

DELEGATED REPORT

Report by Amanda

Date of report: 24/03/2025

Ref:71556/FUL

Uhunmwagho

Registration: 23/01/2025

LDfC: 27/02/2025

Expiry Date: 20/03/2025

Site Visit: 26/02/2025

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Demolition of existing detached garages at side and rear conservatory; single storey front, side and rear extensions and widening of driveway/dropped kerb access

Location: 7 Kennedy Drive, Bury, BL9 8PN

Description

The application relates to a detached bungalow fronting on to Kennedy Drive, with Bradley Drive to the south/southeast. There are gardens to three sides and a detached double garage to the north, which is attached to the garage at no.5 Kennedy Drive next door. The property is currently empty and internal works have been started, as well as the removal of an existing single storey rear extension. At the rear there is a boundary fence between the site and no.1 Patton Close which has a slightly higher ground level compared to the site. There is a blank gable wall adjacent to the boundary.

The proposal is to demolish the existing garages and the rear conservatory (already removed), as well as single storey front, side and rear extensions and widening of the existing driveway and dropped kerb access. The extension would increase the width of the property from around 11,000mm to around 18,927mm. At the front the northwest section would be set back from the existing front elevation and there would be a centralised section which would project around 1550mm forward. To the front elevation there would be sections of the roof which would be pitched at various angles and there would be different styles and sizes of windows across the front elevation, as well as two rooflights.

At the rear the kitchen extension would measure 2285mm x 6789mm and the roof would be pitched with a blank gable wall to the rear. On the northwest side the extension would project just under 1500mm from the existing rear elevation and it would measure just over 8100mm wide and the roof would be pitched.

Part of the lawn to the front would be reduced in size in order to widen the existing driveway and path to the front door. There would be space for two vehicles in front of the extension and it is noted on the drawing that the materials would be permeable. As well as widening the driveway the dropped kerb to the front would also be extended from around 3500mm to 5280mm. The plan also shows that the existing telegraph pole is to be relocated away from the new driveway.

Relevant Planning History

N/A

Publicity

Whilst I have no objections to the proposed plans as any rear windows would not overlook our property being at a lower level, we would have a view of the new roofs where the existing flat roof garages were. My only concern is any work on drains and sewers as I was told that the common sewer for our and neighbours property may pass from Patton close

down through the planned works.

Statutory/Non-Statutory Consultations

Traffic Section - No objections. conditions and Informatives suggested.

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.

Kennedy Drive consists of mostly bungalows, with some two storey properties. Some properties have been previously extended and properties are finished with different types of materials. No.6 Kennedy Drive opposite is rendered with timber cladding similar to the proposed finish to the application dwelling.

The proposed works development would result in the property being very modernised, using a variety of finished materials to the elevations along with modern style windows. Given there are various styles of properties within the immediate vicinity it is considered that the proposal would 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 -

- Properties to the front of the site would be a sufficient distance from the application property, and there is a wide, busy road in between. As such there would be no significant detrimental impact on residential amenity at those properties.
- At the rear there would be five windows, one of which would be to a bedroom. The other windows would serve non-habitable rooms, two of which would be high level windows. Although the bedroom window would be just under 4000mm from the rear boundary there is an existing boundary fence and any views from the bedroom would be over the applicant's own garden only. Therefore, the position of the proposed bedroom window would not result in any significant loss of privacy at no.1 Patton Close to the rear.
- The development includes the demolition of the existing garages on site, which are currently attached to the garage at no. 5 Kennedy Drive. This could be undertaken without planning permission, but the applicant would need to discuss this part of the development with the owner of no.5 Kennedy Drive, to ensure that the outer wall of the garage is retained.
- The plans show that the side elevation of the extension would be around 900mm away from the side wall of the garage at no.5. As such there would be no concerns regards encroachment on to land next door.
- There would be no windows to the side elevation facing no.5 next door.
- At the rear the single extension would be around 1500mm from the shared boundary with no.1 Patton Close. There would be no concerns regards encroachment at this property.
- Neighbours to the southeast of the site would be an acceptable distance from the application property and there is planting to the front and side boundaries of that property.
- There would be around 6391mm from the front elevation of the dwelling to the highway in front, which would be acceptable in terms of SPD 6 and there would be two parking spaces in front.
- The proposed drawings show that the new driveway would be constructed using

permeable materials to ensure there would be no significant impact regards surface water run off on to the highway in front.

- The existing pedestrian access would be slightly widened and sloped up to the entrance of the dwelling and part of the existing grassed area to the front of the house would be reduced to construct the wider path and driveway. These changes would not have any significant detrimental impact on residential amenity in the area.
- The proposal to widen the dropped kerb in front would not have any significant detrimental impact on residential amenity in the immediate area and there would still be ample room left for on-street parking.
- The proposal to relocate the telegraph pole at the front is not part of the proposal and the applicant would need to agree this with the highways engineers.

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 2 to 3 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 2 parking spaces. Parking would be as existing to the front of the site. The existing driveway would be widened in order to be able to park two vehicles within the site. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient.

Response to neighbour comment -

A comment has been submitted by a neighbour regards advising that although they do not object to the proposal they do have some concerns about any work on drains and sewers. They advise they have been told that the common sewer for theirs and the neighbour's property may pass from Patton Close down through the area of the planned works.

According to the Bury Council maps there are no sewers or utilities that run through the site or land on Patton Close. However, the applicant would be required to submit a building Control application prior to starting the proposed works. The building control process would cover all aspects of the build and the building control officer would be able to advise the applicant, and their builder if there would be anything below and above ground level that they need to be aware of.

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 1.01 Rev A, 1.02 Rev A, 1.03 Rev A, 1.04 Rev A, 1.05 Rev A, 1.06 Rev A, 2.01 Rev A, 2.03 Rev A and 2.04 Rev A

received on 23/01/2025 and drawing numbered 2.02 Rev A received on 14/03/2025 as modified by the email from Fuzed Architecture and Design Ltd dated 14/03/2025. 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 render, timber effect cladding and feature blue brickwork to the walls, concrete tiles and zinc to the roof, black UPVC windows and glazed timber doors as noted on the proposed drawing and application form..

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.

- 4 The amended access and parking arrangements indicated on the approved plans, incorporating the widening of the existing footway crossing, relocation of the affected telegraph pole, hardstanding in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway, demarcation of the limits of the adopted highway and any associated remedial works required to reinstate the footway to its former condition prior to commencement of the development, shall be implemented before the extensions and new parking facilities hereby approved are brought into use.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant 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.

- 5 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.

Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 24/03/2025		DM - 26/03/2025	