

Date :

24 . 02 . 2025

Property:

20 Thurston Close,

Bury

BL9 8NW

LPA Reference:

71258

Householder Appeal Statement



Background information

Planning Appeal Householder Planning Decision



Name of applicant:

Mr Howard Powsney

Applicant address:

20 Thurston Close, Bury, BL9 8NW

Site address:

20 Thurston Close, Bury, BL9 8NW

Application reference number:

71258

Description of the development:

Two storey front porch extension

Date of the decision:

12/12/2024



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1. Introduction

1.1. This statement has been prepared in support of an appeal against the refusal of planning permission for a two-storey front extension, at no.20 Thurston Close, Unsworth, Bury.

1.2. The Local Planning Authority (Bury) refused the application on the basis the proposed development would, by reason of its size, height, position and design, be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area.

1.3. The Statement considers the reason which Bury Council refused planning permission for the development proposed with regard to the context of development surrounding the site, the planning history of the site, the Council's planning policies (and any supplementary planning documents which guide their implementation), as well as national planning policy and practice guidance, setting out justification as to why the Appeal should be granted.

2. Site description

2.1. The appeal site is in Unsworth, an area within the Bury district. It is located on Thurston Close, a residential street situated approximately 3 miles south of Bury town centre.

2.2. The appeal site is not within a conservation area.

2.3. Thurston close is a cul-de-sac, with dwellings 16, 18, 20 and 22 situated at the end of the street (no. 20 is the property within the appeal).

2.4. Thurston close exhibits a mixture of detached and semi-detached dwellings. One side of the cul-de-sac (north-east) contains detached houses and includes no's 26-34. Properties no. 6 through to no. 24 are all semi-detached. The two remaining dwellings, no.2 and no.4 are both detached.

2.5. It is believed that the dwellings on the street may have all been constructed between 1955-65. No. 20 is a semi-detached house originally constructed in the 1960's.

2.6. Architecturally, the street references characteristics and styles from around the 1960's era, with quite a few houses showing influences from 1930's, including features such as front elevations with double storey curved bay windows and steeply pitched front facing gables. It is worth noting that styles from both eras influenced the nature and detailing of the design proposed in the application for which this appeal is referencing (**Refer to H183-PR-901-Supporting Drawings for further information**).



Image 2A - Photo of house styles on Thurston Close | Image
Google copyright



Image 2B - Photo of house styles on Thurston Close | Image
Google copyright



Image 2C - Photo of house styles on Thurston Close | Image Google copyright



Image 2D - Photo of house styles on Thurston Close | Image Google copyright

2.7. The building lines of the dwellings on the street are reflective of the irregular cul-de-sac shape, with various properties stepping back of the main building line.

2.8. Due to the nature of the end of the cul-de-sac, dwelling no's 16 and 18, as well as no's 20 and 22 share vehicular access and have an overlapping boundary line noted in the property's freehold.

2.9. The cul-de-sac provides limitations on accessibility to the dwellings situated in the corners of the street, such as no.20 and the shared boundary line of its neighbour, no.22. These dwellings and the overlapping boundary line can be seen in drawing **H183-PR-001-PROPOSED SITE LAYOUT PLAN**.

2.10. Thurston Close isn't a particularly wide street. The street can accommodate cars parked on both sides, as long as cars are not double parked. Most dwellings have their own dedicated driveways and can easily accommodate two cars – apart from no's 16 and 18 and no's 20 and no.22, all of which share access.

2.11. Due to the angular nature of the shared pathway for no's 20 and 22, the pathway is extremely awkward to manoeuvre into and out of for the two households that share it. The design in the application is a response to this on-going issue, aiming to improve accessibility for all parties. The current porch, erected prior to the applicant moving in, over sails the boundary line and as a result causes manoeuvrability and access issues for both dwellings.

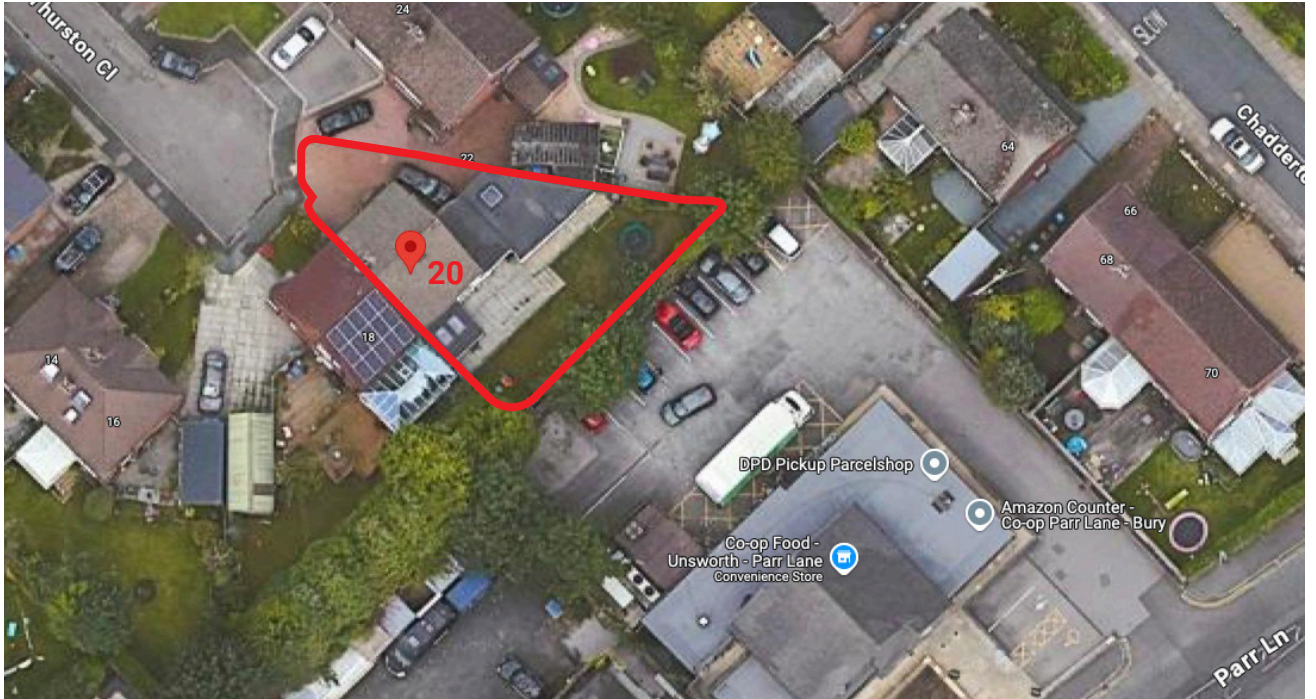


Image 2E - Site map of application property and commercial site | Image Google copyright

2.12. A commercial site, currently occupied by a mini supermarket (Co-op) is located to the rear of the application site (no.20). The site sits parallel with the commercial site's car park, delivery area and plant space. Dwelling no's.18 and 22 also back onto this site. This commercial site is accessed via Parr Lane and is open seven days a week from 6:30am through to 10:30pm. The site can cause both noise and light pollution during the early and late hours of the day, seven days week. A satellite image of the site can be seen in image 2E.

2.13. From a wider site and locality perspective, within the Unsworth area there are dozens of properties that have recently undergone both cosmetic and construction changes to their appearance on the street scene, and functionality from an internal aspect. The majority of changes are typical modern modifications and interventions, such as rendered walls, large glazed windows and flat front elevations.

3. Outline of proposed development

3.1. The application of this appeal was submitted to Bury Council on 21st October 2024 and was allocated application number 7125. The application sought planning permission for the removal of a tired and weathered timber construction porch and replace it with a double storey front extension. As shown in image 3A.



Image 3A - Photo of existing weathered timber porch

3.2. As discussed in the site description section, the house suffers from accessibility issues from a vehicular aspect. This is due to several reasons such as the awkward nature of the cul-de-sac, the shared aspect of the driveway, the overlapping boundary line and the design of the existing porch. The current freehold stipulates that 2m either side of the central boundary line should be kept free for vehicular access, however the existing porch overlaps into this boundary line, adding to the accessibility issue.

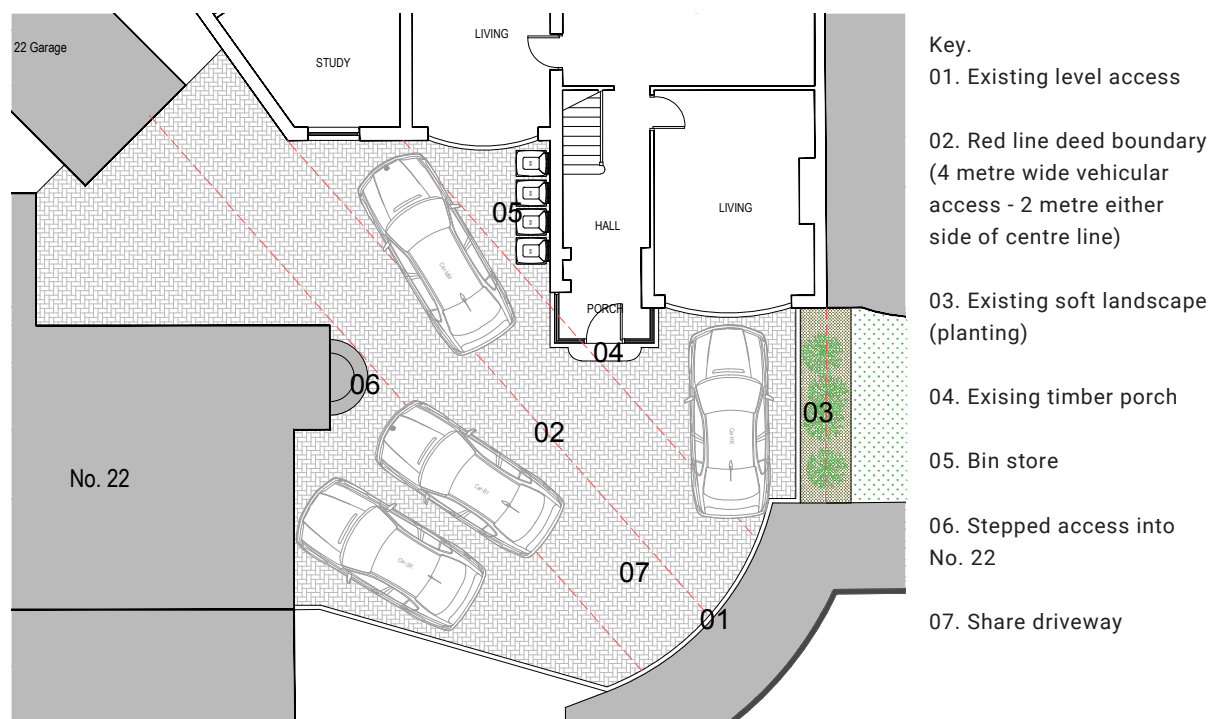


Image 3B - Existing site plan (partial - refer to H183-EX-003-EXISTING SITE LAYOUT PLAN for full site)

3.3. To improve vehicular access for both dwellings sharing the driveway, the design of the porch within the application at ground level is a direct response to the angular boundary line. This can be seen on drawing H183-PR-001-PROPOSED SITE LAYOUT PLAN. A portion of this drawing can be seen in the below diagram 3C. The angular nature of the ground floor porch reduces the overall massing and volume of the build and the size of the gable seen from no.22.

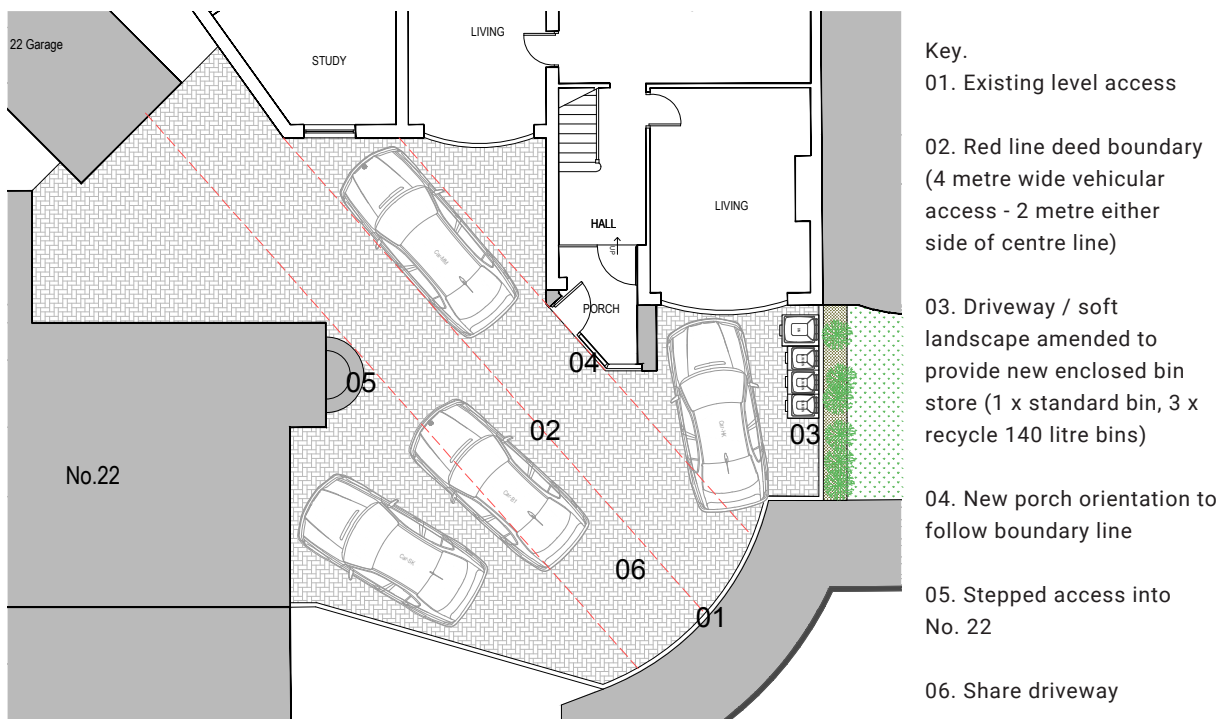


Image 3C - Proposed site plan (partial - refer to H183-PR-001-PROPOSED SITE LAYOUT PLAN for full site)

3.4. From an accommodation perspective, at ground level the proposal provides a new solid construction porch complete with a single external door and new set of internal doors for added security. At first floor level the extension provides enhanced accommodation to the 3rd bedroom and an en-suite for the master bedroom. The house is a typical 1960's arrangement and suffers from having a traditional, compact 3rd bedroom 'box room'. Within the application, the overall number of bedrooms stays as existing.

3.5. The existing façade of the dwelling is traditional red brick with sections of modern off-white render which may have previously been hanging tiles or weatherboard. Several houses on the street and surrounding area have very similar rendered facades, with some dwellings being fully rendered on all facades.

3.6. From an elevation aspect, the proposed extension uses similar design language from other dwellings on the street, by introducing a first floor, pitched, front facing gable. The angled ground floor footprint results in a small cantilever at first floor which provides some shelter by the front door. There is a desire to introduce a lightweight canopy structure also, to provide further shelter at the front door. To break up any notion of mass or volume, full height ground floor glazing is introduced, as well as an opportunity to create a living wall installation. At first floor level, the shape of the extension is framed by the gable having a recess, this is offset by approx. 30cm from the border. The intention is to render this in a complimentary colour, matching the existing rendered façade finish. A window that follows the roof pitch is proposed at first floor level. As part of the build, the existing roof tiles to the dwelling are to be fully replaced as they are showing signs of wear and tear. The existing roof will be replaced with new interlocking concrete tiles, including the front extension.

3.7. Site constraints have influenced the design decisions of the application. The purpose of the application is to provide additional and improved living accommodation for family members living at the dwelling. There were several factors which lead to the Appellant seeking to provide accommodation to the front of the property and not to the rear or side. The rear of the property suffers from light and sound pollution from the commercial site which is a direct neighbour. A dormer extension, albeit not as cost effective, would provide enhanced accommodation but it would no doubt suffer from the adjacent commercial site.

Due to the nature of the shared site, a side extension could perhaps encroach on the neighbours site lines and disrupt their right to light. From a functionality aspect, the front porch extension solves access and accommodation issues, providing improved living conditions with no disruption or negative effects on neighbouring properties.

4. Planning history

4.1. The property has no previous planning applications, other than applications for building control approvals on permitted developments.

5. Planning policies

5.1. This section of the statement identifies the planning policies that are relevant to the appeal following their reference in the notice of refusal.

5.2. In particular, the Bury Unitary Development plan: UDP Policy H2/3 (Extensions and Alternations) and associated guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.

5.3. Bury Unitary Development plan: UDP Policy H2/3. It is our understanding that policy H2/3 of the Bury Unitary Development Plan (UDP), outlines the criteria for assessing proposals to extend or modify residential properties. The policy emphasizes considerations such as the size, height, design, and external appearance of the proposed changes; the character of the existing property and its surroundings; the impact on the amenity of adjacent properties; and visibility for pedestrians, cyclists, and drivers. The aim of the policy being to ensure that such developments are of a high standard, do not negatively affect neighbouring properties, and maintain the character of the area. Key considerations include the following.

- a). Design and Appearance. Extensions should be in keeping with the property and its neighbouring properties, in terms of scale, height, materials and architectural style.
- b) Impact on Neighbours. Developments should not cause a significant loss of light, privacy or outlook for adjacent properties.
- c) Amenity of the area. Proposals should maintain the character and visual appeal of the local environment.
- d) Highways and Safety. Developments should not obstruct visibility for road users or increase traffic hazards.
- e) The policy ensures that house alterations contribute positively to the built environment and do not negatively impact neighbours or local character.

5.4. Supplementary Planning Document 6. It is understood that SPD6 provides additional guidance on how homeowners can comply with policy H2/3, with key relevant elements to this appeal understood as follows.

- a) General extensions should match the property's materials and roof design.
- b) General extensions should not appear intrusive on the street scene.
- c) General extensions should not have a negative impact on neighbours and allow for separation between properties to protect privacy.

5.5. National Planning Policy Framework. Within the particulars of decision of the notice, there is also reference to the National Planning Policy Framework, specifically paragraph 38. It is understood that this paragraph emphasises the importance of a positive and proactive approach in the planning process by resolving issues with applicants where possible. In practice, it is understood that rather than rejecting applications outright (such as the application in this appeal), planners are encouraged to engage with applicants to suggest amendments that would make the proposal acceptable. The emphasis is on problem-solving rather than being overly restrictive.

5.6. Section 6, titled Grounds of appeal, addresses the above statements and provides a case for the proposal to be accepted.

6. Grounds of Appeal

6.1. The appeal proposal relates to the construction of a small residential extension to an existing dwelling located within a typical suburban area found in the town of Bury. The appeal site is not located within a conservation area and the existing dwelling is not of any historical or architectural merit. In consideration of the foregoing, there are no planning policies that advise against a development of the nature proposed. As such, the appeal proposals should be regarded as appropriate in principle, subject to their detailed design being acceptable.

6.2. The purpose of the original application is to provide cost effective additional and improved living accommodation for family members living at the dwelling. The Appellant is aware of national planning policy which encourages sustainable forms of development and the efficient use of suburban land. Through the points presented in this statement section it will be demonstrated that the appeal proposals are a form of sustainable development and that they are not too dissimilar to other dwellings within the local area.

6.3. Bury Council presented a single reason for refusal, alleging that the proposed extension would be prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. Any assessment as to the impact of a proposed development on the character and appearance of the area must first, out of necessity, follow an understanding and analysis of the key features, which contribute, to the character and distinctiveness of that locality.

6.4. Architecturally, the street references characteristics and styles from around the 1960's era, with quite a few houses showing influences from 1930's, including features such as front elevations with double storey curved bay windows and steeply pitched front facing gables. Elements from characteristics of these eras influenced the nature and detailing of the design proposed in the application. In particular, the front facing gable, with steep pitch roof influenced the design of the first-floor façade, evidence of

this feature is seen on dwellings on Thurston Close as well as dwellings on neighbouring streets. It may differ in materiality, due to it being a more modern interpretation, but the nature of design, shape and width of the front extension at high level is not out of character with properties on the street, especially those with this particular feature.

6.5. The Council allege that the extension is prominent and intrusive and would therefore be seriously detrimental to residential amenity. The proposals within the application show a considered design approach to a site that has a variety of restraints to factor in, such as accessibility, shared boundary lines, and cul-de-sac restrictions.

6.6. It is understood that the UDP Policy H2/3 contains an element of subjectivity; it is understood that it's a formally adopted planning policy rather than just guidance (like SPD6) however it is believed there is room for interpretation.

6.7. Considering this, it is important to point out elements of the policy which could be specifically argued against. One such item is the emphasis on neighbour impact. The proposal by nature of its design and shape, will in fact, as discussed with the neighbours, improve the accessibility for both dwellings no.20 and no.22. The boundary line has assisted in creating a site-specific design solution. The Appellant is mindful of its surrounding property, and so the front extension does not interfere with day light nor does it overlook its neighbour's property. It is the Appellant's view that the proposal would not be unduly harmful on the amenity of neighbouring occupiers.

6.8. Several residents on the street were informed of the intended proposals prior to the formal application and the reasons behind the application's design; no objections to the proposals were noted. It is also worth noting that no objections were formally recorded during the application process either.

6.9. It is believed that the proposals do not harm the neighbour's living conditions, but in fact may in turn improve accessibility in the long term.

6.10. From a context perspective, there are several examples of dwelling extensions in the local area that could be seen as out of character and overly prominent. The properties shown below may not portray the same design as the dwelling in the application, but they show examples of how volume and mass can be a subjective discussion – as these properties were approved by the local council. This is not meant as a criticism to the council, but merely a point of subjectivity, discussion and compromise.



Image 6A - Photo of extended dwelling, where mass and volume was seen as acceptable. Randle drive, Unsworth (top of street from application dwelling)



Image 6B - Photo of extended dwelling, where mass and volume was seen as acceptable. Hillsborough drive, Unsworth (0.5 mile from application dwelling)

6.11. Research of the local area for precedent proposals took place prior to the application as well as during the process of writing this appeal. The appellant found three proposals for front extensions which are of similar design, all within a short distance. The dwellings are situated on a prime road leading to Bury and contain dwellings of a similar age to the dwelling within the application. Two of the referenced properties are separate semi-detached houses, with the third dwelling being a detached property. The dwellings have similar design characteristics of those found on the Appellants street . For reference, these dwellings are No.134 Parkhills Road (Bury Application 69588) No.136 Parkhills Road (Bury Application 69587) and No.126 Parkhills Road (Bury Application 67805). Reference images are shown below and overleaf.



Image 6C - Photo of No. 136 Parkhills Road



Image 6D - Photo of No. 136 Parkhills Road



Image 6E - Photo of No. 134 Parkhills Road



Image 6F - Photo of No. 134 Parkhills Road



Image 6G - Photo of No. 126 Parkhills Road



Image 6H - Photo of No. 126 Parkhills Road

It is understood that no.126 Parkhills is a detached property and therefore may not be as relevant as No's. 134 and 136, as these are both semi-detached properties with very similar qualities as the applicant dwelling. Having been through the applications of each property, the information provided to the council was quite limited and not as detailed as the proposals submitted within the Appellants application. It's worth noting that no pre-planning advice was sought in any of the applications. Works at one of the properties (no. 136) appears to have been completed. The two other properties are still under construction. Photos of these properties have been included for information and reference. Taking these precedents into consideration, it would be fair to state that Bury Council have prior experience of dealing with front extensions similar in design to the dwelling in the appeal that they deem to be acceptable. With that in mind, it is the Appellant's view that the proposed extension in the appeal is not out of the ordinary in the borough and should be seen as compliant within the provisions of the Policies. Within the particulars of decision of the notice, the council state there were no amendments to the scheme which could have reasonably been imposed to make the development acceptable. It is fair to say that this is a questionable response given these examples.

The Appellant understands it is not the Councils responsibility to design, but the particulars also refer to the National Planning Policy Framework, specifically paragraph 38. It is understood that this paragraph emphasises the importance of local planning authorities approaching decisions in a positive and supportive way, working with applicants to resolve matters wherever possible. When taking this into consideration, it is the Appellants view that due to there being similar applications that have been approved in the past, there is in fact a probable solution that could have been deemed acceptable and agreed upon should the council have engaged with the Appellant during the application process rather an outright refusal which the NPPF encourages councils to avoid.

6.12. The Appellant has taken their time over the design language of the dwelling. The process took place over several months and was both carefully considered and directly influenced by its surrounding properties. Despite the design being a notably modern addition, its architectural features pick up on characteristics of dwellings in its locality. It is this reason why the Appellant would disagree with the statement that the development is of serious detriment to the visual amenity of the area. The development is seeking to make effective and efficient use of difficult land to provide a small addition of accommodation, which would offer high standards of external and internal amenity without harming the neighbouring amenities. The Appellant has a keen interest in sustainable design and would be keen on instructing a contractor with similar values, should the appeal be granted.

7. Conclusion

7.1. The Appeal has considered the reason for the refusal of planning permission application 71258 by Bury Council, with regards to the character of the site and its surroundings, the Council's policies, national policy and guidance and the history of the site.

7.2. The proposed development has been thoughtfully designed to respond to both the practical needs of the occupants and the constraints of the site. The Council's primary reason for refusal—that the extension would be a prominent and intrusive feature detrimental to the visual amenity of the area—doesn't appear to acknowledge the varied architectural character of Thurston Close and the broader Unsworth area. The street and local area are composed of both detached and semi-detached properties, many of which have been altered over time, including modifications to front elevations. The proposed extension incorporates design elements influenced by existing properties in the area. The materials and finishes have also been carefully selected to complement the surrounding dwellings, ensuring that the extension does not stand out as an incongruous addition.

7.3. Furthermore, research into planning precedents in the local area has identified several approved front extensions of a similar nature, which share comparable architectural features with the appeal site. Given these approvals, it would be inconsistent for Bury Council to reject the current proposal on the basis of visual impact, particularly when the design has been carefully considered and can be directly compared to similar dwelling extensions in the borough. Good design goes beyond aesthetic considerations. In this instance, the proposed development has sought to incorporate design features seen locally.

7.4. Moreover, national planning policy encourages a positive and proactive approach to planning decisions. Rather than outright refusal, local authorities are encouraged to

engage with applicants to explore potential amendments that would make a proposal acceptable. In this case, no such engagement took place, despite opportunity for constructive dialogue to address any concerns. This approach contradicts the principles set out in national policy and suggests that a fair and balanced assessment of the application may not have been undertaken.

7.5. In light of the above points, the appellant maintains that the proposed extension is an appropriate and well-considered addition that respects the character of the area while providing essential functional improvements to the property without negatively impacting neighbouring properties and follows the principles of sustainable development by making efficient use of available space. Given the absence of any significant planning harm, the compatibility of the design with the surrounding area and the precedent set by similar approved developments in the area, it is respectfully requested that the appeal should be allowed.

A. Appendix | List of drawings/ supporting information

ORIGINAL PLANNING APPLICATION DRAWINGS

DRAWING TYPE	DRAWING NUMBER	DESCRIPTION
PLAN	H183-EX-001	LOCATION PLAN
PLAN	H183-EX-002	SITE PLAN
PLAN	H183-EX-003	EXISTING SITE LAYOUT PLAN
ELEVATION	H183-EX-101	EXISTING ELEVATION
PLAN	H183-EX-201	EXISTING PLANS
PLAN	H183-PR-001	PROPOSED SITE LAYOUT PLAN
ELEVATION	H183-PR-101	PROPOSED ELEVATIONS
PLAN	H183-PR-201	PROPOSED PLANS

SUPPORTING DOCUMENTS | FOR APPEAL

DRAWING TYPE	DRAWING NUMBER	DESCRIPTION
DOCUMENTS	H183-PR-901	SUPPORTING DRAWINGS

Householder Appeal Statement

Property:

20 Thurston Close,

Bury

BL9 8NW