

DELEGATED REPORT

Report by Sam Summers	Date of report: 29/04/2024	Ref: 70529/GPDE
Registration: 19/02/2024	LDFC:	Expiry Date: 01/04/2024
Site Visit: 22/04/2024	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Prior approval for proposed single storey rear extension

Location: 37 Griffin Close, Bury, BL9 6LG

Description

Prior approval for proposed single storey rear extension (5.329m) to two storey brick and tile end terrace dwellinghouse.

Relevant Planning History

None

Publicity

Letters to adjacent neighbours sent 20/02/2024 - 1 Objection received- Would block the sunlight and have a negative effect on the value of their property

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

Issues and Analysis

Unless a formal written objection is received from any of notified addresses as prescribed by the regulations, within the prescribed 21 days following the date of such notification prior approval will not be required as the proposed development complies with all the limitations and conditions of Part 1 Class A of the GPDO (as amended).

The dwelling is not Listed nor is it in a Conservation Area.

There is no enforcement and the proposed development would be on land wholly owned or controlled by the applicant.

Permitted Development Rights have not been removed.

The proposal would not take up more than 50% of the area of the curtilage, not including the area of the dwelling.

The proposal would not extend beyond the rear wall of the original dwelling by more than than six metres.

The proposed development would not extend beyond a wall which forms the principal or a side elevation of the original dwelling and fronts a highway.

The overall height of the proposal would not exceed four metres and the height to the eaves would not exceed three metres. The proposed extension would not more than half the width of the original dwelling.

Having regard to the above the proposal would be lawful as it falls within the limitations of Part 1 Class A to Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015. However, where an objection is received then the issues of impact and amenity need to be considered.

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.

The Council policy in H2/3 and SPD6 considers that development management is keen to ensure that enough private garden space is left after any extensions in order to avoid over-development of the site. Any proposals should not therefore significantly reduce the amount of usable amenity space for the property to an unacceptable degree. The proposed extension, extends to the rear boundary, which means at the rear of the property there will only be a small area to be used as an exit/egress point for the dwelling and extension.

The proposed extension is visible from Griffin Close and the shared green space at the rear of the property and whilst it is noted that there are a few smaller extensions and out buildings visible to the rear of properties within the immediate street scene none are of the extent of this extension. It is considered that the proposal would introduce a prominent and intrusive feature within the street scene that would be detrimental to the visual amenity of the area.

It is therefore considered that the proposed extension would lead to an insufficient amount of usable amenity space associated with the dwelling, and would be detrimental to the character of the street scene and as such would be contrary to UDP Policy H2/3 and SPD 6.

Residential Amenity - There would be approximately 10 metres to the rear boundary with the properties at the rear. There would be no excessive overlooking and this would be in accordance with the aspect standards set out in SPD6.

The proposed extension would be located adjacent to the boundary with No.35 Griffin Close and would significantly exceed the 3m advocated projection of SPD6 from the original rear wall suggested within guidance. The proposed extension, in extending out 5.329m along the boundary would be very overbearing and have a seriously adverse impact upon the residential amenity of the occupiers of the attached property particularly as the orientation of the rear elevation is northerly and would be close to the side wall of the extension. The room at the rear of the neighbouring property is in use as a kitchen diner so would be considered a habitable room. Therefore, the proposed development would unacceptably impact upon residential amenity and habitable rooms and thus conflict with UDP Policy H2/3 and SPD 6.

Objection - The issue of blocked sunlight has been addressed in the main body of the report. House value is not a planning consideration so is not something that has been taken into account as part of this decision.

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

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Prior Approval Required and Refused

Conditions and Reasons:

- 1 The size of the site is inadequate to accommodate the development proposed whilst satisfying reasonable requirements for residential amenity space about the dwelling. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan:
H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 2 The proposed development would, by reason of its size, 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. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:
H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties
- 3 The proposed rear extension would be seriously detrimental to the residential amenities currently enjoyed by the occupiers of the adjoining dwelling house, by reason of its size and position. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 Extensions and Alterations and SPD6 Alterations and Extensions.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
SS	29/04/2024	DM	29/04/2024