

DELEGATED REPORT

Report by Tom Beirne	Date of report: 26/11/2025	Ref: 72380/FUL
Registration: 09/10/2025	LDFC: 31/10/2025	Expiry Date: 04/12/2025
Site Visit: 25/11/2025	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: Extension / alterations to existing roof with rear dormer and patio doors to first floor level at rear; partial render to side and rear elevations to match existing

Location: 5 Hawkshaw Lane, Tottington, Bury, BL8 4JZ

Description

The application relates to a detached bungalow on a residential road on the edge of Hawkshaw. There is a dormer bungalow (No.3) to the south and a two storey house (No.7) to the north. Across the rear garden to the west are houses fronting Quarlton Drive. Although the site is within the built up area of Hawkshaw, it is washed over by the green belt.

The proposal involves the extension to existing roof on the north side to form a new first floor section at the rear. The new patio doors to first floor level at rear would have a juliette balcony fitted and there would be a render to side and rear elevations to match existing.

Relevant Planning History

64725 - Two storey side/rear extension; Single storey side extension; Rear juliette balcony; Front porch - Approved 02/12/2019

66363 - Extension to existing porch with first floor extension above, two dormers at front, pitched roof above garage and alterations to elevations including additional windows - Approved 16/03/2021

Publicity

Immediate neighbours notified by letter dated 10/10/2025. No objections received.

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
OL1/2	New Buildings in the Green Belt
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt

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 PpE 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 - The extensions are relatively modest in scale and would not, within the existing streetscape, have a detrimental impact on the openness of the Green Belt. As such the proposal is acceptable and complies with green belt policy OL1/2 New Buildings in the Green Belt and associated guidance in SPD8.

Visual amenity - The extensions and alterations are modest in scale and would, in terms of design and appearance, be in keeping with the existing house and wider streetscape. The external finishing materials would match the house and are acceptable.

In terms of visual amenity the proposal is acceptable and complies with UDP Policy H2/3 and guidance in SPD6 relating to extensions and alterations.

Residential amenity - The proposed juliet balcony would prevent access to the ground

floor flat roof and mitigate any potential overlooking of the neighbour to the north. Given the scale of the extensions and relationship with the immediate neighbours, there are no serious residential amenity issues arising.

The proposal would be acceptable and compliant with UDP Policy H2/3 and guidance in SPD6 relation to residential amenity.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 P01, P02, P03A(Revised), P04, P05 and P06 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>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	26/11/2025		