

DELEGATED REPORT

Report by Jane Langan	Date of report: 01/12/2025	Ref: 72479/FUL
Registration: 20/10/2025	LDFC: 25/11/2025	Expiry Date: 15/12/2025
Site Visit: 11/11/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Side extension with rear dormer extension

Location: 14 Hebburn Drive, Bury, BL8 1ED

Description

The property is a semi detached bungalow located on a corner plot. It has garden to the front and around the side where a low brick wall runs along the boundary with the footpath. To the rear the property has a fenced garden and there is a detached garage which is accessed by a drive to the side. The rear roof slope of the house has been extended with a flat roofed dormer. The attached neighbouring property is 16 Hebburn Drive and to the rear the site garden borders the rear gardens to 1 & 3 Whitburn Drive which are at a slightly higher level.

The application proposes a single storey extension at the side coming out 4.2m and running along the side for 8m. The rear roof slope would include a flat roof dormer. The extensions would form a kitchen/dining room and utility at ground floor with a bedroom at first floor and an existing bedroom becoming a shower room.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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.

Visual amenity and design - The criteria set out within SPD6 for extensions on corner plots is that they should not cover more than half the available width or leave a minimum 2m gap between the extension and the public footpath in order that they do not have a harmful impact on the street scene. In this case the property has an angled side garden and the distance out from the side of the extension would be 1.8m at the front to 5.8m at the rear. This would be acceptable retaining a patio/garden area and drive at the side.

The extension would be set back 0.6m from the main front with a pitched roof extending from the main ridge and a rooflight to the front. To the rear the extension would be flush to the existing rear elevation. The roof slope would have a flat roofed dormer extending from the existing one set back 0.8m from the rear wall of the extension. The plans have been revised to see a 0.5m set in of the dormer from the side wall. Whilst this would see the property having a further dormer, with the set in and back from the extension walls, it would not appear overlarge. The site is located on a corner plot however the area is characterised by flat roofed dormers to both the front and rear of properties. Materials would be to match the existing.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the increase the number of bedrooms as an existing one would become a shower room. Parking would be retained as existing to the side drive and garage and which would not be affected by the proposal.

Residential amenity - The proposed extension would be to the side to the footpath. The dormer would introduce a habitable room window at first floor level to the rear where the site rear garden borders the gardens to 1 & 3 Whitburn Drive. They are semi detached bungalows and are at a slightly higher level. There would be a distance in excess of 7m, at approximately 8.3m, which would comply with SPD6 Aspect Standards.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 – Alterations and Extensions to Residential Properties.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 1009-01, 1009-02, 1009-03, 1009-04, 1009-05, 1009-06, 1009-07, 1009-08B, 1009-09A, 1009-10A 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>
JL	01/12/25	HL -	04/12/2025