

DELEGATED REPORT

Report by Jane Langan	Date of report: 23/06/2026	Ref: 73051/FUL
Registration: 23/04/2026	LDfC: 18/06/2026	Expiry Date: 18/06/2026
Site Visit: 06/05/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Basement conversion to create annexe accommodation ancillary to main dwelling, single storey side extension and external steps to basement and side access door with retaining wall; Basement access at rear

Location: 166 Albert Avenue, Prestwich, Manchester, M25 0HF

Description

The property is a bay fronted brick semi detached house. It has a garden and drive to the front. Along the side is a path that leads to some steps down to the rear garden. The property is extended single storey which, due to the garden levels, the ground floor is at a higher level and there are steps up and a raised deck. The deepest section at the rear has a door as there is a basement level to the property.

The application includes the conversion of the basement, which is currently storage, to a family annexe. It would be accessed at the side by steps down and with an adjacent retaining wall. A single storey extension at the side approximately 0.8m wide and 3.2m in length would be constructed to allow for an internal staircase. To the side a high level window would be added to the existing side elevation to a bathroom to the basement. To the rear a door would be added below the existing decked area as an entrance into the basement bedroom and noted on the plan to be a fire escape. The annexe rooms would provide a hallway, living room, two bedrooms and two bathrooms.

Relevant Planning History

62119 - Single storey extension at front/side, two storey extension at side and single storey extension at side/rear (to existing basement level); External alterations - AC - 05/12/2017

Publicity

Surrounding neighbours were notified by letter on 29/04/26. A further letter was sent 08/06/26 regarding the amended plans to the retaining wall and basement entrance. No responses have been 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
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.

SPD6 Section 9 relates to Supplementary Family Annexes and states that a proposal to build a supplementary family annexe will be considered on the individual merits of each scheme, having regard to the general advice.

In addition, annexes should:

- normally be physically connected to the main property with a direct interior link;
- remain ancillary to the original dwelling at all times;
- not have separate vehicular access;
- only have one bedroom; and

- be appropriate in scale and position in relation to the plot and original dwelling.

In this case the proposal would be located within the existing basement and there would be minimal building externally other than the small side extension and external access. There would be no separate vehicular access. There would be two bedrooms and the agent has confirmed the annexe is for family members to have independence whilst remaining in close proximity to the family and the annexe would remain ancillary to the main dwelling.

Visual amenity and design - The external changes to the property would be the steps down to the side access with retaining wall and the small side extension which would be 0.8m wide and have a monopitch roof. A high level window would be added to the existing side elevation and steps down to a door to access the basement to the rear. Materials for the extension would be brick to match the existing house.

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 proposal would increase the number of bedrooms from 4 to 6 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces.

The site has a single drive with garden to the front. There would appear to be little scope to add any parking. There is a garden to the front and it may be possible to utilise this area however widening the kerb would take away some on street parking which is widely used in this residential area.

In conclusion, whilst the proposal would add bedrooms it is not considered that there are grounds for refusal with regard to the parking arrangements.

Residential amenity - The side access would have steps down to the annexe entrance and the side extension would be small scale and would be blank wall along the side to No.164. The proposed high level bathroom window would be to this side. The plans have indicative floor levels and the window appears over 1.7m to cill. For the avoidance of doubt a condition is added.

The adjoining neighbour is No.168 and the only amendment to this side would be the addition of the steps down and rear access door into the basement.

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.

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 002, 003 Rev 4, 502 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 basement window to the right side elevation, as shown on approved plan 003 Rev 4, shall be at a height of 1.7m from inside floor level to cill and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

- 4 The development hereby approved shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as 166 Albert Avenue, Prestwich.

Reason. To ensure the proposed use remains ancillary to the principle use on the site 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>
JL	23/06/26	HL	23.06.2026