

DELEGATED REPORT

Report by Tom Beirne	Date of report: 31/03/2026	Ref: 72883/FUL
Registration: 20/02/2026	LDFC: 26/03/2026	Expiry Date: 17/04/2026
Site Visit: 20/03/2026	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two/singley storey extensions at front and rear

Location: 38 Freckleton Drive, Bury, BL8 2JA

Description

The application relates to a two storey detached house on a residential road of similar styled properties. Open plan frontage. At the rear the neighbour to the north (No.40) has a single storey rear extension whist the neighbour to the south has not extended.

It is proposal includes:

- Front extension, including a porch, projecting out 1.5m and running across to link into the existing single storey front outrigger.
- A two storey extension with a hipped roof running across the rear elevation and projecting out 5.6m
- A single storey extension with a mono-pitched roof projecting 400mm off the two storey rear extension.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 04/03/2026. One objection from a neighbour stating that an extension to the front of the property does not match the character of the house nor the surrounding properties. It will be overbearing and dominant. Parking is a growing issue on our street. Adding this will increase the issue with an extension taking up the houses available off street parking for 1-2 cars

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.

Visual amenity - The extension to the front has been set back at first floor level and would appear more in keeping with the house and within the streetscape. The rear extension would not be out of keeping with the house and would not be prominent within the streetscape.

The extensions are considered to be acceptable and comply with UDP Policy H2/3 and guidance in SPD6 relating to extensions and alterations.

Residential amenity - At the front, there are no serious residential amenity issues arising.

There would be a distance of 14m from the first floor habitable windows in the rear extension to the rear garden boundary and there are no windows in the side. This is acceptable and compliant with Policy H2/3 and guidance with regard to privacy. On the north side the extension on the rear of the neighbour mitigates the impact of the two storey extension to an acceptable degree. On the south side, the extension complies with the '45

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degree rule' and impact of overshadowing is further mitigated by the sun's relative aspect. Given the size of the gardens, the impact of the extension on the enjoyment of the outdoor space is not significant enough to warrant refusal.

In terms of residential amenity the proposal is acceptable and complies with UDP Policy H2/3 and guidance in SPD6 with regard to extensions and alterations.

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 1, 2 and 3(RevA) 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.
- 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	31/03/2026	DM	08.04.2026