

DELEGATED REPORT

Report by Amanda

Date of report: 28/02/2022

Ref:67949/FUL

Uhunmwagho

Registration: 24/01/2022

LDfC: 24/02/2022

Expiry Date: 21/03/2022

Site Visit: 15/02/2022

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: Single storey side and rear extension

Location: 42 Kendal Road West, Ramsbottom, Bury, BL0 9SY

Description

The application relates to a two storey detached property with gardens to the front and rear and drive way to the front/side of the dwelling. There is a low brick wall along the front boundary. To the rear there is a good sized garden with fences and planting to all boundaries. There is a detached timber outbuilding to the rear garden.

The proposal is to build a single storey side and rear extension. At the side of the property the extension would project 3.8m and it would measure 6.56m in length. At the rear it would project 3.48m from the existing rear elevation and it would measure 7.15m wide. the roof would be flat with two rooflights. The overall height would be 3.15m.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified on 02/02/22 - 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 -

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 existing building is finished with red brick to the ground floor level and is rendered to the first floor. The applicant intends to replace the existing stone render with a champagne/off white render and the extension would be finished with the same colour render. Along with the rendered walls the flat roof extension would be a more contemporary addition to the original property but as it would be set well back from the front of the existing dwelling it would not be readily visible in the public realm and as such would not have any significant detrimental effect on the character of the existing streetscape. The design of the proposal is considered acceptable in this location.

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 -

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- There would be around 11.8m from the front of the extension to the front boundary. As such parking on site would not be significantly detrimentally affected by the proposed development.
- Properties to the front of site would be over 20m from the front of the extension and there would be no windows installed to the front elevation.
- To the rear there would be around 17m to the rear boundary which would satisfy SPD 6 in terms privacy to neighbouring properties at the rear.
- There would be around 3.5m from the north side elevation to the shared boundary with no.40 Kendal Road West. As there would be no windows to this side elevation and there is an existing extension to the rear of no.40 there would be no significant detrimental impact on residential amenity at this property.
- To the south side there would be around 1.8m from the blank side elevation to the shared boundary with no.36. As such there would be no seriously detrimental effect on residential amenity at this property.

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:

- 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 KRW-RALA-ZZ-XX-DR-A-(PL)-0000, KRW-RALA-ZZ-XX-DR-A-(PL)-0001 Rev P01, KRW-RALA-ZZ-XX-DR-A-(PL)-0002 Rev P01, KRW-RALA-ZZ-XX-DR-A-(PL)-0003, KRW-RALA-ZZ-XX-DR-A-(PL)-0004 and KRW-RALA-ZZ-XX-DR-A-(PL)-0010 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.
- 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 28/02/2022			

