



Appeal Decision

Site visit made on 17 May 2024

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 14th June 2024

Appeal Ref: APP/P4225/D/23/3338142
56 Windsor Road, Prestwich 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 Raj Singh against the decision of Bury Metropolitan Borough Council.
 - The application Ref: 69976 dated 18 September 2023 was refused by notice dated 13 November 2023.
 - The application is for loft conversion with rear dormer extension, two storey extension at side, addition of first floor window to side elevation, two storey extension at rear with amendment to balcony, new cladding to front elevation and installation of 2 ventilation mechanical intake extract units to the side elevation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published in December 2023. I have therefore determined this appeal in accordance with the revised provisions within the Framework.
3. The description above is taken from the Council's Decision Notice and differs from that used on the Appellant's original application form. However, the Appellant has confirmed in part E of the Appeal form that the description is still accurate. I consider that the description of development as used by the Council more accurately reflects the nature of the scheme proposed and as such I have used the description used by the Council accordingly.

Main Issues

4. The main issues are the effect of the proposal upon the character and appearance of the area and the effect upon the living conditions of neighbours.

Reasons

5. The appeal property is a two storey bow fronted semi detached property. The house has a central pitched roof porch and has been extended both to the roof level to the side and to the rear over recent years. Much of this development has been agreed through previous applications¹ although some elements of the

¹ Application reference numbers: 65792 and 66998

proposed scheme were subsequently resisted by the Council. This application that is subject to this appeal therefore attempts to rectify some of these concerns with particular reference to elements around the rear dormer and rear balcony. The scheme also seeks permission to retain two mechanical extraction units to the side elevation and the now extant stone type cladding to the front elevation.

6. It appears common ground between the parties that much of the alteration to the rear dormer and balcony that was previously resisted could be remedied through this application subject to conditions. I therefore do not intend to dwell upon these matters and instead will focus upon the areas of contention between the parties as follows.
7. In this regard the main issues are concerned with the effect of the proposal upon the character and appearance of the area through the stone effect cladding that has been implemented to the front elevation as well as the effect of the two extract units mounted above the neighbouring flat roof garage on the side elevation. There are also potential issues around the living conditions of neighbours in light of these mechanical extract units that I shall seek to address.
8. In assessing this appeal I am aware of the Council's Policy H2/3 regarding extensions and alterations. The general approach of this policy is to ensure that the design of such proposals is reflective and responsive to the parent property and to the surrounding areas. This approach reflects the guidance with The Framework in the importance that it places upon distinctive and high quality design that is responsive to its particular context.
9. I saw on my site visit that the works already carried out have created a marked departure between this property and the vast majority of neighbouring houses. The overriding character of the area is one of red brick or rendered properties that would be consistent with the suburban nature of the area. By contrast, the scheme before me has dramatically altered the front elevation material to that of small, irregular and elongated light stone cladding tiles.
10. The scheme has therefore introduced a wholly alien material into this area which badly harms the remaining distinctive character through the introduction of a new material that is unrelated to anything around it. This erodes the sense of place that is so important for the context of this site and the location to which it belongs. As such the proposal represents a harmful introduction into the area that would be in conflict with policy H2/3 of the Council's Local Plan.
11. The mechanical extractor units are located high up to the side elevation. Although this is a secondary elevation the units are still visible from the streetscene and introduce an element of clutter into the area which erodes its character. I have evidence before me that the mechanical units face directly onto the neighbouring property at number 50 Edenfield Road and as a result these units appear both incongruous and intimidating when seen from the rear of this property.
12. As such, although the Council's Pollution Control Officer raises no objection to these devices in terms of noise, I consider that there would at least be a harmfully dominant impact upon both the immediate neighbours and upon the local area through these units being located here.

13. Although I raise no issue with regards the non contentious elements of this scheme to the balcony and dormer that could be conditioned to make them acceptable, the front cladding and the mechanical units to the side elevation would both cause harm to the character and appearance of the area and upon the living conditions of those living at number 50 Edenfield Road. These elements cannot easily be separated as a split decision and as such I find this proposal as a whole would be in conflict with Policy H2/3 of the Bury Unitary Development Plan as well as other guidance in the form of the Alterations and Extensions Supplementary Planning Document. As such this scheme would also be in contravention to the overriding policy approach within the Framework.

Other Matters

14. The adjoining neighbour has also raised concern with the presence of eaves lighting to the gable elevation of the appeal property. This element of the scheme is not included in the plans before me and as such I must defer to the Council on this matter to deal with howsoever they may wish.

Conclusion

15. For the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR