

DELEGATED REPORT

Report by Jane Langan	Date of report: 21/10/2025	Ref: 72352/FUL
Registration: 08/09/2025	LDFC: 14/10/2025	Expiry Date: 03/11/2025
Site Visit: 30/09/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	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 new gable on rear elevation to form bedroom at first floor

Location: 37 Middleton Drive, Whitefield, Bury, BL9 8DT

Description

The property is a detached bungalow located along a row of similar. It has a garden to the front and drive along the side leading to a fenced rear garden. To the rear the north side of the elevation is deeper and has been extended with a conservatory. The neighbouring property to this side is No.35 and projects out single storey to around the depth of the site conservatory. To the opposite side No.39 is a similar bungalow with fencing separating and its drive alongside that to the site and a detached garage. Beyond the site rear boundary fencing is public footpath 25WHI and then the rear garden to 19 Leslie Ave which sits at a lower level.

The application includes the removal of the conservatory and construction of a single storey extension which would be 3m deep and 4.8m across to the north side of the rear elevation. The shallower section of the rear would be extended out 2m deep and 4.3m across to bring it level with the main rear. The main roof which is hipped would be extended out as a gable. The extensions would form a dining area and extended office and bathroom at ground floor. The gable extension would increase the roof space to create a bedroom with ensuite.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter and no responses have been 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 PpE 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 and design - There would be no change to the front elevation. The extended gable would run from the main ridge at the same height and located to the rear it would not be readily visible from the main street view. Roof materials would be tiles to match the existing colour. Walls to the rear gable and single storey rear would be in brick to match the existing and the single storey roof would be flat with a lantern light.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The existing plans note the property a one bed with office therefore potentially 2 bed. The proposal would retain this at ground floor with the addition of a bedroom with ensuite at first floor so there would be potential for 3 bed. SPD6 requires parking spaces

as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide 2 parking spaces. The site has a drive to the front and which runs the length of the side of the property and therefore there would be sufficient parking.

Residential amenity - The proposed single storey extension where adjacent No.35 would extend as blank wall. To this side it would replace the conservatory and be 3m deep which would see it come to be around level with the rear of No.35. To the opposite side the extension would be 2m deep and project less than 3m from the rear of No.39 and they are also separated by the two drives.

The extended gable roof would introduce a first floor window to the site and there would be approximately 11m to the rear boundary with the footpath and beyond the garden to the property at the rear. This would comply with SPD6 Aspect Standards which requires 7m from a first floor window to the rear boundary.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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 TDS-24-196-01, TDS-25-196-02, TDS-24-196-03, TDS-25-196-04 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	21/10/25	HL -	23/10/2025