

DELEGATED REPORT

Report by Tom Beirne	Date of report: 12/02/2026	Ref: 72524/FUL
Registration: 06/01/2026	LDfC: 02/02/2026	Expiry Date: 03/03/2026
Site Visit: 03/02/2026	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: Single storey front extension; Raised rear decking with balustrade and steps;
Replace flat roof to pitch roof to existing rear extension

Location: 47 Byron Road, Tottington, Bury, BL8 4EN

Description

The application relates to a two storey semi-detached red brick house on a residential road of similar styled properties. The attached neighbour has a single storey extension across the front, similar to that proposed on this property. The same neighbour has a single storey extension across the rear and a raised patio area that abuts the shared side boundary where there is a timber screen fence.

The proposal involves a single storey mono-pitched extension running 6.5m across the front elevation and projecting out 1.4m. Red brick to match the house.

At the rear, the new pitched roof to a max height of 3.5m, over the single storey outrigger has been completed. Also At the rear a small decked area would extend off the single storey outrigger 1.7m. It would be enclosed by a new fence with brick pillars and a height of 1.2m from the decking (approx 1.5m from the garden level).

Relevant Planning History

64496 - Lawful Development Certificate for a proposed extension to an existing outbuilding
- Lawful Development 23/08/2019

Publicity

Immediate neighbours notified by letter dated 12/01/2026. One objection summarised below:

The decked area would impact our privacy as it would look directly into our garden. We are already overlooked by this property due to the previous work undertaken on their garage, which now has a raised patio area bordering our garden, affecting our privacy.

Comment received about possible excessive noise and dust and about parking of contractors vehicles.

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 front extension would be modest in scale, projecting out only 1.4m from the front elevation which is similar to the attached neighbour. At the rear, the new pitched roof is also modest in scale and improves the appearance of the house. The decking at the rear is, again modest in scale and does not appear prominent.

In terms of visual amenity, the proposal is acceptable and complies with UDP Policy H2/3 and guidance in SPD6 relating to alterations and extensions.

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Residential amenity - The attached neighbour is unaffected by the extension at the front as they have a similar extension. At the rear the attached neighbour has a decked area with an existing privacy screen that would ensure that the proposed decking would not impact on privacy. The decking is modest in scale and, projecting out less than 2m from the rear elevation and with a separation of 10m across the rear garden, the privacy of the neighbour to the rear, who is set down from the site, is not seriously impacted.

In terms of residential amenity, the proposal is acceptable and complies with UDP Policy H2/3 and guidance in SPD6 relating to alterations and extensions.

Objections - The comments of the neighbour with regard to privacy have been addressed in the above report. The impact of construction and constructors vehicles should not be so serious given the scale of development.

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 AP02, 03, 04, 05, 06, 07, 08, 09A and AP10 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	12/02/2026	DM	16/02/2026