

DELEGATED REPORT

Report by Helen Pressley	Date of report: 06/10/2025	Ref: 72211/FUL
Registration: 13/08/2025	LDfC: 05/09/2025	Expiry Date: 08/10/2025
Site Visit: 16/09/2025	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: Two storey extension at side

Location: 1 Kimble Close, Tottington, Bury, BL8 4QQ

Description

The application relates to a detached dwelling house located on a corner plot on the junction of Kimble Close and Hunt Fold Drive. The premises has a driveway to the front, with gardens located to the front, side and rear. The dwelling has been previously extended at single storey to the rear, and at first floor to the side above a now converted garage.

Planning permission is sought for a two storey side extension that projects approximately 3550mm from the side of the dwelling.

Relevant Planning History

35180 - First floor extension over existing garage - Approved with conditions.

64685 - Single storey extension at rear; Erection of 1.8m high post and close boarded timber panel fence to the boundary - Approve with Conditions 14/11/2019

Publicity

Neighbour letters sent 14/08/2025.

No representations 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

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.

On corner plots, SPD 6 seeks to ensure that extensions will normally be required to occupy not more than half of the available width of the side area or to leave a minimum of 2m from the boundary with the public highway to the side. A 2.45m gap can be provided between the front corner of the extension, and the public highway but due to the curve in the road this reduces to 1.2 metres towards the rear of the site.

Whilst the gap to the side boundary does reduce due to the curve in the road it is considered that there is still sufficient space to the side boundary at the rear corner of the proposed extension to maintain the pattern of development within the immediate streetscene. Indeed there are examples that are visible from the site (No. 24 Larkfield Close) with even closer relationships to the public highway. The use of a hipped roof helps to reduce the massing of development immediately adjacent to the road and the property would also retain the existing rear garden that provides a suitable gap in built form in

relation to the properties at the rear.

The proposed extension is considered to be of a suitable scale and would not overwhelm the original dwelling or result in over development of the associated residential amenity space. The proposed windows and doors are considered to be suitably aligned and the use of matching materials is acceptable.

Overall, it is considered that the proposal would not have a detrimental impact on the character and appearance of the dwelling, neighbouring properties or general streetscene and would therefore comply with the policies set out above.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- Proposed first floor rear bedroom window located approximately 18.5 metres from the directly facing boundary exceeding the 7 metres required by SPD 6.
- Proposed first floor front bedroom window would have an oblique view of the front of No. 2 Kimble Close which has just had planning permission granted for first floor extensions to the front. The proposed first floor front window would be located approximately 26 metres from the front of No. 2 if their extension is completed and would be separated from this site by a highway. As such no undue loss of privacy is foreseen.
- Proposed first floor side window would relate to a non-habitable room (ensuite) and therefore aspects not applied.
- Proposed rear ground floor and wide windows would be screened by existing boundary treatments.
- The proposed front window would have an onward view of the ground floor garage/store of no. 2 Kimble Close.
- The proposed side extension would be separated from the side elevation No. 21 Hunt Fold Drive by a highway and therefore no unduly overbearing relationships are foreseen.
- The proposal would not lead to any additional bedrooms at the property and therefore no additional off street parking would be required.

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 Location plan, a/8/2025, 2/8/2025, 3/8/2025 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.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 06/10/2025			