

DELEGATED REPORT

Report by Jane Langan	Date of report: 09/12/2025	Ref: 72288/FUL
Registration: 24/10/2025	LDFC: 03/12/2025	Expiry Date: 19/12/2025
Site Visit: 11/11/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: New front porch; single storey / two storey extension at side; single storey extension at rear and render to proposed extensions; Extension to existing decking

Location: 863 Walmersley Road, Bury, BL9 5LE

Description

The property is a two storey bay fronted semi detached house. It has a drive and garden to the front with a low brick boundary wall along the front boundary. Along the side is a drive leading to a detached garage and to the rear the property is extended single storey with decking leading out from patio doors. The garden is at a slightly lower level and has planting to the boundaries. Beyond the rear boundary are fields. The adjoining semi is No.861 and to the opposite side the unattached No.865 has its drive alongside that to the site and a detached garage.

The application includes a front porch 1m deep and 2.2m across. To the side of this would be a two storey extension coming out 2.17m. The first floor would be set 1.36m back from the front and run up to the level of the existing rear elevation. The ground floor would extend out at the rear a further 2.7m deep to the level of the existing single storey. The decking at 0.2m high would also extend out 1.5m across from the new wider patio doors.

Relevant Planning History

51087 - Single storey extension at rear - AC 24/04/2009

Publicity

Surrounding neighbours were notified by letter on 30/10/25. A further 7 day letter was sent 19/11 & 26/11 with regard to the addition of the widened decking to the plans. No responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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 and design - The proposed two storey would be built to within 0.125m of the boundary with a 1.36m set back to the first floor front. SPD6 generally requires the set back and distance to the boundary to add up to 1.5m in order to provide sufficient break in to prevent the potential for terracing. In this case then there would be 1.485m which, as it would only be fractionally below, is considered sufficient.

The extension would have a hipped roof set below the main ridge and a monopitch to the single storey section and adjacent porch. To the rear the single storey would have a mono pitch roof with roof lights. The decking would be widened to accommodate access from the new patio doors. Materials would be red brick and white render with the roof in slate to match the existing.

The proposal is considered acceptable and in keeping with the existing property and would

not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would increase the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide 3 parking spaces.

SPD11 also notes that where all soft landscaping is lost or a frontage become dominated by hardstanding then this can be harmful to the character and appearance of the area and it should be carefully considered if the proposal is acceptable.

The proposal would see an extension built along the side of the property that leads to a garage. This could be used for parking however it is fairly narrow and gated. To the front the garden is mostly paved with some landscaping. The proposal would retain a drive length in excess of 5.5m and there may be potential for the parking of 2 vehicles to the front. A number of properties along the road have removed part of the boundary wall to achieve this. The properties are also set back from the road, separated by tarmac vehicular crossings and grass verges, and which are used as informal parking. In this instance, it is not considered there are grounds for refusal with regard to parking arrangements.

Residential amenity - The alteration to the side to the adjoining property would be the new render to the existing extension. The two storey extension would be to the side to No.865 where it would not extend past the front or rear two storey elevations of this property. The proposed single storey would be under 3m deep and No.865 has a single storey to the boundary side. The side wall of the proposal would be blank. The extended decking would be to this side and low level at 0.2m high set approximately 3.3m from the boundary.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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 1, 2B 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.

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<u>Case Officer</u> JL	<u>Date</u> 09/12/25	<u>Sign off Officer</u>	<u>Date</u>
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