

**DELEGATED REPORT**

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| <b>Report by</b> Dean Clapworthy | <b>Date of report:</b> 30/06/2022 | <b>Ref:</b> 68243/FUL          |
| <b>Registration:</b> 22/03/2022  | <b>LDfC:</b> 06/05/2022           | <b>Expiry Date:</b> 17/05/2022 |
| <b>Site Visit:</b>               | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b> 2             | <b>Con Area:</b> N/A              | <b>Adv Type:</b> NONE          |
| <b>Reason for Delay:</b><br>N/A  |                                   | <b>EIA:</b> NA                 |
|                                  |                                   | <b>Dec Level:</b> DEL          |
|                                  |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** Two storey side extension at no. 46 and single storey side joint extension to link no. 44 and 46

**Location:** 44 and 46 Meade Hill Road, Prestwich, Manchester, M25 0DJ

**Description**

The proposal relates to two adjacent semi-detached dwellings (i.e. not adjoined) that fall within the same ownership. They are positioned within a row of similarly styled and proportioned semi-detached dwellings that back onto the Metrolink line. The property at 46 Meade Hill Road has a single/two storey extension to the rear and a single storey side extension. The property at no. 44 has a first floor flat roof extension at the rear and an extant planning permission to extend further at the rear with a two/single storey extension (65765).

The proposal is for a two storey side extension at no. 46 and single storey side joint extension to link no. 44 and 46. In detail, it would comprise:

- Two storey side extension that would project approximately 1.4m toward the opposing gable at no. 44 from the existing gable and be set back at first floor by 1.5m from the principal elevation. The roof would be double hipped and set down from the main ridge.
- Single storey flat roofed side extension to no. 44 that would align with the existing principal elevation and link to the existing lean-to extension at no. 46 and extend back to conjoin the two opposing single storey extensions to form a 'covered way' serving no. 44.

The extensions would be finished in brick and tile to match the existing dwelling.

The proposal has been amended to increase the set back of the first floor to 1.5m and to retain a lean to roof to the existing side extension.

**Relevant Planning History**

66405 - First floor side extension - Refused 30/04/2021

**Publicity**

The proposal has been advertised by direct neighbour notification.

Councillors Gold and Quinn have objected to the proposal raising the following concerns:

- The flat roof is inappropriate in the street scene and is of a poor design.
- The proposal would unacceptably impact upon the visual symmetry of the pairs of dwellings and the uniformity of the built form in the street scene.
- The proposal would undermine the appearance of the adjoining semi-detached

dwelling and have an overwhelming visual impact.

Two further representations have been received, objecting to the proposal on the following grounds:

- The single storey side extension would have unacceptable impacts upon visual amenity and the character and appearance of the area, which is characterised by semi-detached dwellings (the proposal would conjoin the opposing properties, creating a terrace).
- The proposal would have unacceptable impacts upon privacy.

Other matters have been raised that are not material to the assessment and determination of the proposal.

- The proposal is causing stress and anxiety
- Construction would cause disruption
- It will devalue adjacent dwellings

### **Statutory/Non-Statutory Consultations**

N/A

### **Unitary 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) and 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 Policy 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.

## **ASSESSMENT**

### **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 specifically advises that two storey side extensions (and first floor side extensions) should be set back 1.5m at first floor level to prevent terracing. However, in cases where a gap is maintained to the boundary or where the extension pertains to a very short row of houses, then this requirement may be relaxed.

The established character of the area is one of mature detached and semi-detached dwellings with generous spacing between opposing building blocks. Whilst some properties have extended considerably, this has not undermined the overriding character and appearance of this mature suburban environment.

The proposal has been significantly amended relative to the previous refusal at 66405, which would have conjoined opposing dwellings at first floor and the roof.

The proposed first floor side extension would be appropriately set back from the principal elevation and the ridge stepped down from the main roof. The hipped form of the roof would replicate the existing.

The flat roofed side extension would form a relatively minor element and due to the presence of the existing lean-to side extension to no. 46 and its narrow nature, would not feature significantly in the street scene. Whilst it would link the two properties, its low profile, different form and small scale would not give the visual impression of conjoined and therefore terraced properties. The visual impression and two separate blocks of terraces would be maintained.

The proposed extension would therefore acceptably assimilate with the host dwellings in terms of scale, form, proportions, design and materials. Thus, the proposal would not be contrary to the above policy and SPD.

### **Residential amenity**

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

- The proposed extension would project a further 1.2m beyond the rear wall of the adjoining flat roof first floor extension and level with the rear wall of the ground floor at no. 44 and would not therefore encroach across the 45° angle from neighbouring windows.

Given the above circumstances, the proposal would not have unacceptable additional impacts upon neighbouring amenity and would comply with the requirements of the above UDP Policy and SPD 6.

**Access and parking**

The proposal would not result in additional bedrooms and would not therefore have unacceptable impacts upon highway safety.

**Other matters**

Perceived impact on property values is not a material consideration in the assessment and determination of a planning application. It would not be reasonable or sustainable to object to a domestic extension on the basis of perceived impacts on amenity from construction activity.

**Conclusion**

The proposed extension would not have any unacceptable impacts upon visual or residential amenity. As such, the proposal would comply with the above policies of the Local Plan and the NPPF. Therefore, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act, the proposal therefore merits approval.

**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 Location Plan dated 23/03/2022, Proposed Site and Roof Plan, Floor Plans and Elevations dated 30/06/2022 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 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.

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| <u>Case Officer</u><br>DSC | <u>Date</u><br>30/06/2022 | <u>Sign off Officer</u> | <u>Date</u> |
|----------------------------|---------------------------|-------------------------|-------------|