

DELEGATED REPORT

Report by Amanda

Date of report: 25/06/2025

Ref:71824/FUL

Uhunmwagho

Registration: 16/04/2025

LDfC: 16/05/2025

Expiry Date: 11/06/2025

Site Visit: 03/06/2025

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single/two storey rear extension

Location: 20 Wilson Street, Pimhole, Bury, BL9 7EF

Description

The proposal relates to a two storey semi-detached house which has been previously extended at the rear and there is a detached outbuilding, which has a bedroom and bathroom. This is possibly an original garage which has been converted.

Directly to the rear of the site is a piece of land belonging to a neighbouring property and beyond that is the East Lancashire railway. Number 18 Wilson Street to the west has a slightly higher ground level to that on site.

The proposal is to build a single/two storey rear extension. The single storey element would project 5m from the original rear elevation and the first floor would project 3.22m. The roof to the two storey extension would be hipped and the single storey extension would have a flat roof.

Relevant Planning History

N/A

Publicity

2 neighbours notified on 23/04/2025 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - N/A

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

PFE Places for Everyone

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 main considerations of this application are the impact of the proposal on visual and residential amenity.

Visual Amenity -

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

As the extension would be to the rear of the existing dwelling it would not be readily visible in the public realm. It would be visible from the rear gardens of adjacent neighbours but as it would be built with a design and finished materials that would be considered to be in keeping with the existing building it would not have any significant detrimental effect on visual amenity.

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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- There is a piece of land directly to the rear that belongs to a neighbour, but there are no residential properties immediately to the rear of the site.
- The extension would be built away from the shared boundary with no.18 Wilson Street to the west and there would be no windows in the side elevation facing that property. As such the extensions would not have any significant detrimental effect on residential amenity at this property.
- No.18 also has a higher land level compared to that on site and there is a shared access path to the rear of the neighbouring properties between the site and no.18.
- There is an existing single storey extension at no.22 Wilson Street, (attached), which projects 6m along the shared boundary. As such the proposed development would be considered acceptable in terms of SPD 6 and there would not be any significantly detrimental impact on residential amenity at this property.
- As the extension would be located on the rear of the existing dwelling it would not have an impact on existing parking arrangements within the site.

Taking the above into account 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.

Parking -

The proposal would increase the number of bedrooms from 4 to 5 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has a drive to the front/side of the existing dwelling for at least 2 vehicles and this would not change due to the proposed development. The area has on street parking and there is public transport available nearby. In this instance then the parking arrangements are considered sufficient.

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 Sheet 1 and Sheet 2 received on 02/04/2025 and drawings numbered Sheet 3 Rev 1 and Sheet 4 Rev 1 received on 10/06/2025 as modified by the Email from Mr Stewart Rothwell dated 10/06/2025. The development shall not be carried out except in accordance with the details

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hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the 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, 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 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>
AU - 25/06/2025			