

DELEGATED REPORT

Report by Mo Warsame	Date of report: 19/08/2025	Ref: 72022/FUL
Registration: 25/06/2025	LDfC: 25/07/2025	Expiry Date: 20/08/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Raising of height of part of roof and new roof replacement to existing dwelling; partial render to front and both side elevations; garage conversion and external alterations

Location: 25 Oakwell Drive, Bury, BL9 8LB

Description

The property is a detached bungalow with garden and drive to the front. It has a pitched roof porch at the front with attached garage to the side. Along the opposite side is a path leading to the rear garden. .

Planning permission is sought for the raising of height of part of roof and new roof replacement to existing dwelling. The proposed roof that would be raised would be above the existing porch and garage on the side near the shared boundary with No.27. The proposal would also include a partial render to front and both side elevations. Additionally the existing garage would be converted to habitable and there would be external alterations.

Relevant Planning History

71964 - Lawful development certificate - The property is to be re-roofed, and part side and front elevation to be re-built in cavity construction. The existing Garage is to be converted to a Morning Room and a number of existing window openings are to be amended - Withdrawn - Invalid 03/06/2025.

Publicity

Neighbour letters sent on 04/07/2025. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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), 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 PpE 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 and design

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 new slightly raised roof would have the same front gable design which would be of a similar design to other properties along the street. Whilst the general material in the vicinity is brick work there is render seen on the estate and it is an increasingly popular finish for domestic properties. The proposal which also includes minor internal and external alterations would be considered acceptable and would not have any 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.

- As the size of the garage would remain unchanged and there would not be any windows on the side elevation adjacent to the site boundaries. Therefore, there would be no significant detrimental impact on residential amenity at neighbouring properties and their gardens.
- Although the conversion of the garage would reduce parking on site by 1 spaces the site is very large and there would still be ample room to park several vehicles to the front of the house.

As such there would be no serious impact to the amenity of the adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - 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 drive at the front of the main dwelling.

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 drawings numbered dwg no. 25-671-08 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	19/08/2025	DM -	20/08/2025