

DELEGATED REPORT

Report by Jane Langan	Date of report: 29/10/2025	Ref: 72284/FUL
Registration: 19/09/2025	LDFC: 22/10/2025	Expiry Date: 14/11/2025
Site Visit: 30/09/2025	Site Notice: N/A	Press Date: N/A
Objections: 2	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Front porch, two storey extension at side/rear and single storey rear extension

Location: 44 Rossall Avenue, Radcliffe, Manchester, M26 1JD

Description

The property is a bay fronted semi detached house located along a row of similar. It has a garden and drive to the front and a garage at the side attached to that to the neighbouring No.46 which sits at a higher level. The adjoining semi is No.42 and to the rear has patio doors closest to the boundary and trellis fencing separates the gardens. Beyond the rear boundary of the site is a golf course and opposite at the front a grassed area.

The application includes removal of the garage and construction of a two storey extension that would be flush to the existing front elevation at ground floor and set back 1m from the front at first floor. It would run to project 1m beyond the rear elevation for 2.1m across then come out 2.1m deeper for 3.2m across. At this point the extension would reduce to single storey and be 3m deep across the remainder of the rear up to the boundary. To the front a porch would be added 1.1m deep and 2.2m across. Certificate B has been completed in respect of the works to the boundary with No.46.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter on 24/09/25. A further 14 day letter was sent on 08/10/25 with regard to revisions to the size and position of the two storey at the rear. 3 responses have been received their concerns in summary are :-

- Loss of light and overshadowing to neighbouring properties. Garage, garden and rear facing rooms. It will block sunlight for much of the afternoon, especially during winter. No. 44 will still receive sun in their garden. Revised plans do not solve this.
- Loss of privacy to neighbouring homes and gardens.
- Proposal breaches SPD 6 which expects extensions to be sympathetic to the original dwelling and the surrounding area. Proposed extension is too large, will appear out of place and set a precedent for large extensions.
- Scale and design not in keeping with nearby properties and would disrupt the established local character and architectural consistency.
- Could negatively affect the value of my property and others nearby.
- Proposed foundations and excavation requires a formal Party Wall Notice. Essential to ensure that these legal requirements are met to prevent potential structural damage.
- Stand Golf Club will not allow access/exit to the building site from their land if approved.

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
PFE	Places for Everyone

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 and design - 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 two storey would be built up to the boundary with a 1m set back to the first floor front. SPD6 can require the set back to be 1.5m in order to prevent the potential for terracing. The site is within a row of 4 pairs of semis. Two have been extended two storey at the side, No.48 is flush at the front however it pre dates SPD6. No.38 was approved with a 1.5m set back in 2019 (63603) however the set back does appear to be less as built. The row of semis sit past a bend in the road with limited view from the main road into Rossall Ave. The section of the road where the site is located slopes up and there is a height difference between each pair of semis. The properties are also bay fronted which provides a break up of the frontages. Given the circumstances noted, in this instance at this particular site, the 1m set back is considered acceptable to prevent a potential terracing effect.

The proposed two storey side would have a hipped roof set below the main ridge. To the rear the two storey would extend out to form a gable. The single storey sections to each side of this would be flat roofed with lantern roof lights. The porch would also be flat roofed with a lantern roof light.

Materials would be red brick and white/off white render with the roof brown tiles which would be acceptable and in keeping with the existing property and the immediate area.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The existing property is 3 bed and the proposal would retain as 3 with the smallest front bedroom becoming a small study. SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. Located within Zone 4 a 3 bed property can require 2 parking spaces. The proposal would see the site retain the existing drive which is 5m in length. The plans note that there could be the possibility of a second parking space to the front garden subject to a new drop kerb and relocation of the lamp post. This could be considered however it would be require highways approval for the works and would see the loss of an on street parking space. SPD11 does also note that where all soft landscaping is lost, or a frontage becomes dominated by hardstanding, then this can be harmful to the character and appearance of the area and it should be carefully considered if the proposal is acceptable. Given this, and with the proposal not increasing the number of bedrooms and retaining the existing parking space and that of an on street one, it is not considered that there are grounds for refusal with regard to the parking arrangements.

Residential amenity - SPD6 and UDP Policy H2/3 seek to reduce the impact of proposed extensions on the residential amenity of neighbouring properties.

In relation to the adjoining No. 42 then where adjacent the boundary the proposed extension would be single storey and 3m deep. Where two storey it would not encroach a 45 degree line taken 1m out along the boundary.

To the neighbouring No.46 the proposal would come out 1m deep as two storey adjacent the boundary and a further 2m single storey at ground floor. It would also be the case that the two storey rear element of the proposal would not encroach the 45 degree line taken 1m out along the shared boundary. The proposal would comply with the criteria as set out in SPD6 Section 5.2 for two storey rear extensions.

There would be no windows to the side elevations to cause overlooking to neighbouring properties. To the rear there would be a distance of approximately 5m from the proposed first floor window to the rear boundary. SPD6 Aspect Standards can require 7m in order to

provide adequate privacy distances. In this instance there are no residential properties to the rear as the site borders a golf course and there are also a number of trees beyond the site boundary. As such there would be no residential privacy issues.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Response to comments/objections

As noted in the above report the proposal is considered acceptable in terms of size, design and materials.

Each application is dealt with on its own merits therefore the proposal would not set a precedent.

The proposal was revised during the application process to reduce the two storey rear extension in order to comply with the criteria as set out in SPD6 Section 5.2 for two storey rear extensions. Whilst many developments can have an impact on a neighbouring property with regard to loss of light and overshadowing SPD6 sets out standards to control that this is not reduced to an unacceptable level.

Property value is not a planning matter.

Compliance with the Party Wall Act is the responsibility of the applicant.

The Golf Club comments regarding access are noted however this is a private matter.

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 P13778 B SHT 1 & P13778 A SHT 2 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>
JL	29/10/22	HL - 29/10/2025	