

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 03/07/2026	Ref: 73084/FUL
Registration: 01/05/2026	LDFC: 03/07/2026	Expiry Date: 26/06/2026
Site Visit: 04/06/2026	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: First floor front/side/rear extension; Single storey rear extension; Single storey side extension to garage

Location: Dowry Chase, 138 Brandlesholme Road, Tottington, Bury, BL8 4DZ

Description

The application property relates to a detached two storey dwelling on the southern side of Brandesholme Road. The front of the property is separated from the pavement by a small front garden and a paved driveway. Towards the western side of the property, there is an access gate for pedestrians into the rear garden. The rear garden boundaries are formed by timber fencing and hedging and a low wall.

The proposal is to build a first floor front/side/rear extension together with a single storey rear extension and a single storey side extension to the existing garage.

The proposed first floor front/side/rear extension would project a maximum of 6m from the original western side elevation of the property, and would span 7.5m down the side of the property. It would also project a further 1.3m to the front, and 1.4m to the rear. It would incorporate a cross gable roof, approximately 5m to the eaves and 7.7m to the ridge.

The single storey side extension to the existing garage would mean the garage would project a further 0.9m to the west. Sited underneath the proposed first floor front/side/rear extension, the roof incorporated would be the same as above.

The proposed single storey rear extension would project a maximum of 4m from the original rear elevation of the property and would be 3.6m in width. It would incorporate a dual pitched roof 2.4m to the eaves and 3.9m to the ridge.

The area is predominantly residential in nature with parking being concentrated predominantly on private driveways.

Relevant Planning History

None

Publicity

2 neighbouring properties were consulted on 06.05.2026. Amended letters due to an amended description were re-sent on 12.06.2026. No comments or observations 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
NPPF	National Planning Policy Framework
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 volume of the existing built structures on the site are approximately 664 cubic metres. The proposed increases the volume to approximately 1005 cubic metres and this equates to around a 51% increase.

Within the Green Belt, it is generally accepted that a 30% increase and under is considered acceptable in order to ensure the openness of the Green Belt is preserved. Within Case Law however, and particularly within the *Turner v Secretary of State for Communities and Local Government* [2016] Case, the court rejected the argument that openness should be narrowly limited to a purely mathematical or volumetric measurement (e.g., comparing the physical footprint or cubic capacity of an old structure vs. a proposed new one). It instead was established that factors like visual intrusion, the bulkiness of a building, and how "built up" an area feels are all valid considerations when assessing harm to the Green Belt.

When assessing these factors, it is considered that due to the proposals being spread around the property, for example to the side, rear and front, and given the size of the plot, the proposals would not be considered to appear visually intrusive within this location. Furthermore, property type in this area is predominantly larger detached dwellings. For these reasons, it is unlikely the proposals would cause unacceptable harm to the Green Belt.

The proposal is therefore acceptable and complies with the NPPF and UDP Policy OL1 Green Belt.

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 side extension would be over half the width of the existing property. SPD 6 states that two storey side extensions usually should be less than half the width of the existing property. The proposed when viewed from Brandesholme Road, would be sited approximately 3.5m from the side boundary. Given this, and the plot size, it would therefore be considered acceptable.

The roof incorporated into the first floor extension would match that of the existing dwelling on order to appear as a consistent addition.

The proposed single storey rear extension would be sited wholly within the rear garden and out of view from Brandesholme Road and therefore would not have a visual impact on the street scene.

Materials proposed are to be consistent with the existing dwelling and bin storage would be retained to the rear for storage of bins on non collection days.

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 developments.

Dowry Place is the neighbour to the east/south-east. The proposed single storey rear extension would be sited in excess of 6.5m from the boundary with this neighbour compliant with that outlined within SPD 6 which suggests a minimum of 6.5m between ground floor

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habitable room windows and neighbouring elevations. Sited away from the first floor extensions and garage extension, there would be no impact.

Dowry Farmhouse is the neighbour to the north-west. There are no habitable room windows proposed to face this neighbour in the proposed first floor extensions and, given the siting of the properties at an angle, the proposed first floor extensions would not impinge at a 45 degree angle to any habitable room windows at this neighbour. The proposed single storey rear extension would be sited 6m from the boundary with this neighbour, and over 9m to neighbouring elevations, compliant with guidance outlined within SPD 6.

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 DC/PL/26/002 and DC/PL/26/004 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 external finishing materials for the proposal hereby approved shall match those of the existing building.
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>
CO - 03/07/2026			