

DELEGATED REPORT

Report by Amanda

Date of report: 03/11/2020

Ref:65891/FUL

Uhunmwagho

Registration: 28/09/2020

LDfC: 20/10/2020

Expiry Date: 23/11/2020

Site Visit: 26/10/2020

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 extension at rear with decking area; Raising of garage roof with new pitched roof and conversion of garage to bathroom/utility space; Alterations to front elevation windows; Render to external elevations

Location: 6 Keats Road, Ramsbottom, Bury, BL8 4EP

Description

The application property is a two storey detached house with a flat roof garage and store attached to the side. There are gardens to the front and rear of the house with on site parking in front of the garage for at least two vehicles. At the rear the garden is lower in level compared to the existing decking. There are fences to all rear boundaries and some planting along the rear.

The proposal is to convert the existing garage in to a utility room and bathroom with a store to the front. The existing store to the rear of the garage is to be removed. The garage door would remain to the front, a door would be installed on the side elevation providing access to the utility room and there would be a high level window to the rear elevation. A pitched roof would replace the flat one. This would extend forward of the store creating a canopy.

At the rear the extension would project 2m from the existing rear elevation and it would measure 6.65m wide. The roof would be pitched with three rooflights. All elevations to the existing building and the extension would be rendered with white K-Rend.

The decking at the rear would remain as it is with an additional section to be erected to the rear of the converted garage (where the store would be removed), and the wooden balustrade is to be replaced.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 30/09/20 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

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 -

The proposed rear extension would be built with materials and a design that would compliment the existing building and as it would be built wholly on the rear elevation it would have no detrimental impact on the existing street scene.

Keats Road and roads in the nearby vicinity consist of semi-detached and detached

dwelling both bungalows and two storey. These properties have a variety of styles and finished materials meaning that the proposed pitch roof to the garage conversion and the proposed render would not appear out of character or intrusive in the existing street scene.

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 main external change to the garage at the side would be the new pitched roof. Given that no.4 Keats Road has a slightly higher ground level to that on site and that there are no habitable room windows in the side elevation the proposed pitched roof would not have any seriously detrimental impact on residential amenity at this property.
- A door would be installed to the side elevation for access to the property. This would be to a utility room only and as such would not have any detrimental effect on residential amenity at no.4 next door.
- By converting the garage in to living accommodation one parking space would be lost on site. However, there would still be space to park two vehicles in front of the property, within the site and there are no parking restrictions to the highway in front.
- The proposed single storey rear extension would project 2m from the original rear elevation and the side wall would be 900mm away from the shared boundary with no.8. With this in mind there would be no seriously detrimental impact on residential amenity at the rear of no.8 because of the new extension.
- It would be possible for the owners of this property to build a single storey extension on the rear of the property, projecting up to 4m, without the need for planning permission. Given that this extension would only project 2m beyond the original rear elevation and it would have an overall height of under 4m it would be possible to build something similar under permitted development rules. With this in mind there would be no reason to refuse the single storey rear extension.
- The proposal to render the property would not have any impact on residential amenity.
- The proposed new decking would be built at the same height as the existing decking. As number 4 has a much higher ground level to that on site and a conservatory on the rear elevation adjacent to the shared boundary the new area of decking close to the shared boundary would not have any seriously detrimental impact on residential amenity at no.4.
- Along the opposite boundary the decking would project to the same point as it does currently. As such this part of the proposal would not have any detrimental effect on residential amenity at no.8 next door.

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.

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:

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- 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 001 A, 002 D, 003 D and 004 B 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 03/11/2020.			