

**DELEGATED REPORT**

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| <b>Report by</b> Charlotte Orrell | <b>Date of report:</b> 16/12/2025 | <b>Ref:</b> 72494/FUL          |
| <b>Registration:</b> 23/10/2025   | <b>LDfC:</b> 27/11/2025           | <b>Expiry Date:</b> 18/12/2025 |
| <b>Site Visit:</b> 11/12/2025     | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b> 0              | <b>Con Area:</b> N/A              | <b>Adv Type:</b> N/A           |
| <b>Reason for Delay:</b><br>N/A   |                                   | <b>EIA:</b> NA                 |
|                                   |                                   | <b>Dec Level:</b>              |
|                                   |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** Erection of detached outbuilding at rear

**Location:** 25 Bannerman Avenue, Prestwich, Manchester, M25 1DZ

**Description**

The application relates to a two storey semi-detached dwelling on the north side of Bannerman Avenue. The front boundary is open allowing for access for vehicles to park in front of the house. To the side of the property, there is an access gate allowing for pedestrian access to the rear.

To the rear of the property, there is a raised decking area to the north-west corner of the rear garden which is to be removed to accommodate the proposed. There is timber fencing to both the side and rear boundaries. Past the fence line of the rear boundary, the site slopes towards the rear neighbour.

The proposal is to build a detached outbuilding to the rear. The proposed would be 7m x 4.5m and would be sited approximately 0.3m away from the rear boundary. It would incorporate a pitched roof approximately 3.4m in height.

In terms of the streetscape, the area is characterised by a mixture of semi-detached and terraced dwellings, predominantly constructed of red brick. Parking in the area is generally off road with many dwellings having large driveways to the front to accommodate 2 cars however on street parking is not uncommon.

**Amendments**

Due to the siting of the proposed, and the difference in ground levels, amendments were sought for the roof of the proposed to be set lower to reduce impacts.

**Relevant Planning History**

None

**Publicity**

4 neighbouring properties were consulted on 05/11. No comments have been received.

**Statutory/Non-Statutory Consultations**

None

**Pre-start Conditions - None**

**Development Plan and Policies**

|      |                                                             |
|------|-------------------------------------------------------------|
| SPD6 | Supplementary Planning Document 6: Alterations & Extensions |
| H2/3 | Extensions and Alterations                                  |
| NPPF | National Planning Policy Framework                          |
| 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-**

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 scale of the proposed is considered to be in keeping and subordinate with the existing

dwelling. Furthermore, it would be sited to the rear of the proposed and so not visually prominent within the street scene and so would have a limited impact.

The materials proposed are brick and render which is also considered acceptable as is common along Bannerman Avenue and would remain consistent with the existing dwelling.

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-**

In terms of the adjoining neighbour, no 27 Bannerman Avenue, there would be approximately 8m between the proposed and any habitable main room windows, alongside the proposed being sited indirectly to any habitable windows. This complies with that outlined within the SPD and therefore would be considered acceptable.

No 23 Bannerman Avenue is sited to the other side of the application property. This property also has an indirect relationship with the proposed and would have an interface distance of approximately 8m and so is also considered to be compliant with that outlined within SPD 6.

Properties to the rear of the application property are sited at a lower ground level however there is approximately 11m between the proposed and habitable windows in these properties. There are also no habitable windows proposed to face these properties and existing 2m high fencing separating the boundaries. Given the above, this would be considered acceptable.

Due to the proposed being sited to the rear, any neighbours to the front would not be impacted further than existing.

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.

**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 03, 04B, 04C and 05 and the development shall not be carried out except in accordance with the drawings hereby approved.

## **DELEGATED REPORT**

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.

- 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 25 Bannerman Avenue.

Reason. To ensure the proposed use remains ancillary to the principle use on the site.

|                                      |             |                                        |             |
|--------------------------------------|-------------|----------------------------------------|-------------|
| <u>Case Officer</u><br>CO 16/12/2025 | <u>Date</u> | <u>Sign off Officer</u><br>DM 16/12/25 | <u>Date</u> |
|--------------------------------------|-------------|----------------------------------------|-------------|