

DELEGATED REPORT

Report by Helen Leach	Date of report: 11/03/2026	Ref: 72728/FUL
Registration: 13/01/2026	LDFC: 17/02/2026	Expiry Date: 10/03/2026
Site Visit: 27/02/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side extension; Two storey/single storey rear extension

Location: 44 Dudley Avenue, Whitefield, Manchester, M45 6BS

Description

The application site relates to an end dwelling, which is located in a terrace of 6 dwellings. The dwelling is two storeys and is constructed from red brick with a slate roof. There are gardens to the front, side and rear and there is an existing driveway at the rear of the site.

There are residential dwellings to the north, east and south. The Metrolink line forms the boundary to the west.

The proposed development involves the erection of a two storey side extension and a two storey/single storey rear extension. The proposed extension would be constructed from red brick with a tiled roof. A parking space would be maintained on the existing driveway at the rear.

Relevant Planning History

None relevant.

Publicity

The neighbouring properties were notified by means of a letter on 27 January 2026. There has been no response.

Statutory/Non-Statutory Consultations

None required.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3	Extensions and Alterations
EN1/2	Townscape and Built Design
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 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.

SPD 6 seeks to prevent two storey side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. In this instance, no set back is required as the site is located at the end of the row of dwellings with Westminster Avenue adjacent.

On corner plots, SPD6 states that extensions will normally be required to occupy not more than half of the available width of the side area or to leave a minimum of 2 metres from the boundary with the public highway to the side.

The proposed side extension would measure 1.4 metres wide and would maintain a gap of 1.9 metres to the boundary. Whilst this is less than the 2 metres stated above, SPD6 states a lesser setback may be acceptable, where the site is well screened. It is considered that the proposed development would be marginally less (100mm) and would not have an adverse impact upon the streetscene.

The proposed gable roof would replicate the shape and style of the original property and the lean to roof of the proposed single storey element would be acceptable. The proposed windows are suitably aligned and the use of matching materials is appropriate. It is considered that the proposal would not overwhelm the dwelling or result in over development of the associated residential amenity space.

Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

Residential amenity - SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

There would be 11.9 metres from the rear elevation to the garden boundary, which would be in excess of the 7 metre aspect standard.

There would be 12 metres between the proposed extension and the gable elevation of No. 46 Dudley Avenue. There would be a door leading to a utility and a bathroom window in the proposed side elevation and these would not be habitable. In addition, there are no habitable room windows in the gable elevation of No. 46.

The proposed single storey rear extension would project 3.5 metres from the rear elevation. The nearest window on No. 42 would be a kitchen window, which is not a habitable room. A further material consideration is also the larger homes scheme which can allow single storey extensions up to 6m deep where there are no neighbour objections. None have been received in this case.

The proposed two storey extension would not contravene the 45 degree line, when drawn 1 metre along the boundary.

There would be 25.9 metres between the proposed front elevation and No. 2 Westminster Avenue, which would be in excess of the aspect standard.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policies H2/3 and EN1/2 of the Bury Unitary Development Plan and SPD6.

Parking - SPD11 states that a 4 bed dwelling should provide 3 parking spaces.

There is a driveway with 1 parking space, which is located at the rear of the dwelling off Westminster Avenue. The dwelling is located on a corner plot near a crossroads. As such, it is not possible to provide any parking to the front as it would be detrimental to highway safety. The existing driveway at the rear would be retained. Given the circumstances noted, it is not considered that there are grounds for refusal with regard to parking arrangements.

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 01 A, 02 B 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 11/03/2026		DM 11.03.2026	