

DELEGATED REPORT

Report by Helen Pressley	Date of report: 22/04/2026	Ref: 72963/FUL
Registration: 13/03/2026	LDFC: 21/04/2026	Expiry Date: 08/05/2026
Site Visit: 16/04/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension

Location: 17 Leyton Drive, Bury, BL9 9SL

Description

The application relates to a semi-detached dwellinghouse located on Leyton Drive. The premises has an existing single storey extension to the rear, with a further conservatory extension attached. The dwelling also has a dormer extension to the rear. The premises has parking to the front, with private amenity space provided to the rear.

Planning permission is sought for the removal of the existing conservatory, and for the construction of a single storey extension that projects 3250mm beyond the existing single storey rear extension. These works would also comprise a new pitched roof over both the existing and proposed extensions.

Relevant Planning History

24877 - Two storey extension at side with conservatory at rear - Approve 04/10/1990

Publicity

Letters sent to neighbouring properties 27/03/2026.

No representations received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

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

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. The pitched, gable roof would replicate the shape and style of the original property. The new roof over the existing and proposed extension would consolidate the two elements creating a more cohesive overall design. The proposed openings are considered to be suitably aligned and the use of matching materials is considered to be appropriate.

It is considered that the proposed extension would not overwhelm the original dwelling or result on over development of the associated residential amenity space.

Overall, it is considered that the proposal would comply with the Policy considerations set out above.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of

neighbouring properties.

- The neighbouring property at No. 15 has an existing single storey side extension with door on the rear elevation. As this is an opening associated with an extension SPD 6 confirms that any measurements are taken from the windows of the original neighbouring dwelling, not extensions.
- The nearest ground floor window within the original rear elevation would appear to relate to a kitchen rather than a habitable room window. SPD 6 confirms that kitchen windows are not considered to be habitable rooms.
- The nearest ground floor habitable room window of No.15 appears to lead to the conservatory extension of this property. The proposed rear extension would not impact on a 45 degree line as taken from the midpoint of the original window.
- The attached property at No. 19 has not been extended to the rear. The proposal seeks to remove an existing conservatory and replace it with an extension. The proposed extension would not project beyond the existing conservatory and as such it is considered that residential amenity for No. 19 would be maintained as existing in terms of relationships.
- No new windows are proposed within the side elevations.
- The proposed rear windows would be screened by the existing rear boundary treatment.

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, P.100.01, P.100.10, P.100.11, P.100.12 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>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 22/04/2026		DM 01.05.2026	