

DELEGATED REPORT

Report by Jane Langan	Date of report: 28/01/2022	Ref: 67818/FUL
Registration: 22/11/2021	LDfC: 04/01/2022	Expiry Date: 17/01/2022
Site Visit: 20/12/2021	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Part two/part single storey extension at front/side

Location: 15 Palmerston Close, Ramsbottom, Bury, BL0 9YN

Description

The property is a two storey detached house located on a cul de sac on a residential estate. It has a drive and garden to the front and an attached garage at the side and to the rear is extended with a conservatory. The neighbouring property to the side of the proposal is No.11, a detached house set forward of the site. To the rear the site boundary borders the rear gardens to 199 & 201 Whittingham Drive.

The application includes extending out two storey at the side 2.6m. A 0.8m deep section would project out from the front elevation. The extension would run along the side as two storey for 6.2m where it would then reduce to single storey for the remaining 3.2m up to the existing rear elevation. It would form a garage with office to the rear and a bedroom at first floor.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

Traffic Section - Consulted on proposed additional parking. No objection in principle but require a more detailed site plan.

Pre-start Conditions - Not relevant.

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.

Visual amenity and design - The proposed two storey would be built to within 0.95m of the side boundary. With the staggered building line and a short cul de sac terracing would not be an issue.

The front elevation would have a dual pitch roof with gable design and the section to the side would be hipped then the single storey a monopitch roof. Materials would be a mix of brick/render and roof tiles to match. The extended front design is similar to that as built at No.23 to the top of the cul de sac.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would increase the number of bedrooms from 3 to 4 (one noted as a box room) 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 existing site plan notes a drive 10m in length. This does appear to include the service strip to the front however parking on such is common on this estate. It was originally proposed to add a third space to the front garden however this has been removed from the scheme and the applicant will pursue this if they decide it is needed. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient.

Residential amenity - The proposed two storey would run along the side to No.11 which is set forward of the site. The proposal has been revised from the original scheme to reduce from two to single storey to the rear section in order to comply with the criteria as set out in SPD6 with regard to the 45 degree rule and two storey extensions.

There would be a box window to the landing, glazed to the side and rear, and the plans note OG for the side panel. For the avoidance of doubt a condition is added for obscure glazing.

There would be a distance in excess of 7m from the proposed first floor rear bedroom window to the boundary.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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 1/37/2021, 2/37/2021RevA 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 the first occupation of the extension hereby permitted the landing window to the first floor north side elevation, noted as OG on approved plan 2/37/2021RevA, shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with 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>
JL	21/1/22	DM	28/1/22

