

DELEGATED REPORT

Report by Amanda

Date of report: 12/12/2025

Ref:72499/FUL

Uhunmwagho

Registration: 27/10/2025

LDfC: 01/12/2025

Expiry Date: 22/12/2025

Site Visit: 26/11/2025

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey rear extension

Location: 76 Newington Drive, Bury, BL8 2EG

Description

The application relates to a previously extended detached bungalow with a garden to the front and drive for two vehicles. There is a car port to the side of the property, at the front. To the rear elevation is a conservatory and a single storey extension. There is a patio area directly to the rear of the house with lawned garden beyond. At the bottom of the garden is a small shed and there are fences to all boundaries.

The proposal is to replace the existing conservatory with a single storey extension which would project 4m from the original rear elevation and it would measure 6.88m wide. The roof would be pitched and there would be patio doors to the rear elevation. An existing bedroom window on the rear elevation would be repositioned to the west side elevation and there would be a kitchen door and window removed from the west elevation and at the front the existing front entrance door would be repositioned and the windows removed.

Relevant Planning History

N/A

Publicity

6 neighbours notified on 07/11/2025 - 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 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.

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.

As the extension would be built wholly on the rear elevation of the dwelling it would not be readily visible in the public realm. It would also be built with materials and a design that would be considered to be in keeping with the existing building.

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 -

- As the extension would be to the rear of the property there would be no detrimental impact on properties to the front of site.
- The separation distance to properties at the rear and distance to the rear site boundary would be acceptable in terms of SPD 6.
- The extension would replace the existing conservatory on the west side of the property. As such it is considered that there would not be any significant detrimental impact on residential amenity at properties to the east.
- Properties along Newington Drive are staggered, as such the rear elevation is set back compared to the original rear elevation of no.78. The proposed extension would project around 2.67m beyond the rear elevation of no.78 and the existing gap of around 1.9m to the shared boundary fence would remain. As such the proposed extension would not cause any significant detrimental harm in terms of residential amenity at the rear of no.78 Newington Drive.
- Due to the position of the proposed extension the window to bedroom three, which is currently on the rear elevation would be repositioned to the west side elevation. This means that there would be a bedroom window around 1.9m away from the shared boundary with no.78 next door. The window would face on to a blank side elevation and access path only. It wouldn't result in any direct overlooking of the rear garden area. The applicant has discussed the proposal with their neighbour, who have provided a letter of support for the proposal advising they have no objection to the position of the new window. Taking this into account the position of this particular window would be considered acceptable in this location.
- As the extension would be to the rear of the existing dwelling there would be no impact on the existing parking arrangements to the front of site.
- The removal of the existing kitchen door and window from the west elevation, windows to the entrance on the front elevation, as well as the repositioning of the front access door would not have any significant detrimental impact on residential amenity at neighbouring properties.

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 front garden and drive.

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.

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

- 2 This decision relates to drawings numbered P01, P02, P03, P04, P05 and P06 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.

- 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>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 12/12/2025			