

DELEGATED REPORT

Report by Mo Warsame	Date of report: 02/04/2025	Ref: 71570/FUL
Registration: 07/02/2025	LDfC: 05/03/2025	Expiry Date: 04/04/2025
Site Visit: 21/03/2025	Site Notice: N/A	Press Date: N/A
13:00:00		
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey front extension

Location: 20 Hillstone Close, Tottington, Bury, BL8 4EZ

Description

Two storey detached house in a corner plot on a cul de sac. There is a drive at the side leading to an attached garage. The rear garden is large and has a 1.4m approx fence to the boundary with No. 18 and a 1.8m approx one to the rear where there is also trees and planting so the property behind is only just visible. No.18 on the side of the proposal has a detached garage closest to the boundary. At ground floor there are two obscure glazed windows, one plain one and a door. At first floor there is a dormer on the side.

The application is for a two storey front extension. The extension would have a setback of 0.7m from the principal front elevation, project 2.25m to the side and run 4m to the rear. The extension would have a slopping pitched roof and would accommodate a double storey open atrium. The development would utilise the use of some matching materials.

Relevant Planning History

48424 - TWO STOREY EXTENSION AT SIDE WITH REAR DORMER - Approve with Conditions 15/08/2007

62860 - First floor extension at rear, new rear dormer and balcony structure with glazed balustrade at rear; Pitched roof over existing integral garage at front - Approve with Conditions 01/08/2018

65600 - Conversion of existing garage to living accommodation with first floor extension at side, front dormer and installation of doors to rear elevation - Approve with Conditions 29/07/2020.

Publicity

Neighbour letters sent on 12/02/2025. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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), 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.

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 two-storey front extension would be a modest structure with setback of 0.7m from the front elevation. Additionally, the development would have a simple design that is already common on this street. The No.9 and No.22 have constructed similar two storey front extensions. The slopping pitched roof would connect with the existing pitched roof to the

front and would provide a continues flow. Overall, the proposal would be considered in keeping with the existing building.

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.

Residential Amenity

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

- There would be no side windows proposed. Therefore, there would not be any seriously detrimental effect on the residential amenity currently enjoyed by the occupiers of the adjacent properties. The extension would also not interfere with the existing parking arrangements. Furthermore, the proposed front windows would be over 20 metres away. Therefore, this would be considered acceptable.

Overall, 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.

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 Dwg. no. PL-01, Dwg. no. PL-02 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 and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	02/04/2025	HL	02/04/25