

DELEGATED REPORT

Report by Amanda

Date of report: 12/12/2025

Ref:72496/FUL

Uhunmwagho

Registration: 05/11/2025

LDFC: 02/12/2025

Expiry Date: 31/12/2025

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: Two storey side extension, single storey rear extension and external alterations

Location: 44 Elterwater Close, Bury, BL8 1UW

Description

This application relates to a two storey semi-detached property. The whole of the front of site is hardstanding (gravel), and there is no boundary treatment to the front. The rear garden is accessed via a gate to the side of the dwelling. There are fences to all boundaries at the rear. The attached property is slightly set back from the rear elevation of the application dwelling and this property has a single storey rear extension.

The proposal is to build a two storey side extension and a single storey rear extension. At the side the two storey extension would be set back from the original front elevation by 3.25m. It would measure 3.2m wide x 5.97m long. There would be no first floor set back at the front and the roof would be pitched. At ground floor level there would be doors installed to the side elevation to a new external store. There would be no windows installed to the side elevation of the extension. At the front there would be a small canopy erected above the new entrance.

The single storey rear extension would project 2.47m from the original rear elevation and it would measure 7.45m wide, and there would be patio doors and a window to the rear elevation. The roof would be pitched with three rooflights.

Relevant Planning History

N/A

Publicity

5 neighbours notified on 10/11/2025 - 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.

Normally where there would be a two storey side extension a set back of 1.5m would be required at first floor level, in order to prevent the appearance of terracing. However, as the

whole of the two storey side extension would be set back from the front of the existing building by 3.25m no set back would be required and the flush frontage of the extension would be considered acceptable.

The extension would be set back from the front elevation of the original dwelling with the ridge slightly lower to the existing ridge, to ensure the extension remains subservient to the original dwelling. It would be built with materials and a design that would be considered to be in keeping with the existing property.

The single storey rear extension would also be built with materials and a design that would be considered to be in keeping with the existing building but as this would be wholly on the rear elevation it would not be readily visible in the public realm.

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 -

- At the front there would be a first floor bedroom window which would be under 7m from the front boundary. Although a distance of at least 7m from a first floor habitable room window to a boundary would normally be required (as set out in SPD 6) any views from the window would be over the highway in front and not directly towards other residential properties. As such the front bedroom window would be considered acceptable in this position.
- There would be just over 7m from the rear elevation of the two store extension to the rear boundary. This would be acceptable in terms of SPD 6.
- There would be no windows installed to the west side elevation of the single and two storey extensions, but there would doors to an external store. This would not be considered to be significantly detrimental in terms of residential amenity.
- There would be a gap of 900mm from the side elevation to the shared boundary with no.42 next door. As such there would be no concerns regards encroachment at this property.
- As the two storey extension would be built flush with the existing rear elevation of the dwelling it would not project past the rear elevation of no.42 next door, and the single storey extension would not project past the rear of the conservatory at that property.
- On the east side the rear elevation of the existing dwelling projects around 800mm past the rear of no.46 Elterwater Close attached. The single storey extension would project 2.47m which means there would be a total projection of around 3.2m along the shared boundary. As the proposed drawing shows there would be a gap to the fence of 300mm this projection would be acceptable in terms of SPD 6. It is also noted that the attached neighbour has not objected to the proposal.
- The position of the proposed extensions would not have any significantly detrimental impact on parking arrangements to the front 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 front 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

DELEGATED REPORT

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 and 2 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 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		DM 18/12/2025	