

DELEGATED REPORT

Report by Tom Beirne	Date of report: 17/12/2025	Ref: 72493/FUL
Registration: 23/10/2025	LDFC: 27/11/2025	Expiry Date: 18/12/2025
Site Visit: 25/11/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension, formation of accessible ramp at front/side and change of boundary treatment/fencing (to allow adequate access for wheelchair user)

Location: 95 Albert Avenue, Prestwich, Manchester, M25 0LU

Description

The application relates to a two storey semi-detached, red brick dwellinghouse on a residential road of similar styled properties. There is a single storey lean-to extension at the rear and a flat roof dormer on the rear roof plane. The attached neighbour at No.93 Albert Avenue has a single storey rear extension on the rear. The unattached neighbour at No.79 has a single storey extension and a rear dormer and the neighbour to the rear (No.21 Harrogate Ave) has a side gable adjacent to the rear boundary.

The proposal is to demolish the existing lean-to extension at the rear and construct a single storey, flat roof rear extension. The extension would project out 6.1m along the shared boundary with No.93 and run across approximately half the width of the rear garden area (3.52m). The overall height would be approximately 3.2m.

There would be level access into the extension from the rear garden which in turn would be accessed via the side passageway with a further ramped access and railings within the front garden. The access would allow adequate access for a wheelchair user.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 05/11/2025. No objections received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

Pre-start Conditions - N/A

Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions

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 PpE 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.

Need - The proposed works are required to adapt the property for a disabled member of the applicant's family and install a downstairs bedroom and en suite. Evidence has been submitted in support of the application, from the Major Adaptations Panel of Bury Councils Housing section and this is accepted. Guidance within SPD6 relating to extensions allows for larger extensions to help disabled occupiers and as such the proposal is acceptable in this respect.

Visual amenity - Although the rear extension projects out 6m to the rear boundary, given the extensions to the attached neighbour and the property to the rear, it would not represent an overdominant structure in relation to neighbours and would not be prominent within the streetscape. The ramp and alterations on the front are not prominent or out of keeping with the house and streetscape.

In terms of visual amenity, the extension is in keeping with the house and would comply with UDP Policy H2/3 and guidance within SPD6 Extensions and Alterations.

Residential amenity - With the extension projecting 3m beyond the rear extension on No.93 Albert Avenue, the impact on this neighbour would not be so serious as to warrant refusal. With the extension positioned on the west side of the house, the impact on the unattached neighbour at No.97 is also significant. The neighbour to the rear has a rear extension along boundary which mitigates the impact of the proposed extension and is not significantly impacted. The alterations to the front would not impact on neighbours. It is noted that neighbours have not objected to the proposal.

In terms of residential amenity, the proposed extension is acceptable and complies with UDP Policy H2/3 and guidance within SPD6 Extensions and Alterations.

Highways - The ramp would mean works to the front boundary and as such a condition would require the footway to be reinstated to the condition prior to development. A further condition also requires material storage within the site.

In terms of highways, the proposed extension is acceptable and complies with UDP Policy H2/3 and guidance within SPD6 Extensions and Alterations.

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 502, 002 and 003.1 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 4 The development hereby approved shall not be brought into use unless and until all highway remedial works associated with the proposed development and required to demarcate the limits of the adopted highway and reinstate the adjacent footway to its condition prior to commencement of the development/removal of the existing boundary wall have been implemented to the satisfaction of the Local Planning Authority.

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Reason. In the interests of highway safety and to maintain the integrity of the adopted highway pursuant to UDP Policy H2/3 Alterations and Extensions and guidance in SPD6.

- 5 The development hereby approved shall not be commenced unless and until suitable facilities for the storage of construction materials have been provided within the curtilage of the site. The facilities shall be retained for the intended purpose and the area identified shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.

Reason. To maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Alterations and Extensions and guidance in SPD6.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	17/12/2025	DM	17.12.25