

DELEGATED REPORT

Report by Mo Warsame	Date of report: 24/09/2025	Ref: 72252/FUL
Registration: 01/08/2025	LDFC: 23/09/2025	Expiry Date: 26/09/2025
Site Visit: 05/09/2025	Site Notice: N/A	Press Date: N/A
13:00:00		
Objections: 2	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Part single/part two storey rear extension.

Location: 42 Wellington Road, Bury, BL9 9BQ

Description

The property is a two storey end of terrace dwelling. At the rear there is a single-storey extension and yard with a pedestrian gate to the rear street. The attached property, (No.44 Wellington Road), has a single storey extension and a garage to the rear. No. 40 Wellington Road is on the other side and separated by an highway and a sufficient distance exists between the site and the properties to the rear as they are separated by a back street.

The applicant proposes to build a part single, part two-storey extension. The single storey element would run to the rear boundary by effectively extending the existing single extension by approximately 5.8m. The width of this element would be 3.6m. The two storey segment would have a splayed corner along the shared side boundary to mitigate any potential encroachments. It would project 1.9m on this side, then run at an angle before joining the other side which would extend by 3.4m. Both elements of the extension would have a pitched roofs. The eaves height of the single storey extension would be 2.4m. The proposal would facilitate a kitchen and a wet room on the ground floor level and bedroom extension along with a bathroom on the first-floor level. The development would use matching to construct the extensions.

Relevant Planning History

69130 - Single storey extension at rear and loft conversion with rear dormer - Approve with Conditions 09/02/2023.

Publicity

Neighbour letters sent on 01/09/2025. One objection received.

Comments

There is a concern that the development would be overbearing or lead to the loss of sunlight/daylight and the feeling of being overwhelmed, overlooked due to its size and position. The objecting party also believe that the design of the extensions would negative impact on the street scene as no one on the road/street has this type of extension(s).

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

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

The part single, part two-storey rear extension would be built with matching materials that would be in-keeping the existing building. Even though the single storey element would a very large extension, its design is commonly found on this type of property and as such, there are number of properties with similar developments within this street.

The proposed two storey element, whilst not as common on this street as the single storey segment, it would nevertheless be a modest structure that is designed to mitigate to potential encroachments that could be caused to its neighbours.

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.

Residential amenity

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The extension would be built on the rear of this building, therefore, there would be no impact on properties to the front.
- There would be a sufficient distance between the properties at the rear and the proposed development.
- The proposed development would project as blank wall on the ground floor and the proposed side window on the first floor would be facing towards an angle and would as such would not directly overlook the neighbouring property.
- The adjoining property have extended single storey at the rear and therefore the section of the proposal that projects past their rear elevation would be effectively as single storey to single storey. The extension would project 1.9m along the shared boundary before its splayed corner runs inwards at an angle. Therefore, the 45-degree rule would not be encroached.

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.

Highways

The proposal would increase the number of bedrooms by one but there would be no changes to the parking layout, it is therefore considered that the parking arrangements are sufficient.

Response to Objection(s)

The report has addressed the main concerns of the objecting party and as such would not warrant a refusal. There would not be any significant detrimental impact on the neighbouring properties. Overall, the above assessment above has highlighted that there would not be adverse impacts and addressed the other concerns of the objections.

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 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 Sheet 1 of 2, Sheet 2 of 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 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>
MW	24/09/2025	DM -	25/09/2025