

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 10/04/2026	Ref: 72915/FUL
Registration: 02/03/2026	LDFC: 01/04/2026	Expiry Date: 27/04/2026
Site Visit: 26/03/2026	Site Notice: N/A	Press Date: N/A
Objections: 2	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey/single storey rear extension

Location: 3 Myrtle Grove, Radcliffe, Manchester, M45 7RR

Description

The application relates to a two storey semi-detached dwelling on the northern side of Myrtle Grove. The front of the property is separated from the pavement by a low wall, with an access gate for pedestrian access. The eastern side boundary to the front is formed by the garage serving the property. Access to the rear is through the property, with the boundaries surrounding the rear garden being formed by hedging and timber fencing to the sides and trees to the rear.

The proposal is to build a two/single storey rear extension. At ground floor, the proposed would project 3m from the western side before being chamfered. It would project 4m from the eastern side of the property. It would span 6.2m across the length of the property with the ground floor roofing proposed to be flat, a maximum of 3.6m in height. Steps to serve the ground floor rear extension are also proposed, approximately 0.4m in height.

The first floor would project 4m from the existing rear elevation and would be approximately 3.9m in length, set off the western side boundary by 2.8m. It would incorporate a hipped roof 7.8m at maximum height, with an eaves height of 6m.

The street scene is predominantly residential, with a mixture of property types and materials used. Parking in the area is predominantly on street. Some properties feature driveways for 1-2 cars.

Relevant Planning History

57950 - Erection of new detached house - Approve with Conditions 17/12/2014
59194 - Variation of condition no. 2 of approved planning permission 57950 amended drawings - alterations include render to replace brickwork and study/utility rooms in place of integral garage. - Approve with Conditions 04/11/2015
63174 - Variation of conditions 2 & 10 following the grant of permission 57950:
Relocation of driveway, footway and street light - Approve with Conditions 05/11/2018
15/0533 - Breach of condition on planning permission 59194 - 02/12/2015
17/0390 - Breach of condition of planning permission 59194 - 26/10/2017
18/0022 - Breach of condition - dwelling not built in accordance with approved plans - 15/02/2018
19/0130 - Not being built in accordance with approved plans 57950 - 23/05/2019

(Although this planning history falls under 3 Myrtle Grove, it is actually concerned with the new dwelling 3A Myrtle Grove to the eastern side of the application property.)

Publicity

2 neighbouring properties were consulted on 11/03/2026. Two objection comments from one neighbouring property have been received detailing the below concerns:

- overshadowing to neighbouring habitable rooms
- sunlight into neighbouring amenity spaces will be blocked
- the proposed extension is closer than 2m to the property boundary
- permitted development rights restrict two storey extensions to 3m depth to restrict light being cut off to neighbouring properties. Although planning permission has been sought, the permitted development rights should be used in this case.
- increased surface water from the new roof will cause further instability of the bank. The developer should provide a detailed mitigation plan for handling the increased surface run off
- parking concerns as the property would increase to 4 bedrooms
- There will be a significant amount of heavy vehicular traffic delivering materials which may cause structural damage to the already poor surface of Myrtle Grove. Will the Council repair the damage, or have the power to force the developer to pay for road repairs?

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
H2/3	Extensions and Alterations
PfE	Places for Everyone
NPPF	National Planning Policy Framework

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.

The proposed would be sited to the rear and therefore would be mostly outside of view from the street scene and would therefore have a limited impact. Furthermore, should the proposal be viewed partially from the street scene, it is set down from the existing ridge height of the property, and set approximately 1.1m off the boundary to the east and over 2.8m at first floor to the west. Given this, it would appear as a subordinate addition.

Materials proposed would be consistent with the host dwelling, and bin storage would be retained as existing for storage of bins on non collection days.

Residential Amenity

1 Myrtle Grove is the adjoining neighbour. The proposed single storey rear extension would project only 3m from this neighbour, before chamfering away to reduce any overshadowing impacts. 3m rear single storey extensions are policy compliant under guidance contained within SPD6. The proposed first floor rear extension would be sited 2.8m off the boundary with this property and would not impinge at a 45 degree angle to habitable room windows at this neighbour. The proposed steps to the property would be approximately 0.4m in height, over the 0.3m considered acceptable under permitted development however as they are steps, and not a raised platform for usage as a terrace or patio, it would not create any further unacceptable impact. Given this, it would be considered acceptable.

3A Myrtle Grove is the neighbour to the east. The proposals would be sited approximately 1.1m off the boundary with this property, and this neighbour is sited approximately 3.8m off the boundary. Given this, the proposed would not impact on a 45 degree angle to any habitable room windows. Furthermore, the proposed would be sited to the west of this neighbouring property, and therefore outside of the natural arc of the Sun and so for the majority of the day, the proposed would not create any overshadowing impact. The neighbouring property also benefits from a larger garden, and the proposed would not cause overshadowing impact to the entirety of this. Given this, the proposed would therefore be considered acceptable.

Properties to the front would not be impacted, given the proposed is to the rear. There are no residential dwellings to the rear that could be impacted.

Parking

The proposal would increase the number of bedrooms from 3 to 4 and SPD 6 requires parking spaces as set out in SPD 11 Parking Standards to be considered.

The dwelling is sited within Zone 4 and therefore the parking standard for 4 bedroom properties and greater is 3 off road car parking spaces. The proposed would not change the existing parking provision at the property. Furthermore, the street is characterised by on road parking. The site is also sustainably located, being within 220m of bus stops, and within 800m of Whitefield Tram Stop. Given this, the parking provision falling short of the requirements of SPD 11 are justifiable in this case.

Response to objection comments-

Permitted development rights only apply to single storey rear extensions, not two storey rear extensions. In this case, full planning permission has been sought and so, whilst permitted development rights can be used as material planning consideration to justify planning consent, they are not relevant for this application.

Surface water issues are a matter for drainage. Mitigation schemes are not required for householder developments.

Issues with road surfacing is a highways issue. The council would not be able to impose road repairs as a condition of a simple household permission.

All other objection comments have been discussed within the body of the report.

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.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered TDS-25-196-04 and TDS-24-196-03 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 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.

DELEGATED REPORT

<u>Case Officer</u> CO 10/04/2026	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u> DM 10.04.2026
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