location.

The first floor side extension would be set back from the original front elevation by 900mm. Normally a set back of 1500mm would be required to the first floor front elevation in order to ensure terracing does not occur with a neighbouring property. However, in this instance the existing path the side of the house would remain and this measures around 900mm wide. As such the 900mm set back to the front would be considered acceptable on this occasion and there would be no concerns regards future terracing with no.2 Oak Avenue next door. It is also noted that no.2 has a slightly higher ground level to the site and it is a different style of building compared to the application property.

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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- There is open land directly to the front of the site.
- Properties to the rear are more than a sufficient distance from the site of the proposed extensions not to have any significant detrimental effect on residential amenity at those properties.
- There would be around 8000mm from the rear of the single storey rear extension to the rear boundary, which would be acceptable in terms of SPD 6.
- There would be just over 12,000mm from the rear elevation of the proposed first floor side extension. This would be the same distance as existing first floor windows on this property.
- There would be no windows in the north west side elevation of the first floor side extension.
- As the first floor side extension would be built directly above the existing garage/kitchen it would be no closer to the shared boundary with no.2 Oak Avenue than the existing property and the 900mm path would remain.
- The first floor side extension would not project beyond the front and rear elevations of no.2 next door meaning it would not have any significant detrimental impact on light to that property.
- The drawings show there would be a rooflight to bedroom no.5. As this would be at roof level it would not cause any seriously detrimental harm in terms of loss of privacy to neighbouring properties.
- The single storey rear extension would be around 5000mm away from the south east side boundary and there would be glazing to the south east side of the extension. Although this is less than the 6500mm as suggested in SPD 6 any views from the extension would be towards the existing boundary fence and planting only. It is considered that the windows to the side elevation would not have any significant detrimental impact on privacy levels at properties to the south west of the site.
- As the porch would be positioned to the front of the existing front entrance it would not interfere with existing parking arrangements on site.
- The parking arrangements on site would remain as they are currently.
- The drawings show that all of the development would take place within the curtilage of the site.

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 distance to the surrounding properties.

Parking -

The proposal would increase the number of bedrooms from 4 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 which can accommodate unto 3 vehicles, as well as a possible fourth space in the garage. The proposed extensions would not affect the existing parking arrangements within the site. The area also has on street parking available. 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 SGH-013-01A, SGH-013-002A, SGH-013-003C and SGH-013-04 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 in terms of visual amenity, and Places for Everyone Joint Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall be brick to match those of the existing building in respect of the porch and first floor side extension. There would also be composite doors to the front porch and side elevation. The single storey rear extension shall be finished with timber cladding and aluminium window and sliding door frames.
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 - 10/01/2025		HL - 10/01/2024	