

DELEGATED REPORT

Report by Amanda

Date of report: 12/03/2025

Ref:71566/FUL

Uhunmwagho

Registration: 27/01/2025

LDfC: 28/02/2025

Expiry Date: 24/03/2025

Site Visit: 28/02/2025

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: Two storey/single storey rear extension

Location: 858 Burnley Road, Bury, BL9 5JT

Description

The application relates to a previously extended detached dwelling located at the end of a cul-de-sac. It has a pitched roof to the front with a flat roof dormer and to the rear there is a two storey flat roof extension, a single storey extension and a conservatory. There is also a detached garage to the rear.

At the front the house is set well back from the highway in front as there are large grassed areas to the front of site, in between the houses and the highway. There is a wall along the front boundary with iron gates and there are fences to all other boundaries. To the side of the house there is a long driveway leading the garage at the rear, where there is a private garden area as well.

The proposal is to build a single/two storey rear extension which would provide an extended lounge and kitchen at ground floor level and a fourth bedroom to the first floor. The extension would project 3500mm to the rear and would be 10,500mm wide. The two storey extension would measure 6000mm wide and would have a pitched roof. The single storey extension would have a mono-pitched roof with a single rooflight and the existing first floor bathroom window would be relocated to the north side elevation.

The plans also show that the existing garage is to be reduced in size in order to build the rear extension. This is not part of the proposal, but the applicant could reduce the size of the garage, or even remove it as permitted development.

Relevant Planning History

N/A

Publicity

2 neighbours notified on 07/02/2025 - 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

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 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.

There would be no changes to the front elevation of the dwelling.

As the proposed development would be to the rear of the existing dwelling it would not be openly visible in the public realm along Burnley Road. However, there is open land to the side so it would be visible from areas to the north and east of site, as well as from nearby neighbouring rear gardens.

At the minute there is a two storey flat roof extension. The proposal includes a two storey rear extension which would replace most of the flat roof with a pitched roof. This would be to the north side of the property, which would be the most visible area as viewed from off site. The pitched roof would greatly improve the character of the dwelling, and the remaining flat roof to the south side would be less visible from off site as it would be set back behind the proposed two storey section.

The single and two storey extensions would be built with materials and a design that would be considered to be 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 -

- Neighbouring properties rear of the site would be a sufficient distance from the proposed extension not to have any significant detrimental impact on residential amenity.
- As the extensions would be to the rear of the existing dwelling there would be no impact on properties to the front of the site.
- The proposed two storey extension would be to the north side and there are no residential properties to this side. The area to the north of site is grassland, woodland and Walmersley brook. Residential properties to the north are over 30,000mm away from the site.
- No.856 to the south of site is a detached bungalow. There are two obscure glazed windows to the side and a small clear glazed window towards the front of the house. This appears to be a secondary window to a room with the main window to the front elevation. These windows face on to the existing dwelling. As such the proposed development would not have any significant detrimental impact on these windows.
- Part of the existing garage is to be removed in order to build the single storey rear extension and the rest of the existing garage would remain in situ. the reduction to the size of the existing garage would not have any significant detrimental effect on residential amenity at no.856 next door.
- The extension closest to the shared boundary with no.856 would be single storey only and it would have a mono-pitched roof. There would be no new windows to the side elevation and one kitchen window would be removed. The driveway would remain to the side of the dwelling and the extension would be built flush with the existing side elevation. As such it is considered that the extension would not have any seriously detrimental effect on residential amenity at no.856 next door.
- The two storey extension would be built away from the boundary with no.856 and the site is due north of this property. It is considered that it would not have any significant detrimental impact on residential amenity at no.856 Burnley Road.
- The existing driveway would remain as it is, providing on site parking for at least two to three vehicles.

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 3 to 4 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 driveway for at least two vehicles and a garage. This would remain, albeit the garage is to be reduced in length. There are no parking restrictions to the highway in front and there is public transport nearby.

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 the drawings received on 27/01/2025 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 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.
- 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 - 12/03/2025		HL - 12/03/2025	