

DELEGATED REPORT

Report by Amanda

Date of report: 20/10/2025

Ref:72180/FUL

Uhunmwagho

Registration: 11/08/2025

LDfC: 02/09/2025

Expiry Date: 06/10/2025

Site Visit: 19/08/2025

Site Notice: N/A

Press Date: N/A

Objections: 1

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Hip to gable roof extension with loft conversion and dormers at front/rear; Single storey extension at front/side; Two storey extension at side/rear;

Location: 39 Hereford Drive, Prestwich, Manchester, M25 0AG

Description

The application relates to a two-storey, red brick, semi-detached house which is slightly raised in level compared to the highway in front. There is a small front garden with a short red brick wall along the front boundary. There is a hedge along the shared boundary with no.41 Hereford Drive, attached to the north side. No.37 to the south is slightly lower in level and there is a low red brick wall along the shared boundary.

At the rear there is a single storey extension, with Succah rooflight. There is a small patio area to the rear of the extension and the rest of the garden is lawn. There is planting to all boundaries and a tree next to the rear boundary. A small shed is located adjacent to the rear boundary as well. The attached neighbour has a single/two storey rear extension and no.37 has a single storey rear extension and a detached garage adjacent to the site boundary.

The proposal is to build a two-storey side/rear extension, single storey front/side extension and a hip to gable roof extension with loft conversion and dormers to the front and rear. At the front the single storey extension would measure 8.33m x 5.65m and it would have a pitched roof. At the side the extension would measure around 2.8m wide x 11.58m and the first floor would be set back from the existing front elevation by 1m. The roof would be pitched.

At the rear the two storey extension would project 4m from the original rear elevation and it would measure 5.8m wide. The roof would be hipped. The loft would also be converted providing three further bedrooms, an en-suite bathroom and a shower room. There would be two small pitched roof dormers to the front of the roof measuring around 1.8m wide. At the rear there would be a flat roof dormer across the whole of the roof. It would be set slightly in from the side gable and party wall with the attached neighbour.

Relevant Planning History

N/A

Publicity

5 neighbours notified on 11/08/2025 - one objection received.

I object to planning application 72180 due to the significant loss of daylight and sunlight to my property. The proposed development will overshadow several habitable rooms, breaching BRE daylight/sunlight guidelines (e.g. 25° rule, VSC reduction). This will materially harm residential amenity and quality of life. The scale and massing are

overbearing and out of character, creating a sense of enclosure. While the legal right to light is not a planning matter, I reserve the right to pursue it separately. I urge the Council to request a full daylight/sunlight assessment and reject or amend the proposal to reduce its impact.

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.

The proposed extension would be finished with materials that would be considered to be in keeping with the existing building and the design, including the front and rear dormers would be similar to others in the local vicinity. The dormers at the front would be relatively small on the front of the roof and they would not occupy a disproportionate area of the roof slope. The rooflight to the front would be considered acceptable in this location.

With regards to the two-storey side extension a first floor set back at the front of at least 1.5m is normally required in order to prevent future terracing of properties where terracing isn't the norm in the streetscape. The first floor set back can be less in some locations, such as where there is a difference in land level between sites, where the site is within a short row of houses, or where an adjacent property is a different style to that on site. In this instance the proposal shows that the first floor would have a 1m set back. The property is located within a short row of 6 houses (3 pairs of semi-detached houses), and the site has a slightly higher ground level compared to no.37 next door. As such the lesser set back of 1m would be considered acceptable in this location and the proposal is considered acceptable in terms of 'terracing' and the effect on the streetscene.

The flat roof dormer at the rear would be visible from Meadfoot Avenue to the southeast of the site, but the applicant could erect a flat roof rear dormer on the original part of the roof as permitted development and there are also many other flat roof rear dormers in the area. It would be finished with materials that would be considered acceptable in this type of structure. There are a mixture of hipped and gable style roofs in this area.

Given the above the proposal conforms 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 distances to properties at the front and rear of the site would be acceptable in terms of SPD 6.
- The remaining drive length to the front of the extension would be around 5.2m which would be in line with the requirements as set out in SPD 6.
- There would be just over 13m from the two storey rear elevation, to the rear boundary and around 17m from the dormer.
- No.41 Hereford Drive (attached) has existing extensions to the rear of the property. As such the position of the two-storey rear extension would not have any significant detrimental impact on residential amenity at that property.
- The two-storey extension would project 4m from the existing rear elevation which would be around 2m past the rear elevation of the single storey extension to the rear of no.37. As there is a driveway to the side of no.37, and a garage adjacent to the shared

boundary it is considered that the proposed extension would not have any significant detrimental impact on the amenity space to the rear of no.37 Hereford Drive.

- The single storey extension at no.37 projects around 2m from the original rear elevation of the property and there would be a gap of around 2.5m from the side elevation to the shared boundary. The site is located north of this property. As such any impact on light to the ground floor windows on the rear of no.37 would be minimal would not warrant refusal of the proposal.
- At first floor level the closest window on the rear of no.37 is a bathroom, which is classed as a non-habitable room. The bedroom window is located further to the south side of the rear elevation. As such it is considered that the proposed two storey side/rear extension at no.39 would not have any seriously detrimental effect on windows at the rear of no.37 next door.
- There is a driveway at no.37 adjacent to the shared boundary there would be a gap of at least 2.5m from the side of the extension to the side of no.37
- There would be no new windows to either of the side elevations facing nos.37 and 41 to either side of site. As such there would be no concerns regards loss of privacy at these properties.
- There are five windows and a door to the side elevation of no.37 to the south of site. The majority of the windows appear to relate to non-habitable rooms and SPD 6 states that windows to side elevations are not afforded the same protection as windows to the principle elevations, which in this instance would be the front and rear elevations.
- It is also noted that the applicant would be within their rights to build a single storey side extension under permitted development rules, without the requirement of planning permission, which would also block views and light to most of the windows to the side elevation of no.37 next door, and as the development would be the north of no.37 any impact on light would be less detrimental than if the development had been to the south.
- There would be some restriction of light access to the side windows at no.37 Hereford Drive, but it would not be sufficient enough to warrant refusal.

The proposal conforms 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 7 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 one vehicle and this would remain once the extension is built. The area has on street parking and there is public transport available nearby. As such in this instance it is considered that the parking arrangements are sufficient.

Response to neighbour objection -

The impact of the extension on residential amenity at neighbouring properties, and visual amenity, has been addressed in the report above.

Given the reasons discussed in the residential amenity section it is considered that it would not be appropriate in this instance to request a daylight/sunlight assessment from the applicant. As the neighbour has noted the right to light is not a planning concern and if they wish to pursue the matter privately they are within their rights to do so.

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 numbered 001 Rev 1, 002, 003 Rev 2, 302 and 303 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 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.
- 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 20/10/2025		HP - 20/10/2025	