

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 27/03/2026	Ref: 72737/FUL
Registration: 09/02/2026	LDFC: 30/03/2026	Expiry Date: 06/04/2026
Site Visit: 18/02/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Demolition of existing garage and erection of new garage

Location: The Gatehouse, Woodhill Road, Bury, BL8 1BN

Description

The site relates to a two storey, "L" shaped, detached dwelling, which is located on a large plot. The dwelling is located in the back half of the site and there is a large detached garage located at the side. There is a large garden to the front, which includes the driveway and there is a brick wall along the frontage with Woodhill Road. There is a smaller garden to the rear.

There are residential properties to the south and west of the site and open fields, which are in the Green Belt, to the north and east.

The proposal is to demolish the existing garage and build a new garage. The proposed garage would be 8.8m in width and approximately 12.5m in length. It would incorporate a dual pitched gable ended roof, a maximum of 6.2m in height and 2.7m to the eaves.

The area is predominantly residential in nature, with some commercial uses nearby. Parking in the area is predominantly off street.

Relevant Planning History

68799 - Partial demolition and replacement of 1 no. dwelling - 05/12/2023
01140/E - Boundary fence - Enquiry completed 23/07/2012
02987/E - Proposed extensions, reconfiguration of The Gatehouse and alterations/roof extension to the associated garage - Enquiry completed 28/08/2024
67701 - Two storey extension at front, side and rear with balcony at front/side: Increase in height of roof - Refused 17/01/2022
68265 - Provision of two storey extensions on the front side and rear with a front/side balcony and increase in ridge height
- Withdrawn - Invalid 18/08/2022
68799 - Partial demolition and replacement of 1 no. dwelling - Refused 05/12/2022
69706 - Partial demolition and replacement of 1 no. dwelling - Refused 26/07/2023
71598 - Reconfiguration/extensions of the dwelling to include two storey front and side extensions and first floor rear extension; replacement garage. - Approve with Conditions 23/10/2025

Publicity

6 neighbouring properties were consulted on 12/02/2026. Following a description change, neighbours were re-consulted for 21 days. One letter of objection was received raising the following concerns:

- There have been a number of applications submitted for the application property over the years.
- Three static caravan homes are now present at the site which neighbours have not been consulted on and no planning application for these can be found

Statutory/Non-Statutory Consultations

None relevant

Pre-start Conditions - Not relevant

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
NPPF	National Planning Policy Framework
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

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 is considered of a scale subordinate to the existing property and, due to the size of the plot, would not appear overly dominant. The roof proposed is dual pitched, favoured over a flat roof and would utilise materials consistent with 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

Properties to the south-west/west would be sited a minimum of 7m from the proposal, consistent with guidance contained within SPD6. The existing garage is sited along the boundary whereas the proposed garage would be set off the boundary by 4m and the existing garage is sited within 6m of neighbouring properties. Given the above, the proposed garage is considered to be acceptable on neighbouring properties, and may even lessen impacts to properties to the south-west/west.

There are no other residential properties that could be impacted.

Response to Objection Comments-

The static caravans being present at the site were passed to enforcement to investigate. The number of applications submitted by a property is not a material planning consideration.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 drawing numbered 0.04b 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

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Everyone Joint Development Plan listed.

- 3 The external finishing materials for the proposal hereby approved shall match those proposed within approved plan 0.04b
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> CO 27/03/2026	<u>Date</u>	<u>Sign off Officer</u> DM 01.04.2026	<u>Date</u>
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