

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 28/04/2026	Ref: 72948/FUL
Registration: 31/03/2026	LDfC: 26/04/2026	Expiry Date: 26/05/2026
Site Visit: 15/04/2026	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:
		Stat Class: HOUS

Proposal: Single storey side/rear extension; Solar panels to front

Location: 43 Walmersley Old Road, Bury, BL9 6SD

Description

The application relates to a two storey semi-detached dwelling on the north-western side of Walmersley Old Road. The front elevation is separated from the pavement by a small grassed front garden area, and a paved driveway. To the southern side, there is access to the rear garden for pedestrians. The boundaries of the rear garden are formed by timber fencing and hedging.

The proposal is to build a single storey side/rear extension together with adding solar panels to the front roof plane. The proposed side extension would project 2.7m from the front elevation of the property and would span the length of the property at 8m. It would then connect with the proposed rear extension which would project a further 2.9m to the rear boundary of the property and would wrap around the property, a maximum of 8.5m in length. The proposed extension would incorporate a pitched roof a maximum of 3.3m in height, with approximately 2.3m to the eaves.

It is also proposed that 3 solar panels would be introduced to the front roof plan, which would appear as a 2.5m block, approximately 1m in height. They would be sited back from the eaves by over 0.5m.

The area is predominantly residential in nature, with some commercial uses further down Walmersley Old Road towards Walmersley Road. Parking in the area is mixed, with most properties featuring private driveways for 1-2 cars however parking on street is unrestricted and common.

Relevant Planning History

None

Publicity

4 neighbouring properties were consulted on 02/04/2026. No comments have been received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant**Development Plan and Policies**

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
SPD11	Parking Standards in Bury
PFE	Places for Everyone

NPPF National Planning Policy Framework

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 side/rear extension would be single storey and would incorporate similar materials to that of the existing property. It would also incorporate a pitched roof, favoured over flat roofs as outlined within SPD 6.

It would also be set off the boundary to the front by approximately 0.6m and storage of bins would remain to the rear/within the proposed garage for storage on non collection days.

The proposed solar panels would be sited on the front roof plane, and therefore would not be immediately visible from the street scene. They would also be set back from the eaves and set in from each side of the roof and therefore would not appear overly prominent.

Given the above, the proposals are considered to be subordinate and consistent additions with the host dwelling and therefore comply with Policy H2/3 of the UDP and SPD 6.

Residential Amenity

SPD 6 states that single storey rear extensions projecting a maximum of 3m will usually be considered acceptable. As the proposed rear extension projects less than 3m, this is therefore considered acceptable.

The proposed side extension does not introduce any windows on the south-western side facing 41 Walmersley Old Road and so would provide no further privacy impacts to this neighbour.

Neighbours to the rear retain in excess of 11m to the party boundary and 28m to the rear elevations, compliant with the guidance contained within SPD6.

Parking

The proposed side extension would be sited partially over the existing driveway of the property, and therefore the property would only have one off road car parking space remaining.

The existing dwelling has 3 bedrooms, with the proposal not increasing the bedrooms at the property. As noted within SPD 11, 3 bedroom properties within Zone 4 require a minimum of 2 off road parking spaces. Despite the proposal losing an off road car parking space, on street parking within the locality is common and unrestricted. Furthermore, it is also noted that a similarly sized side extension could be done using permitted development rights, which as noted within SPD 6 is a material planning consideration.

Given the above, in this instance, the parking provision at the property is considered acceptable.

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.

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Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 2 This decision relates to drawings numbered Bury-002 Site Plan Rev A and Bury-004 Proposed Plans Rev A 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 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> CO 28.04.2026	<u>Date</u>	<u>Sign off Officer</u> DM 01.05.2026	<u>Date</u>
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