

DELEGATED REPORT

Report by Tom Beirne	Date of report: 18/06/2026	Ref: 73175/FUL
Registration: 15/05/2026	LDFC: 11/06/2026	Expiry Date: 10/07/2026
Site Visit: 17/06/2026	Site Notice: N/A	Press Date: N/A
Objections: 2	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Demolition of existing porch and erection of new front porch with first floor balcony;
First floor front extension; Single storey rear extension

Location: 350 Manchester Road, Bury, BL9 9NR

Description

The application relates to a large two storey detached house with porch and single storey outrigger to the front with balcony above. Similar styled detached house to the south and Orchard Court flats to the north. The northern boundary wall/fence, shared with Orchard Court is planted up with mature trees.

The proposal has three elements:

- A new central front porch with balcony above. It would project out 2.2m and run across 3.2m.
- The new first floor extension over the existing single storey outrigger on the front elevation, on the north side. It would have a shallow pitched roof carried over onto the existing roof. The extension would be 11.5m from the side of Orchard Court.
- The single storey rear extension would project out 3m with a width of 4m and have a shallow pitched roof. Finished in red brick and tile to match house.

Relevant Planning History

54327 - Single storey and two storey extension at rear - Approved 13/09/2011

54948 - Part single storey and part two storey extension to rear. - Approved 19/04/2012

58282 - Part single storey/part two storey extensions to rear - Approved 20/01/2015

Publicity

Immediate neighbours notified by letter dated 20/05/2026. Site notice posted. Two objections received and summarised as follows:

- The rear single storey extension would impact on outlook and light from a ground floor apartment at Orchard Court.
- Potential loss of light and overshadowing.
- Loss of privacy and overlooking into private living spaces/shared communal garden.
- Concern about possible overstepping of building line. Request for Party Wall Surveyor.
- Concern about construction noise. Request for Council to advise proposer of permitted working hours and no works to be carried out on a Sunday or Bank holiday

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 - The extensions are relatively modest in scale and would be in keeping with the existing house. Set well back from the public highway and screened by boundary planting, the extensions, finished in red brick to match the house, would not appear prominent within the streetscape.

In terms of visual amenity the proposal is acceptable and complies with UDP Policy H2/3 and associated guidance in SPD6 relating to extension and alterations.

Residential amenity - Removing the existing balcony at the front/side and relocating it above the central porch would reduce overlooking of Orchard Court to the north. Given the existing mature tree planting and fencing along the boundary, there are no serious overlooking issues arising with regard to Orchard Court. The new balcony above the porch is set centrally on the front and is a sufficient distance away from boundary with neighbour to avoid overlooking issues. There are no side windows in the extensions.

The first floor extension at the front would be approximately 11.5m away from the side elevation of Orchard Court. Windows on Orchard Court are not directly facing but off-set with mature trees along the shared side boundary so the impact on light and outlook is significantly mitigated.

The rear extension is single storey and projecting out 3m, would be deemed 'permitted development' under current planning regulations. Notwithstanding this, its impact on neighbours is negligible.

In terms of residential amenity, the proposal is acceptable and complies with UDP Policy H2/3 and associated guidance in SPD6 relating to extension and alterations.

Objections - The planning issues raised by both objectors have been addressed in the above report. Issues regarding construction, encroachment and party walls would be addressed by environmental health regulations and property law, rather than planning.

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 HA25030-01A, 02, 03 and SK1/D 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.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	18/06/2026	DM	19.06.2026