

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 13/01/2026	Ref: 72632/FUL
Registration: 03/12/2025	LDFC: 03/01/2026	Expiry Date: 28/01/2026
Site Visit: 07/01/2026	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:
		Stat Class: HOUS

Proposal: Single storey side and rear extension

Location: 11 Kilner Close, Bury, BL9 8AD

Description

The proposal relates to a red brick and natural stone bungalow on the north-eastern side of Kilner Close. The boundary to the front is open with a paved driveway for the property separating the road and the dwelling. There is an access gate to the side for pedestrian access to the rear garden. There is a levels difference along the side boundary with 9 Kilner Close, with the application property being approximately 0.5m higher. The side and rear boundaries are characterised by hedging, trees and timber fencing.

The proposal is to build a single storey side and rear extension. The proposed side extension would infill the space between the rear elevation of the existing garage and north-western side elevation of the dwelling. The proposed side extension would project approximately 3.3m from the existing side elevation of the property and project 7.4m towards the rear of the property to adjoin with the proposed rear extension. The proposed rear extension would project 3.5m from the rear elevation of the dwelling. A flat roof would be incorporated into the proposals with a roof lantern, a maximum of 3.3m in height with an eaves height of 2.8m.

The streetscape is residential in nature, with bungalows featuring a range of materials and extensions. Parking is predominantly off street with most properties featuring large driveways.

Amendments

Amendments were sought in order to amend the high level window proposed on the front elevation of the existing garage. Although some properties in the area feature garage conversions, they have incorporated windows to match the existing property. Other properties have retained their garages and therefore have garage doors. It was therefore considered that a high level window on the front elevation of the property would appear out of character, especially considering the property's location at the turning head of the close.

Relevant Planning History

None

Publicity

10 neighbouring properties were consulted on 11/12/2025. No comments have been received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None relevant

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
PfE	Places for Everyone
NPPF	National Planning Policy Framework

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 subordinate to the existing dwelling by virtue of them being single storey and as the proposed side extension will be less than half the width of the existing dwelling.

Furthermore, materials proposed are to match the existing dwelling. The proposals will also have little visual impact on the area due to them being sited to the rear, behind the existing garage and so there will not be overly visible from the street scene.

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-

13 Kilner Close is the neighbour to the southern side of the property. Sited away from the proposed side extension, there would be no impact. There are glazed folding doors proposed facing this property in the rear extension however, given the siting of the properties, this would not cause any privacy impacts. Furthermore, the proposed rear extension is sited in excess of 17m from the boundary of this neighbour, complying with that outlined within SPD6.

9 Kilner Close is sited to the western side of the property. The proposed side extension would incorporate two windows facing this property however they would be high level windows, sited 2m from ground level and so would not have any further privacy impacts. Furthermore, there would be a minimum of 4m between this property and the proposals, and existing boundary treatment of hedging and trees would further limit any impacts together with the proposals being sited to the north/east of this property meaning it would be largely out of the natural arc of the Sun and so is unlikely to cause any further overshadowing impacts than exist.

Properties to the north are sited a minimum of 17m from the proposed rear extension, compliant with that outlined within SPD6.

Properties to the front would not be impacted by the proposed by virtue of the proposals being sited to the rear.

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

DELEGATED REPORT

of this permission.

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 2 This decision relates to drawings numbered 3122_BUR_01_Planning_Rev_A 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 13/01/2026	<u>Date</u>	<u>Sign off Officer</u> DM 14/01/26	<u>Date</u>
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