

DELEGATED REPORT

Report by Jane Langan	Date of report: 22/10/2025	Ref: 72382/FUL
Registration: 16/09/2025	LDFC: 17/10/2025	Expiry Date: 11/11/2025
Site Visit: 02/10/2025	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: Replacement of conservatory with single storey rear extension with raised patio;
Conversion of existing garage to living accommodation

Location: 18 Hey Croft, Whitefield, Manchester, M45 7HX

Description

The property is a two storey detached house with attached garage at the side that runs into a flat roofed kitchen. To the rear the house is extended with a conservatory which sits on a raised stone patio that runs the width of the property and then drops down to a fenced garden. The adjacent neighbouring property is No.16, also a detached house, and there is some planting and low level fencing and a trellis along the garden boundary. To the opposite side of the site is a path that runs through to Sergeants Lane. To the rear the garden borders the rear garden to 47 Sergeants Lane.

The application includes the conversion of the garage to a wet room and utility adding a window to the front and side elevation. Internal alterations would see the living room become a ground floor bedroom. To the rear the conservatory would be removed and replaced with a single storey extension 3m deep and 3.3m across to form a snug. A 0.6m high raised stone patio would come out 1m deep from the rear of the extension and extend across the width of the rear of the property and with a 1m high balustrade. Steps down would be added to the extension side and to the rear of the balustrade a ramped access would lead down to the garden.

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 PpE 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 garage door would be replaced with a window and brickwork to match the existing. To the rear the single storey would have a monopitch roof with roof lights and doors to the rear wrapping around to the side elevation. Materials would be to match the existing house. The patio would be in a stone finish with a balustrade.

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 however the internal alterations would see a reduced living room to add a bedroom increasing the bedrooms

from 3 to 4. This type of internal alteration could be carried out as permitted development and the existing parking arrangements to the front drive, which is lengthy at approximately 14m, would not be affected. The parking arrangements are considered adequate.

Residential amenity - The proposed extension to the rear would be located to the side to the footpath where there are no immediate neighbouring properties.

In relation to No.16 the garage conversion would see a utility window added to the side elevation. No.16 is blank wall along the side and the addition of ground floor windows are generally permitted development. The raised patio would be 1m deeper than the existing one however it would be to the same 0.6m in height. There is not total screening between the gardens to the site and No.16 with low level fencing and trellis separating. With the new patio at the same height there would be little change to the situation as existing in terms of privacy and as such there would then be no serious impact on the amenity of this closet neighbouring property.

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 P01,P02,P03,P04 Rev A 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> JL	<u>Date</u> 22/10/2025	<u>Sign off Officer</u> HL - 24/10/2025	<u>Date</u>
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