

## **DELEGATED REPORT**

|                                 |                                   |                                |
|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Mo Warsame     | <b>Date of report:</b> 21/08/2025 | <b>Ref:</b> 71955/FUL          |
| <b>Registration:</b> 21/05/2025 | <b>LDFC:</b> 25/06/2025           | <b>Expiry Date:</b> 16/07/2025 |
| <b>Site Visit:</b>              | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b> 3            | <b>Con Area:</b> N/A              | <b>Adv Type:</b> N/A           |
| <b>Reason for Delay:</b><br>N/A |                                   | <b>EIA:</b> NA                 |
|                                 |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** First floor extension at side and garage conversion

**Location:** 27 Knowsley Road, Ainsworth, Radcliffe, Bolton, BL2 5PY

### **Description**

The property is a detached house located on a residential street. It has a large drive to the front and a single storey attached garage at the side. The neighbouring property to the side of the proposal is No.1 and No.9 Knowsley Road. The site shares boundary with No. 29 Knowsley Road on the opposite side and there are no properties directly to the rear of the site.

A planning application is sought for the conversion of the existing garage to a habitable (playroom and a gym). Above a first floor extension would be constructed. The extension would not project beyond the principal elevations and would accommodate a bedrooms and a lounge The development would have pitched roof with velux windows to the side and the drive would be unchanged.

### **Relevant Planning History**

None.

### **Publicity**

Neighbour letters sent on 03/06/2025. Three objections received.

### **Comments**

The main concerns relate to the level differences between the concerning properties and the application dwelling along with privacy issues which the objecting parties state that the development would result in a loss of privacy and would have a detrimental visual impact on the setting of the grade II listed building and the Conservation area in general.

### **Statutory/Non-Statutory Consultations**

N/A

### **Pre-start Conditions**

N/A

### **Development Plan and Policies**

H2/3 Extensions and Alterations

### **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.

### **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 proposal would see the garage door replaced with windows in keeping to the existing ones along with matching materials. The proposed first floor would be built within the footprint of the existing garage. Furthermore, the extension would have a setback of over 2m to the shared side boundary. As such terracing would not be an issue. The roof would be pitched with velux roof windows to the side. The materials of the proposal would match the existing.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

### **Residential Amenity**

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

The proposed first floor would run along the rear elevation of No.9 Knowsley Road. However, the proposed development would be mostly screened by the existing high shrubs. Furthermore, the proposed side velux roof windows would be 1.7m above floor level. As such, there would not be any adverse impact.

There would be a distance of over 20m from the proposed first floor windows and the properties in front. Moreover, there are no properties beyond the rear boundary. This would be sufficient to comply with SPD6 Aspect Standards including taking account of the levels difference.

There would then be no serious impact on the amenity of any adjacent neighbouring properties. The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

### **Parking**

The proposal will result in one additional bedroom, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

### **Response to Objection**

The report have addressed the main concerns of the objecting neighbours. There would not be any significant detrimental impact on the neighbouring properties. Furthermore, the proposed Velux roof widows would be 1.7m above floor height. Overall, the above assessment above has highlighted that there would not be adverse impacts and addressed the other concerns of the objections.

### **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 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 the drawings received on 21/05/2025 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 and Places for Everyone Joint Development Plan listed.

| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
|---------------------|-------------|-------------------------|-------------|
| MW                  | 21/08/2025  | DM - 21/08/2025         |             |