

**DELEGATED REPORT**

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|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Jane Langan    | <b>Date of report:</b> 21/05/2026 | <b>Ref:</b> 73037/FUL          |
| <b>Registration:</b> 15/04/2026 | <b>LDfC:</b> 11/05/2026           | <b>Expiry Date:</b> 10/06/2026 |
| <b>Site Visit:</b> 29/04/2026   | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b> 0            | <b>Con Area:</b> N/A              | <b>Adv Type:</b> N/A           |
| <b>Reason for Delay:</b><br>N/A |                                   | <b>EIA:</b> NA                 |
|                                 |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** Single storey extension at rear; Erection of detached outbuilding at rear

**Location:** 23 Fieldhead Avenue, Bury, BL8 2LX

**Description**

The property is a bay fronted semi detached house. It has an attached garage at the side with drive in front of this and the remainder of the front garden has been hard surfaced. A gap to the side leads round to a fenced rear garden. The site has been extended single storey across part of the rear which leads on to decking across the back of the property with the lawn at a lower level. The adjoining neighbour is No.21 and is extended single storey at the rear and to the opposite side No.25 is a two storey detached house. The rear garden of the site borders the rear gardens to 9 & 11 Greenfield Close which sit at a lower level.

The application includes extending the existing 2.6m deep single storey at the rear out at the side by 3.1m to run up to the boundary. It would extend the dining area. To the south east corner of the rear garden an outbuilding would be constructed with a footprint of 4m by 8m and flat roofed to a height of 2.5m. It would form a gym and garden store. The front extension originally proposed has been removed from the plans/description.

**Relevant Planning History**

43754 - Single storey rear extension and new pitched roof over existing flat roof - AC 27/01/2005.

**Publicity**

Surrounding neighbours were notified by letter and no responses have been received.

**Statutory/Non-Statutory Consultations**

**Traffic Section** - Raised concerns regarding the front extension and the 5m drive should be retained.

**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 PpE 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 single storey to the rear would extend out from the side from the existing extension with the roof forming a gable to the party wall side. The rear elevation would have a set of bifold doors. Materials for the extensions would be brick to match the existing and concrete roof tiles.

The proposed outbuilding would be located within the rear garden. It would be flat roofed and the walls finished in loglap timber. Its footprint and height would not be excessive for a domestic building.

The proposals are considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

**Parking** - There would be no change to the parking to the front of the property as the front

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extension has been removed from the proposal to retain the existing drive which is over 5m to the front of the garage door.

**Residential amenity** - The single storey extension to the rear would be 2.6m deep and run as blank wall to the boundary with the adjoining No.21 which itself is extended at the rear.

The proposed outbuilding would be located in the south east corner of the garden which is closest to No.21 and the rear boundary. The adjacent No.21 has its own outbuilding adjacent the boundary fencing. The proposed outbuilding would be blank wall to the side and rear elevations and at 2.5m would not be excessively high.

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 Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 25013-01 Revision B 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.

|                     |             |                         |             |
|---------------------|-------------|-------------------------|-------------|
| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
| JL                  | 21/05/26    | DM                      | 22.05.2026  |