

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 06/03/2026	Ref: 72789/FUL
Registration: 10/02/2026	LDfC: 06/03/2026	Expiry Date: 07/04/2026
Site Visit: 18/02/2026	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: First floor extension above existing garage and garage conversion

Location: 13 Kingston Road, Radcliffe, Manchester, M26 2XN

Description

The application property is a two storey semi-detached dwelling on the western side of Kingston Road. The front boundary is formed by a low brick wall with a break in the walling for access for both vehicles and pedestrians. To the southern side of the property, there is an access gate to the rear garden of the property for pedestrians. To the rear, the boundaries are formed by timber fencing.

The proposal is to build a first floor extension over the existing garage, together with a garage conversion. The proposed first floor extension would project a maximum of 3.3m from the side elevation of the property and would be a maximum of 4.6m in length. The proposed would incorporate a hipped roof approximately 1m lower than the existing ridge height of the property. The maximum height of the proposed would be 6.8m with an eaves height of approximately 5m.

The proposed garage conversion would remove the garage door to the front of the property and replace with a window 1.7m x 1.5m. All materials proposed would match that of the existing property.

The street scene is residential in nature with predominantly red brick semi-detached dwellings. There are other dwelling types such as bungalows and terraces. Parking in the area is mixed with some properties featuring driveways for up to 2 vehicles however on street parking for properties without driveways is also common.

Relevant Planning History

None

Publicity

5 neighbouring properties were consulted on 12/02/2026. One objection comment has been received with the following concerns:

- the increased height of the wall might negatively affect the value of the neighbouring property which may affect a potential future sale
- the increased height of the wall may reduce access to natural light during the day

Statutory/Non-Statutory Consultations

None relevant

Pre-start Conditions - Not relevant

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

SPD11	Parking Standards in Bury
H2/3	Extensions and Alterations
PfE	Places for Everyone
NPPF	National Planning Policy Framework

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 scale of the proposal would be considered to be subordinate to the existing dwelling by virtue of it being set down from the existing ridge height of the property by approximately 1m. Furthermore, it would be set back from the principal elevation of the property by approximately 0.5m. Given this, it would appear as a consistent addition and not overly intrusive to the existing dwelling.

Waste bins at the property are currently stored at the front of the property and the proposed would not change this. The materials used are to match that of the existing dwelling and would also remain consistent with the street scene.

Most properties along Kingston Road do not feature attached garages as 13 Kingston Road does and therefore the conversion of the garage to habitable space wouldn't appear incongruous. Furthermore, garage conversions are considered permitted development under Class A which is a material consideration in the determination of applications. Given this, the garage conversion is considered acceptable.

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-

The proposed does not introduce any habitable room windows any further towards the front or rear boundaries and therefore the existing interface distances are retained meaning that neighbours to the front of rear are unlikely to be impacted further.

15 Kingston Road is the adjoining neighbour and is sited away from the proposed, therefore would not be impacted.

11 Kingston Road is sited to the south of the application property. There are no habitable room windows in the side elevation of 11 Kingston Road that would be impacted by the proposed, and no windows proposed in the side elevation of 13 Kingston Road that could cause any privacy impacts. Furthermore, the proposed first floor extension would not impinge at a 45 degree angle to any habitable room windows in the front or rear elevations of this neighbour and, given the application property is sited to the north, would therefore be out of the natural arc of the Sun and would not cause any further overshadowing impacts to the amenity space of this neighbour. Given the above, it would be considered acceptable.

Parking

The proposal would increase the number of bedrooms from 3 to 4 and SPD 6 requires parking spaces as set out in SPD 11 Parking Standards to be considered.

The site is located within Zone 4 with dwellings with 4 bedrooms or greater requiring a minimum of 3 car parking spaces. Given the existing parking provision at the property would remain unchanged, with a driveway for up to 2 vehicles, and parking on street at this location is not restricted and common, it would be considered acceptable.

Response to objection comment:

Impact on neighbouring house values is not a material planning consideration. All other concerns addressed within the body of the report.

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 2506-40, 2506-30 and 2506-02 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.
- 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> CO 06/03/2026	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
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