

DELEGATED REPORT

Report by Tom Beirne	Date of report: 03/09/2026	Ref: 73317/FUL
Registration: 03/07/2026	LDfC: 24/07/2026	Expiry Date: 28/08/2026
Site Visit: 07/07/2026	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: MIDW

Proposal: Demolition of existing garage; Two storey side extension; Two storey dwelling at front/side;

Location: 49 Tintern Avenue, Whitefield, Manchester, M45 8WY

Description

The application relates to a two storey property with an attached single garage on a residential road. The property is the end, and forwardmost of a row of five similar properties arranged in a staggered fashion with driveways to the front. The neighbour to the west, No.47 Tintern Ave, is a semi-detached house set forward.

The application involves the demolition of existing garage and building a new two storey dwelling to the side and front. The new build would include a side extension to the existing house.

In terms of the physical form, the new build would project out 7.7m from the main front elevation although would be set back 3m from the neighbours front elevation (No.47 Tintern Ave) due to the existing stagger along the road. The new structure would have a width of 6.1m at the front with a side projection of 2.6m towards No.47 to the east. The new dwelling would accommodate a large open plan kitchen, diner/lounge at ground floor with two bedrooms above.

The side extension to the existing would run back along the side boundary between the existing side elevation and the shared side boundary, leaving a footway approx 1m wide for access to the rear. There would be a shallow pitched roof over the extension and it would be finished in red brick and tile to match the house. The extension at ground floor would accommodate a kitchen diner and there would be two bedrooms above.

New parking areas would be formed to the front and the rear garden would be split between the existing and new dwellings.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 06/07/2026. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection in principle.

Drainage Section - No objection.

Environmental Health - No objection subject to contaminated land conditions.

Greater Manchester Ecology Unit - The PRA assessed the building to have 'negligible' and no further surveys are required. Reasonable Avoidance Measures (RAM) for bats should be followed.

Pre-start Conditions - N/A

Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
EN6	Conservation of the Natural Environment
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
JP-H3	Type, Size and Design of New Housing
JP-P1	Sustainable Places
JP-S1	Sustainable Development
EN4/2	Energy Efficiency

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.

Principle - The proposal has two distinct elements, a relatively modest side extension to the existing house and secondly a new dwelling, extending of the side extension to the front of the house. Given the site lies within an established residential estate, the principle of siting a new property on the site is considered acceptable and complies with the NPPF, Joint Development Plan and UDP Policy H1/2 Further Housing Development.

Visual Amenity - Although sizeable, in terms of siting, scale and design, the new build would be in keeping with the row of properties which are staggered along this part of the road. With materials to match and set back from the neighbour at No.47, it would not appear incongruous within this part of the streetscape which is characterised by properties arranged in a stepped formation. The new build would appear as a continuation of the stepped formation along the road.

In terms of visual amenity the proposal is acceptable and complies with the Joint Development Plan 'Places for Everyone' and UDP Policies H2/1, H2/2 and H2/3 and guidance in SPD6 relating to new residential development.

Residential Amenity - The side, non-habitable room windows facing the boundary with No.47 Tintern Ave are obscure glazed. The ground floor lounge window in the side facing the front garden of the attached neighbour at No.51 is a high level window and the first floor windows on this side would be obscure glazed to reduce overlooking.

Whilst the new build would run alongside the shared side boundary with No.47 Tintern Ave, the impact on the neighbour would not be significant. The nearest habitable room window on the rear elevation would be set away from the boundary and new build and as such complies with the 45 degree rule, as set out in guidance. The impact on the large garden is also not significant relative to the existing relationship. It is noted that there are no objections from neighbours.

The plan has been revised to increase the amount of garden ground given to the new dwelling. The rear garden of the existing house would be split with a section to the side and rear given over to the new dwelling. The existing dwelling would utilise the garden ground immediately to the rear. The revised arrangement is considered to be acceptable and allows an appropriate level of private amenity space. It is noted that there are no objections from neighbours.

In terms of residential amenity, the proposal is unacceptable and would be contrary to UDP Policy H2/3 and guidance in SPD6.

Parking and Access - The existing driveway and new driveway at the front would accommodate two cars each clear of the highway and this, along with bike storage, is considered acceptable. Conditions are attached to secure an appropriate footway crossing and that driveways are permeable. Further conditions would require a construction management plan and that the front boundary hedge is retained at a height no higher than one metre to retain visibility. complies with UDP Policy H2/3 and guidance in SPD6 relating to parking.

The proposal is acceptable and, with appropriate conditions, would comply with UDP Policies H2/3, H2/2 and HT4/2 relating to new development and parking/access.

Bats - Due to works to the roof, a bat assessment was carried out and it was found that there was no evidence of bats using the roof but an informative relating to bat and reasonable avoidance measures should be added to the decision notice.

Environmental Health - It is considered appropriate to attach conditions requiring contaminated land risk assessments and associated remediation to be submitted prior to commencement of development.

Energy Efficiency - It is considered appropriate to require by condition, an electric charging point to be installed at the new dwelling. This would be acceptable and comply with Places for Everyone Policy JP-S5 (Clean Air) and UDP Policy EN4/2 Energy Efficiency.

Permitted Development Rights - Given the relationship between the properties within the site and neighbours, it is considered appropriate to remove permitted development rights by a suitable planning condition.

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 DGNO1001/PL1, 2000/PL1, 2001/PL1, AGNO3000/PL1, DR-A-6000 and 6000/PL3 (Revised) 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 Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design
- 4 The car parking indicated on the approved plans shall be surfaced, demarcated and

made available for use prior to the dwelling hereby approved being brought into use.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 5 The proposed driveways at the front of the property shall be constructed in such a way that the area is permeable/porous as set out in the Dept of Communities and Local Government publication "Guidance on the Permeable Surfacing of Front Gardens".
Reason: To secure the satisfactory development of the site pursuant to UDP Policy H2/3 Extensions and alterations.
- 6 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:
With consideration to human health, controlled waters and the wider environment, the following documents shall be completed to characterise potential risk to sensitive receptors and submitted to the Local Planning Authority for approval:
I. Preliminary Risk Assessment (PRA). Submission of this document is the minimum requirement.
II. Generic Quantitative Risk Assessment (GQRA). Submission of this document only if PRA requires it.
III. Detailed Quantitative Risk Assessment (DQRA). Submission of this document if GQRA requires it.
Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with Section 17 of the National Planning Policy Framework (2026).
- 7 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:
In accordance with the findings of site characterisation and risk assessment as previously approved, documents from the following shall be submitted to the Local Planning Authority for approval:
I. Remedial Options Appraisal.
II. Remediation Strategy.
III. Verification Plan.
Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with Section 17 of the National Planning Policy Framework (2026).
- 8 The development hereby permitted within any approved phase shall not be occupied/brought into use until the works relating to land contamination detailed below are fully completed:
Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.
A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.
Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with Section 17 of the National Planning Policy Framework (2026).
- 9 The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the

course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with Section 17 of the National Planning Policy Framework (2026).

- 10 Any soil or soil forming materials to be brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use.

Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to the Local Planning Authority for approval prior to any soil or soil forming materials being brought onto site.

The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc.) submitted to Local Planning Authority for approval prior to the development being brought into use.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with Section 17 of the National Planning Policy Framework (2026).

- 11 Prior to commencement of development, a 'Construction Traffic Management Plan' (CTMP), shall be submitted to and approved by the Local Planning Authority and shall confirm/provide the following:

- Hours of operation and number of vehicle movements;
- Parking of operatives' vehicles together with storage on site of demolition/construction materials;
- Measures to prevent mud and loose materials being spread to the adjacent highway and dust nuisance is minimised.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Reason. To mitigate the impact of the construction traffic generated by the proposed development on neighbours and the adjacent residential street, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 Townscape and Built Design and HT6/2 Pedestrian/Vehicular Conflict.

- 12 Prior to commencement of development, details of the proposed vehicular access, incorporating the provision of a new footway crossing, demarcation of the limits of the adopted highway, new driveway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway and all highway remedial works required to reinstate the adopted highway to its condition

prior to commencement of the development, shall be submitted for written approval to the Local Planning Authority. The approved detail shall be implemented prior to occupation of the new dwelling. Only the approved details shall be implemented.

Reason. To ensure good highway design in the interests of road safety pursuant to UDP Policy HT2/4 Car Parking and New development..

- 13 The proposed hedge on the front boundary, indicated on the approved plans, shall be maintained at a height no higher than 1000mm.

Reason. In order to maintain visibility in the interests of highway safety, pursuant to UDP Policy H2/2 The Layout of New residential development.

- 14 Prior to commencement of development, details of surface water drainage proposals shall be submitted to and approved by the Local Planning Authority. The scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or subsequent revisions of it. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Design details should comply with guidance contained in the Greater Manchester's Sustainable Drainage Design Guide, March 25. Details of proposed maintenance arrangements should also be provided

Reason. To promote sustainable development pursuant to UDP Policy H. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact.

- 15 Prior to occupation the applicant shall provide:

- 1 no. electric vehicle (EV) charging point (minimum 7kW) per dwelling/parking space.

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and operational in perpetuity.

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with the National Planning Policy Framework (2026) and Places for Everyone Policy JP-S5 (Clean Air).

- 16 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	03/09/2026	HL	04.09.26