

DELEGATED REPORT

Report by Jane Langan	Date of report: 10/12/2025	Ref: 72441/FUL
Registration: 28/10/2025	LDFC: 26/11/2025	Expiry Date: 23/12/2025
Site Visit: 11/11/2025	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: Single storey side extension

Location: 5 Old Oak Cottages, Bolton Road, Tottington, Bury, BL8 4JB

Description

The property is a stone cottage and one in a row of 3 which sit side on to the main road towards Hawkshaw village. The site and surrounding area is within the Green Belt. The site is the end property and has been previously extended. It has parking to the east side and a raised patio to the south side and a garden. Beyond the garden is open land which is also in the ownership of the applicant.

The application proposes a 4m deep by 4.4m wide single storey extension to the raised patio to form a sun room.

Relevant Planning History

16067 - 3 storey storeroom, lounge, hall, bedroom & dressing room extension at side - AC 26/07/84

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3	Extensions and Alterations
OL1	Green Belt
OL5/2	Development in River Valleys
OL7/2	West Pennine Moors
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
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 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.

Green Belt - 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. In addition to this SPD6 states that extensions of existing dwellings in the Green Belt should not result in disproportionate additions over and above the size of the original dwelling. In general an extension up to a third of the volume of the original dwelling may be acceptable however, each proposal will be considered on its own merits.

The statement provided with the application notes the increase in volume from the original property to be 78%, stating that the previous extensions had increased the volume by 59% and this extension will sit on already developed land (raised patio) and be within the domestic curtilage.

It is the case that the property is located to the south of the row of 3 properties away from the main road. There is some visibility of the site property from the approach east along Bolton Road. The proposed extension would be set back 2.4m from this elevation and single storey with the walls comprising largely of glazing. With eaves at 2.49m and the

ridge to 3.4m it would a modest addition.

In this instance then it is not considered that even with the total volume increase being a significant amount, given the position and small scale development, that the proposal would impact on the basic character and appearance or openness of the Green Belt.

Visual amenity and design - The proposed extension would be located to the side elevation and not readily visible from the main street view. The roof would be slate to match the colour of the existing and the walls would be fully glazed with grey frames.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered and the existing parking to the site would not be affected.

Residential amenity - The proposed extension would be located to the side of the property adjacent the garden area and as such would not impact on the amenity of any of the neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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 TDS-25-196-00, TDS-25-196-01, TDS-25-196-02, TDS-25-196-03, TDS-25-196-04 revised plan 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.

<u>Case Officer</u> JL	<u>Date</u> 10/12/25	<u>Sign off Officer</u>	<u>Date</u>
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