

DELEGATED REPORT

Report by Tom Beirne	Date of report: 07/08/2025	Ref: 71887/FUL
Registration: 19/05/2025	LDFC: 12/06/2025	Expiry Date: 14/07/2025
Site Visit: 24/06/2025	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: No. 65 - Two storey front/side extension; First floor rear extension
No. 67 - Two storey front extension; First floor rear extension; Hip to gable roof extension including changes to the roof of existing two storey side extension
Location: 65 & 67 Bury Old Road, Prestwich, Manchester, M25 0FG

Description

The application relates to a pair of two storey semi-detached properties on Bury Old Road. Immediately to the south is a local shopping centre and to the north are similar styled houses. To the rear are houses and across Bury Old Road is a mosque. Both houses have parking at the front and have been extended in the past.

This proposal has the following elements:

No.65 Bury Old Road

New porch to front - 2.2m by 1.6m

Two storey side extension - projecting out 4.6m to side boundary and running back 3.5m from the rear elevation. Lower window planes obscure glazed.

First floor rear extension above existing single storey extension projecting out 2.4m, slightly set in from the two storey extension with new two storey side/rear extension. Bedroom window obscure glazed in the lower planes.

No.67 Bury Old Road

New porch to front - 2.2m by 1.6m

First floor rear extension above existing single storey outrigger, lined up with the adjacent extension at No.65. Windows would be obscure glazed in the lower panes.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 21/05/2025. One objection and one letter of support received.

Objection is based on impact of construction traffic and potential for causing severe disruption.

Supporter indicates investment being made into our local area is welcome and extension will blend with the other houses that are neighbouring and modernise it.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Development Plan and Policies

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 - In terms of design and appearance, the proposed extensions are in keeping with the existing houses and would not appear incongruous within the wider streetscape. The proposal is acceptable and complies with UDP Policy H2/3 and SPD6

relating to extensions and alterations.

Residential Amenity - Revised plans have been submitted following concerns about the proximity of windows to the rear boundary and potential overlooking.

In terms of the relationship between neighbours in the immediate area, the general pattern is for the properties to be relatively 'close' with small rear yards/ gardens. Although the new first floor bedroom windows in the rear elevations of both properties would be less than the minimum 7m suggested in guidance, the upper windows in centrally positioned first floor extensions have been set back slightly and the lower panes in all the new windows would be obscure glazed to reduce overlooking towards properties at the rear.

Given the relationship to neighbours, setting back windows from the rear boundary and obscure glazing the lower panes would significantly mitigate any overlooking and improve privacy. The proposal in terms of residential amenity would be just about acceptable with conditional control of obscured glazing.

Parking and Access - Both properties would retain parking at the front. The additional living space in both properties would not have a significant impact on overall parking levels. The site is on a major throughroute and close to public transport routes. In terms of UDP Policy H2/3 and SPD6 Extensions and alterations, the proposal is acceptable in relation to parking.

Objection - The objection from the closest commercial property on the shopping parade relates to concerns with regard to construction traffic and building work. These issues are not significant to the assessment of the proposal. If approved, an appropriate traffic management plan would be attached to any decision. Building sites are also be regulated by other bodies - Environmental Health and Health and Safety Executive.

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 Sheets 1-3(existing) and revised drawings Sheets 3-7 received 24/07/2025 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.

- 4 Before the first occupation of the extensions hereby permitted the new first floor windows on the rear elevations shall be fitted with obscured glazing (min obscurity 3) and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with 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> TB 7/8/25	<u>Date</u>	<u>Sign off Officer</u> DM - 07/08/2025	<u>Date</u>
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