

**DELEGATED REPORT**

|                                   |                                   |                                |
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| <b>Report by</b> Charlotte Orrell | <b>Date of report:</b> 09/01/2026 | <b>Ref:</b> 72521/FUL          |
| <b>Registration:</b> 03/12/2025   | <b>LDfC:</b> 31/12/2025           | <b>Expiry Date:</b> 28/01/2026 |
| <b>Site Visit:</b> 07/01/2026     | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b> 0              | <b>Con Area:</b> N/A              | <b>Adv Type:</b> NONE          |
| <b>Reason for Delay:</b><br>N/A   |                                   | <b>EIA:</b> NA                 |
|                                   |                                   | <b>Dec Level:</b>              |
|                                   |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** Single storey rear extension; Loft conversion with rear dormer

**Location:** 112 Horne Street, Bury, BL9 9HS

**Description**

The application relates to a two storey red brick terraced dwelling on the western side of Horne Street. The front boundary is separated from the pavement by a low wall with an access gate for pedestrian access. To the front, there is a small garden area. The rear boundary is separated by a brick wall and the side boundaries by timber fencing.

The proposal is to build a single storey rear extension together with the conversion of the loft at the property and construction of a rear dormer. The proposed rear extension would project 3m from the original rear elevation of the property and would be approximately 5.3m in length. The proposed rear extension would incorporate a flat roof with a roof lantern that would be a maximum of 2.9m in height.

The proposed rear dormer would be 5.6m in length and incorporate a flat roof projecting 4.2m from the rear roof slope and being 2m approximately in height.

The street scene is generally uniform in nature with predominantly red brick terraced dwellings each with featuring bay windows. Other properties in the area feature similarly sized rear dormers and rear extensions. Parking is generally on street.

**Amendments**

Amendments were sought in order to regularise plans and to remove the proposed porch from the plans. The proposed porch was not considered to be acceptable due to the scale and due to porches being an incongruous feature within the area. Furthermore, the development of a porch would remove the bay window which are characteristic of properties along Horne Street.

Amendments were also sought in order to set the rear extension back to 3m. Although the impact of the 4m projection could be justified in relation to 114 Horne Street due to the orientation in relation to the Sun and existing boundary treatment, it was considered that the impact on 110 Horne Street could not be. The proposed 4m rear extension would impinge on a habitable main room window at 110 Horne Street and, due to 110 Horne Street being sited to the north of the application property and the existence of an existing rear extension at no. 110, the proposed would create a tunnelling effect on this habitable room window and therefore would present an unacceptable impact.

**Relevant Planning History**

None

**Publicity**

8 neighbouring properties were consulted on 05/12/2025. No comments have been received.

## **Statutory/Non-Statutory Consultations**

None

## **Pre-start Conditions - None**

## **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                                         |

## **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.

The scale of the proposals are considered to be in scale and proportionate to the existing dwelling. The proposals will also retain the character of the dwelling by utilising the same materials as the existing.

Flat roofing is proposed for both the rear extension and rear dormer which, although not normally favoured, is deemed acceptable in this instance due to both being out of view from public vantage points and so having limited visual amenity impacts.

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-**

110 Horne Street is the adjoining neighbour to the north. The proposed rear extension would project only 3m from the existing rear elevation compliant with policy and so considered acceptable. Furthermore, the proposed rear dormer would cause no further overlooking impact than exists.

114 Horne Street adjoins to the south. Similarly to the impact on 110 Horne Street, the proposed 3m rear extension complies with policy and so is considered acceptable. The proposed dormer is also unlikely to cause any further overlooking impact than exists.

Neighbours to the rear would retain a 12m interface distance between the proposed rear extension and the rear boundary of the neighbour. Furthermore, the proposed dormer would be sited approximately 16m away from the rear boundary of these neighbours. This is compliant with that outlined within the SPD and so considered acceptable. The proposed dormer would also project no further toward the rear than the existing rear elevation.

Sited away from the proposals, neighbours to the front would not be impacted.

**Highways-**

The proposed would not lead to an increase in number of bedrooms at the property and so the parking at the property would not need to be increased.

**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 5B, 6C, 7B and 10B 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><br>CO 09/01/2026 | <u>Date</u> | <u>Sign off Officer</u><br>DM 14/01/26 | <u>Date</u> |
|--------------------------------------|-------------|----------------------------------------|-------------|