

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 01/07/2026	Ref: 73253/GPDE
Registration: 26/05/2026	LDFC: 22/06/2026	Expiry Date: 07/07/2026
Site Visit: 10/06/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Prior Approval for Proposed Single Storey Rear Extension

Location: 111 Devon Street, Bury, BL9 9HT

Description

The application property is a two storey mid-terraced dwelling on the eastern side of Devon Street. The front of the property is separated from the pavement by a low wall and small front garden area. The rear garden of the property is bound by brick walls.

Prior approval is sought for a proposed single storey rear extension. The proposed would project 6m from the original rear elevation of the property and would be approximately 5.2m in width. It would incorporate a pitched roof a maximum of 3m in height with an eaves height of 2.7m

The area is residential in nature with parking on street being common.

Relevant Planning History

None

Publicity

5 neighbouring properties were consulted on 29.05.2026. No comments or observations have been received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Development Plan and Policies

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 proposal is assessed using the guidance contained within Part 1 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The use of the dwelling has not been granted by virtue of Classes M, N, P or Q of Schedule 2.

The proposed extension does not cover more than 50% of the total area of the curtilage.

The proposed does not exceed the height of the existing dwelling and, furthermore the eaves of the proposed would not exceed the eaves of the existing dwelling in height.

The proposed does not extend past the side elevation of the dwelling.

The proposed is single storey, projects 6m from the original rear elevation of the dwelling and does not exceed a maximum of 4m in height.

The proposed is within 2m of the boundaries of the site however the eaves are less than 3m.

The proposed does not include the provision of a veranda, balcony, raised platform, chimney, flue, soil or vent pipe. There would be no alteration to microwave antennae and

DELEGATED REPORT

there are no alterations to the existing roof of the dwelling.

Taking the above into consideration, the proposal therefore complies and prior approval is not required.

Recommendation: Prior Approval Not Required

Conditions and Reasons:

<u>Case Officer</u> CO 01.07.2026	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
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