

DELEGATED REPORT

Report by Tom Beirne	Date of report: 10/04/2025	Ref: 71718/FUL
Registration: 18/03/2025	LDFC: 09/04/2025	Expiry Date: 13/05/2025
Site Visit: 08/04/2025	Site Notice: 18/03/2025	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Porch and single storey extension linked to existing detached garage and conversion of garage to living accommodation

Location: Burrs View, Touch Road, Bury, BL9 5QS

Description

The application relates to a detached, stone built dwellinghouse and detached stone built garage on the north east side. The house is situated within a small cluster of dwellinghouses at the end of Touch Road, in the countryside immediately to the north side of Bury. The site lies within the Green Belt and is on the Council's draft local list and considered a non-designated heritage Asset (NDHA). A public right of way runs along Touch Road.

The proposed extension would link the main house to the garage and measure 6.8m by 6.8m. It would be position to the front of the site, set back across the rear yard, 9m from the rear boundary with the property, immediately to the rear. The extension would also include a porch/entrance hall on the front elevation, projecting out 4m. The extension would be constructed in a mix of natural stone and vertical timber cladding with a slate roof.

The garage would be converted into living space and parking for two cars would be accommodated on the frontage. The extension would have a pitched roof carried over onto the roof of the garage at the same height.

Relevant Planning History

02178/E - Building of additional floor on existing footprint and single storey extension to front or side - Enquiry completed 11/09/2018

03046/E - Porch and Side Extension Incorporating Existing Detached Garage - Enquiry completed 05/02/2025

67743 - External alterations to existing building consisting of insertion of a door and windows - Approve with Conditions 18/01/2022

Publicity

Immediate neighbours notified by letter dated 18/03/2025. Site notice posted 18/03/2025. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection.

Pre-start Conditions - N/A

Development Plan and Policies

OL1/2 New Buildings in the Green Belt

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 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.

Character and openness of the Green Belt - Paragraph 154 (c) of the NPPF states that the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building does not constitute inappropriate development. In support of the NPPF and UDP Policy OL1/2 New Buildings in the Green Belt, the Council's Supplementary Planning Document 6 (SPD 6) states that domestic

extensions in the Green Belt should not normally exceed a third of the volume of the original dwelling. However it goes on the state that every application is assessed on its own merits and larger extensions could be allowed in certain circumstances.

The original building comprises the house with a volume of 608m³. With the extension of 169m³ connecting with the detached garage, the total development, including the existing garage, would result in a volume increase of 46% over the original building.

The site sits within a cluster of houses and the extension would be viewed in this context. Whilst the proposed extension would exceed the volume of a third of the original house, this includes the volume of the existing garage which already impact on the character and openness of the site. The extension, set down well below the main ridge and situated between the house and the garage, would not be particularly prominent within the site and when viewing the property and its surrounding neighbours from the public highway. With views limited to the north, where it would be viewed against the backdrop of the existing houses, the impact of the extension on the character and openness of the Green Belt would be negligible and as such it is considered that there would be no harm to the character of the green belt or loss of openness.

The extension would be considered acceptable and comply with the NPPF and UDP Policy OL1/2 New Buildings in the Green Belt and guidance in SPD8 in relating to the Green Belt.

Visual amenity - The proposed single storey extension is well designed and, sitting between the house and garage, would not appear out of scale with the existing property or would be particularly prominent within the streetscape. The extension, finished in a mix of stone, vertical timber boarding and slate to match the house, are considered appropriate and acceptable in terms of appearance. In terms of visual amenity, the proposal is acceptable and complies with UDP Policy H2/3 and SPD6 relating to extensions and alterations.

Residential amenity - Given the scale, siting and appearance, the extension would not have a seriously detrimental impact on the residential amenity of immediate neighbours in terms of overshadowing or overlooking. It is noted that there are no objections from neighbours. Complies with UDP Policy H2/3 and guidance in SPD6.

Parking and access - The scheme allows for the parking of two cars on the existing driveway and this is considered to be acceptable and compliant with UDP Policy H2/3 and guidance in SPD6 in relation to parking.

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 five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

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- 2 This decision relates to drawings numbered 001, 002, 003, 004, 101, 102, 103, 104 and 105 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	19/04/2025		