

DELEGATED REPORT

Report by Jane Langan	Date of report: 18/02/2026	Ref: 72717/FUL
Registration: 12/01/2026	LDFC: 06/02/2026	Expiry Date: 09/03/2026
Site Visit: 22/01/2026	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Demolition of existing garage at side and erection of new two storey extension at side. New front porch; formation of first floor Juliette balcony at rear and partial render to proposed front, side and rear elevations

Location: 404 Holcombe Road, Tottington, Bury, BL8 4HF

Description

The property is a bay fronted semi detached house with attached garage at the side and drive/garden to the front. Adjacent the garage is a planted area with a low retaining wall and there is a lean to timber covered area attached to the garage. A path along the side of the garage leads to a fenced rear garden. The adjoining semi is No.402 and to the opposite side No.406 is a two storey detached house extended with a conservatory at the rear. The rear boundary of the site borders the rear garden to 1 Tor Hey Mews which is screened by trees and planting in the site garden.

The application proposes to remove the garage and construct a two storey side extension. It would come out 4.1m at the side and run from the existing front to rear. To the front a porch 1.5m deep and 3.4m across would be added to the existing entrance. The extension would form a dining, kitchen and living area at ground floor with a bedroom with ensuite and dressing area at first floor. An existing bedroom would be converted to enlarge the bathroom.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and two responses have been received from a nearby neighbour. One objection and one comment. The concerns in summary are :-

Objection

- Loss of privacy
- Loss of light and overshadowing
- Overbearing impact and sense of enclosure
- Safety/drainage in relation to retaining walls

Comment

- During the building process on street parking could reduce visibility.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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.

Visual amenity and design - The proposed extension would be built to within 0.9m of the side boundary. SPD6 can then require a set back to the first floor front of 0.6m in order to

prevent the potential for terracing. The site is set back from the main road and the adjacent property of a different design. As such it is not considered that there would be potential for terracing in this instance.

The proposed extension would have a hipped roof extending from the main ridge and to the front a full height bay would match the existing. The porch would not project excessively from the front and would have a pitched roof. Materials would be render to the front and rear elevations with areas of matching brickwork and brick to the side elevation. The roof would be finished in slate to match.

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 - SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. The proposal would not increase the number of bedrooms it would remain as 4 and this then requires the proposal to provide 3 spaces. The application acknowledges the removal of the garage space noting that there would be 3 spaces remaining. A site plan has been provided with the drive dimensions and the parking arrangements are sufficient.

Residential amenity - The proposed extension would run along the side to No.406 which is two storey, slightly higher and extended at the rear with a conservatory. The proposal would come to be around level with its two storey front and rear elevations. As such the windows to the main aspects of 406, and the main garden areas to the front and rear, would not see any significant impact. No.406 does have windows to its side elevation at ground and first floor which would see loss of light. They are to habitable rooms as lounge and bedrooms however SPD6 also affords less weight to side habitable room windows and they would also be considered as secondary windows to those on the main aspects. There would be no windows to the side elevation of the proposed extension. To the rear elevation there would be a Juliette balcony to a dressing area to the a bedroom. This would directly face down the garden and there would be approximately 18m to the rear boundary which would be well in excess of the 7m required by SPD6 Aspect Standards. To the rear 1 Tor Heys Mews has its rear elevation fairly close to the site boundary however it is screened by planting to the site.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

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

Response to neighbour comments/Objections - SPD6 sets out aspect standards in order to prevent loss of privacy and overbearing relationships. As noted in the above report the proposal complies with these standards.

The issues regarding the proposal in terms of overshadowing is addressed in the above report with regard to the relevant neighbouring properties.

Stability and drainage issues are constructional matters and do not affect the assessment of the proposed extension.

On street parking is outside planning control.

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.

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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 26/831/01, 26/831/02, 26/831/03, 26/831/04, 26/831/05, 26/831/06 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>
JL	18/02/26	DM	18.02.2026