

DELEGATED REPORT

Report by Tom Beirne	Date of report: 30/07/2025	Ref: 71940/FUL
Registration: 19/06/2025	LDFC: 17/07/2025	Expiry Date: 14/08/2025
Site Visit: 22/07/2025	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey extensions at front,side and rear including raising roof height to form accommodation in loft space

Location: 108 Windsor Road, Prestwich, Manchester, M25 0DF

Description

The application relates to a two storey detached house close to the junction with Mead Hill Road. Flat roof garage attached at the side and driveway to the front and conservatory at the rear. The immediate area is characterised by similar styled residential properties with hipped roofs. The neighbour (No.110) immediately to the north, has a single storey extension at the rear and the neighbour to the south has had a small single storey and first floor side extensions (see site photos).

The proposal involves a significant amount of demolition, with the front, north side (garage) and rear walls being removed, along with the roof.

- The new front elevation would extend out 1.1m to the forwardmost point of the existing bay and run across the front elevation 11.7m, incorporating the side extension.
- The two storey side extension would project out 3.1m and run 11.5m from front to rear. The extension would 'wrap-around' the rear, projecting out 3.5m from the original rear elevation. The existing conservatory at the rear would be demolished.
- The new roof would have a similar eaves height to the existing but would have a ridge height raised 1m to 8.2m, from a previous height of 7.2m. The new roof would have a significantly higher angle of pitch to the existing and neighbours on either side. The roofspace would accommodate additional living accommodation.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 25/06/2025. Objection from neighbour relates to privacy and overshadowing/loss of light.

- Due to the angle of 108 which faces out to Meade Hill Road, the rear of the property faces into 110. The rear extension would bring the property and new windows closer they would be directly overlooking the kitchen, garden and rear building of No.110.
- The large extension would restrict all daylight/sunlight to No.110.

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 - The extended house would be much larger than the existing house and with the extensions and new roof, would have a significant and detrimental impact on the character of the site and immediate surroundings. With the steep pitch to the roof planes, the house would appear as particularly overdominant and rather incongruous within the immediate streetscape.

In terms of visual amenity the proposal is considered to be seriously detrimental to the visual amenity of the streetscape and conflicts with UDP Policy H2/3 Extensions and Alterations and associated guidance in SPD6.

Residential amenity - Although positioned directly to the south of the neighbour at No.110, the larger building structure would not have a significantly detrimental impact over and above the existing house visually and in terms of overshadowing to warrant refusal. The property at No.110 has been extended to the rear and has a side kitchen window facing across the shared side boundary towards what would be the side wall of the new extension. The outlook from this window would clearly be impacted however it is a side window and in an extension and therefore cannot be afforded a great deal of weight in any planning assessment. On the rear of No.108, the nearest windows to the shared boundary with No.110 would be none habitable utility and WC windows that could be obscure glazed, there are no serious overlooking issues despite the boundary between the two properties running at an angle. Indeed any views from the new windows would be more acute than the existing windows.

With regard to the neighbour at No.35 Meade Hill Road, the impact of the rear extension would be greater with the two storey extension projecting out approximately 3.6m along the shared side boundary which runs at an angle to No.35 Meade Hill. There are however mitigating factors that lessen its impact. The extension would be to the north of No.35 Meade Hill thereby limiting overshadowing. Also, the nearest window in the rear elevation of No.35 is a kitchen at ground floor. Whilst it would be preferable if the extension were to be pulled away from or reduce in size on this side, it is not considered that the impact would be so serious as to warrant refusal of planning permission.

In terms of residential amenity, the proposal does not have a seriously detrimental impact and would, on balance, comply with UDP Policy H2/3 and guidance in SPD6.

Parking and Access - No changes are proposed to the existing access. The proposal is therefore acceptable in terms of UDP Policy H2/3 and guidance with regard to access and parking.

Public comments - The daylighting and privacy issues raised by the neighbour have been addressed in the above report.

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 proposed development would, by reason of its size and design, be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policies 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>
Tom Beirne	30/07/2025	DM - 05/08/2025	