

DELEGATED REPORT

Report by Tom Beirne	Date of report: 16/04/2025	Ref: 71725/FUL
Registration: 24/03/2025	LDfC: 15/04/2025	Expiry Date: 19/05/2025
Site Visit: 15/04/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side extension

Location: 185 Parkhills Road, Bury, BL9 9AF

Description

The application relates to a two storey red brick semi-detached dwellinghouse on a residential road of similar styled properties. Driveway to the front. The unattached neighbour at No.187 has a two storey side extension up to the shared side boundary.

The proposed two storey extension would run front to rear (9.7m) and project out 2.1m at the front with a small step-in towards the rear, . There would be a gap of 1.8m to the side boundary at the front reducing down to 900mm at the rear. The roof would comprise two hipped sections that are carried over onto the existing roof. Finished in red brick to match the existing house.

Relevant Planning History

51800 - Two storey extension at rear - Approve with Conditions 16/10/2009
62206 - Proposal A -Single storey extension at side
Proposal B - Balcony at rear - Split Decision 04/01/2018
62651 - Balcony at rear - Approve with Conditions 14/05/2018
65807 - Two/single storey extension at side - Approve with Conditions 07/10/2020
66239 - Two storey side extension - Approve with Conditions 19/01/2021
67814 - Two storey front extension - Approve with Conditions 15/02/2022
18/0029 - Balcony at rear - 29/04/2018

Publicity

Immediate neighbours notified by letter dated 25/03/2025. No objections received.

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 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 - The extension is modest in scale, and is, in design terms, in keeping with the existing dwelling. The finished in red brick would match the house and, set off the side boundary, would not appear incongruous within the streetscape. The proposal is considered to be acceptable and complies with UDP Policy H2/3 and guidance in SPD6 relating to visual amenity.

Residential amenity - Given the siting off the boundary and no side windows, the extension in not extending beyond the rear elevation of the neighbouring property at No.187 Parkhills Road, does not raise any residential amenity issues. The proposal is considered to be acceptable in terms of residential amenity and complies with UDP Policy H2/3 and guidance in SPD6 Alterations and Extensions.

Parking - The existing driveway at the front, accommodating two cars, would be retained and this is considered to be acceptable and compliant with Policy H2/3 and guidance in

SPD6.

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 Location plan, existing and proposed site plans and drawings numbered 16/225/03, 04A, 05, 05A, 08A0 and 09A 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	16/04/2025	DM	08/05/2025