

Ward: Bury West - Elton

Item 1

Applicant: Mr Tamoor Tariq

Location: 1 Rollesby Close, Bury, BL8 1EW

Proposal: First floor extension at side

Application Ref: 69298/Full

Target Date: 28/03/2023

Recommendation: Approve with Conditions

This application is to be considered by the Planning Control Committee due to the applicant being a Bury Councillor.

Description

The application relates to a two storey brick built detached house located on a corner plot on an estate that consists of mainly detached houses of varying designs. There is a drive at the front with a conifer hedge and timber panelled fence at the side. The house is currently undergoing construction works following approval of planning permission for extensions and alterations in November 2021.

The immediate neighbour at No. 3 is the adjacent house set forward from the application house. There is a side path between the two properties and a 1.7m high fence separates the rear gardens. The main rear elevation is set back 3.8m from that of No.1 and has a conservatory at the rear. Closest window to the boundary with No.1 at ground floor is a dining room window. The property to the rear is set side on and separated by a footpath.

It is proposed to extend above the single storey element at the side of the house, adjacent to the shared side boundary with No.3 Rollesby Close. It would run from the front elevation 9m back, stopping approximately 2m short of the rear elevation and have a pitched roof just below the main ridge. It would be finished in a render.

Relevant Planning History

02612/E - Two storey front, single storey rear extension. - Enquiry completed 29/07/2021

50492 - Two storey extension at side. single storey extension at rear of garage. - Approved 10/10/2008

67461 - Two storey front extension; Single storey rear extension - Approved 10/11/2021

Publicity

Immediate neighbours notified by letter dated 02/02/2023. Objection received from/on behalf of, the neighbour at No.3 Rollesby Close.

- Concerned the foundations for the proposed 2nd story above the garage.
- Impact in terms of overshadowing and contravenes council planning guidelines document Adopted_SPD6_Jan_2020.pdf under the section of 45 degree rule section 5.2
- Remove light from the kitchen door and therefore removing light from another habitable room (kitchen) In addition to this it would remove the openness of the adjacent properties access to the rear of the property alley.
- The development as a whole is not in keeping with the street and properties across the road on Trimmingham drive.
- It is also perplexing that a development for a senior member of the council is being handled by the same council. Surely there is a protocol so no internal pressure could be applied or alike for this to happen and categorically dispel any potential bias?
- The proposed structure does also not "design out crime" section 3.2 it only serves to create more light deprivation and in the winter months creates an enclosed feel leaving the elderly neighbour feeling vulnerable by creating a dark and hidden aspect. The

proposed structure will create a double story brick wall a mere 900mm from the boundary. This must be classed as an overbearing structure so close to the perimeter.

- The adjacent landowner DOES NOT give consent for any scaffold or out riggers to cross her boundary in order to build this proposed party wall.

The objector has been informed of the Planning Control Committee.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

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) and 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 Policy 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.

Visual amenity - In terms of design and appearance, the extension would be modest in scale and in keeping with the existing house. At the front, the immediate neighbour at No.3 Rollesby is set forward to provide a degree of articulation along the frontage and, with the existing passageway retained to the side, avoid a terracing effect. As such the extension would not appear incongruous within the streetscape and would comply with UDP Policy H2/3 Extensions and Alterations and associated guidance in SPD6.

Residential amenity - Given the neighbour at No.3 Rollesby Close is set forward, there is no significant impact at the front of the property. At the rear, the closest window at ground floor is a dining room window. The proposal as originally submitted was to extend back the length of the house to the rear elevation. Given the impact on the dining room window and adjacent patio area, this was not considered appropriate. Although the extension would be to the north west, it would appear as overdominant on the boundary and have a detrimental impact on residential amenity on occupier at No.3 Rollesby Close. Amendments were therefore sought.

The plan was subsequently amended to set the extension back from the rear elevation, by just over 2m. Although relatively minor, this alteration would help reduce the impact on the neighbour significantly, not necessarily with regard to light levels but rather visual dominance on the boundary. The revised plan also indicates a 45 degree line extending out from the dining room window at No.3 Rollesby Close and that the extension would satisfy with this '45 degree rule'.

In terms of residential amenity, the proposal is on balance considered to be acceptable and complies with UDP Policy H2/3 Extensions and Alterations and associated guidance in SPD6.

Public representation - The objector's comments, where they relate to planning, have been addressed in the above report. The issue with regard to crime is not considered so relevant as, whilst it may appear more enclosed, the width of the pedestrian passageway between the houses would not be affected as the extension is at first floor.

The issue with regard to scaffolding is a private matter and not relevant to the planning application.

The consideration of applications made by Members and Officers is clearly set out within the constitution on how these should be determined. This scheme is duly presented to the Committee in line with the requirements of the adopted and published constitution.

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.

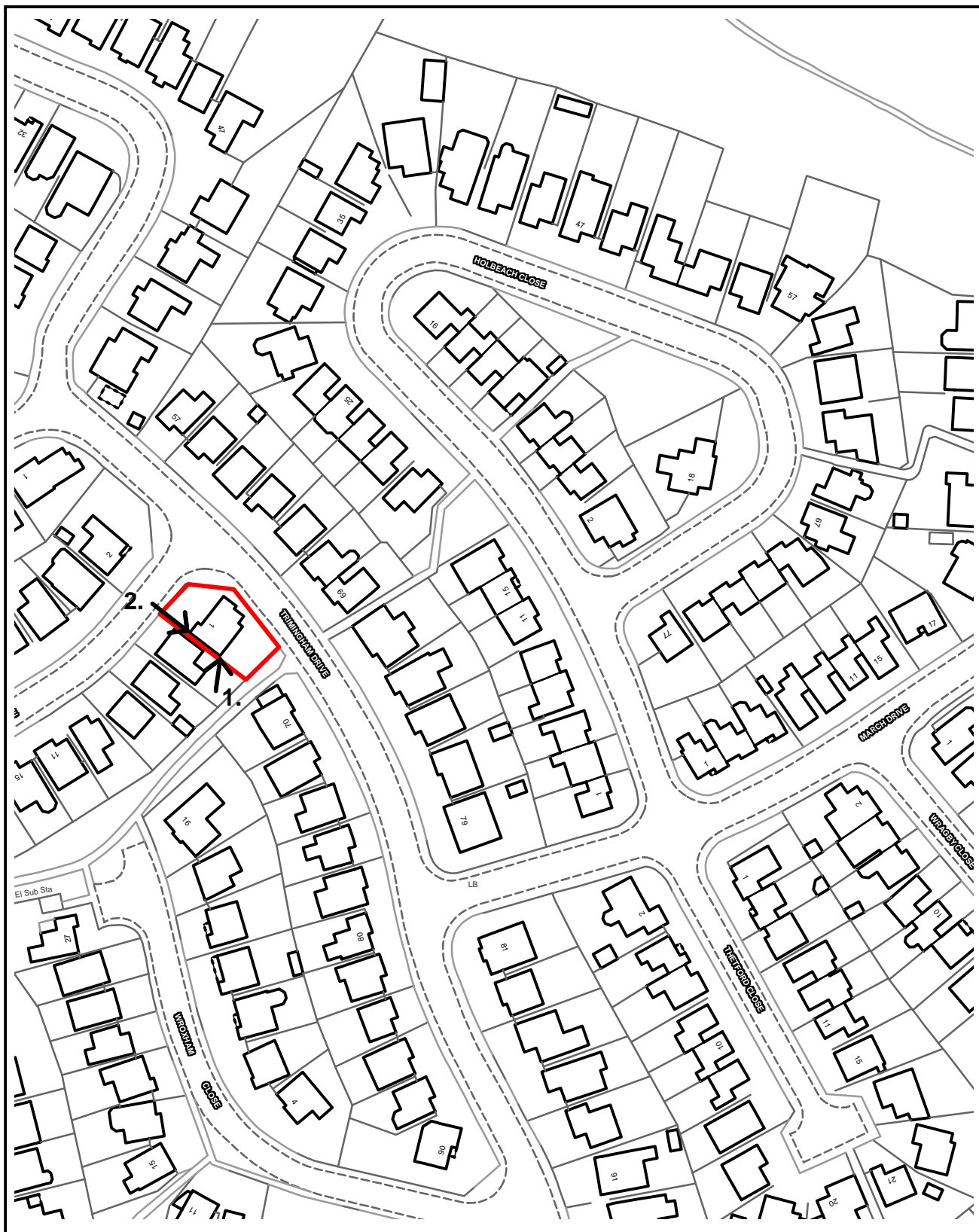
Recommendation: Approve with Conditions

Conditions/ 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 RAD/2785/23/1RevA 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 Unitary 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

For further information on the application please contact **Tom Beirne** on **0161 253 5361**

Viewpoints - Item 1



PLANNING APPLICATION LOCATION PLAN

APP. NO 69298

ADDRESS: 1 Rollesby Close Bury



Planning, Environmental and Regulatory Services

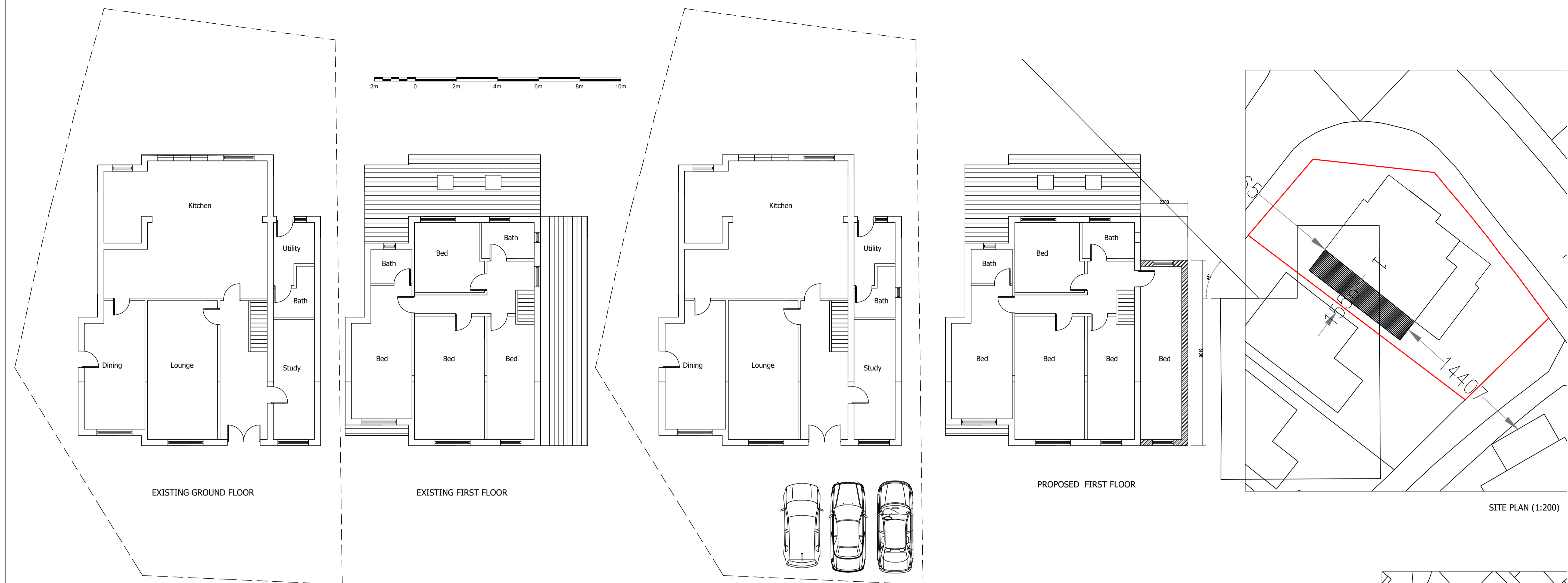
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Photo 1



Photo 2





EXISTING GROUND FLOOR

EXISTING FIRST FLOOR

PROPOSED FIRST FLOOR

SITE PLAN (1:200)

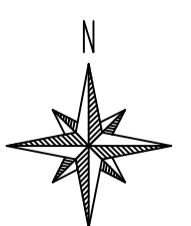
PROPOSED GROUND FLOOR



BLOCK PLAN (1:500)



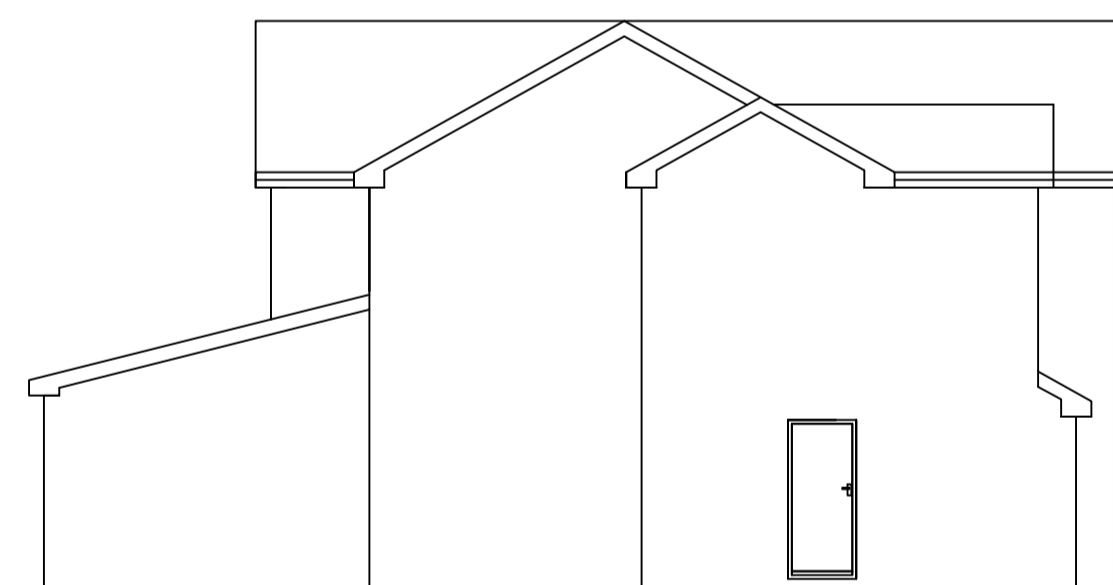
LOCATION PLAN (1:1250)
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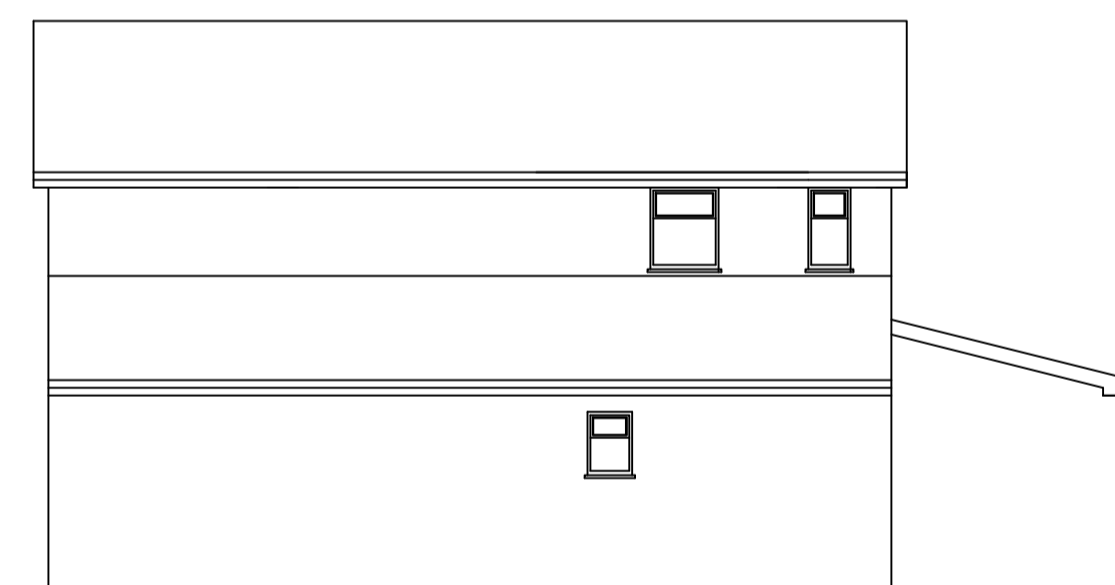
EXISTING FRONT ELEVATION



EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION (1)



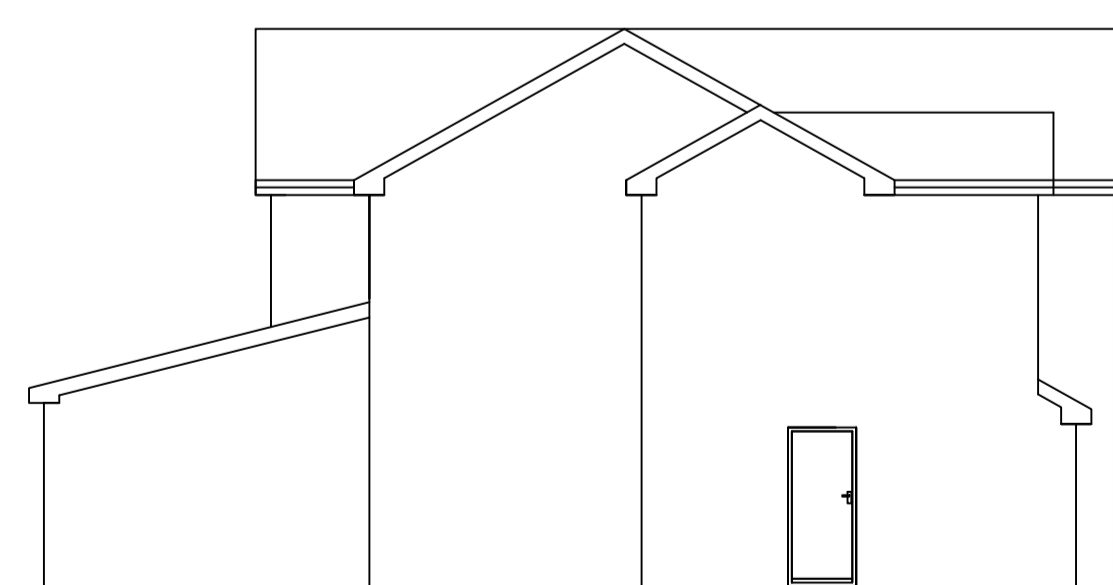
EXISTING SIDE ELEVATION (2)



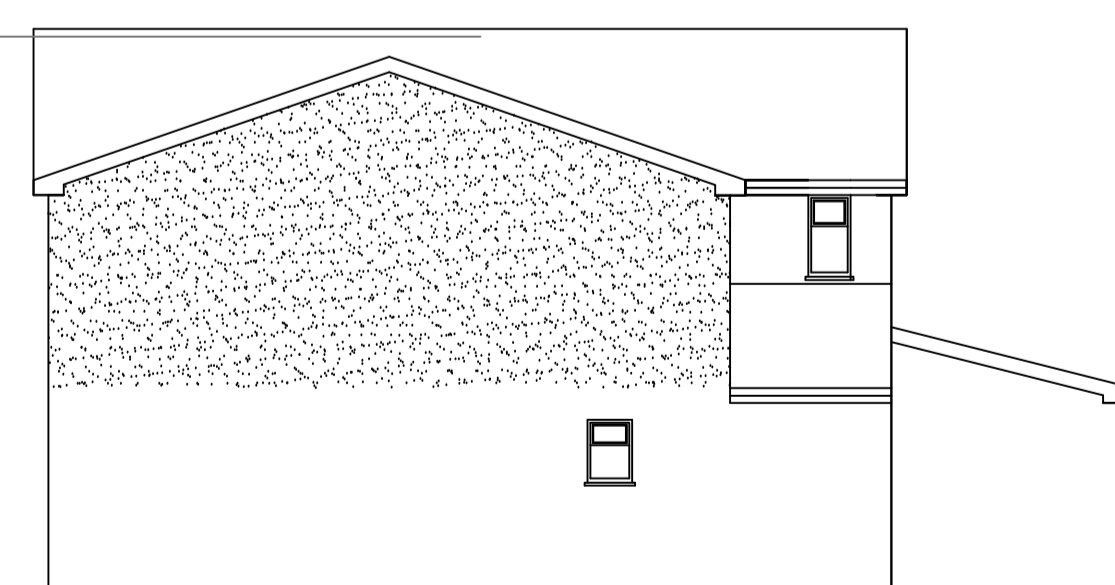
PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION

Date	Rev.	Initials
30/3/23	A.	RA

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Figured dimensions take precedence over scaled measurements from the drawing. All dimensions and drawings to be checked by Client and Contractor and discrepancies clarified with the Client prior to commencement.
The whole of the works to comply with Planning Approval & Conditions and current Building Regulations. No work to commence without Planning & Building Regulations approval.
The client must ensure the project complies with the Construction Design and Management Regulations 2015.
The Client should ensure consent from any landowner or interested party is obtained, as well as compliance with Party Wall Act 1996

Notes

RAD
The White House,
42-44 Chorley New Road,
Bolton
BL1 4AP
Tel : 01204 322196
Fax : 01204 214110
Mob: 07790 361104
Email: info@radesignprojects.co.uk

Project
1 ROLLESBY CLOSE
BURY
BL8 1EW

Title
EXISTING & PROPOSED PLANS

Client
TAIMOOR TARIQ

Drawn
RA

Date
JANUARY 2023

Scale
1:100 @ A1 / 1:200 @ A3

Drawing Number
RAD/2785/23/1/RevA