

DELEGATED REPORT

Report by Helen Leach	Date of report: 11/05/2026	Ref: 72935/FUL
Registration: 17/03/2026	LDfC: 10/04/2026	Expiry Date: 12/05/2026
Site Visit:	Site Notice: 25/03/2026	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: Conversion of existing garage at rear into single storey rear extension

Location: 25 Halsall Close, Bury, BL9 6HN

Description

The application relates to a two storey detached dwelling, which is located at the head of a cul-de sac (Halsall Close). The dwelling is constructed from red brick with a tile roof and has mock tudor cladding. The dwelling has previously been extended to the side and rear. There are 2 parking spaces at the front

There are residential properties to all boundaries.

The proposed development involves the erection of a single storey rear extension, which would be located where the garage was previously. Currently, there is an 1.8 metre high wall along the boundary with No. 23 and the other garage walls are lower (approx 1 metre).

The proposed extension would measure 2.7 metres by 4.7 metres and would be 3.6 metres in height at the highest point. The proposed extension would be constructed from red brick with a tile roof.

Relevant Planning History

45373 - Two storey extension at side & single storey extension at rear at 25 Halsall Close, Bury. Approved with conditions - 14 November 2005.

49561 - Two storey extension at side; single storey extension at side and rear at 25 Halsall Close, Bury. Approved with conditions - 8 April 2008.

Publicity

The neighbouring properties were notified by means of a letter on 18 March 2026. There has been no response.

Statutory/Non-Statutory Consultations

None required.

Pre-start Conditions - Not relevant.

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 proposed extension would be located at the rear of the dwelling and would utilise the existing walls of the former garage. The wall along the boundary is 1.8 metres in height and the other walls are 0.9 metres in height. As the proposed development would be located at the rear, there would be no adverse impact upon the streetscene.

The windows would be suitable aligned and the proposed extension would be constructed from matching materials.

Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

Residential amenity - SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

The proposed development would result in a projection of 4.7 metres from the previously approved extension. SPD6 states that extensions on the boundary should not normally extend in excess of 3 metres. Extensions projecting in excess of 3 metres will be assessed against a 45 degree line from the neighbouring habitable room windows.

The 45 degree line would cross the extension, when drawn from the habitable room at No. 23 Halsall Close. However, given that the boundary wall of 1.8 metres in height is already present on site, the main impacts of the extension would be the roof. The proposed roof would be dual pitch and would slope away from the neighbouring dwelling. In addition, the habitable room window would be 6 metres from the proposed extension. Given the above, it is considered that the proposed extension would not have a significant adverse impact upon the amenity of the neighbouring property (No. 23), when compared to the existing arrangements.

The windows on the elevation facing No. 23 Halsall Close would be high level and would not impact upon the privacy of the occupiers of No. 23.

There would be 14.8 metres between the proposed extension and 30 Fairlands Road. There would be 10.5 metres between the proposed extension and 15 Sycamore Drive. As there is vegetation and boundary fencing, the proposal would not impact upon privacy or loss of light.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

Parking - The proposed extension would be located at the rear and the existing parking arrangements at the front of the dwelling would be unaffected.

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 WF/25HAL/001, WF/25HAL/002a, WF/25HAL/003, WF/25HAL/004 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.

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- 3 Before the first occupation of the extension hereby permitted the windows in the western elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with 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>
HL - 11/05/2026		DM 11.05.2026	