

DELEGATED REPORT

Report by Amanda

Date of report: 10/05/2024

Ref:70600/FUL

Uhunmwagho

Registration: 05/04/2024

LDfC: 10/05/2024

Expiry Date: 31/05/2024

Site Visit: 19/04/2024

Site Notice: N/A

Press Date: 11/04/2024

Objections: 0

Con Area: POPP

Adv Type: CA

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Side dormer; Rear dormer; Single storey rear pitch roof to flat roof with parapet wall

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

Description

The application property is a two storey semi-detached property located within the Poppythorn Conservation Area, which has an existing single/two storey rear extension. 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 erect a pitch roof dormer to the side, flat roof dormer to the rear and change the pitch roof of the existing single storey rear extension to a flat roof with parapet wall.

Relevant Planning History

N/A

Publicity

6 neighbours notified on 08/04/2024 - No comments or objections received.

Press notice - 11/04/2024.

Site notice - 19/04/2024.

Statutory/Non-Statutory Consultations

Conservation Officer - Objection.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

EN1/2 Townscape and Built Design

EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control

NPPF National Planning Policy Framework

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/Conservation officer comments -

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 203 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 208 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 209 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 application dwelling has an altered front elevation by way of a two storey bay window added probably in the late Edwardian period. The attached No.13 only has a bay added at ground floor level and so the original detailing at first floor level can still be seen. Set in the arch above the first floor front elevation window is a cartouche inscribed with an intertwined "CJ" flanked by red roses in the Art Nouveaux style.

The proposed dormer roof extensions do not represent a feature of the conservation area as a whole or of the period dwellings that contribute to its character. There are very few if any in existence within the conservation area maintaining a homogenous and cohesive architectural and visual grain in the roofscapes that represent a positive contribution to the character and appearance of the conservation area. The proposed side dormer to the existing hipped roof and box dormer to the rear roof slope would be visible in the street scene and from wider views to the rear in and out of the conservation area and would represent a contemporising and incongruous feature in the conservation area which would not preserve or enhance its character or appearance. As such the proposed dormers would present less than substantial harm within the terms of paragraph 208 of the NPPF and would not provide a public benefit that would outweigh the harm identified to the character and appearance of the conservation area.

The attached dwelling at No.13 which is an NDHA would have harm caused to its setting by

the proposed box dormer which in turn would represent a loss of significance.

The proposed change of roof to the existing single storey rear extension is not considered to represent less than substantial harm requiring a public benefit.

As such the proposed dormer extensions would cause less than substantial harm to that part of the conservation area as they would not at least preserve its character or appearance, and would be without any public benefit that would outweigh the harm identified.

The proposed dormers would either not comply with or be contrary to adopted UDP policies EN2/1 – Character of Conservation Areas, EN2/2 – Conservation Area Control, JP-P2 of the Greater Manchester Combined Authority Joint Plan and paragraphs 203, 208 and 209 of the National Planning Policy Framework.

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 existing single storey rear extension is not visible in the streetscene and the change from a pitched roof to a flat roof with parapet wall would not have any significant detrimental effect on the character of the streetscene. The drawings show that it would be built with materials that would be considered to be in keeping with the existing rear extension.

There appears to be just three properties along Guest Road which have pitched roof dormers to the front elevations, but those dormers are relatively small on the roof space and they are built with traditional features which reflect the buildings they are on. The side dormer would be fully visible in the public realm and its ridge would be built up to the same height as the ridge on the existing dwelling. This would result in the building appearing incongruous on the pair of semis and in the wider streetscape, and it would therefore be unacceptable in terms of visual amenity and contrary to UDP Policy H2/3 and guidance in SPD6.

The rear dormer would not be fully visible within the streetscape along Guest Road but it would be from wider views to the rear in and out of the conservation area. As per the Conservation officer's comments, the rear box dormer would represent a contemporising and incongruous feature in the conservation area which would not preserve or enhance its character or appearance. Similarly it would not be considered to be in keeping with the existing building for the same reasons.

Given the above the proposal does not conform 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.

Residential Amenity -

- There would be around 11m of separation distance from the rear dormer to the rear site boundary. This would be considered acceptable in terms of privacy to the property and garden directly to the rear.
- The dormer to the side would be to a stairwell/landing which would be considered to be a habitable room. As such the distance to the side boundary and the side elevation/roof of no.17 Guest Road would be considered to be acceptable in terms of any impact on privacy at the neighbouring property.
- The change of the roof style on the existing single storey rear extension from a pitched roof to a flat roof with parapet wall would not have any more of an impact on no.13, attached given there is also a single storey extension on the rear of that property, directly adjacent to the shared boundary.

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- The top of the parapet wall would not be higher than the ridge of the neighbouring extension at no.13.

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 two vehicles and this would remain following the property being extended. There are no parking restrictions to the highway in front and the area is high access in terms of public transport. 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 proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The design of the appearance of the proposed dormers are neither appropriate to, nor sympathetic with the existing structure, and would therefore would have a seriously detrimental impact on the existing street scene. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.

<u>Case Officer</u> AU - 10/05/2024	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
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