

DELEGATED REPORT

Report by Tom Beirne	Date of report: 24/09/2025	Ref: 72251/FUL
Registration: 01/08/2025	LDfC: 19/09/2025	Expiry Date: 26/09/2025
Site Visit: 09/09/2025	Site Notice: N/A	Press Date: N/A
Objections: 3	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension and front porch

Location: 2 Beech Grove Close, Bury, BL9 6ES

Description

The application relates to a red brick semi-detached two storey house with a flat roof outrigger to the side on a residential cul-de-sac of similar styled houses. The attached neighbour, on the south side has not been extended.

The proposal has two main elements.

The front porch would project out 2.4m with a width of 3m and a hipped roof. Finished in brick to match.

The rear extension would extend across the original rear elevation and project out 4m. It would have a flat roof at a height of 2.6m and an additional central roof lantern. Finished in brick to match.

Relevant Planning History

66111 - Single storey extension at rear - Refused 04/12/2020

66327 - Single storey extension at side with front porch and widening of existing driveway - Approve with Conditions 10/02/2021

66740 - Lawful development certificate for proposed erection of 3 m deep rear single-storey extension full width of original house, and extension of the existing porch to increase to 3sqm total - Lawful Development 17/05/2021

71225 - Single storey rear conservatory and front porch - Approve with Conditions 20/11/2024

Publicity

Immediate neighbours notified by letter dated 01/09/2025. Three objections from neighbours summarised below:

- Design and appearance poor.
- Extension is too large and constitutes overdevelopment.
- Concerns about loss of daylight into rear garden of neighbour.
- Right to light concerns. Overshadowing.
- Porch too big and out of keeping with streetscene.
- Rooflight not required.
- Works are unsuitable and represent waste of taxpayers money.

A comment from the applicant has been received in response to objections.

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
EN1/2	Townscape and Built Design

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.

Need - Guidance within SPD6 Alterations and Extensions indicates that the local planning

authority will, where appropriate, allow a degree of flexibility in its assessment of proposals that are for persons with special needs. Information and evidence from an appropriately qualified person has been submitted to on behalf of the applicant to justify the proposal and this is accepted.

Visual Amenity - The proposed porch on the front, in projecting out 2.4m, would be larger than average but would need to accommodate wheelchair access. It has been reduced back from 3m to 2.4m and with a hipped roof, would not appear particularly incongruous within the streetscape. It is not a poor design and built in red brick, the finish would match the house.

The single storey rear, flat roof extension, again would need to accommodate a wheelchair user. With a projection into the rear garden of almost 4m, it would not be overly large and would not be viewed from the public arena. It is noted that a previous conservatory of a similar scale was approved in 2024. The proposal is acceptable in terms of design and scale and would comply with UDP Policy H2/3 and guidance in SPD6 relating to extensions and alterations.

Residential Amenity - The proposal would not create any direct overlooking issues. Positioned on the north side of the attached neighbour, the extension, even with a slight difference in levels, would not have a significant impact on light levels and shadowing of the neighbour's property. It is not considered, with a projection of almost 4m, the impact on the attached neighbour is not so serious as to warrant refusal of planning permission. In terms of residential amenity, the proposal is acceptable and complies with UDP Policy H2/3 and guidance relating to extensions and alterations.

Objections - The objections, where relevant to planning, have been addressed in the above report. Issues with regarding Party Wall Act to Right to Light are not material considerations and relate to other legislation. An informative referring to the Party Wall Act would be attached to any decision notice. Whether something is a 'waste of taxpayers money' is not an issue that is considered within this application.

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 existing drawings numbered 1 and revised plan 2/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.

- 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	24/09/2025	DM -	25/09/2025