

DELEGATED REPORT

Report by Jane Langan	Date of report: 02/12/2025	Ref: 72489/FUL
Registration: 22/10/2025	LDFC: 27/11/2025	Expiry Date: 17/12/2025
Site Visit: 13/11/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey extension at side/rear and front porch infill extension with external alterations

Location: 15 Garstang Drive, Bury, BL8 2JS

Description

The property is a detached bungalow with integral garage and a drive and garden to the front. Paths to each side lead round to a fenced rear garden and there is open land beyond the rear boundary. The neighbouring properties to each side are both bungalows at 17 Garstang Drive and 2 Warton Close.

The application includes the front entrance hall and wc extended out by 0.8m to come flush to the garage level. The garage would be converted to a store and utility and to the rear of this a single storey extension would project 6m deep of which 0.4m would come beyond the existing main rear elevation to form a kitchen. Internal alterations would see two bedrooms relocated from the rear to the front of the property and the lounge would be to the rear.

Relevant Planning History

None.

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
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 infill to the front entrance would be small scale and the main change to the appearance of the property would be the materials. The existing property is brick built with panels of stone cladding to the front. The proposed infill to the front of the property and the rear extension would be finished in brick and the main front elevation and the rear elevation finished in off white render. The use of render is now common and is seen on this estate. To the rear the single storey would have a dual pitched roof with roof lights and marley modern roof tiles. The rear gable elevation would have bifold doors with windows above to the top of the gable.

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 and the parking arrangements would be to the lengthy front drive which would be unaffected by the proposal.

Residential amenity - The proposed single storey would be to the side to 2 Warton Close. This property is extended at the rear and the proposed single storey would not project past

its rear elevation. There are no windows to this side of the proposed extension only a door into the utility. 2 Warton Close does have one large window to the side, facing the site, however it is not to the main aspect of the property, it may have been added to the side as part of the extension, and SPD6 affords less weight to side windows.

To the opposite side elevation of the site the existing high level window to the bathroom would have a larger window to become a bedroom. The neighbouring 17 Garstang Drive to this side has its blank garage elevation facing and the new window to the site would be positioned where it would not be directly overlooking the garden to this neighbouring property. Fencing separates and which could be increased to 2m should either properties require it. In addition, it is the case that ground floor windows can be added under permitted development rights. As such there are no concerns regarding this side window or considered to be grounds for refusal.

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.

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-25-196-01, TDS-25-196-02, TDS-25-196-03, TDS-25-196-04 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	02/12/25		