

DELEGATED REPORT

Report by Amanda

Date of report: 16/10/2025

Ref:72247/FUL

Uhunmwagho

Registration: 01/08/2025

LDfC: 12/09/2025

Expiry Date: 26/09/2025

Site Visit: 19/09/2025

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at side; new pitched roof over existing single storey extension at rear; 1m high timber fence to front of the site and pedestrian gate.

Location: 2 Sandown Road, Bury, BL9 8HN

Description

The application relates to a two storey semi-detached house with gardens to the front and rear of the site. There is a drive to the front of the site. There is an existing single storey extension to the side/rear of the property and a porch to the front. At the rear of the property is a small garden with a detached building which is possibly a converted garage as there appears to be a dropped kerb from the access road at the side of the site. This is now blocked with a brick boundary wall and outbuilding.

To the rear of the site is Elms Bank School and there is an access road to that site to the west of the application site. The property is currently undergoing building works to add a rear dormer on the dwelling which is being constructed under Permitted Development rules and is not part of the current proposal.

The proposal is to build a single storey side extension as well as adding a new pitched roof over the existing single storey rear extension. The extension would project around 3.4m from the side of the existing porch at the front of the property and it would measure around 11.04m along the side. At the rear it would project to the same point as the existing single storey extension. The extension would provide a ground floor utility room and bathroom as well as extended living areas. The roof would be hipped and there would be a window to the front, rooflight to the side and bi-fold patio doors at the rear.

The site is currently accessed at a junction with the highway in front and the side road, as well as users having to cross an area designated for pedestrians crossing the road for access to the school at the rear of the site. The applicant intends to erect a 1m high timber fence and pedestrian gate to the front corner of the site which would prevent any unauthorised crossing from the highway on to the site.

Relevant Planning History

N/A

Publicity

5 neighbours notified on 22/08/2025 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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.

The extension would be built with materials and a design that would be considered to be in keeping with the existing property and as there are a different types of boundary treatments in the area, the proposed 1m high fence would not appear intrusive in the existing streetscene.

SPD 6 does state that usually an extension adjacent to a highway should be at least 2m set in from the site boundary but a lesser set back could be considered in some locations. The majority of properties on Sandown Road are set in from side boundaries so the proximity of this extension to the side boundary would be slightly different. However, given that the extension would be single storey, it would be set back from the front of the dwelling and junction, and the road to the side is only an access road to the school any impact on the character of the streetscene would be considered minimal and not sufficient enough to warrant refusal. The design of the proposal is considered acceptable in this location.

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 school to the rear of the site but any views to and from the extension would be screened by the existing detached outbuildings to the rear of the site.
- The separation distance from the front window to properties on the opposite side of Sandown Road would be acceptable in terms of SPD 6.
- There would be no windows to the side elevation.
- The drawings show that all of the development would be within the site curtilage. Therefore there would be no concerns about encroachment on to the highway to the side of the site.
- The proposed 1m high fence to the front boundary could be erected as permitted development and given that it would prevent the use of an unauthorised vehicular crossing it would help to improve highway safety in this location.
- As the extension would be built on the west side of the dwelling there would be no significant detrimental effect on residential amenity at no.4 Sandown Road next door.
- The extension would be close to the side boundary, but would be positioned well back from the junction of the access road and Sandown Road. It is considered that it would not have any significant detrimental impact on car/lorry drivers using the road, or pedestrians.

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.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. However, one parking space would be lost at the front of the site due to the existing crossing being unauthorised and the remaining drive length being sub-standard in terms of SPD6. There are two areas marked for pedestrian crossing to the front and side of the site, otherwise there are no parking restrictions to the highway and there are public transport links close by. As such, in this instance the proposed parking arrangements would be considered acceptable at this particular site.

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 2025-07-01-01, 2025-07-02-03 and 2025-07-01-04 received on 03/09/2025 and drawing numbered 2025-07-01-02 Revision A received on 14/10/2025 as modified by the email from Mr David Slater dated 14/10/2025. The development shall not be carried out except in accordance with the details 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.
- 4 The 1m high timber fence and pedestrian gate indicated on the revised existing and proposed site plan shall be erected within three months of the decision date.
Reason. To ensure good highway design in the interests of road safety pursuant 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 16/10/2025		HL - 16/10/2025	