

DELEGATED REPORT**Report by** Amanda**Date of report:** 04/06/2026**Ref:**73144/FUL

Uhunmwagho

Registration: 29/04/2026**LDfC:** 04/06/2026**Expiry Date:** 24/06/2026**Site Visit:** 18/05/2026**Site Notice:** N/A**Press Date:** N/A**Objections:** 0**Con Area:** N/A**Adv Type:** NONE**Reason for Delay:****EIA:** NA

N/A

Dec Level: DEL**Stat Class:** HOUS**Proposal:** Garage conversion with single storey link extension**Location:** 12 Portinscale Close, Bury, BL8 1DB**Description**

The application relates to a two-storey detached dwelling at the end of a cul-de-sac. The property is set well back from the highway and there is a detached double garage at the front. The driveway in front of the garage could accommodate 2 to 3 vehicles. The boundary between the site and no.14 is an open grassed area and on the boundary with no.10 there is a hedge and other planting. The west side boundary is adjacent to the rear gardens of numbers 1 and 3 Oakwood Close.

The proposal is to convert the existing double garage into a bedroom and a small extension would be built in between this and the main dwelling for access. An existing office/gym would be replaced with a new hallway and en-suite shower room. The extension would measure 3m along the rear elevation and 1m at the front. It would have a flat roof with windows to the rear only.

Relevant Planning History

N/A

Publicity

8 neighbours notified on 13/05/2026 -No comments or objections received.

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.

Visual Amenity -

SPD 6 and UDP Policy H2/3 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 proposed extension would be set back from the front of the existing dwelling and garage, and it would have a flat roof. As such it would be relatively unseen from the highway in front due to the existing buildings and roofs screening it. It may be visible from the rear garden of no.3 Oakwood Close to the rear but as the extension would be finished with materials that would be considered to be in keeping with the existing building and it would have a flat roof there would not be any seriously detrimental impact on visual amenity in this location.

The garage could be converted into living accommodation under permitted development rules. In this instance it is considered that the proposed finished materials and design of the extension and garage conversion would be considered to be acceptable in this location.

Given the above the proposal conforms to 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.

Residential Amenity -

- Given the location of the proposed extension there would be no significant detrimental impact at numbers 10 and 14 Portinscale Close.
- As the extension would be set back from the front of the garage there would be no impact on existing parking arrangements on the drive to the front.
- There would be two windows to the single storey extension, one facing the boundary with the rear of no.3 Oakwood Close and an en-suite window facing to the rear of the site. The window facing no.3 Oakwood Close would be to a hallway, which would be considered to be a non-habitable room and as such would not be required to be obscurely glazed. Given that the extension would be single storey only and there is a 1.8m high boundary fence between the two sites, any views from this window would be over the applicant's own garden area and not directly over the garden or property next door.
- The separation distance between the extension and the rear of no.3 Oakwood Close would be considered acceptable in terms of SPD 6.
- The garage could be converted into living accommodation under permitted development rules and the only change to the structure would be that the two doors at the front would be replaced with two windows. As the windows would have a view towards the highway it is considered that they would not have any significant detrimental impact on residential amenity in the area.
- The garage conversion would result in the loss of 2 parking spaces within the site. The existing driveway would not be affected by the development meaning there would still be space to park two to three vehicles on site. This would be acceptable in terms of SPD 6.

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 -

It isn't clear how many bedroom the existing property has as an upper floor drawing has not been included with the application. However, it is probable it has 4 bedrooms currently, and if so the resulting garage conversion would increase that number to 5. As such 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 has a drive to the front of the site which could accommodate upto 3 vehicles. The area has on street parking and there is public transport available nearby. In this instance then the parking arrangements are considered sufficient.

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 2004.BR01, 2004.PL02, 2004.PL03 and 2004.PL04 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 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 brick and grey composite cladding to the walls, grey upvc windows and a single ply membrane roof, as stated on the application form.
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 - 04/06/2026		DM 08/06/2026	