

DELEGATED REPORT

Report by Mo Warsame	Date of report: 24/11/2025	Ref: 72354/FUL
Registration: 29/09/2025	LDfC: 28/10/2025	Expiry Date: 24/11/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Provision of a new vehicular access including a dropped kerb and creation of a new driveway

Location: 22 Countess Lane, Radcliffe, Manchester, M26 3WF

Description

The property is a semi-detached house located on a residential estate. It has a walking path to the side, a large lawn to the front along with an area of private amenity to the rear. The adjacent properties on either side are No.20a Countess Lane and No.22a Countess Lane (attached).

Planning permission is sought for the provision of a new vehicular access including a dropped kerb and creation of a new driveway. The new driveway would have a permeable surface and the existing brick fence would be retained but would be cut back to make way for new driveway. The existing paving would also be retained.

Relevant Planning History

None.

Publicity

Neighbour letters sent on 07/10/2025. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section. No objection received.

Pre-start Conditions

N/A

Development Plan and Policies

SPD11	Parking Standards in Bury
SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations

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

UDP Policy H2/3 and SPD 6 Alterations and Extensions to Residential Properties 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 proposal would be considered acceptable and therefore would comply with UDP Policy H2/3 and associated guidance in SPD6 and SPD11. Furthermore, the Traffic Section has raised no objections.

Residential amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

The proposed development would have no adverse or detrimental impact on the residential amenity on the adjacent neighbouring properties and as such, the proposal would comply with UDP Policy H2/3 and associated guidance in SPD6. in that aspect.

Highways

The proposed parking arrangement, drive and the dropped kerb would be acceptable 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 TP2.2, TP2.3, TP5.1 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 access and car parking arrangements indicated on approved plan reference TP2.3, incorporating the provision of a footway crossing to a specification and in a position to be agreed with the Highway Authority, demarcation of the limits of the adopted highway, 6.0m (minimum) driveway length, retention of the length of low boundary wall shown to control the access position onto the adopted highway, provision of porous/permeable driveway materials and/or measures to prevent the discharge of surface water onto the adopted highway and all associated footway remedial works, shall be implemented the satisfaction of the Local Planning Authority prior to the vehicular access and driveway hereby approved being brought into use and thereafter maintained at all times.
Reasons
To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to H6/2 - Pedestrian and Vehicular conflict.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	24/11/2025		