

DELEGATED REPORT

Report by Sam Summers	Date of report: 04/09/2025	Ref: 72113/GPDE
Registration: 27/06/2025	LDFC: 22/07/2025	Expiry Date: 08/08/2025
Site Visit: 02/09/2025	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Prior approval for proposed single storey rear extension

Location: 74 Gigg Lane, Bury, BL9 9HU

Description

The application relates to a two storey semi-detached dwellinghouse located on Gigg Lane. The premises has a small garden area at the front which runs along the side of the property and a garden at rear. Prior Approval is sought for the construction of a single storey rear extension with a flat roof that projects approximately 4000mm from the original rear wall.

This notification has been submitted by a councillor. The Council's constitution requires planning applications to go to Planning Committee. Having taken advice from Legal Services, as this is not an application for planning permission, the item can remain delegated and is to be signed off by the Head of Service and Assistant Director.

Householder prior approval applications are for proposals which are larger than permitted development extensions, but are still within certain size limits as detailed below.

Neighbouring properties are notified of these applications and given a chance to comment. If no comments are received and the extension complies with the maximum limits detailed below, then the application is approved without further assessment. If an objection is received, then a further assessment takes place, which requires an assessment of the impact of the scheme upon the visual amenity of the area and the residential amenity of adjoining properties.

In processing this notification, 1 Objection received was received as set out in the publicity section 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 sent to neighbours - 27/06/2025 - 1 objection - summarised as follows -

Applicant should leave a hedgehog highway at the back of his garden, clarification over the boundary line

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

Development Plan and Policies

Issues and Analysis

First Report

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 seeks 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 on each side by residential gardens and a field at the rear. As such the rear extension would not be visible from the street. 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 4.00m past the original rear elevation. 3m would be

allowable under permitted development without the requirement for notification, as such the Council should assess the impact of the additional 1m that is proposed.

The proposed extension would not project more than 3 metres beyond the rear of No. 76 Gigg Lane, as they have an existing 3m rear extension, thus the proposal would comply with guidance contained within SPD 6.

The neighbour at No.72 to the west of the property does not have an extension at the rear however the proposal would comply with the 45 degree rule (as set out within SPD6) when measured against both the rear and side windows of the property. The proposal is to be set back from the boundary with 72 thus lessening the impact. The extension also has a flat roof as such the level of impact on both sunlight and overshadowing on No.72 would not warrant refusal.

There are no properties at the rear of the proposal.

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.

Issues surrounding hedgehogs and fencing are not covered under this application type and any issues surrounding the boundary line of the property would be a private civil matter.

Recommendation: Prior Approval Required & Granted

Conditions and Reasons:

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
SS	4/9/25	HoS: - DM	4/9/25
		AD: - CL	4/9/25