

**DELEGATED REPORT****Report by** Amanda**Date of report:** 26/06/2025**Ref:**71843/FUL

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**Registration:** 06/05/2025**LDfC:** 05/06/2025**Expiry Date:** 01/07/2025**Site Visit:** 20/06/2025**Site Notice:** N/A**Press Date:** N/A**Objections:** 0**Con Area:** N/A**Adv Type:** N/A**Reason for Delay:****EIA:** NA

N/A

**Dec Level:** DEL**Stat Class:** HOUS**Proposal:** Two storey front extension to form porch**Location:** 31 Bury Old Road, Prestwich, Manchester, M25 0EY**Description**

The application relates to a two storey semi-detached house which fronts onto Bury Old Road with Albert Avenue to the side. A two storey side/rear extension has been previously approved (ref 71261) and building works are well underway on this.

The proposal is to build a two storey front extension which would provide a porch at ground floor level with a full height atrium above. The extension would have a pitched roof and it would be rendered to all elevations. There would be full height glazing to the front elevation. The extension would project 1.5m forward of the original front elevation and it would measure 2.66m wide.

**Relevant Planning History**

- 69441 - Single storey outbuilding at rear and construction of a boundary wall with metal grills and gates - Approve with Conditions 01/09/2023.
- 70982 - Demolition of existing single storey side/rear extension and erection of single storey side/rear extension - Approve with Conditions 11/09/2024.
- 71261 - Demolition of existing rear extension; Proposed two storey side/rear extension; Single storey rear extension - Approve with Conditions 23/12/2024.
- 12/0292 - High fence - 01/06/2012.
- 24/0367 - Not in accordance with the approved plans - 24/12/2024

**Publicity**

4 neighbours notified on 13/05/2025 - No comments or objections received.

**Statutory/Non-Statutory Consultations**

None.

**Pre-start Conditions** - Not relevant.**Development Plan and Policies**

SPD6      Supplementary Planning Document 6: Alterations & Extensions

H2/3      Extensions and Alterations

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 P/E 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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

#### **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 extension would project around 500mm forward of the bay windows on the property and it would be just under 4m set back from the boundary at the front. There are a number of other properties with porches to the front, albeit they are single storey only. However,

there are different styles of properties within the local area and the design of the extension would be considered acceptable on this property. As such it is considered that it would not have any significantly detrimental impact on the existing streetscene.

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 -**

- Residential properties to the front of the site would be more than an acceptable distance from the extension in terms of SPD 6 and there is a busy main road in between.
- The extension would be built far enough away from the shared boundary with no.33 Bury Old Road next door not to have any significant detrimental impact on residential amenity at that property. In addition there would be no windows facing this property.
- The extension would be more than a sufficient distance from properties to the south of the site, especially as there is a road in between.
- As the extension would be to the front of the dwelling it would not have any detrimental impact on existing parking arrangements at the rear of the site.

The proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties.

**Parking -**

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the driveway at the rear of the site.

**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 Sheet 1, Sheet 2, Sheet 3 (existing elevations), Sheet 3 (existing and proposed roof plans), Sheet 5, Sheet 6 and Sheet 7 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 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.

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- 3 The external finishing materials for the proposal hereby approved shall be render to the walls of the two storey front extension and roof tiles to 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> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
|---------------------|-------------|-------------------------|-------------|
| AU - 26/06/2025     |             |                         |             |