

DELEGATED REPORT

Report by Amanda

Date of report: 24/11/2025

Ref:72420/FUL

Uhunmwagho

Registration: 29/09/2025

LDFC: 04/11/2025

Expiry Date: 24/11/2025

Site Visit: 20/11/2025

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: First floor extension at side with conversion of existing garage to living accommodation and new window openings.

Location: 4 Horsham Close, Bury, BL8 1XY

Description

The application relates to a two storey detached house with a garage. There is a garden and driveway to the front and a private garden with fences to all boundaries at the rear. Access to the rear garden is via a path at the side of the dwelling.

Currently on the northeast side the first floor is set back from the main front elevation of the dwelling. The proposal is to extend above the garage to this side bringing the front elevation to the same point as the existing front elevation, effectively squaring of the front corner of the property. It would extend an existing bedroom at the property and the roof would be pitched back in line with the existing roof. At ground floor the garage would be converted into a playroom with a large main window installed to the front elevation and a smaller secondary window to the side elevation.

Relevant Planning History

N/A

Publicity

8 neighbours notified on 13/10/2025 - No comments or objections received.

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 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.

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 front extension would be built with materials and a design that would be considered to be in keeping with the existing building, as well as being similar to neighbouring extensions along the row.

The new window to the garage conversion and bedroom window to the rear elevation would be considered to be in keeping with existing openings at the property. 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 to the front of the property there would be no detrimental impact on properties to the rear due to its position.
- An existing bedroom window at the front would be lost due to the position of the extension. A new window would be installed to the rear elevation. There would be a sufficient distance from the window to the rear boundary in terms of SPD 6 requirements, and it is considered that the position of the new window would have no more of an impact on residential amenity to properties at the rear, than the existing bedroom window on this elevation.
- The separation distance from the new bedroom window at the front, to properties on the opposite side of Horsham Close would be sufficient in terms of SPD 6.
- As the extension is to the upper floor only it would not have any impact on the existing parking arrangements to the front of the site.
- The extension would be on the northeast side of the dwelling. As such it would not have any significant detrimental impact on residential amenity at no.2 on the opposite side.
- The first floor extension would project around 3m past the front elevation of no.6 next door and there is a distance of around 1.7m between the two properties. Given the orientation of the site compared to no.6 there may be some detrimental impact on light during the later part of the day, but it would not be sufficient enough to warrant refusal of the proposal. It is also noted that the next door neighbour has not objected to the proposal.
- The new window that would replace the garage door would not have any significant detrimental impact on residential amenity at the adjacent property, or in the area in general. It is also noted that the garage could be converted into living accommodation as permitted development.
- There would be one new window to the ground floor of the northeast side elevation, to the new playroom. As a playroom is not considered to be a habitable room and the window would face on to a blank two storey side elevation at no.6, it is considered that the position of the window to the side elevation would not cause any significant detrimental impact on residential amenity at no.6 Horsham Close next door.

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 parking arrangements would remain as existing where there is parking to the drive 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 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 R1037-01 and R1037-02 Rev A received on 29/09/2025 and drawing numbered R1037-04 Rev A received on 20/11/2025 as modified by the email from Equilibrium Architects Ltd dated 20/11/2025. 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 24/11/2025		DM - 24/11/2025	