

DELEGATED REPORT

Report by Amanda

Date of report: 16/06/2025

Ref:71770/FUL

Uhunmwagho

Registration: 26/03/2025

LDfC: 30/04/2025

Expiry Date: 21/05/2025

Site Visit: 02/05/2025

Site Notice: N/A

Press Date: N/A

Objections: 2

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at side/rear with first floor balcony above; Front porch

Location: 2 Lawrence Street, Bury, BL9 9SN

Description

The application relates to a previously extended, two storey semi-detached house. The whole of the front of the site is paved providing on site parking for two vehicles. Access to the rear garden is through the property. There are fences to all boundaries at the rear of the site. There is a single storey extension and dormer to the rear of the house. Directly to the rear of the extension is a patio with lawn to the remainder of the garden.

To the south and west of the site are car parks belonging to a local restaurant and car dealerships.

The proposal is to build a front porch, single storey side/rear extension and a balcony to the rear. At the front the porch would project 1.6m forward of the front elevation and it would measure 5m wide. The roof would be pitched and the structure would be glazed to the front and west side elevations.

The single storey rear extension would square off the existing rear elevation measuring 2.46m x 2.58m. The roof would be flat, it would be rendered to match the existing building and there would be patio doors installed across the rear elevation.

The proposed balcony would be built above the existing single storey extension. It would have a glazed balustrade and a 1.7m high obscurely glazed privacy screen to the east side. The balcony would be set in from the east side of the extension below by 1.5m.

Relevant Planning History

61419 - Two storey extension at front/side, first floor extension at side/rear and single storey extension at rear; Dormer at rear - Approve with Conditions 15/06/2017

Publicity

4 neighbours notified on 04/04/2025 - Two objections received.

- The proposed balcony is at the same level with my bedroom window, which causes great concerns around privacy.
- The plans do not clearly demonstrate how high the glass will be and do not indicate if this will be frosted. This is raising real concerns regarding my right to privacy.
- Has anyone, from your department been down to inspect the current extension, that the proposed balcony will be on top of?
- The quality of workmanship, of their previous extension, is extremely poor. I would like to feel safe that the current structure would be worthy enough to support the proposed balcony. concerns are based upon current cracks within the adjoining wall, from my side

of the property.

- Prior to forming an opinion of the application, I would like to request that a member of the planning department actually attend the property to inspect the workmanship standard, especially from the rear of my property.
- The erection of a front porch will encroach on the off-street parking associated with the property.
- The top end of Lawrence Street already suffers with significant access issues due to the presence of a restaurant, and two car dealerships.
- Recent deterioration in arrangements have seen the Car Co employees and its customers parking along Lawrence Street and Leyton Drive.

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 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 porch at the front would be openly visible in the streetscene but it would be built with materials and a design that would be considered to be in keeping with the existing property. There are also other properties along the road which have porches to the front. As such the design of the proposal is considered acceptable in this location.

The single storey rear extension would be finished with materials and a design that would be considered to be in keeping with the existing property and there would be limited visibility of this part of the building due to the existing boundary fence.

The balcony would be visible from the rear gardens of adjacent properties and the car parks at the nearby car dealerships. However, as the balustrade would be glazed it's impact in terms of visual amenity would be limited and would not warrant refusal of the proposal.

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 -

- Directly to the south and west of the site is a large car park which belongs to a car sales establishment on Manchester Road.
- There would be no changes to the existing single storey rear extension adjacent to the shared boundary with no.4 Lawrence Street.
- The balcony would be around 1.5m away from the shared boundary with no.4 and there would be a 1.7m high obscurely glazed privacy screen on the east side of the balcony. The screen would protect the privacy of users of the balcony as well as users of the rear garden at no.4 next door and the distance to the shared boundary would help to alleviate any overlooking as well as reduce any impact in terms of noise. A condition would be added to the decision to ensure the screen remains in situ at all times in the future.
- Views from the balcony would be over the applicant's own garden.
- The opposite end of the balcony would be built up to the existing two storey extension. This would also mean that the balcony would be screened from direct views from the west side of the site.
- The single storey rear extension would be built off the side of the existing single storey

rear extension. It would be built adjacent to the side boundary which is shared with the adjacent car park.

- At the front the porch would project 1.6, forward of the front elevation and it would measure 5m wide. The roof would be pitched and the structure would be glazed to the front and west side elevations.
- The proposed front porch would be built well away from the shared boundary with no.4 next door and set well back from the highway in front.
- The drawings show that all of the development would be within the site boundaries.

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 porch at the front would reduce parking within the site to one full space, but the space to the front of the porch could possibly accommodate a more compact vehicle. There are also no parking restrictions to the highway in front and there is public transport close by. As such in this instance the on site parking would be considered sufficient.

Response to neighbour comments -

In order to ensure the proposed balcony would not have any significant detrimental impact on residential amenity at the adjacent property and garden revised drawings were submitted showing the width of the balcony reduced and as such pulled away from the side elevation of the single storey extension below by 1.5m. There would also be a 1.7m high obscurely glazed privacy screen to the side adjacent to the attached property and a condition would be added to the decision to ensure that the privacy screen would remain in situ at all times in the future.

Although the quality of workmanship is a genuine concern it is not a Planning consideration and would not have any impact on the outcome. Any concerns regards the building of the proposal would be assessed as part of the Building Control application.

A site visit was carried out to the site on 02/05/2025 but not to the neighbour's property as requested. However, a telephone call was made to the concerned neighbour and they were advised that this any concerns regards the build would be looked at as part of the Building Control application.

The impact of the front porch on on-site parking arrangements has been addressed in the residential amenity section of the report above.

One neighbour expressed concerns about on-street parking along Lawrence Street due to the presence of a restaurant and two car dealerships. Although this may be a concern there are no parking restrictions to the highway in front. The impact on parking has been addressed in the parking section of the report above.

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 02,03,05,06 and 08 received on 31/03/2025, drawing numbered 07 Rev B received on 13/05/2025, drawings numbered 01 and 09 received on 23/05/2025 and drawing numbered 04 rev B received on 11/06/2025 as modified by the emails from Extend Your Home dated 13/05/2025, 23/05/2025 and 11/06/2025. 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 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.
- 4 Before the first occupation of the extension hereby permitted an obscurely glazed privacy screen measuring no less than 1.7m shall be installed to the east side of the balcony and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with 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 - 16/06/2025			