

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 08/05/2026	Ref: 72978/FUL
Registration: 02/04/2026	LDFC: 01/05/2026	Expiry Date: 28/05/2026
Site Visit: 15/04/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Creation of new front driveway including formation of vehicular crossing over the pavement

Location: Westgate, 339 Manchester Road, Ramsbottom, Bury, BL9 5NA

Description

The application property is a detached dwelling on the eastern side of Manchester Road. The front boundary is formed by low fencing and hedging with the side boundaries also being formed by fencing and vegetation. To the rear is the parking for the site, together with fencing forming the boundary as well as a detached garage.

The proposal is to create a new driveway to the front of the property including the formation of a vehicular crossing over the pavement to create the access for the proposed driveway. The proposed new access point would be approximately 5.2m in width to allow for vehicles to move into the site. Porous material is also proposed for the driveway to facilitate a parking area for 2 vehicles. A grassed area would remain to the south of the front garden area.

Parking within the area is off road, with the property being sited on Manchester Road, and close to the slip road for the M66 motorway.

Relevant Planning History

68668 - Application for prior approval of a proposed enlargement of a dwellinghouse by construction of additional storeys - proposed addition of one storey to create a two storey house (maximum height 8.2 metres) - Prior Approval Required & Granted - Ext 22/09/2022
69512 - Formation of new driveway to front garden with new vehicular access - Withdrawn - Invalid 23/11/2023
69969 - Increase roof ridge height (by 1100mm) with front dormer; Single storey rear extension. - Approve with Conditions 13/02/2024

Publicity

3 neighbouring properties were consulted on 10/04/2026. No comments have been received.

Statutory/Non-Statutory Consultations

Traffic Section - recommended refusal, with the reasons discussed within the body of the report below.

Pre-start Conditions - Not relevant

Development Plan and Policies

SPD11	Parking Standards in Bury
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions

NPPF	National Planning Policy Framework
PfE	Places for Everyone
OL1	Green Belt

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.

Green Belt

The site is located within the Green Belt. Despite this, the proposed represents a modest feature, and would add no further built form to the site.

Given this, the proposed would not conflict with the purposes of the Green Belt as outlined within the NPPF and is considered acceptable in relation to Policy OL1 of the UDP.

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 proposal represents a modest addition to the property, with only a break in the existing fencing to create an access proposed alongside paving of part of the front garden to create a driveway. Given these are features not uncommon within residential areas, it is not considered it would impact the visual amenity of the area.

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

SPD 6 provides guidance on aspect standards between residential dwellings.

The proposed is a modest addition that would create no further built form, and therefore would have no impact on neighbouring dwellings.

Highways

When visiting site, it was noted that the site is adjacent to the slip road of the motorway (M66), and the proposed access point would create an access to the site partially over the start of the marked slip road. It is noted from the submitted information that the crash information for the location has been submitted, but the lack of accidents within this area (only 1 in June 2023) wouldn't create a case in planning terms to make this area more unsafe by the creation of a vehicular access point to the site. Given this, it is not considered acceptable.

Furthermore, Application 69969 was submitted in 2024 and was originally submitted with a similar access and driveway proposed as under this current application.

Highways Officers were consulted on application 69969 and recommended refusal. The application was then amended removing the proposed access.

Highways Officers have been re-consulted during this current application and have made the following comment:

Notwithstanding the 'Highway Report' and 'Design Statement' submitted, the same highway reasons for refusal exist in 2026 that were relevant in 2024. The fact that the established vehicular access to the site is gained via a private shared access road that is not owned by the applicants is not a highway issue or a reason to support the creation of a new and unnecessary vehicular access onto a particularly hazardous stretch of classified road, especially as they have a right of access over it to get to the rear of their property.

Given the Highways Officer's comments, as well as the constraints noticed by the Case Officer on site, the proposed would not be considered acceptable, and as such will be refused on this basis.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposal would result in the creation of an unnecessary, additional and sub-standard vehicular access onto a classified road (A56 Manchester Road) to a property that is already safely and adequately served from the existing established shared vehicular access to the south shown to be retained along with the existing parking facilities and garage, which would be detrimental to highway safety and would lead to additional vehicular conflicts at a hazardous location on the adjacent Primary/Class 1 route. This therefore conflicts with that outlined within Policy JP-C5 and JP-C8 of PfE.
- 2 The proposals do not provide adequate facilities within the curtilage of the site to ensure that all vehicles will be able to enter and leave in a forward gear, which would lead to additional vehicular conflicts on the adjacent Primary/Class 1 route and be detrimental to highway safety conflicting with Policies JP-C5 and JP-C8 of PfE as well as SPD 11.
- 3 The application and submitted plans contain insufficient information to ensure that surface water will not be discharged onto the adjacent adopted highway, which would be detrimental to highway safety and would not maintain the integrity of the adopted highway contrary to JP-C5 of PfE.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CO	08.05.2026	DM	11.05.2026