

DELEGATED REPORT**Report by** Amanda**Date of report:** 07/01/2026**Ref:**72543/FUL

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Registration: 13/11/2025**LDfC:** 16/12/2025**Expiry Date:** 08/01/2026**Site Visit:** 17/12/2025**Site Notice:** N/A**Press Date:** N/A**Objections:** 3**Con Area:** N/A**Adv Type:** NONE**Reason for Delay:****EIA:** NA

N/A

Dec Level: DEL**Stat Class:** HOUS**Proposal:** Loft conversion over rear first floor extension**Location:** 12 Meadfoot Avenue, Prestwich, Manchester, M25 0AR**Description**

Planning permission has been previously granted at this site which included a two storey side/rear extension and loft conversion with front and rear dormers. The works are almost complete. However, building works were halted when the applicant erected a larger dormer frame to the rear of the dwelling than what had been approved. A subsequent application for a very large roof extension was refused in July 2025.

The current application is to extend the rear dormer out over part of the previously approved and now built two storey rear extension. The plans show that the dormer would project around 2.99m from the rear of the previously approved dormer and it would be set in slightly from both side elevations and the roof would be sited just below the ridge of the main dwelling. The rear window would be obscurely glazed and unopenable up to a height of 1.7m (as measured from the internal floor level).

In addition to the dormer extension there appear to be some proposed internal alterations which would result in an en-suite and bathroom windows installed to the first floor of the east side elevation of the previously approved two storey extension.

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
- 71919 - Two storey side and rear extension and loft conversion with front and rear dormers - Refused 14/07/2025
- 03117/E - Loft Extension over Two-Storey Rear Extension - Enquiry completed 17/11/2025

Publicity

7 neighbours notified on 25/11/2025 - Three objections received.

- This is the third application submitted to regularise works already built beyond the approved plans and stopped multiple times by Bury Council's enforcement team.
- The previous application (Ref: 71919) was refused as the dormer's height, size and position caused significant harm to residential amenity and was deemed an overbearing, incongruous three-storey structure, contrary to UDP H2/3 and SPD6.
- The proposed loft extension above the first-floor extension is not in keeping with the local area. No surrounding properties have a loft conversion that forms an additional storey projecting beyond the original footprint. The scale, height and massing conflict

with Bury UDP Policy H2/3 and SPD6, which require extensions to be subordinate, roof-integrated and sympathetic to neighbouring properties.

- The proposal appears as an overbearing third storey, harmful to residential amenity and contrary to Places for Everyone design principles.
- I have lived in Prestwich for 56 years and have NEVER had any problems in that time. We will still be overlooked and my privacy invaded.
- I would like someone from the enforcement team to come and view this from my perspective.
- The extension is not in keeping with other properties in and around our gardens.
- It is overbearing.

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 dormer would have a flat roof, it would be slightly set down from the main ridge and it would be set in from the rear elevation by around 3m.

As the dormer would be to the rear of the dwelling it would not be visible in the public realm along Meadfoot Avenue. However, as there are long rear gardens to properties on Meadfoot Avenue and Parkway the site would be in full view from the rear of these properties, as well as from the rear of numbers 27-31 Hereford Drive and possibly numbers 73 and 75 Bishops Road.

A dormer extending across the whole of the application dwelling has been previously approved at the property and is now almost complete pending the current planning application. All of that dormer has been erected behind the original rear elevation of the dwelling. The current proposal is to extend the dormer on the west side so that it would project around 2.98m from the main section of the dormer. This would mean the dormer would extend out over part of the two-storey extension below. Although this is an unusual design it is not unique and there are similar style dormers to other properties in this particular area.

As the dormer would only be viewed from the rear gardens of neighbouring properties, it would be set well back on to the two-storey extension below and it would be finished with materials that would be considered to be in keeping with the rest of the building it is considered that the design of the proposal is considered acceptable in this location.

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 -

- As the dormer extension would be to the rear of the dwelling it would not have any significant detrimental impact on residential amenity at properties to the front of the site.
- As there would be no windows in the side of the dormer facing no.10 and it would be positioned around 3.9m away from the party wall there would not be any seriously detrimental impact on residential amenity at this property.
- There would be two new first floor windows in the east side elevation of the previously

approved two-storey rear extension. These would face the boundary with no.10 next door. As the rooms would be a bathroom and an en-suite a condition would be added to the decision stating that the windows must remain obscurely glazed at all times in order to retain privacy levels between properties.

- There would be no windows to the west side elevation adjacent to no.14 Meadfoot Avenue, or to the side of the extended dormer. As such there would be no concerns regards loss of privacy at no.14.
- No.14 Meadfoot Avenue has also recently received planning approval for a large development which includes a two-storey side/rear extension. As the dormer would be built set back from the rear elevation of the neighbouring extension the building at no.14 would screen the majority of views to the west, from the extended dormer. However, any views of the adjacent neighbour's gardens from the dormer second floor window would be limited and not be considered to be direct overlooking.
- The dormer would be around 11m from the rear site boundary and there could be increased levels of overlooking of neighbouring properties to the rear on Parkway. However, the distance to the rear boundary would be considered to be acceptable in terms of SPD 6 and as such any detrimental impact on privacy levels at properties to the rear would not be considered sufficient enough to warrant refusal of the proposal.
- In order to help lessen any impact on privacy to neighbours at the rear of the site the window to the dormer would be obscurely glazed to a height of 1.7m (as measured from the internal floor level) and it would be top opening only. The top part of the window would be clear glazed. A condition would be added to the decision to ensure this window remains obscurely glazed at all times in the future.

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 original property had 3 bedrooms and the previously approved application increased the number of bedrooms to 5. The current proposal would increase the number of bedrooms to 6 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.

Response to neighbour objections -

Overall the neighbours' comments have been addressed in the visual and residential amenity sections of the report above.

One neighbour pointed out that this is the third planning application submitted for development at 12 Meadfoot Avenue, and that previously works have been stopped multiple times by the Council's enforcement team. This is correct, but the applicant has worked with the planning team to reduce the size of the proposed loft conversion to an acceptable size, for which the current planning application has been submitted.

Application ref 71919 for a much larger loft conversion was refused due to its significant detrimental impact on residential and visual amenity in the area. The current proposed is for a much smaller dormer which would be set further back from the rear wall of the extension below.

One comment suggested that the dormer would be out of keeping with the local area and that no surrounding properties have loft conversions that form an additional storey projecting beyond the original footprint. There are many examples of sizes and style of dormers throughout the local area, and the borough as a whole. Every application is assessed on its own merits and what would be considered acceptable would depend on the

site. There are some examples of dormers projecting beyond the original rear elevation in the local area and in this instance the proposed dormer has been assessed and would be considered acceptable in terms of separation distances to the rear site boundary and with neighbouring properties and that it would be set back from the rear elevation by 3m.

One neighbour noted that they would like someone from the enforcement team to view the site from their property. As the neighbour in question had been visited twice previously by the planning officer, who took photographs of the site from the neighbour's house and garden, it was not considered necessary for an enforcement officer to visit the property again.

Conclusion -

The proposal is considered acceptable in terms of visual and residential amenity and conforms to the Bury Unitary Development Plan Policy No H2/3 – Extensions and Alterations and the Development Control Policy Guidance Note 6 – Alterations and Extensions to Residential Properties, and Places for Everyone Joint Development Plan listed.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during pre-application discussions to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 002 Revision 1 and 003 Revision 7 received on 13/11/2025 and drawing numbered 001 Revision 2 received on 06/01/2026 as modified by the email from Debtal Architecture Ltd dated 06/01/2026. The development shall not be carried out except in accordance with the details 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.
- 4 Before the first occupation of the extension hereby permitted the new first floor bathroom and en-suite windows to the east side elevation of the rear extension shall

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be fitted with obscured glazing (minimum obscurity level 3) and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

- 5 Before the first occupation of the dormer hereby permitted the window shall be fitted with obscured glazing (minimum obscurity level 3) and unopenable to a height of 1.7m, as measured from the internal floor level and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with 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 - 07/01/2026		DM - 07/01/2026	