

DELEGATED REPORT

Report by Amanda

Date of report: 07/03/2025

Ref:71579/FUL

Uhunmwagho

Registration: 29/01/2025

LDfC: 05/03/2025

Expiry Date: 26/03/2025

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: Single storey rear extension; Render to front facing walls

Location: 52 Haslam Hey Close, Bury, BL8 2LB

Description

The application relates to a two storey semi-detached house which has a single storey front extension and garage attached at the side. The whole of the front is paved for parking at least two vehicles. Access to the rear garden is through the dwelling. At the rear there is a private garden with fences to all boundaries. There is planting along the rear boundary, to the rear garden of 28 Otterbury Close to the south.

The proposal is to build a single storey rear extension, which along with internal alterations will create a new kitchen, dining and sitting area, as well as adding white render to the front elevations of the existing building.

The extension would project 3600mm from the existing rear elevation and it would measure 5390mm wide. The roof would be pitched with two rooflights to either side of the roof. There would be patio doors to the east side of the extension and to the original rear elevation, and one window to the rear. The whole of the front elevation is to be rendered white.

Relevant Planning History

N/A

Publicity

4 neighbours were notified on 12/02/2025 - 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.

As the extension would be to the rear of the existing dwelling it would not be openly visible in the public realm, but it would be visible from the rear gardens of adjacent properties. However, as it would be built with materials and a design that would be considered to be in keeping with the existing building, it would be considered acceptable in this instance.

Part of the proposal is also to render the front elevation of the existing property white. Part of the front elevation is already rendered, but in a cream colour. The proposed white render finish would be similar to other houses in the immediate vicinity, including the attached dwelling. As such it would not cause any significant harm to the existing streetscene and it 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 -

- The extension would project 3600mm adjacent to the shared boundary with no.50 Haslam Hey Close. There is a patio area and pergola at no.50 close to the shared boundary and the proposed extension may have some detrimental impact on sunlight to this area in the earlier part of the day. However, as the neighbour has not objected to the proposal the projection of 3600mm would be considered to be acceptable under the Larger Homes Scheme.
- There would be no windows in the side elevation adjacent to the shared boundary with no.50 Haslam Hey Close.
- Properties to the rear would be a sufficient distance from the extension so there would not be any significant detrimental impact on residential amenity at those properties.
- There would be an acceptable distance from the rear elevation of the extension to the rear boundary in terms of SPD 6.
- There would be just over 4000mm from the east side elevation to the shared boundary with no.54 but any views from the extension would be over the applicant's own garden and towards the boundary fence only.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the front garden and drive.

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 24-190-PL-01, 24-190-PL-02 and

24-190-PL-03 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 single storey rear extension hereby approved shall match those of the existing building and the front elevation shall be finished with white render.

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 - 07/03/2025		HL - 07/03/2025	