

DELEGATED REPORT

Report by Helen Leach	Date of report: 13/04/2026	Ref: 72871/FUL
Registration: 23/02/2026	LDfC: 23/03/2026	Expiry Date: 20/04/2026
Site Visit: 07/04/2026	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: First floor extension at side and single storey extension at rear

Location: 2 Valley Avenue, Bury, BL8 1FA

Description

The application site relates to a two storey detached dwelling. The dwelling has an attached garage and is constructed from red brick with timber detailing and stone quoins and a tile roof. There is a driveway at the front and a garden at the rear.

There are dwellings to all boundaries.

The proposed development involves the demolition of the conservatory at the rear and the erection of a first floor extension at the side above the garage and a single storey rear extension. The proposed side extension would measure 3 metres by 6 metres and the proposed rear extension would project 4.1 metres from the rear wall across the full width of the dwelling.

Relevant Planning History

None relevant.

Publicity

The neighbouring properties were notified by means of a letter on 27 February 2026. 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
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.

SPD 6 seeks to prevent first floor side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. In this instance, the dwelling is the first in the row of properties with the adjacent dwelling (No. 12 Darlington Close) at right angles. As such, the proposed development would not lead to the uncharacteristic linking up of dwellings.

The proposed side extension would have a pitched roof, which would replicate the shape and style of the original dwelling. The proposed rear extension would have a flat roof with a roof lantern, which would be acceptable. The proposed windows would be suitably aligned and the use of matching materials would be acceptable.

Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

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

- There would be 10 metres between the proposed bedroom window and the rear garden, which would be in excess of the 7 metre aspect standard.
- The proposed rear extension would project 4 metres from the original rear wall but would not cross the 45 degree line and as such, would be acceptable.
- There would be 10.7 metres between the bathroom window on the rear elevation of No. 12 Darlington Close and the proposed extension. As No. 12 is at a higher level and the bathroom is not a habitable room, this would be acceptable.
- There would be 12.7 metres between the rear elevation of No. 10 Darlington Close and the proposed extension, which would be below the aspect standard of 13 metres. As No. 10 Darlington Close is 1 metre higher than the application site, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring property.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

Parking - SPD11 states that the parking standards for a 4 bed dwelling is 3 spaces.

There are 2 spaces at the front of the dwelling and the garage is being retained. There is unrestricted on-street parking. The retention of two parking spaces at this site is therefore, considered to be acceptable.

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 numbered Location plan, 1, 2, Section plan 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 - 13/04/2026		DM 16.04.2026	

