

DELEGATED REPORT

Report by Tom Beirne	Date of report: 27/11/2025	Ref: 72321/FUL
Registration: 06/10/2025	LDFC: 29/10/2025	Expiry Date: 01/12/2025
Site Visit: 25/11/2025	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: External escape staircase to side

Location: 15 Barnhill Road, Prestwich, Manchester, M25 9WH

Description

The application relates to a large two storey detached house on a residential street of similar styled properties. The house has a two storey outrigger at the rear with a balcony and dormers front and rear.

The proposed fire escape would be attached to the side/north elevation. It would be a galvanised steel construction with timber treads.

Relevant Planning History

Building Regulations - completion certificate FP/04/0097 - Approved.

Publicity

Immediate neighbours notified by letter dated 07/10/2025. One objection - see below:
This staircase will not be in keeping with the house or with the rest of the properties in the neighbourhood or road. I have only known a commercial property, or a tall block of apartments have an external escape staircase - his property is neither.

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.

Need - The proposed fire escape is not required specifically to deal with the a resident's medical condition. The statement submitted in support of the proposal states it would allow the resident, who doesn't have the medical condition to escape the loft bedroom without necessarily being obstructed by that resident's mother, who has the medical condition.

The loft conversion was completed in 2012 and included provisions for a suitable escape route in the case of a fire. Notwithstanding this, it is also considered that there could be alternative options to avoid being obstructed by a disabled resident in the event of a fire - changes to living arrangements within the house, internal alterations, early fire warning systems etc.

Insufficient information or evidence has been submitted to justify the addition of a rather large and unsightly fire escape on medical grounds and therefore need is not proven.

Visual amenity - The proposed fire escape is relatively large and extends along the side gable from front to the rear. Constructed in galvanised steel, the large structure would constitute a rather incongruous and uncharacteristic feature on the side of the house and within the wider streetscape to the serious detriment of visual amenity. As such the proposal would be unacceptable in terms of visual amenity and would not comply with UDP Policy H2/3 and associated guidance in SPD6 relating to extensions and alterations.

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Residential amenity - There are no serious residential amenity issues arising from the addition of a fire escape on the side the house.

Public comment/objection - The issues raised by the objector have been addressed in the above report and, where relevant, reflected in the reason for refusal.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed fire escape would, by reason of its size and position, constitute an intrusive and incongruous feature on the existing property and within the streetscape and would therefore, be seriously detrimental to the visual amenities of the immediate area. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.
- 2 The application and submitted plans contain insufficient information and evidence with regard to the medical/public safety to make a reasonable assessment with regard to a possible approval of planning permission under special circumstances. The proposal is therefore unacceptable and contrary to the following Policy of the Bury Unitary Development Plan: H2/3 Alterations and Extensions and associated 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>
Tom Beirne	27/11/2025		