

DELEGATED REPORT

Report by Amanda

Date of report: 16/01/2026

Ref:72473/FUL

Uhunmwagho

Registration: 16/10/2025

LDFC: 04/12/2025

Expiry Date: 11/12/2025

Site Visit: 28/11/2025

Site Notice: N/A

Press Date: N/A

Objections: 4

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Construction of detached outbuilding (garden room) at rear

Location: 6 Valley View, Bury, BL8 1WN

Description

The application is retrospective and relates to a three-storey, semi-detached house on Valley View, which is a short row of three pairs of semi-detached homes of similar design. At the front there is a small open plan garden, driveway and an integral garage. At the rear there is a private garden with fences to all boundaries and given the fall in the land to the rear the garden is tiered on three levels. All levels are hardstanding, which is similar to other properties along the row which have hardstanding, grass or artificial grass to the tiered levels.

Houses to the rear on Valley Close are also three-storey but have a much lower ground level and separated from the site by a tall retaining wall measuring approximately 4.5m high which forms the shared rear boundary between the properties. Due to the fall in levels, these properties are three storeys at the front and two storey at the rear. The rear gardens of properties on Valley View are tiered down from the dwellings whilst the rear gardens tier upwards from the rear of the dwellings on Valley Close.

The proposal is to retain the detached outbuilding, erected adjacent to the rear boundary. The building measures 3m x 6m with an overall height of 3.2m. Due to the angle of the boundary line, the building is not parallel. The rear elevation of the building is approximately 1.5m away from the rear site boundary at the furthest point and approximately 200mm at its nearest point. Beyond the rear boundary fence is a retaining wall measuring approximately 1.3m wide. The side elevations are 390mm away from the shared boundary with no.8 Valley View, to the west and 271mm from the shared boundary with No.4 Valley View, to the east.

The walls would to be finished with horizontal larch feather edged cladding with a natural stain. The fascias, soffits and rain water pipes would be black upvc. There would also be two high level windows to the rear elevation of the outbuilding.

It is proposed to plant a Cherry Laurel screen hedge (*Prunus Laurocerasus*) along the rear boundary. They have advised that hedge would be between 1.5m and 2m tall and there would be 3.5 plants per linear metre, planted in a single line.

Relevant Planning History

25/0358 - Enforcement - Erection of outbuilding in rear garden - application received 16/10/2025.

Publicity

7 neighbours initially notified by letters dated 03/11/2025 - 4 objections received. A summary of the objections is listed below.

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- The application has been submitted retrospectively.
- The building is 3m tall, which is 50cm taller than current planning regulations allow due to the close proximity to the boundary fence.
- The building should be reduced in height to 2.5m to comply with permitted development rules.
- The applicant has no legal ownership of the property, despite confirming he is the sole owner.
- The applicant has not reached out to neighbours for their views on the development.
- Properties on Valley View have a much higher land level compared to properties on Valley Close to the rear/north, due to the development being built on a hill side, and there is a retaining wall between the site and properties to the rear (and along the rear of 14 homes on Valley Close and 8 properties on Valley View), measuring around 10 to 15 feet high. It was suggested that an independent engineer should be appointed at the applicant's expense prior to a decision being made.
- They believe the applicant may be running their business from the residential property and that the outbuilding would be used for the running of the business rather than for domestic use only and they included details of covenants on the properties, specifically referring to points 1,2,6 and 9 which refer to the use of the property.
- As well as the applicant, they also believe the registered homeowner is running their business from home and they suggest that as there are two businesses being run from the property, by different people, it suggests that the intended use of the building is commercial.
- The neighbour states that they've been advised that a significant amount of groundwork has been done which may have raised the ground height above its original level.
- They state that the building's exterior is not modest, as noted on the application, and the black plastic cladding would not compliment the surrounding area given the estate consists of red brick homes, with white upvc to all houses and wooden fences and greenery to boundaries.
- It should be noted that the 1.8m high fence along the rear boundary collapsed during a recent storm and is yet to be replaced. As the fence has collapsed the structure is even more exposed.
- The application states that there would be no kitchen, sleeping accommodation or toilet facilities in the outbuilding. They ask if the committee can confirm that the building would not contain such facilities and seek assurance that a change of use application would not be submitted for toilet, kitchen or sleeping accommodation in the future.
- The application states there is no overbearing sense of enclosure or overlooking of neighbouring properties but there are two windows shown in the rear elevation. The applicant could install these on the opposite elevation facing their own property. Photos have been provided with the objection.
- There are gutters shown on the proposed drawings, which can also be seen on the photos provided, but they don't appear to empty into a known water removal system on site. They appear to empty on to the ground, running into the retaining wall system. In addition the guttering will condense rainwater into a more significant and destructive flow which could cause flooding into their garden as water will most likely run straight down the wall.
- There are no references to sound proofing of the building. They state that the committee should ensure that these measures are included and specified as part of the granting of this, or any similar application, in order to limit the noise impact on surrounding neighbours.
- There is no mention on the application form about connection to utility services (phone, internet, electricity, gas or water), and there is no mention about insulation of the building. They suggest that any of these matters should be installed by qualified professionals and undergo annual safety testing.
- As part of the objection they included a land registry document. They have pointed out that Part 5, points 1,2, 6 and 9 of the document refers to the use of the property, what can be built and that these rules may have been broken due to the correct procedure not being followed.

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- On the application form the agent has advised there are no trees within falling distance of the site but there are trees to the side and rear of the site. (photos provided).
- With regards to a site visit' the agent has answered no to the question about whether the site can be seen from a public road, footpath or other public land but they have provided a photograph to show it can.
- They state that for the simple facts that the applicant has failed to follow the official legal planning process, failed to give his affected neighbours any opportunity to comment until legally forced, failed to follow very clear and easy to find guidelines on key issues such as location and building height and does not even own the property, the committee should reject this application in full and order the current structure be dismantled.
- The building is not in keeping with the surrounding area.
- The height of the building is excessive given the close proximity of the structure to their shared boundary.
- The outbuilding will detract potential buyers from purchasing their property, or at least they would not achieve the full market value of their property.
- Visitors to their property have commented that the building is too large, which emphasises their concerns about the ability to sell their property.
- Given the close proximity of the building to the shared boundary it would lead to excessive shade to their garden in the summer months.
- As the properties are three storeys high they only get sun to the bottom of the garden at the height of the summer. The building is a further obstacle in terms of sunlight accessing their rear garden.
- The outbuilding has been built immediately behind a retaining wall and may be a risk to this structure.
- Dark plastic cladding is not in-keeping with the surrounding area.
- Privacy - overlooking of properties to the rear from the two windows in the rear elevation.
- The application is retrospective. The unauthorised construction demonstrates a disregard for the planning process and local regulations.

4 neighbours notified of revised drawings on 11/12/2025 - one neighbour sent in additional comments of objection. These are listed below.

- Can you confirm that the applicant has now filed the correct paperwork that rectifies the incorrect statements made the initial application on important issues such as property ownership and the legally correct person has submitted these changes?
- They question is it is legal for the applicant to make such changes after the application the application and registering objections has expired as this feels like a clear breach of our rights? Surely these changes and at such a late stage should now warrant a fresh application along with the appropriate notifications and full consultation periods rather than the extra 10 days you have allowed us (stated 21/12 in your message)?
- Turning to the updated application itself, firstly we would like to state that considering the applicant has failed to follow correct planning procedure right from the start and has also failed to adhere to clearly documented planning law on matters such as building height, the timing of these changes could potentially be viewed as a further attempt to manipulate the system in their favour and almost certainly to the objectors detriment and we would urge the council to consider this.
- While in principle we welcome changes to this application that address any of our stated concerns, we strongly feel that these changes are little more than a simple attempt to deflect your attention from the remaining fact that the building will never be in keeping with its surrounding area and is STILL an illegal height being at least 20% above the maximum allowed for its proximity to a boundary line! A different colour cladding will do little to lessen its impact due to its overall size and a few screening bushes is purely a self-serving compromise as the cost of these will be significantly lower than correcting the height to permitted levels.
- It should also be noted that a portion of the applicant's fence collapsed during the recent storms and remains so at today's date some 4 weeks later so these plants could be viewed as a cheap alternative to replacing a rotten fence and also suggest the

applicant will not take the stated maintenance of these plants or boundary fencing seriously.

- The proposed planting also creates a new concern we would like to put on record at this point in relation to the retaining wall safety already detailed in our initial objection. As the applicant's boundary line sits literally on the edge of this retaining wall, the roots from such planting could cause further future damage to this structure that is vital to the safety of over a dozen private homes and we would reiterate our demand for an independent, suitably qualified structural engineers investigation and report on its design and safety as well as the potential impact from any kind of nearby construction or planting before a decision is made and furthermore that this should be solely at the applicant's expense rather than the Council.
- We also note that the basic design remains unaltered save a change in cladding colour and the reported privacy issues remain from the windows that STILL face our properties rather than the applicant's own and we also wish to remind you of the evidence that we have submitted that strongly suggests this building is destined for a commercial purpose and the running of at least 2 businesses (building company and beauty treatments) rather than the declared "leisure and home study by a growing family". A simple study of the design and its surroundings strongly supports this theory as the garden and outdoor space cannot be enjoyed from this design but it does conveniently offer space for suspected commercial activities including total privacy for perhaps conducting beauty treatments for example.
- In summary, these are very minor and largely self-serving changes by the applicant that may or may not even be legal at this point in the planning application process but certainly do nothing to address the number of significant concerns raised by ourselves and fellow objectors and our stance remains unchanged in that the application should be rejected and the building removed within a stated period of time.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Development Plan and Policies

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

The main considerations of this application are the impact of the proposal on visual and residential amenity.

Permitted development - Before addressing the issues relating to amenity, it is relevant to note that an outbuilding of a similar footprint, in the same position, with a height of up to 2.5m would be deemed permitted under current planning regulations. The building as constructed, is 3.2m high, 700mm higher than what would be allowed under permitted development regulations. As such, it is the impact of the additional height of the building which needs to be assessed.

Visual Amenity -

SPD 6 and UDP Policy H2/3, relating to extensions and alterations 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 outbuilding has been erected along the rear boundary of the site, to the rear of the main dwelling and as such it is not readily visible within the streetscene along Valley View. However, given the raised level of properties and gardens along Valley View, the outbuilding is visible from both adjacent neighbouring properties, as well as from the rear of several properties along Valley Close.

Valley Close has a much lower ground level compared to the site which sits above a very tall retaining wall which runs along the rear of properties on Valley View and Valley Close. There is an existing 1.8m high fence along the rear boundary, which is to remain in situ. As the outbuilding is 3.2m high, approximately 1.4m of the outbuilding would extend above the boundary fence. This is not insignificant and, in isolation, would appear quite prominent

above the normal fence line. After an initial assessment, revised plans were submitted in an effort to mitigate the impact of the structure as viewed from properties to the rear.

Revised plans indicated that the outer walls of the structure would be clad in natural stained larch and that a laurel screen hedge would be planted along the rear boundary.

In terms of appearance, the proposed Larch cladding would be considered to be an appropriate to a garden outbuilding, commonly found on outbuildings, sheds and similar structures within domestic gardens. As such the proposed cladding finish would not, in itself, warrant refusing the proposal.

To address the difference in height between the existing fence and the new structure, further mitigation has been proposed in the form of a laurel hedge planted between the building and the rear boundary fence. This hedge, at a height of up to 2m, would help screen the structure and soften the impact of views from properties on Valley Close, to the rear.

There has been an objection to the proposed hedge on the grounds the roots may have a detrimental impact on the retaining wall to the rear of the site. Given the nature of the planting and the retaining wall, and with appropriate management, this is unlikely to be case. There already appears to be planting along the top of the retaining wall outside the site boundary and the applicant could add planting along the rear boundary without the need for planning permission in any case.

In terms if the visual impact, it is considered that the new hedge along the rear boundary would lessen the impact of the building when viewed from the rear. Once the Laurel hedging is in place and being managed, about 600mm of the building would be visible above the hedge. On balance, it is considered that this screen hedge would represent sufficient mitigation and significantly lessen any impact in terms of visual amenity with regards to properties at the rear of the site.

Looking at the structure from the Valley View side, it would be clearly visible from adjacent properties (Nos.4 and 8 Valley View). However the building has been sited at the lowest point of the garden were it would not be so prominent as to appear over dominant or particularly incongruous. It is true that, with the rear gardens of Nos.4 and 8 Valley View being tiered in a similar fashion, the building would appear more prominent when viewed from the lowest level of each of the neighbouring gardens. However on balance, given that this 'prominence' would relate only to a relatively small proportion of the gardens with most longer distance views sailing over the structure, the impact would not be so significant as to warrant refusal.

Given the timber cladding finish and proposed screen hedge, it is considered that the additional 700mm in height above the 'permitted development' level would not have such a significantly detrimental impact on visual amenity as to warrant refusal of planning permission in this case. The proposal would therefore conform to Places for Everyone Joint Development Plan and Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity.

Residential Amenity -

With regard to overlooking and privacy, there are no windows on the south elevation facing the application property or the side elevations. There are 2 high level windows to the rear elevation (north) which would be approximately 1.7m high from the internal floor level. This would be acceptable in terms of reducing overlooking to the rear and in line with guidance within SPD 6. To secure privacy further, it is considered that these high level windows should be obscure glazed and as such a suitable condition would be attached to any approval.

With regard to the positioning of the structure, the outbuilding has been built just over 10m away from the rear elevations of Nos.4 and 8 Valley View, as well as the application property and therefore is not considered to be over dominant in relation these immediate neighbours.

Directly to the rear of the site is a large retaining wall measuring around 1.3m wide which separates the site from the rear of properties on Valley Close to the rear. These properties are three storey at the front and two storey at the rear and they have a much lower ground level and the rear gardens are tiered upwards towards the rear boundaries. Given the height differences between the site and properties to the rear, the outbuilding would be mostly visible from the upper floor level of houses on Valley Close. However, the distance from No.26 Valley Close (directly to the rear of the site) would be around 15m. The outbuilding would be slightly further away from the rear elevations of numbers 24 and 28 Valley View. These separation distances would be considered acceptable in terms of guidance within SPD 6.

In terms of impact of the path of sunlight to the rear of properties on Valley Close, the site is located south of these houses and as such the outbuilding may have some detrimental impact on light at some point during the day. However, the buildings along Valley View are three storeys high, built on much higher ground compared to those on Valley Close. It is considered that the existing dwellings on Valley View would have more of a detrimental impact on light availability to homes on Valley Close, than the outbuilding as built, and the additional 700mm, compared to what could be built as permitted development would also not have any seriously detrimental effect on residential amenity at properties to the rear

The proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the front of the site.

Curtilage/ Boundaries -

The drawings show that all of the structure has been built within the residential curtilage of the site and there would be no overhanging to either the side or rear boundaries. At the rear the boundary is angled so the building is around 1.5m away from the rear boundary on the northeast side and around 200mm on the northwest.

Response to neighbour objections -

The majority of the neighbours' objections have been addressed in the report above. Other issues raised are addressed below.

Issues regards ownership of the property and the certificate provided with the application were resolved by way of the applicant serving notice on the property owner and submitting certificate B.

Whilst it is certainly not recommended, it is not unusual for applications to be submitted retrospectively. In this instance the applicant has stated that they thought they were building within permitted development limits and when they were informed that they weren't, they submitted the planning application to regularise the structure. The application has been assessed on planning criteria and as if there were no building in situ.

One objection is that the applicant had not 'reached out' to neighbours prior to the building. Whilst this might be considered courteous it would be for the applicant to decide who they discuss their plans with. This wouldn't be a planning consideration.

If there are any concerns about whether the applicant is running a business from home, those concerned would need to make a complaint to the planning enforcement team who would investigate the claim. The planning application is for an outbuilding and that is what has been assessed here.

It appears that there may be some misunderstanding about what permitted development is, as there are also objections advising that the applicant and agent admit that the extension exceeds the maximum permissible height of 2.5m and they request that height should be reduced to 2.5m. For any outbuilding, or other detached building on a residential site, which would be higher than 2.5m a planning application would need to be submitted in order to assess the impact of a larger/taller building. This is why the applicant has submitted the current application.

There are some concerns about groundworks, utilities, electrics, drainage, soundproofing of the building and that the applicant should not be able to submit a change of use of the building into sleeping/living accommodation in the future. It should be noted that it could be possible to build an annex, for use that is ancillary to the main household as permitted development. However, there is no indication on the application that the outbuilding would be for this purpose.

With regards to foundations, ground works, electrics and other utilities that might be installed in the outbuilding these things would be assessed and inspected by Building Control which is separate to Planning Control.

There was objection to the original proposed finished materials which would have been black plastic cladding on the grounds that the area is typified by red brick houses, wooden fences and greenery. Following discussion with the applicant and agent revised drawings were submitted showing that the outer walls would be clad with a natural larch coloured cladding, which would be considered to be in keeping with the existing boundary fences in the area and would be a common type of finishing for sheds and other outbuildings at residential properties. The proposed Laurel hedge to the rear boundary would also soften the impact of the building when viewed from neighbouring properties at the rear.

One neighbour advised that the rear boundary fence had recently blown down in a storm and the applicant had not yet replaced it. This would be considered a private matter and not one that impacts the planning application. The proposed drawings show that the 1.8m fence to the rear boundary is to remain.

Regards to soundproofing the building, there would be no reason to soundproof the outbuilding unless it is to be used as anything but storage. There is no indication on the drawings to suggest that soundproofing would be required. However, if the neighbours do experience any noise pollution they would need to submit a complaint to the environmental health team at the Council.

On the application form there is a question about trees within the site, or within falling distance of the site, to which the agent has answered no. It has been pointed out that there are trees within falling distance of the site (photos provided by one of the objectors). Although the agent has answered no to this question a site visit was carried out where the trees to both sides of the site were viewed. The trees are also visible on Google Earth. As such it was possible to assess the impact of the building on the trees even though the question was not answered correctly on the form.

It was also pointed out that on the application form (regards the site visit) the agent has stated that the outbuilding is not visible from a public road. The neighbour has stated that it is visible from a public road and they supported this comment with a photo showing the outbuilding as viewed from the front of their property, through the gap between theirs and their neighbour's dwellings. This question is meant to be to aid the planning officer with their site visit and when an agent/applicant states that it cannot be seen from a public road it

means that they have to go on site to see the building or extension, or the area where an extension/building is to be built. The outbuilding is partially visible from the front of the houses on Valley Close, through the gap between properties, but this would not be enough to warrant refusal of the proposal.

Objectors stated that given the applicant has failed to follow the official legal planning process, failed to give his affected neighbours any opportunity to comment until legally forced, failed to follow very clear and easy to find guidelines on key issues such as location and building height and does not even own the property, the committee should reject this application in full and order the current structure be dismantled. The applicant may have built the outbuilding without prior planning consent, however they have submitted a planning application to rectify this and as part of the application the relevant neighbours have been given the opportunity to comment and/or object to the proposal.

One objection is that the outbuilding would detract potential buyers from purchasing their property, or they would not achieve the full market value. Although this is an understandable concern, it is not one that would affect the outcome of the planning application.

There are concerns about the outbuilding being built close to the retaining wall which runs in between properties on Valley View and Valley Close and that it may be a risk to the stability of that structure. The retaining wall currently ensures the stability of several houses and their gardens above it. It is considered that the outbuilding would have less of a bearing on the structure than the existing houses and gardens do currently, but a structural engineer would be able to advise. It is not stated on the application form whether the applicant has employed the services of a structural engineer, or not, but any impact on this structure and possibly the applicant's own garden, would be assessed as part of a Building Control application.

Following receipt of revised drawings the objectors were notified and given opportunity to make further comments. One neighbour questioned if it was legal for the applicant to make changes to the application. With regards to the planning application process, an application can be extended beyond the original due date if deemed necessary and the process would continue until a point is reached where a decision can be made. With regard to notification, the neighbours were emailed the revised drawings and give a further 10 days to comment. This is a common occurrence when changes to proposals are necessary and considered to be acceptable and compliant with planning legislation.

One of the objections following the receipt of revised drawings suggests that the applicant has failed to follow correct planning procedures from the start and failed to adhere to clearly documented planning law in terms of height, the timing of these changes could potentially be viewed as a further attempt to manipulate the system in their favour and almost certainly to the objectors detriment. The fact that the applicant submitted the planning application retrospectively has been addressed in the report above as has the fact that there seems to be a misunderstanding about permitted development rules. The change of finished materials and planting was suggested by the LPA following discussions within the team and with the agent.

With regards to the possibility that the applicant would be adding planting rather than replacing the previously collapsed rear boundary fence, the plans show that the boundary fence is to remain along all boundaries and the proposed planting would be added on the inside of the rear boundary fence.

There are still concerns regards the roots of the planting and their impact on the retaining wall to the rear. Looking at Google Earth images, photographs taken on site and photographs submitted by one of the objectors there appears to be some planting along the top of the retaining wall and there are also trees in fairly close proximity to the retaining wall to the northeast of properties on Valley View and Valley Close as well as trees to the rear

gardens of numbers 10 Valley View and 24 Valley Close. The applicant could add the planting without planning permission. As such there would be no reason to refuse it.

Throughout the neighbours' comments there are references to the committee. However, as this is a householder planning application, the decision would be delegated with the decision made by the Development Manager.

Conclusion -

The proposal is considered acceptable in terms of visual and residential amenity and conforms to the Bury Unitary Development Plan Policy No.H2/3 – Extensions and Alterations and the Development Control Policy Guidance Note 6 – Alterations and Extensions to Residential Properties, and Places for Everyone Joint Development Plan.

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 SC/25/517-001, SC/25/517-002 and SC/25/517-101 received on 16/10/2025, drawing numbered SC/25/517-201 Revision A received on 05/12/2025 and drawing numbered SC/25/517-301 received on 10/12/2025 as modified by the emails from Studio Charrette dated 05/12/2025 and 10/12/2025. The development shall not be carried out except in accordance with the details hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity, and Places for Everyone Joint Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall be horizontal larch cladding with a natural stain finish and black upvc fascias, soffits and rain water goods as noted on the approved drawing numbered SC/25/517-201 Revision A.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 Before the first occupation of the outbuilding hereby permitted, the high level windows to the rear elevation shall be fitted with obscured glazing (minimum level of obscurity 3) and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3

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- Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

- 5 The outbuilding hereby approved shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as 6 Valley View.
Reason. To ensure the proposed use remains ancillary to the principle use on the site.
- 6 The Cherry Laurel hedge (*Prunus Laurocerasus*) hereby approved shall be planted along the rear boundary not later than 4 months from the date of the decision (planting season between March and May). The hedge shall be maintained at a height of 1.5m to 2m. Any part of the hedge removed, dying or becoming severely damaged or becoming seriously diseased within 3 years of planting shall be replaced by shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 16/01/2026			