

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 30/06/2026	Ref: 73013/FUL
Registration: 18/05/2026	LDFC: 10/06/2026	Expiry Date: 13/07/2026
Site Visit: 28/01/2026	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey/single storey rear extension;

Location: 18 Birch Street, Bury, BL9 5AL

Description

The application relates to a two-storey mid-terraced dwelling on the northern side of Birch Street. The property is separated by the pavement to the front by a low red brick wall and railings with an access gate for pedestrian access. To the sides, red brick walls bound the rear garden of the property with a high brick wall together with an access gate for pedestrians to the rear.

The proposal is to build a two/single storey rear extension. The proposed extension would project 3m from the original rear elevation at ground floor and would be 4.4m in width. At first floor, it would project 2.5m and would be 2.5m in width. At ground floor, a pitched roof is proposed a maximum height of 3.7m and an eaves height of 2.7m. At first floor, a dual pitched gable roof is proposed with a maximum height of 6.6m and an eaves height of 5.7m.

The street is mixed in nature, of residential and commercial uses. Parking is predominantly on street.

Other

It is noted that a rear dormer is detailed on the plans however this is noted on the plans to be undertaken using permitted development. The dormer has therefore not been assessed.

Relevant Planning History

72716 - Part single/two storey rear extension - Refused 16/02/2026

26/0159 - Rear dormer extension

Publicity

4 neighbouring properties were consulted on 19.05.2026. One objection comment was received detailing the below concerns:

- The works are already ongoing with the loft conversion and dormer nearly complete and has caused damage to the neighbour's roof and roof tiles that need mending.
- Footings appear to have been completed for a rear extension.
- Concern over the noise associated with a larger occupancy house
- Concern over impact on privacy

Statutory/Non-Statutory Consultations

None

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
SPD11	Parking Standards in Bury

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.

street for the properties within this location, and street parking is unrestricted, it is ~~Visual Amenity~~ the parking provision available meets the standards outlined within SPD 11. SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments ~~Response to Objectors~~ does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

Works ongoing to the rear dormer are not relevant to this application.

The previously refused application 72716 was refused with the following reason:

The proposed ground floor rear extension is likely to be acceptable using permitted ~~The proposed ridge, however, by its position, has the potential to be a significant~~ prior to ~~possible being an intrusive~~ *feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area.*

The noise associated with a larger occupancy home is not a material planning ~~to be detailed~~ within the officer report that given the size of the first floor, it would create a tunnelling impact and would appear as an intrusive addition.

It is not considered any further privacy impacts would be caused than existing.

Within this current application, the proposed first floor rear extension has been reduced in projection to project only 2.5m at first floor. The proposed roof has also been sensitively designed to reduce any tunnelling impacts by being largely reduced in height. Given the scale of the proposed, including the ridge of the proposed being set down, it would not create a tunnelling effect and would fit better within the street scene, appearing consistent with rear two storey outriggers along Birch Street.

Materials proposed are also to remain similar to the existing building, and storage of bins on non-refuse collection days would remain in the rear yard.

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

SPD 6 provides guidance on aspect standards between residential dwellings.

Neighbours to the rear would retain approximately 12m from the extension to the boundary compliant with that outlined within SPD6. 7m would also be retained from first floor windows to the rear boundary.

16 Birch Street is the adjoining neighbour to the east. As outlined within SPD6 and under permitted development rights, which is a material consideration, terraced properties can have rear single storey extensions of up to 3m in projection. The proposed ground floor extension projects 3m from the original rear elevation which is considered acceptable. Furthermore, the proposed first floor extension would not impinge at a 45 degree angle to any habitable windows at this neighbour due to it being set away from the boundary with this neighbour by 2m.

20 Birch Street is the adjoining neighbour to the west. The proposed first floor extension would not impinge on any habitable room windows at a 45 degree angle first floor, as the bathroom is closest at 20 Birch Street to the proposed. Given this, the impact on 20 Birch Street would be considered acceptable.

Parking

SPD 11 provides guidance on parking provision for developments within the borough.

The proposal would increase the number of bedrooms from 2 to 4 and SPD 6 requires parking spaces as set out in SPD 11 Parking Standards to be considered.

The dwelling is sited within Zone 2 and therefore the parking standards for 2 bed dwellings is 1 space, and for 3 bed and greater dwellings is 1.5 spaces. Given that parking is on

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 RAD/3415/25/1/RevE 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 the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

<u>Case Officer</u> CO	<u>Date</u> 30.06.2026	<u>Sign off Officer</u>	<u>Date</u>
---------------------------	---------------------------	-------------------------	-------------