

REPORT FOR DECISION

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	20th JANUARY 2015
SUBJECT:	PLANNING APPEALS
REPORT FROM:	DEVELOPMENT MANAGER
CONTACT OFFICER:	JOHN CUMMINS
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>Planning Appeals:</p> <ul style="list-style-type: none"> - Lodged - Determined <p>Enforcement Appeals</p> <ul style="list-style-type: none"> - None to report
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices.
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

This is a monthly report to the Committee of the Planning Appeals lodged against decisions of the authority and against Enforcement Notices served and those that have been subsequently determined by the Planning Inspectorate.

Attached to the report are the Inspectors Decisions and a verbal report will be presented to the Committee on the implications of the decisions on the Appeals that were upheld.

2.0 CONCLUSION

That the item be noted.

List of Background Papers:- Copy Appeal Decisions attached

Contact Details:-

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**Planning Appeals Lodged
between 08/12/2014 and 11/01/2015**



Application No.: 56560/FUL

Appeal lodged: 07/01/2015

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Refuse

Applicant: Miss Elizabeth Haslam

Location Land adjacent to 9 Taylors Lane, Radcliffe, Bolton, BL2 6QS

Proposal Demolition of existing buildings and regrading of land; Erection of 1 no. detached dwelling; Erection of stables, with tack room, store, kennels and wash room; Formation of manege (resubmission)

Application No.: 57263/FUL

Appeal lodged: 08/01/2015

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Refuse

Applicant: Mr Peter Clarke

Location Land at rear of 141 Stubbins Lane, Ramsbottom, Bury, BL0 0PR

Proposal Erection of a two storey dwelling

Total Number of Appeals Lodged: 2

**Planning Appeals Decided
between 17/11/2014 and 11/01/2015**



Application No.: 57611/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr & Mrs John Hughes

Location: 74 Windsor Road, Prestwich, Manchester, M25 0DE

Proposal: First floor extension at side and rear

Appeal Decision: Dismissed

Date: 29/12/2014

Appeal type: Written Representations

A copy of the Inspectors Appeal Decision is attached below;



Appeal Decision

Site visit made on 18 December 2014

by **P Eggleton BSc(Hons) MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 December 2014

Appeal Ref: APP/T4210/D/14/2227659

74 Windsor Road, Prestwich, Manchester M25 0DE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Hughes against the decision of Bury Metropolitan Borough Council.
 - The application Ref 57611 was refused by notice dated 5 August 2014.
 - The development proposed is a first floor extension to rear and gable of the property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The proposal would extend the dwelling, at first floor level, up to the boundary with the neighbouring property. At present, the dwellings are separated at first floor level by the width of the two garages. The slight set back and lower roof proposed would help to integrate the new and existing parts of the dwelling. However, this would be insufficient to ensure that the extension would be viewed as having a significantly different alignment to that of the frontage of the house. It would increase the scale of the dwelling overall and the prominence of the extension would significantly reduce the perceived gap between these houses.
4. I acknowledge that the properties opposite are terraced and that there are a number of other properties in the area with side extensions, including the attached neighbouring house. However, this section of Windsor Road has generally retained its original character and the spaces between the majority of semi-detached properties in this street make an important contribution to this. This proposal would result in these houses appearing more cramped. Their designs, particularly the hipped roofs, are not well suited to a more terraced form. Overall, the proposal would detract from the character and appearance of the area.
5. The proposal would be contrary to the design aspirations of Policy H2/3 of the Bury Unitary Development Plan 1997 as this includes a requirement that house extensions and alterations be considered with regard to a number of factors including the character of the property and that of the surrounding area. I

acknowledge that the design and materials proposed generally satisfy factors within the policy but this does not overcome the conflict with the element relating to the character of the area. The policy accords with the design requirements of the *National Planning Policy Framework* and I afford it considerable weight.

6. The proposal would also be at odds with the approach suggested by the Council's Supplementary Planning Document: Alterations and Extensions to Residential Properties 2010. This seeks a 1.5m set back from the frontage. I agree with the appellant that this is a very prescriptive requirement and to some extent, it is at odds with paragraph 59 of the *Framework*. However, its purpose is to ensure that uncharacteristic terracing does not occur. The set back that has been proposed with regard to this extension does not overcome this concern.
7. I do not know the circumstances relating to the other extensions in the area that have similar characteristics to this proposal. I cannot assume that the Council has acted inconsistently with regard to its current policy position. Whilst these examples provide some weight in favour of the proposal, I have to consider new development on its own merits and in the light of the current policy position.
8. I acknowledge that the living conditions within the property would be enhanced and the proposal would make effective and efficient use of the site. These matters gain some support from the *Framework*. However, whilst I have considered all the matters put forward, they do not outweigh my concerns with regard to the character and appearance of the area. I therefore dismiss the appeal.

Peter Eggleton
INSPECTOR