

DELEGATED REPORT

Report by Tom Beirne	Date of report: 13/11/2025	Ref: 72394/FUL
Registration: 06/10/2025	LDFC: 28/10/2025	Expiry Date: 01/12/2025
Site Visit: 11/11/2025	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension

Location: 6 Kingswood Road, Prestwich, Manchester, M25 3AB

Description

The property is a semi detached house on a residential road. It has a path along the side, adjacent to No.8, leading to a fenced rear garden. The adjoining neighbour is No.4 with a small kitchen window closest to the shared side boundary and the main patio lounge doors further over. The unattached neighbour (No.8) is sited on the other side of two footways running down the side of either property. To the rear the site boundary backs on to an access road for semis fronting Brookmoor Road.

The application proposes a single storey, mono-pitched extension at the rear 2.5m deep to form an extended dining area. The overall height of the mono-pitched roof would be 3.4m with an eaves height of 2.2m. The approval for the original development (57464) in 2014 removed permitted development rights.

Relevant Planning History

57464 - Residential Development - approved 10/07/2014.

Publicity

Immediate neighbours notified by letter dated 06/10/2025. One objection from neighbour - summarised below:

- Insufficient information.
- Loss of daylight/overshadowing.
- Overlooking/loss of privacy..
- Overbearing.
- Loss of garden/overdevelopment.
- Undesirable precedent set.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

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 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 - The with a projection of 2.5m, the proposed single storey extension is modest in scale and would not be particularly prominent when viewed from the public arena. Given the size of the plot, it would not constitute overdevelopment. It would be finished in red brick to match the main house and this is considered to be acceptable and compliant with UDP Policy H2/3 and guidance in SPD6 relating to extensions and alterations.

Residential amenity - Given the modest scale of the extension, it is not considered that it would not be overbearing and there would be no serious daylighting or overshadowing issues. The extension complies with the '45 degree rule' set out on the current guidance in SPD6.

There is a substantial boundary fence along the shared side boundaries but nevertheless, the proposed window in the side elevation would be required to be obscure glazed to mitigate overlooking.

Given the size and scale and relationship with neighbours on either side, there are no serious residential amenity issues arising.

The extension is modest in scale and would not take up an overly large area of the applicant's garden.

In terms of residential amenity the proposal is acceptable and complies with UDP Policy H2/3 and guidance document SPD6 relating to extensions and alterations.

Public comment - The material planning issues raised by the objector have been addressed in the above report.

With regard to the claim of 'insufficient' information', it is considered that the plans are sufficient to determine the impact of the extension on both visual and residential amenity.

It is not considered that approving the application would set a precedent. This proposal is considered acceptable on its individual merits.

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 site plan 03 and drawings 02, 03a and 03A(revised) 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 Bury Unitary Development Plan.
- 4 Before the first occupation of the extension hereby permitted, the proposed ground floor side window on the west elevation shall be fitted with obscured glazing (min obscurity level 3) and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with 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>
Tom Beirne	13/11/2025	DM -	19/11/2025