

DELEGATED REPORT

Report by Steven Gunn
Russell

Date of report: 21/06/2022

Ref:68231/FUL

Registration: 12/04/2022

LDfC: 03/06/2022

Expiry Date: 07/06/2022

Site Visit: 05/05/2022

Site Notice: 05/05/2022

Press Date: 12/05/2022

Objections: 0

Con Area: MARY

Adv Type: CA

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey side extension with gable roof and raised decking at rear.

Location: Glenside, St Anns Road, Prestwich, Manchester, M25 9QE

Description

The application relates to a three-storey semi-detached Victorian house on a residential street situated within St Mary's Conservation Area and is considered to be a Non-Designated Heritage Asset (NDHA). It is built on a higher level to the highway in front with some trees and shrubs to the front. The rear of the property is also elevated with the rear garden been terraced, together with very extensive natural screening comprising tall trees and shrubs to the rear which overlooks Prestwich Clough down below. There are no residential properties directly to the rear of the site.

The attached neighbour at 'Glenholme' has symmetrical footprint and elevations incorporating gable sections and ground floor bays both at front and rear elevations. The design is as originally built with the exception of a pitch roofed detached garage on the neighbours side 'Glenholme'. Encompassing both properties, the building as a whole has a number of evidential Victorian features including a 'dog tooth' dental string course brickwork, round soldier heads and gothic arch above the windows, string course, stone sills, and decorative front porch. To the side there is a side porch with decorative pitched canopy.

At the rear there is an existing raised patio the full width of the curtilage approximately 1.51m above garden level plus metal fencing approximately 1m high, while the shared boundary has an existing 1.8m high wooden panel fence.

Planning permission is sought for a two-storey side extension that would be set back approximately 7.8m from the front elevation and project out 4.27m at the side but remain within the rear building line and have a gable roof, although lower than the pitch of the main house. Materials would match existing and although windows in the current dwelling are mainly uPVC, the applicant proposes that the new windows are such, however sliding sash will be maintained, with 'Rehan Conservation' units used. There are no new side windows proposed.

The ground floor would accommodate a new garage, while the first floor would accommodate a proposed study. Both the front and rear elevations would have a garage door at ground level and a pair of slim vertical windows at first floor level.

Around the side of the proposed extension a gap of 1.4m would allow for movement of bins. At the rear of the dwelling the proposed development would have raised decking approximately 61cm higher than the existing patio, plus a new 2m high close boarded fence bounding the decking area 4.2m along the shared boundary. Existing steps and part retaining wall would be removed to make way for a new retaining wall and balustrade

approximately 1.07m high. There would be a separation of approximately 18m to the rear boundary, although there is no new rear boundary treatment proposed.

Relevant Planning History

None relevant.

Publicity

Immediate neighbours notified by letter dated 05/05/2022 sent to 9 (nine) neighbours. Site notice posted on 05/05/2022. Notification published in Bury times on 12/05/2022. No representations were received.

Statutory/Non-Statutory Consultations

Conservation Officer - Objection received. The proposal is not acceptable with regard to heritage issues as it would not comply with adopted UDP policies EN1/1-Visual Amenity, EN2/1-Character of Conservation Areas and EN2/2-Conservation Area Control and paragraphs 194, 197, 199, 202, 203, 206 of the NPPF.

Pre-start Conditions

N/A

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury

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.

Heritage - The application site is within St Mary's Conservation Area and is considered to be a Non-Designated Heritage Asset (NDHA).

This is a tall late Victorian semi-detached villa, one of a matching pair, constructed with red brick Flemish bond with slightly projecting lateral gables, ground floor bays and timber canopy between. The dwelling has a tall multi-pitched slate roof, and there are UPVc windows to upper floors. Original barge boards to the front gable have been replaced.

Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Paragraph 203 of the National Planning Policy Framework (NPPF) states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The building has been identified as a non-designated heritage asset (NDHA) in accordance with Annex 2 of the NPPF and is considered to be a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing). The 'Good Practice Advice Note 2: Managing Significance in Decision-Taking' published by Historic England (2015) clarifies non-designated assets as those "that have been identified in a Historic Environment Record, in a local plan, through local listing or during the process of considering the application."

Paragraph 202 of the NPPF states where a development proposal will lead to less than

substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The application site contains one of a pair of matching semi-detached dwellinghouses with strong symmetry both of which are considered to be NDHA's. The dwellinghouses are set in large plots with large open frontages and sides. The dwelling is a constituent part of the conservation area and represents a very strong contributor to the character and appearance of the locality.

The house itself is intact and largely unaltered, presenting a fine example of a late Victorian villa. It references the development of Prestwich Park and evidences the growing influence of Prestwich as a suburb of Manchester both during and post the industrial revolution.

Although the proposed side extension would be lower in height than the main part of the building its ridgeline would extend to just below the eaves of the existing house, and it would be a substantial and dominant two-storey structure. It would fill the space between the house and boundary with the adjacent unattached property and would be of substantial width compared with that of the main dwelling. As a result, the extension would significantly widen the property and would be seen as a disproportionate addition. The proposal would harm the legibility of the plan form of the house by partly obscuring the side gable projection and cause the total loss of the side entrance and canopy. The proposed garage door would form the majority of the ground floor front elevation of the proposed extension would also represent poor design in its visual incongruity with regard to the architectural aesthetic of the house. As such, the proposed extension would fail to respect and would thereby detract from the symmetry of the building, which is an essential part of its character and appearance, aesthetic and historic value as a heritage asset.

Overall, the proposal would represent a direct impact on the dwelling causing an unacceptable loss of significance to a heritage asset. The proposal would also represent, at the higher end of the spectrum, less than substantial harm to the character and appearance of the conservation area by virtue of the design of the proposed extension. This is considered with specific regard to the reduction of the openness of the plot, loss of symmetry of the matching semi-detached dwelling houses and unacceptable scale, mass and bulk. The proposed extension would be seriously detrimental to the existing dwellinghouse which provides such a strong contributor to the character and appearance of the conservation area. The proposed garage door would also represent an incongruous utilitarian feature in the street scene and in that part of the conservation area. As such the proposal would neither preserve or enhance the character or appearance of the conservation or better reveal its significance. Nor are there any identified or perceived public benefits that would outweigh the harm caused to the conservation area.

The proposal is not acceptable with regard to heritage issues as it would not comply with adopted UDP policies EN1/1-Visual Amenity, EN2/1-Character of Conservation Areas and EN2/2-Conservation Area Control and paragraphs 194, 197, 199, 202, 203, 206 of the NPPF.

Visual amenity - UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

In terms of scale, design, and appearance the proposed extension is generally out of character with the existing heritage asset and surrounding streetscene as described above. Additionally, the scale of the proposed extension is considered to represent excessive mass and bulk in relation to the main house.

The plans as submitted show no information on garage doors, the design of which could look out of keeping with the building, and it is therefore considered that there is insufficient

information on the design of the garage doors given the importance of the property as a NDHA. Streetscene

Situated at the side, the proposed extension would be readily visible from the public arena. Although the proposed extension would be generally subservient to the main dwelling by virtue of its height, with proposed materials that would match existing, and first floor windows that would line up with existing first floor windows, nevertheless its design and scale is considered to be inappropriate for this property and streetscene. This is considered due to the scale of the two-storey development which would almost double the width of the dwellinghouse from 6.40m to 10.55m and which is considered to create an unbalanced appearance, which is visually detrimental to the main house, and surrounding streetscene.

Although the new patio/decking would be raised 0.61m above the existing, it is at the rear of the building and not readily viewed from the public realm. As such the impact on the visual amenity of the streetscape and conservation area is limited. The main impact is on the neighbour and this is dealt with under the residential amenity section below.

The existing tree and shrub planting along the rear boundary would partially reduce the impact from the rear although the impact at the front is much more significant and the proposed development is considered to be an incongruous and unsympathetic design. In this respect the extension fails to comply with UDP Policy H2/3 and associated guidance in SPD6.

Residential amenity - UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

The proposed extension does not project beyond either the front or rear building line and is acceptable in relation to the unattached neighbour at '2 Park Villas'. The front of the side extension would be set back from the main building line by 7.8m which is considered to be acceptable.

Although the side elevation would be only 1.4m from the shared boundary with '2 Park Villas', overlooking is minimised by the fact there are no new side windows proposed, and that neighbour has a relatively large side garden (approximately 16m wide). In terms of the attached neighbour at 'Glenholme', there is no direct impact.

In terms of the general prominence and impact on daylight the extension (comprising two floors plus gable roof) is set 1.4m off the shared side boundary and is to the east of '2 Park Villas'. The extension would have a relatively notable impact on part of that neighbours side/rear garden particularly in the mornings, but although some overshadowing would be seriously excessive over part of that neighbours garden nevertheless the large garden size means that overall any overshadowing would only affect a relatively small proportion of that garden at any one time. In this respect the extension would not have such a serious impact on the outlook from '2 Park Villas'.

With regards to residential amenity the proposed screen fence would have an unacceptable impact on the neighbours amenity in terms of height (4m above ground level) and position along the shared boundary. The proposal is therefore unacceptable and would conflict with UDP Policy H2/3 and associated guidance in SPD6.

Highways - The proposal would result in the construction of a new side garage effectively increasing the number of parking spaces from 2 to 3 (including garage).

The proposal would increase the number of bedrooms from 4 to 5 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered, which requires the proposal to provide a maximum of 3 parking spaces within this high access area. Existing on-site parking provides approximately 2 car spaces within a relatively wide driveway, and there is additional parking available on street.

Given the situation, the fact that the dwelling already has 4+ bedrooms, and that there are no changes to parking layout other than the provision of a side garage, it is therefore considered that the proposed parking arrangements are sufficient. In this regard the proposed extension would be acceptable and comply with UDP Policy HT2/4 and associated guidance in SPD11.

Conclusion - In consideration of the above, it is considered that the proposed development would not be acceptable in terms of the scale, siting, and design, of this development. The existing property is a NDHA which makes a strong contribution to the conservation area and the harm caused by the proposed development would not be outweighed by any public benefit. Additionally, it is considered that the proposed increase in the patio/decking area would be very large and its height combined with the proposed screen fence would have a detrimental impact on visual amenity. However, reducing its height would then mean a detrimental impact in terms of residential amenity due to overlooking and loss of privacy.

The LPA has not sought improvements from the applicant as there are no areas of mitigation that would be considered appropriate in this case. As such, the proposed development is therefore considered to be unacceptable and fails to comply with the NPPF, and UDP Policies EN1/1 - Visual Amenity, EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas, and EN2/2 - Conservation Area Control, and H2/3 House Extensions with associated guidance in SPD6.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed side extension by reason of its size, position and design, would 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 extension would harm the significance of the Non-Designated Heritage Asset and surrounding Conservation Area. The proposed development therefore conflicts with the National Planning Policy Framework and the following policies of the Bury Unitary Development Plan: EN1/1 – Visual Amenity, EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control, and H2/3 Extensions & Alterations with associated guidance in SPD6.
- 2 The proposed new patio/decking and proposed fencing would, by reason of its size, position and design, be a prominent and intrusive feature 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: EN1/2 - Townscape and Built Design, EN1/1 - Visual Amenity, and H2/3 Extensions & Alterations with associated guidance in SPD6.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
SGR	21/06/2022		