

DELEGATED REPORT

Report by Jane Langan	Date of report: 26/05/2026	Ref: 73080/FUL
Registration: 09/04/2026	LDFC: 22/05/2026	Expiry Date: 04/06/2026
Site Visit: 06/05/2026	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: Wheelchair access ramps at front and rear and replace patio door with window

Location: 17 St Peters Road, Bury, BL9 9RA

Description

The property is a single storey bungalow located within a cul de sac. It has garden and parking to the front and a fenced garden at the rear. There was a recent application 72956 - Lawful development certificate for proposed change of use from dwellinghouse Class C3(a) to home for 2 adults Class C3(b) and a Lawful Development Certificate issued 01/05/2026.

This application seeks consent for adaptations for two residents. This would include two wheelchair ramps. One to the front entrance and one along the rear elevation where there are two sets of patio doors. They would consist of a concrete ramp with brick upstand and guard rails and provide level access to the property. A third set of patio doors at the rear would be replaced with an opaque window and brick infill.

Relevant Planning History

55708 - Demolition of existing bungalow and erection of replacement detached dwelling - Refused 22/02/2013

56176 - Single storey side extension and erection of detached garage. - AC 13/05/2013

65718 - Erection of detached outbuilding at front - AC 02/09/2020

72956 - Lawful development certificate for proposed change of use from dwellinghouse Class C3(a) to home for 2 adults Class C3(b) - Lawful Development 01/05/2026

Publicity

Surrounding neighbours were notified by letter and one response has been received from a nearby neighbour. Their comments on summary are :

- Happy with the planned changes
- Only concern is parking. Cul de sac drives must not be parked across. Uninterrupted access is required.
- Parking at No.17 is for 2 cars. Visitors would not be able to park without causing major problems for us all.

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 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 and design - SPD6 Section 10.11 supports adaptations for disabled persons. The proposed ramps would be of a typical size and design to allow wheelchair access into a property and would not be an intrusive feature. The amendment to replace the rear patio doors with a window would be a minor alteration.

The proposal is considered acceptable and would not have a detrimental impact on the

visual amenity of the area.

Area Tree Preservation Order 66 covers the properties to the rear of the site at Heaton Court. As the plans note landscaping works and tree trimming in the rear garden an informative is added as any works to the trees covered by the order would need a tree works application.

Parking - The proposal would not increase the number of bedrooms and therefore parking spaces as set out in SPD 11 Parking Standards need not be considered in this respect. The existing parking would be unaffected by the proposal.

Residential amenity - The ramps would not be located in close proximity to any neighbouring properties for them to have any serious impact. The replacement window would face into the site rear garden and be obscure glazed.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Response to neighbour comments - The proposal would not affect the existing parking arrangements. On street parking is outside planning control.

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 PFP/ 17SPR / 01, PFP/ 17SPR / 02, PFP/ 17SPR / 04, PFP/ 17SPR / 05, PFP/ 17SPR / 06, PFP/ 17SPR / 07, PFP/ 17SPR / 08, Block Plan 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>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	26/05/26	DM	26.05.2026