

DELEGATED REPORT

Report by Amanda Uhunmwagho	Date of report: 14/07/2025	Ref: 71919/FUL
Registration: 21/05/2025	LDfC: 13/06/2025	Expiry Date: 16/07/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 5	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side and rear extension and loft conversion with front and rear dormers

Location: 12 Meadfoot Avenue, Prestwich, Manchester, M25 0AR

Description

The application relates to a two-storey semi-detached house with gardens to the front and rear of the dwelling. Planning permission was previously granted in October 2024 and that development is almost complete. The applicant have begun construction of a rear dormer which is much larger than what was previously approved. The current application includes the larger size dormer in addition to the development which already has permission.

At the front of the site there is a low brick wall along the front boundary with short pillars to either side of the drive way access. There is a hedge along the side boundary shared with no.14 and the boundary with no.10 is open. At the rear there is a private garden with a tall hedge to the boundary with no.14 and also to the rear. The boundary with no.10 is open.

The proposal is to build a two storey side and rear extension along with a loft conversion with front and rear dormers. The proposal at ground and first floor levels is the same as what has been approved as part of application reference 70962. The difference between this application and the one previously approved is the rear dormer.

At the front the ground floor would be built flush with the existing front elevation and it would have a bay window. It would measure 2476mm wide and the overall length of the side elevation would be around 13,985mm long. The first floor would be set back from the existing front elevation by 1500mm and it would have a bay window to the front.

At the rear the two storey extension would project around 5923mm from the existing rear elevation, which would be to the same point as the existing single storey Succah extension. It would measure 5476mm wide. It would have a pitched roof.

The roof would be converted from a hipped roof to a pitched roof and there would be a small pitched roof dormer to the front and at the rear there would be a flat roof dormer which would extend across the whole width of the dwelling and on the west side the dormer would project directly over the proposed two storey extension below. The proposed drawing shows the dormer would measure around 5264mm wide and would project around 5870mm. It would be built directly up off the rear wall.

There would be three rooflights to the front. The roof extension would provide two more bedrooms, a bathroom and a store room at the property.

Relevant Planning History

- 70962 - Two storey side and rear extension and loft conversion with front and rear dormers - Approve with Conditions 15/10/2024

- 25/0123 - Loft conversion/rear dormer not in accordance with approved plans of planning permission 70962 - 14/05/2025

Publicity

6 neighbours notified on 22/05/2025 - Objections from five neighbours and support from 5 neighbours. A summary of the reasons for objection and support are listed below.

Objections

- The application states that works have not started, which is factually incorrect. Work on the loft extension has already begun and the construction only ceased once the issue had been reported to planning enforcement.
- Point 3 of the planning statement submitted claims that many other properties have loft conversions extending over first floor extensions. This is not the case.
- The proposed loft conversion is effectively a flat roofed, full width, square shaped second storey which has the appearance of an additional floor, not set back on the roof.
- Point 4 on the planning statement suggest they are building a two storey extension. This is false. They have no intention of building a two storey extension. Any suggestion that they are having a similar development at their property is both inaccurate and misleading.
- The applicant refers to a development at no.14 Meadfoot Avenue as an example of a similar development. However, their approved extension does not include a loft conversion of the same size, shape and visual impact as the one at no.12.
- There is a land level between properties on Meadfoot Avenue and Parksway to the rear.
- Point 5 of the planning statement states that construction has taken place 'in accordance with the first approval' and that the submitted plans match the approved version. This is incorrect. The loft structure as built was not part of the previously granted scheme.
- The applicant suggests that the proposal is consistent with what is commonly permitted in this area. They state this is misleading and that there are no comparable developments on Meadfoot Avenue, or in the immediate area.
- Other developments in the area may include dormers, but these are generally subtle roof integrated designs and not flat roofed, box style second floors.
- The development would have a direct impact on their property due to the elevated ground levels on site compared to their property.
- The current loft extension already blocks all visible sky from their ground floor windows and a substantial portion of their first floor bedrooms. The proposal represents an unacceptable loss of outlook and significantly diminishes their residential amenity, and creates a sense of enclosure.
- The development fails to meet the requirements of SPD 6 and the NPPF due to its bulk, and it being overbearing, and harmful to the residential amenity at neighbouring properties.
- Whilst the loft extension is their primary concern they also raise the issue regarding a change to the first floor side window. This window is significantly increased in size and does not match the previously approved plans. This contributes to loss of privacy at neighbouring sites.
- It looks like a watch tower.
- The height of the extension would overlook their rear garden and is an invasion of privacy.
- They are concerned the extension would affect the selling of their property.
- A building inspector needs to visit the extension.
- This application appears to be a retrospective attempt to legalise works that do not comply with the amended plans previously approved by the council. Instead, the applicant has reverted to the original, unapproved design - including rear windows and a loft that were specifically revised. Our property is the only one most affected, with all our north-facing rear windows overlooking this development. The loft is not integrated into the roof like others in the area, but is a full additional floor above the first-floor extension, creating an overbearing third storey. The scale of this structure already blocks sunlight and sky views from all our rear windows, severely impacting our natural

light and outlook.

- It is not in keeping with the design and scale of properties in the area.
- The current building work is overbearing and directly impacts my property, both in terms of scale and proximity.
- The design and appearance of the proposed extension do not harmonise with the character of the surrounding houses, and there are no other properties in the area built to a similar structure or style.
- In response to the comment from the adjacent property, I would like to clarify that the rear of the property is not the same with respect to the loft extension. The adjacent property's loft extension is contained within the original footprint of the house and does not extend above the first-storey rear extension. . In contrast, the loft extension in question clearly extends beyond this, and the foundations have already been constructed prior to receiving planning permission. This can be directly observed and compared to both the adjacent and surrounding properties. Additionally, the adjacent property benefits from large trees which obscure views between the first-storey rear windows of properties on Meadfoot Avenue and Parkway. The assertion made by the adjacent property is inaccurate and does not reflect the physical differences that are plainly visible.

Support

- I strongly support this proposal. We do not feel the structure will be detrimental to any of our amenities as we intend to build ourselves and will be starting shortly.
- This area has a high proportion of families with more children than average, creating a real and growing need for larger homes. One practical way to meet this need is by allowing dormers to extend over existing first-floor rear extensions. We hope this application will be approved.
- Having reviewed the plans, I believe the development is in keeping with the character of the area and reflects the natural progression of improvements we've seen in the neighbourhood over the years. The applicants have been considerate and friendly, and I trust they will carry out the work with the same level of care and respect for those around them.
- I'm confident the finished result will enhance both the property and the surrounding area.
- The proposal is similar to those already in situ and the works will maintain the existing character of the road and wider area.
- My neighbour has always been considerate and responsible, and I am very confident they will carry out the work to a high standard, with sensitivity to the surrounding environment and neighbours.
- As a neighbour with a direct view of the property, I have no concerns with the proposal or work to be carried out.
- We live within close proximity to the front of this property and we are happy with this proposed extension. The front is nearly completed and looks good to us. An enhancement to our street and respectfully in keeping with the style of surrounding properties. We fully support this application.
- As an adjacent property we feel this proposal does not have any detrimental effect at all on our property. Both the front and rear synchronises with our house and therefore happy with this extension and loft.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Development Plan and Policies

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

The main considerations of this application are the impact of the proposal on visual and residential amenity.

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.

It is noted that the applicant could convert the hipped roof to a pitched roof as Permitted Development and there are also other properties along the road which have pitched roofs. As such it is considered that this part of the development would not have any significant detrimental impact on the character of the streetscene.

The two storey side and rear extensions would be the same as previously approved and the 1.5m set back at first floor level from the original front elevation means the proposal is considered acceptable in terms of 'terracing' and the effect on the streetscene. The proposed finished materials for the extension would be considered to be in keeping with the original dwelling as well as with neighbouring properties along Meadfoot Avenue.

The dormer to the front would be reasonably small on the roof space and it would be centralised above a first floor window. It would be constructed with materials that would be considered to be in keeping with the existing building.

All of the above have been approved as part of application ref 70962. The difference between the previous and current application is the rear dormer. When application ref 70962 was submitted the proposed drawings showed a rear dormer extending out over the proposed two storey extension below. At the time the applicants were advised that this would not be supported and the applicant supplied a revised drawing showing that all of the proposed dormer would not project beyond the original two storey rear elevation at the property.

The proposed dormer would extend over the whole of the two storey extension below, which if built, would result in a flat roof, box like structure projecting around 5870mm. Although the site is landlocked at the rear the area is very open and the site is fully visible from the south, east and west.

The outer shell of the dormer has already been constructed and although the development could be considered to be a suitable distance away from some neighbouring properties, the structure is fully visible from neighbouring dwellings and gardens. It towers over adjacent houses and dominates the skyline when viewed from off site.

Flat roof dormers are a common feature in this particular area, and there are a few examples of some which do project a short distance over extensions below. However, none appear to be as large or prominent as the proposal. In addition every proposal is assessed on its own merits, not necessarily based upon what has been built nearby.

Land levels to sites along Parksway to the rear of the site are much lower compared to the site. This would only enhance the over dominant, and over bearing appearance of the dormer when viewed from properties at the rear of the site. The agent was advised that the dormer should be built as previously approved where the structure would not project beyond the original rear elevation of the dwelling.

The proposal describes the structure as a dormer. However, it appears to have been built directly up of the side and rear walls of the extension below with no regard to the impact on the immediate neighbours. In effect this would create a three storey box shaped structure on the rear of the dwelling which would be considered to be an incongruous, alien feature which would set an unwelcome precedence in the area.

The proposed development would not be considered acceptable in this location as it would have a significantly detrimental effect on the character of the existing streetscene.

Given the above the proposal does not conform 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 -

- Separation distance to properties at the front of the site would be acceptable in terms of SPD 6.
- The drive length to the front of the property would be considered to be acceptable and the applicants would be able to park at least 2 cars on site.
- There would be no change to the existing single storey Succah extension adjacent to the shared boundary with no.10 Meadfoot Avenue, attached to the east side.
- There would be around 8800mm from the rear elevation of the two storey extension to the rear boundary. As SPD 6 states that there should be at least 7000mm from a first floor habitable room to a boundary this distance would be considered acceptable.
- There would be a separation distance of around 20,000mm from the rear of the proposed two storey extension to the rear elevations of numbers 31 and 33 Parkway to the rear and the site is due north of those properties. As such the extension would not have any significant detrimental impact on light availability to the rear of those houses and gardens. The distance between the properties also means there would be no seriously detrimental effect on privacy levels.
- The drawings show that all of the development would be built within the site boundary and certificate A has been submitted with the application. As such there would be no concerns regards encroachment with no.14 next door.
- As the bulk of the extension would be to the west side of the dwelling and the two storey rear extension would be around 4010mm away from the shared boundary there would be no significant impact on residential amenity at no.10 attached to the east side.
- There are currently no habitable room windows to the side elevation of no.14 next door and this property has recently received planning permission to build a two storey extension adjacent to the shared boundary. The approved plans for that extension show there would be 3 windows in the side elevation, but they would all be to non-habitable rooms. As such the position of the proposed extension would be considered acceptable. It is also noted that the two storey side extension has been previously approved.
- The approved two storey extension at no.14 would project to a similar point as the extension to the application property. As such the two storey side/rear extension on site would not have any seriously detrimental impact on residential amenity at this property.
- Ground and first floor habitable room windows at no.14 are on the opposite side of the rear elevation, away from the shared boundary. Therefore, the 45° rule would be satisfied with regards to those windows.
- With regards to the proposed rear dormer, the east side has been built as approved as part of application ref 70962. However, to the west side the roof extension would project over the whole of the two storey extension below meaning that the second floor would be around 10,000mm from the rear boundary. This would be acceptable in terms of SPD 6 where land levels between sites would be the same, but properties on Parkway to the rear of the site have a lower land level. As such the dormer would need to be erected further back on to the roof to satisfy separation distance requirements. It is considered that the roof extension as under construction would have a significantly detrimental impact on residential amenity at properties to the rear of the site and as such would not be supported.
- The outer shell of the roof extension has been constructed. Photos of the structure appear to show a gap to the west side which would suggest that a window is to be installed in the side elevation. This is not noted on the proposed drawings but given its position on the side elevation it would need to be assessed and could go on to be refused due to its close proximity to the shared boundary with no.14 next door.

Taking the above into account the proposal does not conform 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.

Parking -

The proposal would increase the number of bedrooms from 3 to 5 and SPD6 requires

parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces. The site as existing has a drive at the front for the parking for two vehicles. The area has on street parking to the front and there is public transport available close by. With the two existing spaces it is considered that the parking arrangements are sufficient in this instance.

Other developments in the surrounding area -

The agent highlighted several sites within the local area that have similar dormers that extend out over rear extensions. After some investigation it was found that those particular developments either had no planning history, were for much smaller roof extensions, or they had been built not in accordance with previously approved plans. It should also be noted that all proposals and sites are assessed on their own merits and what might be acceptable in one location may not be acceptable in another.

Response to neighbour objections and comments -

Objections

The objections have been addressed in the report above.

With regards to the comment that Point no.4 of the planning statement refers to a two storey extension being built at their property it would appear that the objector has mistakenly thought this comment was about their site, when in fact it is regards another property that has also recently received planning permission.

There were objections that the roof extension would block views of the sky line. The proposed development would be very dominant when viewed from neighbouring properties but in terms of Planning there is no right to a sky view. As such this would not be a reason for refusal.

One neighbour commented that a building control officer needs to visit the site. Building Control is a separate department to Planning and given that most of the extension is almost complete the applicant should have submitted an application to Building Control, who would visit the site throughout the building period.

Support

As well as objections there were 5 neighbours in support of the application. They stated that they did not feel that the structure would be detrimental to their amenities and as the area has a high proportion of families with more children than average, there is a need for larger homes. They suggest that allowing larger dormers over first floor rear extensions should be allowed.

The neighbours also stated that they feel the development would enhance the property and the surrounding area, and that it would maintain the existing character of the area.

The impact of the development has been assessed in the report above and it is considered that although the majority of the development would be considered acceptable, the overly large rear dormer would be considered to be significantly detrimental in terms of both visual and residential amenity, and as such cannot be supported.

Conclusion-

The proposal is not acceptable in terms of visual and residential amenity and does not conform 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.

Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority offered solutions to the applicant in order to make the development acceptable. The applicant was however unwilling to amend the plans. Without these amendments the development would not improve the economic, social and environmental conditions of the area and therefore does not comprise sustainable development. 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 development would be significantly detrimental to the amenities of properties to the rear of the site by reason of its height, size and position. The proposed development therefore conflicts with the 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.

- 2 The design of the proposed extension is neither appropriate to, nor sympathetic with the existing structure, and would be seriously detrimental to the visual amenity of the area. The proposed development therefore conflicts with the 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 14/07/2025			