

DELEGATED REPORT

Report by Sam Summers	Date of report: 22/10/2024	Ref: 71103/GPDE
Registration: 23/08/2024	LDFC: 20/09/2024	Expiry Date: 04/10/2024
Site Visit: 07/10/2024	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Prior approval for proposed single storey rear extension

Location: 59 Rutland Drive, Bury, BL9 9DR

Description

The application relates to a two storey terraced dwellinghouse located on Hazel Avenue. The premises has a small paved area at the front and a garden at rear. Planning permission is sought for the construction of a single storey rear extension with a flat roof that projects approximately 6000mm from the original rear wall.

1 objection received, this objection has been detailed below.

As an objection has been received, the regulations require that the impact of the proposed development on the amenity of all the adjoining addresses must be assessed.

Relevant Planning History

None

Publicity

Letters dated 29/08/2024 to adjoining addresses. 1 Objection received. The objection relates to:

Length of extension will impact on our human rights for privacy

Extension will overlook the back garden

Loss of daylight

Only 2 adults and one child live at the property no other adults reside there.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

Development Plan and Policies

Issues and Analysis

Unless a formal written objection is received from any of notified addresses as prescribed by the regulations, within the prescribed 21 days following the date of such notification prior approval will not be required as the proposed development complies with all the limitations and conditions of Part 1 Class A of the GPDO (as amended).

The dwelling is not Listed nor is it in a Conservation Area.

There is no enforcement and the proposed development would be on land wholly owned or

controlled by the applicant.

Permitted Development Rights have not been removed.

The proposal would not take up more than 50% of the area of the curtilage, not including the area of the dwelling.

The proposal would not extend beyond the rear wall of the original dwelling by more than than six metres.

The proposed development would not extend beyond a wall which forms the principal or a side elevation of the original dwelling and fronts a highway.

The overall height of the proposal would not exceed four metres and the height to the eaves would not exceed three metres.

Having regard to the above the proposal would be lawful as it falls within the limitations of Part 1 Class A to Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

Second Report Post Objection

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 extension would be located to the rear of the property, which is bounded by residential gardens. As such the rear extension would not be visible from the street scene. The extension is of a simple and unobtrusive design, which would not detract from the character of the property. The use of matching materials is appropriate. The proposal would not overwhelm the dwelling or result in over development of the associated residential amenity space.

It is therefore considered that the proposal complies with UDP Policy H2/3 and SPD 6.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

The proposed extension would project 6.00m past the original rear elevation, 3m would be allowable under permitted development so the council should assess the impact of the additional 3m proposed.

The proposed extension would not project more than 3 metres beyond the rear of No. 57 Rutland Drive complying with guidance contained within SPD 6.

The proposed extension would project approximately 6.00 metres beyond the neighbour to the South (61 Rutland Drive) however the proposal would comply with the 45 degree rule (as set out within SPD6) when measured against No. 61. The proposal is set back from the boundary with 61 lessening the impact. The extension also has a flat roof and is located to the North of No. 61 as such the level of impact on both sun, light and overshadowing on No.61 would not warrant refusal. Whilst there is a window at the side facing No.61 this would be largely screened by the existing fencing between the properties.

The properties at the rear of the site would not be impacted by the extension due to their distance from the proposals.

Response to neighbours - The proposal has been assessed in terms of residential amenity within the main body of the report and complies with both UDP Policy H2/3 and SPD 6.

Loss of light, overlooking and privacy have been assessed in the main body of the report.
The number of adults and children living at the property are not relevant to this assessment.

Recommendation: Prior Approval Required & Granted

Conditions and Reasons:

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
SS	22/10/2024	DM -	22/10/2024