

DELEGATED REPORT

Report by Amanda

Date of report: 22/05/2025

Ref:71811/FUL

Uhunmwagho

Registration: 31/03/2025

LDfC: 01/05/2025

Expiry Date: 26/05/2025

Site Visit: 09/05/2025

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: First floor side extension; Garage conversion with bay window

Location: 388 Holcombe Road, Tottington, Bury, BL8 4DT

Description

The application relates to a two storey semi-detached house with gardens to the front and rear of the dwelling. Along the front boundary there is a red brick wall with pillars and the vehicle access is open to the highway in front. There is also a lot of planting and small trees along the front boundary. There is a garden area to the front and drive way for one vehicle in front of an attached garage at the side. At the rear there is a single storey extension and small area of patio. Due to the angle of the north boundary the site tapers in at the rear and there are hedges to both side boundaries. At the bottom of the garden is a small shed.

The proposal is to build a first floor side extension and a garage conversion with a bay window. There would also be some internal rearrangements which would not necessarily require planning permission. The garage would be converted to a cloakroom at the front with a bay window, a wc and utility room. At first floor level there would be a new bedroom. There would be no changes to the footprint of the existing garage and the first floor extension would be built directly above, but it would be set back from the existing two storey front elevation by around 473mm and the roof would be hipped. There would also be new patio doors installed to the rear elevation.

Relevant Planning History

N/A

Publicity

8 neighbours notified on 10/04/2025 - 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 PpE 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 a first floor set back of at least 1.5m would be expected with regards to two storey/first floor side extensions in order to prevent terracing with an adjacent property where terracing is not the character of the streetscene. In this instance no.390 Holcombe

Road the north of site is angled away from the application dwelling. As such in this instance terracing would not be a concern and the short first floor set back to the front would be acceptable in this location.

The existing property is set back from the highway by around 15m and there is a lot of planting along the front boundary which screen the majority of views of the house. If the planting was removed the dwelling would be fully visible in the streetscene. However, as the extension would be built with materials and a design that would be considered to be in keeping with the existing building there would not be any significant detrimental impact on the character of the existing streetscene.

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 -

- Two ground floor windows would be removed from the north side elevation of the existing garage and a new utility room window would be installed. The utility room would be classed as a non-habitable room. As the window would face on to the existing boundary fence and there is a blank gable wall at no.390 next door it is considered that the position of this window would not have any significant detrimental effect on privacy levels at the adjacent property.
- There would be around 10m from the front of the first floor extension and garage conversion to the front boundary. This distance would be sufficient in terms of SPD 6.
- Properties to the front would be more than a sufficient distance from the extension not to have any significant detrimental effect on residential amenity at those properties.
- There would be a single first floor bedroom window to the rear elevation. This would be a secondary window to a bedroom and it would be around 6.6m from the rear boundary. Although SPD 6 states that a distance of at least 7m would normally be required from a first floor habitable room to a shared boundary any views from this window would be towards the end of the garden, over existing planting on both sides of the boundary. There would not be any direct overlooking over the rear garden at no.390. As such in this instance the distance on 6.6m to the shared boundary would be considered acceptable.
- There would be a slight decrease in drive length due to the addition of a bay window to the front elevation, but the remaining drive length would be acceptable in terms of SPD 6.
- There are no windows to the side elevation of no.390 next door and the extension would not extend any further back than the existing garage.
- As the extension would be built on the north side of the existing building there would not be any significant detrimental impact on residential amenity at no.386, attached on the south side.

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 the 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

DELEGATED REPORT

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 R-0965-01 Rev A, R-0965-02 Rev B, R-0965-03 and R-0965-04 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.
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- 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 - 22/05/2025		HL 23/05/25	