

DELEGATED REPORT

Report by Tom Beirne	Date of report: 28/01/2026	Ref: 72576/FUL
Registration: 16/12/2025	LDfC: 19/01/2026	Expiry Date: 10/02/2026
Site Visit: 27/01/2026	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: Demolition of existing rear conservatory and erection of a new single storey extension at rear; Single storey extensions at front / side to form a new entrance / office and loft conversion including front and rear dormers and roof light to rear. Black timber cladding to front and rear dormers, single storey rear extension and existing and new gables. New green roof to garage; new retaining wall; glazed balustrade to front and side; new fencing and relocation of rear garden retaining wall.

Location: 12 Heapworth Avenue, Ramsbottom, Bury, BL0 9EH

Description

The application relates to a split level bungalow on a residential road of similar styles bungalow and two storey houses. It has a rear conservatory, single storey flat roof outrigger on the side and a garage at a lower level on the front with a boundary hedge running around the front and side. The house on the corner plot is relatively prominent. It is slightly higher than properties opposite and slightly lower than those to the rear. The attached neighbour at No.10 has a rear dormer and No.8 has a front dormer.

The proposal involves:

- Demolition of existing rear conservatory and erection of a new single storey extension at rear, 3m deep.
- Single storey extensions at front/side to form a new entrance and home office.
- Loft conversion including front and rear dormers and roof light to rear.
- Black timber cladding to front and rear dormers, single storey rear extension and existing and new gables.
- New green roof to garage;
- New retaining wall at the front and glazed balustrade to front and side;
- New fencing and relocation of rear garden retaining wall.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 23/12/2025. One comment received from a neighbour.

Supportive of the general proposal but some concerns.

- Plans indicate that the rear party garden fence looks to encroach beyond the party boundary into our back garden. (proposed rear artistic impression plans)
- The gap between the rear dormers to the centreline of the roof should at least be equidistant on both sides allowing access without the need to step onto the other's property for building and future maintenance. The roof velux reduces that gap around the side of number 12's dormer even further.

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 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 - The proposals in renovating and modernising the property, whilst impacting its appearance within the streetscape, would not be negative. The side extension, with a pitched roof would be in keeping with the house and improve its appearance within the streetscape. The single storey extension at the rear would replace the conservatory and with vertical timber cladding and a 'green roof', would not be viewed from the public area and would be acceptable. Likewise the green roof over the garage would be an improvement and would be 'permitted' under current planning regulations. The rear dormer would be similar in style to the dormer on the rear of the attached neighbour at No.10 and likely to be 'permitted development'. The front dormer would be more prominent, but would be relatively modest in scale, set in from the side and up from the eaves. Finished in vertical timber cladding to match the colour of the roof tiles, both dormers would be acceptable in terms of visual amenity. The new retaining walls would mirror the existing levels and would be relatively minor, without impact.

The proposals, in terms of visual amenity and streetscape, would be acceptable and comply with UDP Policy H2/3 and guidance with SPD6 relating to extensions and alterations.

Residential amenity - Given the relationship to the immediate neighbours, there are no residential amenity issues arising. The single storey rear extension, behind the existing boundary fence would have no serious impact on the attached neighbour and the gap to the rear boundary from the rear dormer is sufficient to protect privacy.

The proposals are acceptable in terms of residential amenity and comply with UDP Policy H2/3 and guidance with SPD6 relating to extensions and alterations.

Public comments - The comments of the attached neighbour with regard to the garden fence arise from the 'visual 3D impressions' rather than what is being proposed. In reality, the fence is being retained in situ and there is no encroachment.

With regard to the gap between the rear dormer and the party wall, the gap is considered to be acceptable and would not have a detrimental impact. It is noted that the rear dormer would be permitted development.

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 0025/01-02A, 03, 04, 05, 06A, 07A, 08 and 09 and the development shall not be carried out except in accordance with the drawings hereby approved.

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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>
Tom Beirne	28/01/2026	DM	30/01/2026