

DELEGATED REPORT**Report by** Amanda**Date of report:** 07/04/2025**Ref:**71678/FUL

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Registration: 03/03/2025**LDfC:** 28/03/2025**Expiry Date:** 28/04/2025**Site Visit:** 21/03/2025**Site Notice:** N/A**Press Date:** N/A**Objections:** 3**Con Area:** N/A**Adv Type:** NONE**Reason for Delay:****EIA:** NA

N/A

Dec Level: DEL**Stat Class:** HOUS**Proposal:** Two storey/single storey side extension; Single storey rear extension; Single storey front extension**Location:** 6 Greenside Drive, Tottington, Bury, BL8 4BE**Description**

The application relates to a two storey semi-detached house which is slightly elevated to the highway in front and the adjacent neighbour at no.4 Greenside Drive. There is a garden to the front with driveway to the front/side leading to a dilapidated detached garage at the rear. To the rear of the house is a private garden with fences to all boundaries. Most of the rear garden is paved with areas of planting and there is also a greenhouse and shed to the rear of the garden.

The proposal is to build a single/two storey side extension, and single storey extensions to the front and rear. At the side the extension would be set back from the main front elevation by around 865mm and it would measure around 2.8m wide. The first floor would be set back from the front of the single storey element by 1m according to the proposed drawing and the single storey section the front would have a mono-pitched roof. The extension to the side would have an overall length of around 9.7m. The two storey element would measure around 5.7m long and it would be stepped in at the front due to the angled side boundary. The roof would be pitched. There would also be a small canopy erected above the front door.

At the rear the single storey extension would project 3m from the original rear elevation and it would measure around 8.8m wide. The roof would be pitched with 5 rooflights and to the rear there would be two sets of bi-folding patio doors. All elevations would be finished with white k-render and all windows would be black upvc. The existing garage would be demolished.

Relevant Planning History

N/A

Publicity

6 neighbours notified on 07/03/2025 - Three objections received.

- The proposed size and height of the extension would appear overbearing and intimidating.
- They would go from having an open, airy aspect, which helps with their mental health and wellbeing, to a dark, oppressive outlook as the extension would be nearly as large as the original house and it would appear to create a terraced row.
- The development will create significant noise both inside and outside their property and will significantly impact the quality of their current peaceful existence.
- It will create ground disturbances with new foundations to support the weight. This could

lead to structural damage of the adjoining property.

- Traffic is already a problem on the cul-de-sac. The development will create access difficulties for residents and visitors throughout the day.
- The rear extension will reduce the natural light in the afternoon and evening to the rear of their property, where they spend a lot of their time.
- The rear extension will overshadow their rear garden and property.
- Our main concern is the sheer height of the planned two-storey side extension. There is a significant difference between the ground level of number 6, and our property. That being number 6's ground level is 1.4m higher than the ground level of our property. According to the plans we have viewed, a potential two-storey extension with an elevation of 7m would actually feel like an 8.5m intrusion to us. This would be the full view from the side of our property. Aside from it being not particularly aesthetically pleasing for us to look straight out on to a full side wall, it also has other implications.
- A two-storey side extension would cut off all natural light to the side aspect of our property. There are 3 windows at the side of our property and these would all be placed into total darkness with such a towering extension. We have a "right to light" to receive natural light through openings in our property which we would totally lose if the side extension were built.
- Not only would it cut off all natural light to the side of the property, due to the nature in which the two driveways come together, and also due to the planned extension's proximity to our boundary and towering height, it would feel very claustrophobic, overbearing and enclosed. Again, we don't feel like the nature in which the driveways come together has been taken into consideration.
- Another major concern for us is the issue with regard to the foundations of the proposed side extension. As per the drawings, the foundations for the side extension will be 750mm deep, however due to the 1.4m difference between the ground level of our property and number 6, the foundations wouldn't be deep enough to reach the ground level of our property. This would surely mean (as there is no mention of a retaining wall) that the foundations would be unstable and could result in damage to our driveway.
- The planned rendering of the property doesn't fit with the aesthetics and look of all other properties on the cul-de-sac as the majority are all red brick. It would look out of character with the neighbouring properties.
- Assuming a side extension is put on, access would presumably be needed to our driveway for scaffolding however we require free and uninterrupted access to be able to park at the side of the property so this wouldn't be feasible.
- Although not particularly relevant to the objection, it should be noted that some of the rubbish from the skip that has been parked on number 6's drive has on occasions blown over onto our property and you can clearly see that the asbestos sheet roof on the garage has been damaged, with the garage door being left fully open for quite some time. We have already experienced occasions of work vans being parked on our property without consent or consultation and my husband has also once been blocked in.

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
PFE	Places for Everyone

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 PpE 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 design of the proposed extensions would be considered to be in keeping with the existing building. The render would be a complete change compared to the existing brick finish, and the majority of the houses along Greenside Drive have a brick finish.

However there are other properties along Greenside Drive and Brookside Crescent that are rendered. As such the render would be 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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- Distances to properties to the front and rear of site would comply with or exceed the aspect standards in SPD 6 and as such, would be acceptable.
- At the front there would be around 7m of drive length remaining to the front of the site. This would be considered acceptable in terms of SPD 6.
- The proposed single storey level canopy above the front door would not have any detrimental impact on residential amenity in the area.
- The single/two storey extension to the west side of the dwelling would not have any detrimental effect on residential amenity at no.8 Greenside Drive, attached to the east.
- The site has a higher ground level compared to that at no.4 next door, so the extension would appear higher than it would have had the properties been on the same level. However, there are no habitable room windows to the side elevation of no.4 and the area adjacent to the shared boundary is a driveway leading to a garage. Although there may be some detrimental impact on light to the windows to the side of no.4 as they are not to habitable rooms they would not carry as much weight in terms of the planning application.
- The side extension would not be adjacent to any private amenity spaces at no.4. In fact the rear garden at this property would not be significantly detrimentally affected by the proposal.
- At the rear the extension would be single storey only and it would project 3m from the original rear elevation. Although the extension might have some detrimental impact on the ground floor window to the rear of no.8, the extension could be built as permitted development. As such there would be no reason to refuse this part of the development.
- Distances from the rear elevation of the extension to the rear boundary would exceed the aspect standards in SPD 6.

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 and that the single storey rear extension would not be more than 3m on the boundary.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. There would be parking to the remaining drive way to the front of the site.

Response to neighbour comments -

The neighbours' comments have been addressed in the report above.

- Although it is acknowledged that concerns about mental health and wellbeing are genuine concerns, they are not considered to be material planning concerns and as such would not have any bearing on the decision.
- Noise and dust disturbances would be generally expected, to some degree during the period of the building works. If neighbours feel noise and/or other pollution becomes excessive they would need to contact the relevant Council departments.
- If any damage is caused at neighbouring properties during the build, or due to the build this would be a civil matter that would need to be discussed between the applicant and the relevant parties.
- Greenside Drive is a cul-de-sac and it does appear to be busy in terms of parking. However, the proposed drawings show that there would be on site parking available and

if need be they could extend this in the future under permitted development rights. If neighbours find that builder's vehicles block access to their properties they would need to speak with them directly. The Highways officer at the Council can also be contacted regards any on-going highways concerns.

- The right to light is a genuine concern but it would not be considered a material planning consideration in this instance. The impact on light at the adjacent properties has been addressed in the residential amenity section of the report above.
- The construction of the foundations would be assessed under the Building Regulations process.
- There is a concern that scaffold might need to be erected on a neighbour's land. If the neighbour does not want to allow access on to their land they would be within their rights to refuse. This would be considered to be a civil matter and would not affect the outcome of the planning application.

Conclusion -

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.

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 drawing numbered 1/34/2025 received on 03/03/2025 and drawing numbered 2/34/2025 Rev B received on 31/03/2025 as modified by the email from Mr Adrian Hughes dated 31/03/2025. 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 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 white k-render to all elevations and black upvc windows and doors as noted on the application form and proposed drawing.
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.

DELEGATED REPORT

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 07/04/2025			