

DELEGATED REPORT

Report by Amanda

Date of report: 29/01/2025

Ref:71433/FUL

Uhunmwagho

Registration: 10/12/2024

LDfC: 17/01/2025

Expiry Date: 04/02/2025

Site Visit: 15/01/2025

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: Two Storey Front and first floor front Extensions; Single Storey Rear Extension

Location: 18 Calderwood Close, Tottington, Bury, BL8 3LE

Description

The application relates to a two storey detached house with a small open plan front garden and drive way for two vehicles. There is a path to the south side elevation for access to the rear garden. The rear garden is on two levels with a patio directly to the rear of the dwelling and an area of astro turf to the rear. There are fences to all boundaries and woodland to the rear. No.16 Calderwood Close to the south is set slightly forward of the application property and no.20 to the north projects past the rear of no.18. This property also has a conservatory on the rear.

The proposal is to build a two storey front extension and a single storey rear extension. At the front the extension would provide extra room to two existing bedrooms at first floor level as well as the lounge at ground floor. The overall projection to the front would be 1882mm and both sections would measure 3102mm wide and they would have pitched roofs. The front door and all windows to the front, including the existing windows, would be white upvc.

At the rear the single storey extension would project 2250mm from the existing rear elevation and it would measure 6920mm wide. The roof would be mono-pitched with three rooflights and there would be patio doors to the rear elevation and a single full length window. On the south side elevation the existing utility room door is to be replaced with a window.

Relevant Planning History

N/A

Publicity

4 neighbours notified on 23/12/2024 - 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.

Normally there is a presumption against two storey front extensions on most sites. However, in this instance the estate consists of different styles of properties, which all have similar finished materials. The proposed finished materials, including the change from brown to white windows/door at the front, would be considered to be in keeping with the existing building and the nearby properties.

The design of the front extension would not appear out of character, or intrusive in the existing streetscape and they would be over 7000mm set back from the front boundary. The single storey rear extension would not be visible in the public realm, but it would be built with an acceptable design and finished materials. As such in this instance the design of the proposal is 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 -

- There are no residential properties directly to the rear of the site and properties to the front would be a sufficient distance from the front extensions, as per SPD 6.
- The front and rear extensions would be built flush to the existing side elevations. As such the existing path to the south side of the property would remain.
- There would be no new windows to the north side elevation and on the south side elevation the only change would be that the existing utility room door would be replaced with a window. As this room would be classed as non-habitable the position of the new window would not cause any significant detrimental harm in terms of residential amenity at the neighbouring property.
- At the front the extension would not project forward of the existing garage/store. As such it would not have any significant detrimental effect on existing parking arrangements to the front of the site.
- The front extension would not project forward of the front of no.16 to the south of site.
- On the north side the front extension would project around 2000mm forward of no.20 next door. As the site is directly south of no.16 the impact on light to the neighbour needs to be assessed as any development could potentially cause harm in terms of light. At no.20 there is a driveway directly adjacent to the shared boundary and on the front elevation there is a door nearest the site and a bathroom window above. As such, in this instance it is considered that there would be no significant detrimental effect on residential amenity at that property.
- The front extensions would be over 7000mm from the front boundary. This would be acceptable in terms of SPD 6.
- At the rear the single storey extension would not project past the rear of no.20 to the north, but it would project around 4000mm past the rear of no.16 to the south of site. As the site is to the north of no.16 there would not be any significant detrimental impact on light to the rear of this property.
- The closest ground floor window appears to be to a habitable room, but this room extends across the whole width of the property and there are also patio doors serving the same room on the opposite side. The existing 2000mm gap between the two properties would remain. As such the proposed single storey rear extension would not have any significant detrimental impact on residential amenity at no.16 Calderwood Close.
- There would be just over 7000mm from the rear extension to the rear site boundary.

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 drive at the front of site.

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 ZT24-196-01, ZT24-196-02, ZT24-196-03, ZT24-196-04 and ZT24-196-05 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 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 match those of the existing building, and all the window and door frames would be white.
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	29/1/25	DM	29/1/25