

DELEGATED REPORT

Report by Tom Beirne	Date of report: 29/07/2026	Ref: 73246/FUL
Registration: 06/07/2026	LDfC: 28/07/2026	Expiry Date: 31/08/2026
Site Visit: 28/07/2026	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: HOUS

Proposal: Raising of existing roof ridge height and roof/elevation alterations and two storey extensions at front/side/rear

Location: 36 Seedfield Road, Bury, BL9 6PD

Description

The property is a two storey detached dwelling on a large corner plot. There is an access and driveway leading to a detached garage on the rear boundary. The adjacent property (No.34) is a similar styled semi-detached house with a single storey outrigger at the rear. To the rear is the side elevation of No. 9 Arley Ave and No.10 Arley Ave faces the site from across the road to the side.

The applicant proposes to build a two storey front extension, on the north west corner, effectively squaring of the house at the front. There would also be two storey bays on either side of a porch on the front. At the rear, a two extension would run across the rear elevation and project out 4m. The new roof would be hipped with a main ridge raised by 1m. The extensions would be finished in brick with tiles to match the house.

The development would accommodate a new reception room along with an enlarged open plan kitchen/dining/living area on the ground. The first floor would accommodate an additional bedroom with ensuite.

Relevant Planning History

71559 - Two storey front and side extensions; two/single storey rear extension and alterations to roof - Approve with Conditions 20/03/2025

Publicity

Immediate neighbours notified by letter dated 06/07/2026. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

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 - Although relatively large, the extensions are considered to be in keeping with the existing house and, whilst prominent, in materials to match, would not appear incongruous within the wider streetscape.

The extensions are acceptable in terms of visual amenity, comply with UDP Policy H2/3 and guidance within SPD6 relating to extensions and alterations.

Residential amenity - The immediate neighbour on the south side is set of the shared side boundary and has a single storey extension on the rear. The proposed rear extension, situated to the north and extending approximately 600mm past the neighbour's outrigger, would not have a significant impact. The window in the outrigger facing the site cannot be afforded significant weight in the assessment. The extension at the rear would satisfy the

'45 degree rule' in terms of the neighbour's upper bedroom window.

With a gap of over 7.5m across the rear garden to the rear boundary with No.9 Arley Avenue. This is considered to be acceptable in terms of overlooking and complies with guidance. The side window in the extension at No.9 Arley Avenue, facing into the rear garden, cannot be given weight in any assessment.

There would be a new first floor bedroom window in the side gable facing over Arley Avenue. This would be approximately 20m away from properties across the road and would not be dissimilar to other relationship with other properties along the road. It is noted that there are no objections from neighbours.

Parking and access - The existing access, driveway and garage would remain in situ and this would be acceptable in terms of parking and access.

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 Sheets 1 -8 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.
- 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	29/07/2026	DM	30/07/2026