

DELEGATED REPORT

Report by Joss Simpson	Date of report: 21/09/2026	Ref: 73437/FUL
Registration: 31/07/2026	LDFC: 25/08/2026	Expiry Date: 25/09/2026
Site Visit: 13/08/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey side/rear extension; First storey side extension; Demolition of outbuilding

Location: 239 Whalley Road, Shuttleworth, Ramsbottom, Bury, BL0 0ED

Description

The property is a semi-detached two storey dwelling, built in red brick with a tiled roof, and is located within the Green Belt. To the front of the property is a large hardstanding driveway, whilst the rear comprises a private garden enclosed by boundary fencing on the south side and a stone wall on the north side shared boundary with a dwelling that is locally listed as a Non-Designated Heritage Asset. At the rear there are fields with no residential properties.

Planning permission is sought for a two storey side extension and single storey rear extension to provide an extended kitchen/dining area, office and utility space at ground floor and an additional bedroom at first floor. The proposed side extension would extend 11.0 metres along the side of the dwelling at ground floor, including 3.0 metres from the existing rear elevation. At first floor, the extension is 4.4 metres, set back from the front elevation and would not project rear of the existing dwelling. The side extension projects 3.3 metres from the existing side elevation, leaving a gap of 500mm to the boundary with No. 241.

The proposed rear extension would have a width of 6.0 metres, project 3.0 metres beyond the rear elevation, and incorporate a pitched roof with an eaves height of 2.6 metres and a maximum ridge height of 3.6 metres.

The demolition of an outbuilding is also included in the proposal description, but had been demolished by the time of my site visit.

Relevant Planning History

73438 - Lawful Development Certificate for proposed erection of a detached single-storey outbuilding within the rear garden - Lawful Development 14/08/2026

Publicity

6 Neighbours were notified on 03/08/26 - no responses received

Statutory/Non-Statutory Consultations

n/a

Pre-start Conditions Not relevant

Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
OL1	Green Belt

NPPF National Planning Policy Framework
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.

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 or the wider street scene.

The first floor of the proposed side extension would be set back more than the 1.5m required by SPD6. Due to the siting of No. 241 Whalley Road, the distance to the shared boundary from the proposed extension would range from 4.2 metres at the front and 3.7 metres to the rear. Therefore, there would be no concern of a terracing effect.

It is also noted that the side extension would be similar to that of No. 247 Whalley Road to the south of the site. As such, the design is considered to be in keeping with the existing building and it would not have any significant impact on the character of the existing street scene.

The proposal is therefore considered acceptable in terms of visual amenity and complies with UDP Policy H2/3 and guidance in SPD6 relating to extensions and alterations.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

No first floor side-facing windows are proposed within the two storey side extension and no side-facing windows are proposed within the single storey rear extension. A ground floor side-facing window is proposed within the side extension. Although this window would serve a non-habitable room, its size, position and proximity to the boundary (500mm) have the potential to cause a loss of privacy to the occupiers of No. 241. Accordingly, a condition is recommended requiring the window to be fitted with obscure glazing. No windows would face No. 237 Whalley Road and therefore there would be no unacceptable loss of privacy.

The first-floor element of the side extension would face an existing first-floor side-facing window serving a habitable room at No. 241 Whalley Road, with a separation distance of approximately 3.9 metres, and a secondary ground floor side facing window which is given less weight. Whilst this separation distance is modest, the impact is limited by the restricted scale of the extension at first-floor level and its position to the north of the existing dwelling. It is therefore considered that any loss of light to these windows would be limited. Furthermore, the proposal would not result in a significant loss of light or overshadowing of the garden area serving No. 241 Whalley Road.

The proposed single storey rear extension would project 3 metres beyond the existing rear elevation. This projection is not considered excessive and, therefore, the 45 degree line test is not triggered. The extension would be located 3.6 metres from the shared boundary with No. 237 Whalley Road and 7.2 metres from that property's nearest rear-facing window. Given the scale, position and orientation of the extension it is not considered that the development would result in a significant loss of light or unacceptable overshadowing to No. 237 Whalley Road. No objections have been received from neighbours.

Furthermore, there are no residential properties immediately adjoining the site's rear boundary. The proposal would also have no adverse impact on the existing driveway serving the property.

As such the proposal is considered acceptable in terms of residential amenity and complies with UDP Policy H2/3 and guidance in SPD 6 relating to extensions and alterations.

Greenbelt

The volume of the existing built structures on the site is approximately 434 cubic metres. The proposed increases the volume to approximately 570 cubic metres and this equates to around a 136 cubic metres increase, representing an overall increase of approximately

31.2%. This calculation takes into account the removal of an existing detached outbuilding, which has already been completed. The increase in the volume is below the 33% set out in SPD6 which, for an extension in an established residential area and built with matching materials to the existing dwelling proposed, is unlikely to have a significant impact on the openness or purpose of the Green Belt.

The proposal is acceptable and complies with the NPPF and UDP Policy OL1 Green Belt.

Parking

The proposal would not increase the number of bedrooms, therefore parking spaces as set out in SPD 11 Parking Standards need not be considered in this respect. The side extension does not impact the existing parking arrangements, with three off-street parking spaces remaining.

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 the drawings numbered: Location Plan; D01, D02, D03, D04, D05, D06, D07 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.
- 4 Before the first occupation of the extension hereby permitted the ground floor side-facing window on the north elevation, as identified on dwg no. D07 REV 04, shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JS	21/09/26	DM	24/9/2026