

DELEGATED REPORT

Report by Jane Langan	Date of report: 16/09/2025	Ref: 71827/FUL
Registration: 01/04/2025	LDfC: 08/05/2025	Expiry Date: 27/05/2025
Site Visit: 27/08/2025	Site Notice: N/A	Press Date: N/A
Objections: 2	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey side extension

Location: 2A Beech Grove, Tottington, Bury, BL8 4DY

Description

The property is a detached bungalow set well back from the road accessed via a lengthy drive off Beech Grove between Nos. 2 & 4. It has been previously extended and has garden to both sides and parking to the front. The front of the site borders the rear gardens of 2 and 4 Beech Grove where there is fencing and planting that screen the properties. Public footpath 39TOT runs to the east boundary of the site and across is the rear boundary of the garden to 45 Newton Drive. The neighbouring property to the rear of the site is 87 Brandlesholme Road, a two storey detached house with fencing along the boundary.

The application proposes a single storey extension coming 11.2m out to the east side. It would be the full width of the property for 7.6m then reduce in width to 6.4m. The additional space would form an extended living room and two additional bedrooms.

Relevant Planning History

54934 - Single storey extension at front - Refused 01/05/2012

55268 - Single storey front extension (Resubmission of 54934). - AC 03/07/2012

Publicity

Surrounding neighbours were notified by letter and two responses have been received. The concerns in summary are :-

- Doubles the size of the original property
- Site is elevated and would cause overlooking from large windows
- Understand window heights have now been adjusted. If approved would like the side windows obscure glazed
- Loss of light and overshadowing to neighbouring properties
- Previously un managed trees have caused damage to neighbouring property
- Would like elevation levels and proximities checked due to intrusive proposals
- Tree in the adjoining property 87 Brandlesholme Road matter of feet away from the proposed extension. Concerns construction could adversely affect the structural integrity of this tree resulting in a potential risk to neighbouring properties
- Previously unmanaged trees on the site have caused settlement cracks
- Stability of the existing property should be checked. Concerns regarding settlement damage from trees

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 have limited visibility from the

main street view due to the lengthy drive and with the property being set back from the road. It would have a pitched roof running from the main ridge and three roof lights. Materials would be brickwork and roof tiles to match the existing. The proposal is considered acceptable and in keeping with the existing property.

Parking - The proposal would increase the number of bedrooms from 3 to 5 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing can accommodate this level to the front of the property and its lengthy drive.

Residential amenity - The proposed extension would be located to the east side of the site property. No.4 Beech Grove is located to the north and has its side elevation along the site boundary with 3 windows and a porch along the side. The house sits at a slightly lower level to the application site and has some raised planting and boundary fencing that provides screening from the site. The main garden to No.4 is to its rear and there is an out building adjacent the boundary with the application site. The front elevation of the proposed extension would have windows to the extended living room and a bedroom. Both have been revised to be at high level at 1.7m from inside floor level to cill. This, in addition to the boundary fencing, would prevent any direct overlooking to No.4. The outbuilding on the boundary provides additional screening and is in the control of this neighbouring property. The orientation of No.4 is such that the principle windows to its rear elevation would not see any significant impact. The garden area is to the north side of the site however, the majority of the proposed extension would sit to the rear of the boundary fencing and outbuilding to No.4 and with the main ridge at 5.6m and sloping away from the neighbouring boundary it is not considered that it would cause any significant overshadowing to the main garden area to No.4.

87 Brandlesholme Road is to the south of the rear boundary of the site. The proposed rear elevation of the extension would extend out from the existing elevation where it is separated by a path along the site and boundary fencing between the properties. The proposal would have two new windows, to a bathroom and bedroom, which would have the same separation as the existing ones and as such there would be no change in the privacy levels to this neighbouring property.

To the west side of the proposal the site has planting and fencing along the boundary and beyond this a public footpath. The property across the footpath is 45 Newton Drive. The rear elevation of the proposal would be single storey and blank wall and the separation distance to the main rear elevation of 45 Newton Drive would be 12.2 - 15.1m which would be in excess of the 6.5m required to comply with SPD6 Aspect Standards.

In terms of outlook from the site then both windows are to habitable rooms. The lounge has a further larger existing window and the extension would have roof lights. The bedroom having a high level window would see it have no less an outlook than a loft room. An informative is added to note that the windows to the front elevation would not be treated as main habitable rooms should an applications from the neighbouring property come forward.

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

Response to neighbour objections

The issues regarding loss of light and overlooking to relevant neighbouring properties are addressed in the above report.

The site can accommodate the proposed extension whilst retaining adequate outside amenity space and parking.

As the windows to the front elevation are at high level it is not considered they are required to have obscure glazing and meet the criteria set out in SPD6 Aspect Standards.

With regard to the concerns of the proximity of a tree to the proposed extension, the agent

has confirmed that it is the intention of the neighbour at No.87 to have the tree removed. Whilst it is favourable to retain trees, given its location, it is not considered that it is worthy of a preservation order in terms of amenity. The Council Tree Officer has also inspected and raises no concerns with its removal. Removal would require permission from the tree owner and should that not be granted the applicant would be responsible for making alternative arrangements during construction. As such the existence of the tree does not prevent approval of the proposal.

Trees on site are the responsibility of the applicant and stability a construction matter. The proposal would also be subject to Building Regulations..

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 2983_BUR_02_Planning Rev_A, 2983_BUR_03_Planning Rev_B 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 windows to the front elevation, as shown on approved plan 2983_BUR_02_Planning_Rev_A, shall be at a height of 1.7m from inside floor level to cill and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 No windows or doors, other than shown on the approved plans, shall be added to the extension hereby approved.
Reason. To protect the privacy of adjoining occupiers and to accord with 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>
JL	16/09/25	DM -	16/09/2025

