

DELEGATED REPORT

Report by Amanda Uhunmwagho	Date of report: 19/01/2026	Ref: 72437/FUL
Registration: 18/11/2025	LDfC: 19/12/2025	Expiry Date: 13/01/2026
Site Visit: 26/11/2025	Site Notice: N/A	Press Date: 27/11/2025
Objections: 0	Con Area: POPP	Adv Type: CA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: 2 skylights to rear roof slope.

Location: 15 Guest Road, Prestwich, Manchester, M25 3DJ

Description

The application property is a previously extended two storey, semi-detached property located within the Poppythorn Conservation Area. No.13, attached is a Non-Designated Heritage Asset (NDHA). At the front there is a short brick wall with railings along the front and south side boundaries, a fence along the north side and there are pillars to either side of the drive entrance. The whole of the front of the site is hardstanding providing on site parking for at least two vehicles. Access to the rear of the property is via gates at the side of the house. There are fences and planting to all the boundaries of the rear garden.

The proposal is to add 2 rooflights to the rear of the dwelling.

Relevant Planning History

70600 - Side dormer; Rear dormer; Single storey rear pitch roof to flat roof with parapet wall - 17/12/2024

70600 - Side dormer; Rear dormer; Single storey rear pitch roof to flat roof with parapet wall - Refused 13/05/2024

72223 - Single storey rear pitch roof to flat roof with parapet wall - Approve with Conditions 11/09/2025

Publicity

7 neighbours notified on 18/11/2025 - No comments or objections received.

Site notice up on 26/11/2025.

Press advert on 27/11/2025.

Statutory/Non-Statutory Consultations

Conservation Officer - Objection received.

The proposed rooflight to the front elevation roof slope should be removed from the scheme. It would potentially have visibility in the street scene from street level and would be visible from first floor windows opposite on Guest Road. The dwelling house is in an existing sustainable use and the rooflight is not required to provide light to a habitable room.

The rooflight would represent a contemporising architectural feature within the conservation area that would not preserve its character or appearance and reduce the contribution the dwelling makes as a whole to the character and appearance of the conservation area. As such it would constitute less than substantial harm, but as a private residence there would be no public benefit that would outweigh the harm identified (paragraphs 212 and 215 of the National Planning Policy Framework).

Further comments received :-

- The Existing roof lights in the roofscape along Guest Road, however they have been allowed, do not set a precedent and are not a justification to allow further harm to the character and appearance of the conservation area by the addition of further rooflights. This would constitute a gradual erosion of the character and appearance of the conservation area which would not satisfy the Councils' legal duty to preserve or enhance.
- Whilst the rooflight may be relatively small it still represents harm to the character and appearance of the conservation area, as such this would represent less than substantial harm which would require a balancing of any public benefit, this has been covered in my original comments. The courts have clarified that there are three levels of harm with regard to heritage conservation assessment: Substantial harm, Less than substantial harm and no harm. Even a small window which may be considered to cause negligible harm would constitute less than substantial harm, harm is harm. **James Hall and Co. V City of Bradford Metropolitan District Council and Co-Operative Group Limited [2019] EWHC 2899 (Admin).**
- There is no other justification for the harm. There is no requirement under policy or regulation to provide a window to a non-habitable room and it is not uncommon for hotel rooms and dwelling house bathrooms not to have a window.
- The rooflight is not required to bring the building back into use or to prevent its loss.

As such the rooflight would cause less than substantial harm which would not preserve or enhance the character or appearance of the conservation area. There would be no public benefit that would outweigh the harm identified.

A revised drawing was received on 19/01/2026 omitting the front rooflight - The conservation officer has no objections to the two rooflights to the rear.

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 as well as the impact on the surrounding conservation area and the attached dwelling which is a non-designated heritage asset.

Impact on the conservation area and visual amenity -

The application site is within the Poppythorn Conservation Area and is a semi-detached dwelling attached to 13 Guest Road which is a Non-Designated Asset.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in the exercise of their planning functions to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Paragraph 210 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 215 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.

Paragraph 216 of the 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 conservation area derives its special character, appearance and distinctiveness from the late 19th century and early 20th century villas built for merchants from Manchester seeking to live in a less industrialised environment and also as a projection of their growing status especially after the arrival of the railway to Prestwich in 1879.

The dwellings are characterised by their slated pitch roofs and hipped roofs in the Polite style with architectural and decorative features inspired by the Arts and Crafts and Art Nouveaux movements. The roofscape in that part of the conservation area, with the exception of some roof lights, provides a cohesive grain of development that contributes to the character and appearance of that part of the conservation area.

The conservation officer has given the following objections to the rooflight to the front of the property.

The rooflight would represent a contemporising architectural feature within the conservation area that would not preserve its character or appearance and reduce the contribution the dwelling makes as a whole to the character and appearance of the conservation area. As such it would constitute less than substantial harm, but as a private residence there would be no public benefit that would outweigh the harm identified (paragraphs 212 and 215 of the National Planning Policy Framework).

There are several properties on Guest Road which have rooflights to the front of the property but there does not appear to be any planning history for those rooflights. As such these particular rooflights may have been installed prior to the designation of the conservation area, or they have been installed without the appropriate planning permission. As well as these properties there are five other dwellings which appear to have received planning permission for rooflights at those properties.

Following discussion with the conservation officer the rooflight, originally proposed on the front of the roof was removed from the proposal description. As such the application is to install two rooflights to rear of the dwelling only.

The rooflights to the rear would not be visible in the streetscape along Guest Road and as they would be embedded into the roof slope any projection above the existing roof tiles would be minimal. They would also be anthracite grey in colour which would blend well with the existing roof tiles.

The conservation officer has no objection to the rooflights to the rear of the dwelling. It is considered that the rooflights to the rear of the dwelling would not have any significant detrimental effect on the character of the conservation area, including the application property which is a NDHA dwelling, or visual amenity in the immediate vicinity. Taking this into account the proposal would preserve the character of the conservation area. As such it is considered that the proposal conforms to Bury UDP Policies H2/3 - Extensions and Alterations, EN2/1 – Character of Conservation Areas, EN2/2 – Conservation Area Control, paragraphs 210, 215 and 216 of the National Planning Policy Framework 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 -

The proposed rooflights to the rear of the dwelling would be installed at such a height that users of the room would not have clear views over neighbouring properties and gardens. As such it is considered that there would not be any significant detrimental impact on privacy at neighbouring sites.

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 4 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 an area at the front for parking a vehicle and this would remain. The area is high access in terms of public transport and there are no parking restrictions to the highway in front of the site. In this instance then the parking arrangements are considered sufficient.

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 the application process 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 GSS23177-002 and GSS23177-502 received on 06/10/2025 and drawing numbered GSS23177.7-003 Revision 4 received on 16/01/2026 as modified by the email from Gold Sketch Studios dated 16/01/2026. 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 19/01/2026			