

DELEGATED REPORT

Report by Amanda

Date of report: 15/08/2025

Ref:71947/FUL

Uhunmwagho

Registration: 05/06/2025

LDfC: 26/06/2025

Expiry Date: 31/07/2025

Site Visit: 27/06/2025

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey rear extension and replacement of existing windows/doors

Location: 34 Laurel Street, Tottington, Bury, BL8 3LY

Description

The application relates to a two storey mid-terrace property with a small front garden and a yard to the rear. There is no on site parking at this property. At the rear there is a single storey out-rigger which is attached to one at no.32 Laurel Street and there is also an extension along the shared boundary at no.32. There are fences to both side boundaries and a brick wall along the rear with a pedestrian access gate to a back street.

Opposite the front of the site is Tottington High School and to the rear is parkland/playing fields.

The proposal is to demolish the existing out-rigger and build a single storey extension. The extension would be built directly along the shared boundaries to both sides and it would project to the same point as the existing out-rigger on the east side measuring around 5246mm on the east side and on the west it would project 4000mm. It would extend across the full width of the yard and the roof would be flat with two rooflights. On the east side there would be a brick wall against the existing pitched roof out-rigger at no.32.

The walls would be cladded and there would be a door and window to the rear elevation. The proposal also includes the replacement of all the windows and front door to the existing dwelling.

Relevant Planning History

N/A

Publicity

2 neighbours notified on 05/06/2025 and then notified of amended drawings on 21/07/2025
- No comments or objections received.

Notice was also served on the adjacent neighbours and certificate B was signed on the 22/07/2025 due to the amended drawings showing that the extension would be built directly along both side boundaries.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Development Plan and Policies

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.

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.

The proposed replacement windows and front door at the property would update the property, but would not have any significant detrimental impact on the character of the house, or visual amenity in the immediate vicinity.

The extension would be a very modern feature at the property but as it would be located on the rear it would only be visible from the immediate neighbouring houses and there is an out-rigger and extension along most of the boundary at no.32 which would screen most views of the extension. Given its location it is considered that it would not have any seriously detrimental impact on visual amenity and the design of the proposal is considered acceptable in this location.

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 -

- As the extension would be built adjoining the existing out-rigger at no.32 Laurel Street and would also encroach the boundary with no.36, notice was served on both neighbours and certificate B was signed on the 22/07/2025. Neither of the neighbours have objected to the proposal. As such the position of the proposed extension would be considered to be acceptable in this instance.
- On the east side the extension would project to a similar point as the existing out-rigger and there is also an extension at no.32 which projects further along the shared boundary.
- On the west side no.36 has not been extended and there is a habitable room window adjacent to the shared boundary. Although SPD 6 states that a single storey extension should not project more than 3000mm along a shared boundary where there is a habitable room adjacent, the neighbour has not objected to the proposal. As such the projection of 4000mm along the boundary would be considered to be acceptable under the Larger Homes scheme.
- There would not be any windows in the side elevation facing no.36.
- There would be sufficient amenity space remaining to the rear yard.
- On the east side the wall would be built up where the extension meets the existing pitched roof out-rigger at no.32. This would ensure there would be no detrimental effect on the structure at no.32 in the future.
- The replacement front door and windows to the existing dwelling would not have any significant detrimental impact on residential amenity in this area.
- Directly to the rear of the site is a back street and parkland beyond.

Taking the above into account 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.

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 highway 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 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 drawing numbered LST-RALA-ZZ-XX-DR-A- (PL)-0001 Rev P00 received on 29/05/2025 and drawings numbered LST-RALA-ZZ-XX-DR-A-(PL)-0000-Rev P01, LST-RALA-ZZ-XX-DR-A-(PL)-0002-Rev P02 and LST-RALA-ZZ-XX-DR-A-(PL)-0003-Rev P02 received on 21/07/2025 as modified by the email from Miss Rachel Baldwin dated 21/07/2025. The development shall not be carried out except in accordance with the details 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.
- 3 The external finishing materials for the proposed rear extension approved shall be red brick to match those of the existing building with black/dark coloured Ecoscape (or similar) composite cladding and black/dark colour aluminium doors and windows to the extension to match the cladding. Replacement windows to the existing building would be Agate grey upvc flush encasement windows and the front door would be a Rock Door (Newark or similar).
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	15/08/2025	DM	15/08/2025