

DELEGATED REPORT

Report by Mo Warsame	Date of report: 07/05/2025	Ref: 71694/FUL
Registration: 13/03/2025	LDFC: 03/04/2025	Expiry Date: 08/05/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
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 side/front extension with render; Timber cladding to front elevation; Front porch canopy

Location: 34 Woodhill Fold, Bury, BL8 1UY

Description

The property is a detached dwelling on a street with similar style houses. The site has a drive to the front and gardens to the front, side and rear. There is an industrial area on the opposite side of the adjacent property (No.34 Woodhill Fold).

The applicant proposes to build a two-storey extension to the front/side with external render finish. The extension would project approximately 2 metres to the front and 4.2 metres to the side effectively lining up with the principal rear elevation. The development would accommodate two additional bedrooms on the first floor along with an open plan kitchen/diner/living area on the ground floor. The development would have pitched roof and would be finished in render.

Relevant Planning History

None.

Publicity

Neighbour letters was sent on 17/03/2025. 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

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

SPD 6 seeks to prevent first floor side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. In this instance there would be no setback distance as the extension would instead project 2 metre to the front from the first floor level. However, given the property's corner position, and the fact that it is setback from the adjacent property, along with the street's short row of detached properties, it is considered that the extension will not lead to a terracing effect.

Situated in the front, the two-storey front/side extension would be visible from the street scene. However, the extension would be a rectangular extension yet simple and unobtrusive design, which would not detract from the character of the dwelling. The proposed single-storey rear extension would have a pitched roof with rooflights. The two-storey side extension would also have pitched roof replicating the shape and style of

the original and neighbouring dwellings.

The existing dwelling has timber and render at first floor level. The proposed development would involve the use of timeber cladding at first floor level on the existing dwelling and render on the proposed extension. Given the proposed materials would be similar to the existing materials, the proposed development would be in keeping with the street scene. The design of the proposal is therefore considered acceptable in this location.

Given the above the proposal conforms to Bury UDP Policies EN1/2 - Townscape and Built Design, 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

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The proposed two storey front/side extension would not project beyond the principal rear elevation and there would be a distance of over 20 metres to any property in front. Furthermore, there are large gardens on the side (south) and rear (west). Additionally, there are no properties beyond these boundaries as The Irwell Works is located there.
- There would be no impact on the residential amenity of the adjacent property nor would the 45 degree rule apply. This is because the proposed extension would mostly be tucked behind the existing building and would not project beyond adjacent dwelling. Additionally, the front element of the front/side two storey side extension which would be the side that would be visible from the neighbouring property would have no side windows.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways

The proposal will result in 2 additional bedroom, given there was 3 existing bedrooms and there will be no changes to the parking layout. Therefore, the driveway at its current condition would meet the maximum parking requirements.

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.

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- 2 This decision relates to drawings numbered A001-P2, A002-P7, A003-P6, A005-P1 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	07/05/2025	DM	12/05/2025