

DELEGATED REPORT**Report by** Amanda**Date of report:** 17/06/2026**Ref:**73180/FUL

Uhunmwagho

Registration: 22/05/2026**LDfC:** 17/06/2026**Expiry Date:** 17/07/2026**Site Visit:** 09/06/2026**Site Notice:** N/A**Press Date:** N/A**Objections:** 0**Con Area:** N/A**Adv Type:** NONE**Reason for Delay:****EIA:** NA

N/A

Dec Level: DEL**Stat Class:** HOUS**Proposal:** Single storey side/rear extension**Location:** 8 Apollo Avenue, Bury, BL9 8HG**Description**

The application relates to a two-storey semi-detached property. The whole of the front of the site is paved for parking. The side/rear of the property is fenced off from the front and there is a pedestrian gate for access. At the rear there is a detached garage adjacent to the shared boundary with no.10 next door and there is a patio area to the side. The patio area is fenced off from the rest of the garden to the rear. There are fences to all boundaries.

The proposal is to build a single storey side/rear extension which would provide a wc and utility room to the side and an extended kitchen and dining/living area to the rear. The extension would measure approximately 1.74m wide and it would measure 10m along the side. At the rear it would project 6m beyond the existing rear elevation and it would measure 4m wide. The roof would be hipped. To the front of the extension there would be a bin storey which would be constructed in timber.

Relevant Planning History

N/A

Publicity

8 neighbours notified on 27/05/2026 -

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.

The extension would be set back from the main front elevation of the original building and it would be built with a design and finished materials that would be considered to be in keeping with the existing building. The timber bin store would be directly in front of the extension and it would be flush with the existing front elevation of the house. This would ensure that the bins were stored away from the front of the property and would not cause any significant detrimental harm to the character of the existing streetscene.

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 -

- There would be just over 9m from the rear of the extension to the rear boundary. This would be acceptable in terms of SPD 6.
- There would be no windows in the side elevation facing no.10 next door.
- The extension would extend from the front elevation of the application dwelling and would project 6m past the original rear elevation. No.10 has a driveway and car port adjacent to the shared boundary as well as a detached garage to the rear, and there are no habitable room windows to the side of no.10. As such it is considered there would not be any significant detrimental impact on residential amenity at no.10 Apollo Avenue next door.
- The drawings show that all of the development would be within the residential curtilage.
- The side extension would be set back from the main front elevation of the property with a bin store in front. The separation distance between the extension and properties to the front would be acceptable in terms of SPD 6.
- There would be sliding patio doors to the rear elevation of the extension as well as patio doors to the north side elevation. The patio doors to the side elevation would be just under 3m away from the shared boundary. There is an existing fence along the boundary that would screen most of the views to the rear of no.6 next door from the doors. There have been no objections from the attached neighbour. As such, in this instance the position of the patio doors would be considered acceptable.
- The extension would project 6m from the original rear elevation of the dwelling. Neither of the adjacent neighbours have not objected to the proposal.
- The proposed bin store to the front of the extension would not project forward of the main two storey front elevation and as such would not have any significant detrimental impact on the existing parking arrangements on 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 existing parking to the front of the site is currently sub-standard, and although there is a detached garage to the rear of the house there is no access to it at the side of the property. The side of the property is currently fenced off, with a pedestrian gate to access the rear garden.

It is noted that the applicant could build a single storey side extension under Permitted Development rules, in a similar position to the proposed. As there is a fence and gate to the side of the dwelling the applicant can currently park a vehicle comfortably on site at an angle across the front of the dwelling. This would not change once the extension is built.

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. There is on street parking available to the highway in front and there is public transport nearby. In this instance the parking arrangements would be considered sufficient.

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

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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 8ADZC-001, 8ADZC-002, 41BRDG-003, 8ADZC-004, 8ADZC-005, 8ADZC-006, 8ADZC-007, 8ADZC-008, 8ADZC-009 and 8ADZC-010 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 -	17/06/2026	DM	16.06.26