

DELEGATED REPORT

Report by Helen Leach	Date of report: 30/07/2025	Ref: 72080/FUL
Registration: 19/06/2025	LDFC: 29/07/2025	Expiry Date: 14/08/2025
Site Visit: 29/07/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey rear extension; render finish to all elevations and changes to existing fenestration

Location: 209 Sunny Bank Road, Bury, BL9 8JU

Description

The application site relates to a detached dwelling, which is located on Sunny Bank Road. The dwelling has been constructed from brown and beige brick with a tiled roof. There is a garden at the rear and a large driveway to the front that could accommodate 3 vehicles.

There is a golf course to the north and residential properties to the east, west and south. Sunny Bank Community Centre is located to the southwest.

The proposed development involves a two storey extension at the rear and elevational changes and rendering the property. The proposed rear extension would project 1.3 metres of the rear wall and measure 6.4 metres in width. The proposed elevational changes involve creating 4 windows of equal size on the front elevation and amendments to the windows either side of the front door. The proposed render would be applied to the whole property.

Relevant Planning History

30172 - First floor side extension and pitched roof over front porch at 209 Sunny Bank Road, Unsworth. Approved with conditions - 6 October 1994

30517 - Small single storey extension at front of 209 Sunny Bank Road, Unsworth. Approved with conditions - 3 January 1995.

Publicity

The neighbouring properties were notified by means of a letter on 4 July 2025. There has been no response.

Statutory/Non-Statutory Consultations

None required.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3	Extensions and Alterations
EN1/2	Townscape and Built Design
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

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 - 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 proposed extension would be located entirely to the rear of the property and would not be visibly from Sunny Bank Road. The extension is of a simple and unobtrusive design and would infill an existing recess at the rear of the dwelling. The proposed development would not lead to an over development of the associated residential amenity space.

The proposed windows on the front elevation would be re-sized so all would be of the same

proportions and the windows either side of the front door would be amended to windows with a vertical emphasis. It is considered that the proposed windows would be suitably aligned and the proposed use of render would match the adjacent property.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore comply with UDP Policy H2/3 and SPD 6.

Residential amenity - SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- There would be over 25 metres between the front elevation and the community centre opposite. This would be in excess of the 20 metre aspect standard.
- There would be 9 metres from the proposed extension to the directly facing boundary, which would exceed the 7 metre aspect standard.
- The proposed extension would not project past the building line of the existing dwelling and would not have an adverse impact upon the occupiers of No. 211 Sunny Bank Road.
- The proposed extension would project 0.8 metres past the rear elevation of No. 207 Sunny Bank Road and as such, would not have a significant adverse impact upon the amenity of the occupiers of No. 207 Sunny Bank Road.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policies EN1/2 and H2/3 of the Bury Unitary Development Plan.

Parking - The existing driveway would be unaffected by the proposed development and would have capacity to park 3 vehicles. The existing garage would be retained, which would have capacity for cycle storage. Therefore, the proposed development would be in accordance with Policy H2/3 and SPD6 and 11.

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 Location plan, TDS-24-196-01, TDS-24-196-02, TDS-24-196-2.5, TDS-24-196-03, TDS-24-196-04, TDS-24-196-4.5 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>
HL - 30/07/2025		DM - 08/08/2025	