

DELEGATED REPORT

Report by Tom Beirne	Date of report: 11/06/2026	Ref: 73060/FUL
Registration: 06/04/2026	LDfC: 09/05/2026	Expiry Date: 01/06/2026
Site Visit: 09/06/2026	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: Two storey side extension; Single storey rear extension

Location: 86 Nuttall Avenue, Whitefield, Manchester, M45 6QA

Description

The application relates to a two storey semi-detached 3-bed dormer bungalow on a residential road of similar styled properties. Driveway to the front with a single garage set back 2.8m from the front elevation. Metrolink line to the rear.

The attached neighbour at No.88 has a single storey extension at the rear, projecting out 3m along the shared side boundary. The unattached neighbour has a driveway 3m wide, running along the shared side boundary with the site. There is an first floor, obscure glazed window in the gable and a single storey timber framed/glazed extension at the rear, projecting out approx 2m.

The proposal involves demolishing the existing garage and adding a two storey side extension, projecting out 2.1m to the shared side boundary with No.88 Nuttall Ave. This extension would have a setback of 1.5m at the front and would run back to the rear elevation. There would be a gap of 150mm along the shared side boundary and there would be a small ground floor, obscure glazed WC window in the side wall. At the rear, the extension would drop down to single storey and project out a further 3m with a flat roof. At the front the extension would be characterised by the proposed setback with a sloping roof whilst at the rear, the first floor element would take the form of a dormer carried over from the existing dormer. Finishing materials would match the existing house.

The extensions would accommodate a larger kitchen diner, playroom and utility at the ground floor and allows an additional bedroom at first floor with en-suite.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 17/04/2026. Objection received from neighbour and concerns summarised below.

- Overdevelopment of the site.
- Design is out of character.
- Restrict development of our property.
- Terracing issues.
- Overshadowing at side and rear.
- Side extension overlapping the boundary line to our property. There is no current party wall agreement.
- Overlooking from side windows.
- Maintenance at the side would only be accessible from our property, this would leave our property vulnerable to damage.
- There are two manhole covers drains close by and serve several of the addresses on

the street. If any problems occur during or after construction has finished this would affect the drains of numerous properties on the street.

- Concerns about roots from established trees/shrubs along borders.
- Existing garage may contain asbestos and pose environmental issues.

Statutory/Non-Statutory Consultations

N/A

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 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 streetscape - The side extension at the front is set back at first floor to add articulation and mitigate against terracing along the road. There are other similar extensions along the road that do not appear out of keeping and this proposal, finished in materials to match the house, would not appear incongruous within the wider streetscape.

The proposal is considered to be acceptable in terms of visual amenity and streetscape and complies with UDP Policy H2/3 and associated guidance in SPD6 relating to visual amenity.

Residential amenity - The plans have been amended to set the new side wall off the shared boundary by 150mm and the first floor side bedroom window has been relocated from the side to the front elevation.

Given there is only a small ground floor WC obscure, top opening window in the side and as such there would be no significant overlooking. The first floor window in the side gable of the neighbour at No.84 is obscure glazed and is not a habitable room. Therefore limited weight can be given to this window in any assessment. Overshadowing the driveway to the side would not be a valid reason to refuse the application.

At the rear, the single storey extension would project out 3m which is not considered excessive. Indeed the extension would mirror the extension on the attached neighbour (No.88). It is noted that there is an extension on the rear of No.84 and given the relationship to the proposed extension, there would be limited impact on the rear habitable rooms and garden of this property in terms of overshadowing or overlooking.

The proposal is considered to be acceptable in terms of residential amenity and complies with UDP Policy H2/3 and associated guidance in SPD6 in this respect.

Parking - There is sufficient driveway at the front to park a car clear of the highway and this is considered to be acceptable and complies with UDP Policy H2/3 and associated guidance in SPD6 relating to parking.

Public representations - Most of the concerns raised by the neighbour have been addressed above. The proposal is within the site ownership of the applicant would should not restrict future development of the neighbour's property or maintenance. Party Wall Agreement issues cannot be considered as reasons to refuse.

Windows should not necessarily open out over the neighbours property.

The relationship of the extension to nearby drains/manholes would be dealt with under building regulations.

Roots from trees and shrubs would not be a significant concern given the nature of the proposal.

The concerns relating to construction of the existing garage would be matters dealt with under Environmental Health and Building Control regulations.

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

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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 revised drawings numbered 0000/P1, 1000/P1, 1100/P1, 1150/P1, 2000/P1, 2100/P1, 2150/P1, received 23/04/2026 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 Before the first occupation of the extension hereby permitted the ground floor WC window in the side gable shall be fitted with obscured glazing (obscurity level 3) and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	11/06/2026		