

DELEGATED REPORT

Report by Amanda

Date of report: 10/10/2022

Ref:68589/FUL

Uhunmwagho

Registration: 25/07/2022

LDfC: 16/08/2022

Expiry Date: 19/09/2022

Site Visit: 09/09/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single/two storey side extension; Two storey rear extension over existing single storey rear with loft conversion; Associated roof alterations

Location: 60 Meade Hill Road, Prestwich, Manchester, M25 0DJ

Description

Planning permission has previously been given at this property for a similar development. The main difference between the current application and the one previously approved is the size of the rear extension. The internal layout appears to be similar to that already approved. Works on the previously approved development is well underway.

The property is a two storey semi-detached house. There is on site parking for one/two vehicles to the front of the site and to the rear is a large garden with a detached outbuilding to the bottom of the garden. Beyond the rear of the site are Metrolink tracks.

The attached property (no.58 Meade Hill Road) has been extended to the side and rear. No.62, unattached to the opposite side has also been extended and this property has a much lower land level compared to that on site.

The proposal is to build a single/two storey side extension, a two storey extension above the existing single storey rear extension, including loft conversion and associated roof alterations.

Relevant Planning History

01724/E - Proposed change of use of outbuilding to appointment based beauty therapist - 53915 - Raising of height of existing outbuilding at rear (retrospective) - Approve with Conditions 17/05/2011

62869 - Two storey extension to side and rear - Refuse/Refused 08/08/2018

63949 - Two storey extension at side and rear - Approve with Conditions 04/06/2019

65491 - Variation of condition no. 2 (approved plans) of p/p 63949 to change colour of windows/doors from white to grey - Withdrawn - Invalid 15/05/2020

65501 - Non-material amendment following grant of planning permission 63949 for two storey extension at side and rear:

Change colour of windows/doors from white to grey - Approve with Conditions 15/06/2020

65529 - Two storey extension at side and rear - Approve with Conditions 27/07/2020

11/0102 - Height of existing rear structure raised - 17/05/2011

Publicity

Neighbours notified on 26/07/2022 - No objections or comments received.

Statutory/Non-Statutory Consultations

Transport for Greater Manchester - No comments received.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

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

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.

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.

In terms of visual amenity the single/two storey side extension would be finished with a design and materials that would be considered in-keeping with the original property.

The previous approval showed a pitched roof rear extension which was considered to be in-keeping with the style of the original building. However, the current proposal, as drawn, would result in a three storey, over-large, box-like structure on the rear of the dwelling which would be considered completely out of keeping with the existing property as well as with neighbouring dwellings. The fact that the entire rear extension would be finished with an off-white render would only emphasise the size of the structure.

If built as shown on the proposed plans the extended property would be significantly overbearing in terms of its impact on no.62 Meade Hill Road to the south/east which has a lower land level than the site. The three storey extension would only be around 2.2m from the shared boundary with no.62 and so given the proposed height and projection beyond the rear elevation of no.62 the development would be considered extremely un-neighbourly, especially as viewed from the rear patio area of the next door neighbour.

With this in mind the design of the proposal is not considered to be in keeping with the existing building and 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.

Residential Amenity -

- The side extension would be more than a sufficient distance from properties on the opposite side of Meade Hill Road not to have any significant detrimental effect on residential amenity at those properties.
- There would be around 19m to the rear site boundary and beyond this boundary are Metrolink tracks only. As such this distance would be more than sufficient in order to ensure there would be no encroachment on to land belonging to TGFM at the rear of the site.
- The proposed single/two storey side extension would be similar to what has been previously approved and its impact on residential amenity at no.62 Meade Hill road would be acceptable in terms of SPD 6.
- With regards to no.58, attached, this property has an existing two storey rear extension adjacent to the shared boundary. As such, in terms of residential amenity the impact of the proposed rear extension would be acceptable in terms of residential amenity as set out in SPD 6.
- The proposed bedroom windows to the second floor element would result in users of that particular room having much clearer views over the rear of both adjacent neighbouring properties and gardens as well as other rear gardens in the vicinity.
- The previously approved proposed was also with regard to a three storey rear extension but it would have had a pitched roof which meant the roof would slope away from the adjacent neighbours and there would be a single, central window to the rear elevation. This would have been less imposing than the flat roof structure on this application. Although there may not be much of a detrimental impact on overshadowing at the attached dwelling the three storey extension would be just over 2m from the shared boundary with no.62 and as such would overshadow part of the rear garden area of this property in the latter part of the day.
- The proposed development would not have any impact on the existing parking arrangements within the site.

Taking the above in to 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.

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 to the front for up to two vehicles and there is on street parking close by and there is public transport available. In this instance then the parking arrangements are considered sufficient.

Plans -

Existing and proposed elevation drawings have been provided with regards to all elevations apart from the west side, adjacent to the attached dwelling. As such it is not clear what the view of the proposed extension would be from the rear of no.58 next door and as such this cannot be properly assessed. However, projection measurements were available on the proposed floor plans which meant the impact of the extension in terms of residential amenity could be assessed. If the applicant chooses to resubmit a new proposal they would need to include elevation drawings as viewed from the west.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. 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 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.
- 2 The proposed development would be seriously detrimental to the amenities of the adjacent properties and gardens by reason of its height, size and position. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions and associated 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>
AU - 10/10/2022			