

DELEGATED REPORT

Report by Amanda

Date of report: 11/09/2026

Ref:73413/FUL

Uhunmwagho

Registration: 15/07/2026

LDfC: 12/08/2026

Expiry Date: 09/09/2026

Site Visit: 06/08/2026

Site Notice: N/A

Press Date: N/A

Objections: 2

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey rear extension; two storey side extension; front porch

Location: 12 Hey Croft, Whitefield, Manchester, M45 7HX

Description

The application relates to a two storey detached house with a flat roof garage attached at the side. There is a garden to the front with planting along the front and southern boundaries and the boundary to the north is open where it is adjacent to the front garden of no.10 Hey Croft. There is a driveway for one vehicle to the front of the site.

At the rear there is a private garden with fences to all sides. Directly to the rear of the house is a patio area, which is currently overgrown. No.10 Hey Croft has been extended to the side and rear. This property is built slightly forward of the application dwelling. No.14 to the south has a conservatory on the rear elevation.

The proposal is to build a single storey rear extension, a two storey side extension and a front porch. The front porch extension would not project any more forward than the existing porch. There would be a new entrance door, the existing garage door would be replaced with a window and the roof would be hipped. The garage would be converted into an office and to the rear the extension would provide a boot room, utility room and a wc. There would be a utility room window and an entrance door to the side elevation.

The first floor/two storey side extension would be built flush with the existing front and rear elevations and it would measure approximately 2.5m wide. The extension would provide an extension to an existing bedroom and a fourth bedroom. The roof would be pitched.

At the rear the single storey extension would project approximately 2.4m from the existing rear elevation and it would extend across the whole of the rear elevation. The roof would be pitched with two rooflights and there would be bi-fold patio doors to the rear.

Relevant Planning History

50294 - SINGLE STOREY EXTENSION AT FRONT; TWO STOREY EXTENSION AT SIDE
- Withdrawn by Applicant 01/09/2008

50450 - TWO STOREY SIDE EXTENSION AND SINGLE STOREY EXTENSIONS AT FRONT AND REAR - Approve with Conditions 30/09/2008

Publicity

7 neighbours notified on 21/07/2026 - One objection received. A summary of the objection is below;

- The proposals will have unacceptable impact on the residential amenity of my home.
- There would be a door proposed to the side elevation which would be 90cm from the fence and would be next to their patio doors. This would have a detrimental impact on

- privacy on their patio where they sit.
- The overhang of the two roofs would potentially touch one another.
- It would place our bathroom window solidly half way down a solid brick wall blocking light enjoyed since 1985.
- They had no notification about the proposal from the applicant and the plans were put in whilst they were away.
- The two-storey flank wall would be overbearing and would materially reduce daylight/sunlight to southwest-facing dining room, and bedroom and our patio, breaching Bury SPD6 para 3.11 and the 45°/25° test (SPD6 Appendix 1; BRE BR 209).
- The ground-floor window and nearby side entrance overlook our patio, causing significant loss of privacy.
- With only 916mm between walls, eaves and gutters would near-touch.
- The scheme is cramped, unneighbourly overdevelopment, contrary to saved UDP Policy H2/3 and NPPF (2024) para 135(f) - a high standard of amenity for existing occupiers.

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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

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 first floor of the proposed side extension would be built flush with the existing first floor at the front. Normally a set back of 1.5m would be required where an extension would be next to a shared boundary with another dwelling. In this instance the application dwelling is set back from the front of no.10 Hey Croft by approximately 3.2m and there would be a gap of approximately 916mm from the side elevation to the shared boundary with no.10 Hey Croft, which is built right up to the shared boundary.

As the application dwelling is set well back from the front of no.10 next door and there would be a gap of around 916mm between the two properties there would be no concern about terracing, with no.10.

It is also noted that the side extension would be similar to no.14 Hey Croft to the south of the site and there are other properties along Hey Croft which are also rendered. The design of the proposal is considered acceptable in this location.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- The separation distance between the application property and neighbouring properties to the front and rear of the site would be acceptable in terms of SPD 6.
- There would be one new high level en-suite window installed to the south elevation, facing the side of no.14 next door. As the window would be high level and obscurely glazed there would be no detrimental impact on residential amenity at no.14 next door.
- The alterations to the front porch would be set well away from the shared boundary with no.14 and there would be no windows to the side of the porch, facing this particular neighbour.
- At the rear the single storey extension would be no closer to the shared boundary with

- no.14 than the existing property is and there would be no windows in the side elevation.
- On the north side the single storey would be no closer to the shared boundary with no.10 Hey Croft than the existing dwelling on site and there would be no windows in the side elevation facing no.10.
- The single storey rear extension would be approximately 3.4m away from the shared boundary with no.10 Hey Croft.
- On the north side there would be a first floor extension above the existing garage and a two storey extension to the rear of the existing garage. The plans show that the extension would be approximately 916mm away from the shared boundary with no.10 next door, which is built directly along the shared boundary. As the roof would be pitched from front to rear there would be no concerns regards encroaching on to land at no.10 with the extension, or its roof.
- With regards to an objection that the proposed roof would cause the extension roof and the roof at no.10 to almost touch one another, this would not be a concern because of the different roof styles. It is noted that because the side elevation of no.10 is built along the shared boundary the eaves of this property appear to actually overhang the air space of the site.
- There is one first floor, non-habitable bathroom room window to the side elevation of no.10. Given the close proximity of the proposed extension and this particular window there would be some detrimental impact on light to the window. However, as the room is non-habitable it would carry less weight, in terms of the decision than a habitable room window would and the position of the extension would be considered acceptable..
- At the rear the two storey extension would project approximately 2.7m past the rear elevation of no.10 next door, where there are patio doors at ground floor, which are most likely to a habitable room, and there is a patio area next to the boundary. There would be a gap from the side elevation to the shared boundary with no.10 of approximately 916mm. The proposed site plan shows that the 45° rule would be satisfied with regards to the impact on the ground floor habitable room window/doors at the no.10, closest to the shared boundary. As such, although the extension may cause some detrimental impact on light to the rear of no.10 close to the shared boundary during the later half of the day, it would be considered acceptable in this location.
- There would be a door and utility room window installed in the north elevation facing the side of no.10 next door. A condition would be added to the decision stating that the utility room window needs to be obscurely glazed given its close proximity to the shared boundary with no.10. This would help to alleviate any privacy concerns which may arise.
- The distances of the single and two storey extensions to the rear boundary would be more than acceptable in terms of the requirements set out in SPD 6.
- At the front the first floor extension would be around 7.4m to the front boundary which would be the same as the existing front elevation.
- There would be no impact on the existing drive way to the front of the site.
- The proposed drawings show that all of the extension would be built within the residential curtilage. Therefore there would be no concerns regards encroachment on to neighbouring land.

The proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties and the 45° rule from nearest relevant window of the adjacent property.

Parking -

The proposal would increase the number of bedrooms from 3 to 4 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 as existing has an area at the front for parking a vehicle and this would remain following the extensions being completed. There are no parking restrictions to the highway along Hey Croft. In this instance then the parking arrangements are considered sufficient.

Response to neighbour objection -

The concerns of the neighbour have been addressed in the report above.

- The 45° rule has been assessed in the residential amenity section, with regards to the relevant windows/doors to the rear of numbers 10 and 14 Hey Croft to either side of the application site.
- One of the objections is that the roof of the extension would be so close to the overhang of their roof, they would almost touch one another which would contravene Planning regulations. It would appear that the side elevation of no.10 is built directly along the shared boundary and the roof soffits of that roof encroach the shared boundary and overhang in air space on the applicant's side. The proposed roof on the side adjacent to no.10 Hey Croft would be pitched from front to rear with a gable wall facing no.10. The side elevation would be around 916mm away from the side elevation of no.10. As such there would be no overhanging eaves that would be close to the roof belonging to no.10 Hey Croft.
- There would be no change to the main roof on the south side (adjacent to no.14) and as the single storey rear extension would no closer to the shared boundary than the existing building its roof would not encroach the shared boundary.
- The impact on the neighbour's bathroom window has been addressed in the residential amenity section. A bathroom is a non-habitable room and would not be afforded as much weight as a habitable or principle room window to the front and rear elevations of a dwelling.
- The relevant neighbours were notified of the proposal on 21/07/2026, and were given 21 days to make comments. This is in line with the legal requirements for a householder planning application. Whether the applicant notified their neighbours prior to the submission of the application, or not would be up to them. It is not statutory requirement.
- A condition would be added to the decision stating that the utility room window to the side elevation would need to be obscurely glazed in order to retain privacy levels between users of the room and neighbour's next door.
- As there would be a gaps to either side of the extended dwelling there would be no concerns about walls, eaves and gutters would not be close enough to touch one another.
- One objection is that the scheme would be cramped, unneighbourly overdeveloped and contrary to saved UDP Policy H2/3 and NPPF (2024) para 135(f) - a high standard of amenity for existing occupiers. However, compared to the size of the site the proposed development would not be considered overdeveloped and would satisfy the requirements of Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity, and Places for Everyone Joint Development Plan listed.

Conclusion -

The proposal is considered acceptable in terms of visual and residential amenity and conforms to the Bury Unitary Development Plan Policy Nos EN1/2 - Townscape and Built Design, H2/3 – Extensions and Alterations and the Development Control Policy Guidance Note 6 – Alterations and Extensions to Residential Properties, and Places for Everyone Joint Development Plan listed.

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.

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- 2 This decision relates to drawings numbered 273-E00 Rev B, 273-E001 Rev B, 273-E010 Rev B, 273-E011 Rev B, 273- E012 Rev B, 273- P010 Rev B, 273- P011 Rev B, 273-P012 Rev B, 273-P020 Rev B, 273-P021 Rev B, 273-P022 Rev B, 273-P023 Rev B, 273-P040 Rev B, 273-P041 Rev B, 273-E040 Rev B and 273-E041 Rev B received on 09/07/2026, drawing numbered 273- E020 Rev C received on 20/07/2026 and drawing numbered 273-020 rev C received on 18/08/2026 as modified by the email from Latch Architects Lts dated 18/08/2026. The development shall not be carried out except in accordance with the details hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity, 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.
- 4 Before the first occupation of the extension hereby permitted the utility room window on the northwest shall be fitted with obscured glazing 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 11/09/2026		DM 11.09.2026	