

DELEGATED REPORT**Report by** Amanda**Date of report:** 19/05/2025**Ref:**71779/FUL

Uhunmwagho

Registration: 27/03/2025**LDFC:** 01/05/2025**Expiry Date:** 22/05/2025**Site Visit:** 09/05/2025**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: Two storey side extension with new entrance/canopy at side, new dormers at front/rear and single storey extension at side/rear

Location: 44 Moorside Road, Tottington, Bury, BL8 3HW

Description

The application relates to a semi-detached bungalow with a small flat roof dormer to the front. There is a small garden with pedestrian access to the site at the front. To the south of the site there is a lane for access to land at the rear of the site. The drive on site is accessed via this lane. At the rear of the site there is a garden and a detached double garage with parking in front for several vehicles. There are open fields to the rear of the site which is designated Green Belt. The property on site is not within the Green Belt.

The proposal is to build a two storey side extension with a canopy over the side entrance, dormers to the front and rear and a single storey rear extension. The single storey rear extension would project 3m from the original rear elevation and it would measure around 9.49m wide. It would have a pitched roof with three rooflights.

The two storey side extension would measure 3m wide x 6.99m long. The roof would be pitched to match the existing building. On the side there would be a canopy over the new side entrance to the house. The canopy roof would measure 1.59m x 2.16m.

At the front there would be two pitched roof dormers which would be set back from the front elevation and down from the ridge. At the rear there would be a larger mono-pitched roof dormer.

Relevant Planning History

57814 - Siting of static caravan for key worker (equine) for a temporary period of three years - Refused 23/09/2014

58088 - Siting of static caravan for office/rest room/canteen ancillary to proposed equine business on site (resubmission) - Approve with Conditions 17/12/2014

12/0552 - Outbuilding at rear - 31/12/2013

Publicity

4 neighbours notified on 07/04/2025 - 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.

There are many other examples of dormers to the front and rear of properties along Moorside Road, including both flat and pitched roof designs. The proposed front dormers would have pitched roofs and they would be relatively small and set well down from the ridge. As such it is considered that they would not have any significant detrimental effect on the character of the existing streetscene.

The two storey side extension would be built with materials and a design that would be considered to be in keeping with the existing building, and the rear dormer would be built with a design and materials that would be considered acceptable on this style of property.

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 to the front any windows would overlook the highway in front only.
- At the rear the single storey extension would project 3m from the original rear elevation. It is noted that the applicant could build a single storey extension with the same projection under permitted development rules. Taking this into account and that there have not been any objections there would be no reason to refuse the single storey rear extension.
- There would be no windows in either side of the single storey rear extension.
- The two storey extension would be built on the south side of the existing property and there is a lane to the side.
- SPD6 states that a first floor habitable room window should be at least 7m from a boundary in order to protect the privacy of neighbouring land and properties. In this instance the proposed bedroom window to the side would be around 5.8m from the boundary. However, it would overlook the lane to the side of the property and the total distance to the boundary with no.46 to the south would be around 10.5m. As such in this instance the proposed first floor habitable room window to the side would be considered acceptable.
- The proposed extensions would not interfere with the existing parking arrangements within the site.
- The plans show that all of the development would be built within the site boundaries.
- As no.40 Moorside Road has an existing rear dormer, the proposed rear dormer would not have any significant detrimental effect on residential amenity at the rear of that property.
- The dormers to the front would have views down Moorside Road and not directly towards neighbouring houses.
- The canopy above the new side entrance would be a light structure and it is considered that its position would not have any significant detrimental impact on residential amenity at surrounding properties.

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 3 to 4 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 3 parking spaces. The site as existing has

an area at the side/rear for parking several vehicles and this would remain following the extensions being built. There are no parking restrictions to the highway in front. As such in this instance then the parking arrangements are considered sufficient.

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 25-02-04 01, 25-02-04-02, 25-02-04 03, 25-02-04 04, 25-02-04 05 and 25-02-04 06 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.
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 - 19/05/2025			