

DELEGATED REPORT

Report by Jane Langan	Date of report: 10/06/2026	Ref: 73166/FUL
Registration: 04/05/2026	LDFC: 06/06/2026	Expiry Date: 29/06/2026
Site Visit: 30/09/2025	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Front porch; Two storey side/rear extension; 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 is a revised scheme to 72284 approved 29/10/2025. The proposal is the same (as detailed below) with the exception of the main extension roof which was to be hipped and is now increased to be a gable.

The proposal includes the 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.

Relevant Planning History

72284 - Front porch, two storey extension at side/rear and single storey rear extension - Approved 29/10/2025.

Publicity

Surrounding neighbours were notified by letter. One response has been received from a nearby neighbour. Their concerns in summary are :-

- Proposed extension is out of keeping with the surrounding properties, which are generally more modest in form and spacing.
- The development would harm the existing character of the area by creating a more overdeveloped and visually intrusive appearance.
- Loss of privacy for neighbouring properties.
- The extension would negatively affect the enjoyment of neighbouring homes and gardens.
- Sets a precedent, encouraging similar large extensions and gradually altering the established character of the neighbourhood.

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.

As on the previous approval 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. This was deemed acceptable as the site is within a row of 4 pairs of semis that it past a bend in the road with limited view from the main road into Rossall Ave. 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 previous approval (72284) proposed a hipped roof and this provided a positive level of spacing between the two neighbouring properties. This is a preserved feature within the row and indeed the rest of this house style within the street. The gap spacing at roof level is a strong character and this design remains intact within the street.

The addition of a gable within an extension up to the boundary would close the gap that this property would previously have provided and therefore this amended proposal would result in a cramped and overly dominant appearance on the row and a development out of character in the street. Noting that hip to gable permitted development rights exist, those Class B additions would still retain the gap spacing at roof level when added to the original dwellings therefore the permitted development fallback cannot be relied upon.

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 render with the roof brown tiles which would be acceptable and in keeping with the existing property and the immediate area.

In conclusion, it is considered that the gaps to the properties are an importance feature in the row and the addition of a gable would result in a development out of character and an incongruous feature in the street. It would be harmful to the character and appearance of the dwelling and the general visual amenity of the area and would therefore be contrary to SPD6

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

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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 in terms of residential amenity but is contrary with regard to visual amenity.

Response to objection

The issues relating to the visual amenity and the impact on the relevant neighbouring properties are addressed in the above report.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed extension would be close to the boundary of the adjacent property, and the development would result in a loss of space between the dwellings which would be out of character with the surrounding street scene, and would therefore be seriously detrimental to the visual amenities of the area.
The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.

<u>Case Officer</u> JL	<u>Date</u> 10/06/2026	<u>Sign off Officer</u> DM 12/06/2026	<u>Date</u>
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