

DELEGATED REPORT

Report by Mo Warsame	Date of report: 25/09/2024	Ref: 71028/FUL
Registration: 05/08/2024	LDfC: 05/09/2024	Expiry Date: 30/09/2024
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Variation of condition no. 2 (approved plans) and no. 3 (materials) planning permission 69121: Alter the roof from gable to hipped and change material from cladding to brick on front porch and side extensions.

Location: 66 Agecroft Road West, Prestwich, Manchester, M25 9RH

Description

The property is a bay fronted semi-detached house that sits at a raised level from the road. It has a garden and drive to the front. To the rear it is extended with a large private garden with high planting and scrubs along the boundaries. The rear boundary borders the rear gardens of No.173 and No.175 Butterstile Lane which are not visible due to the existing high scrubs and planting. The adjoining neighbour is No.68 which is also screened by planting along the shared boundary. To the opposite side No.64 sits at an angle and higher than the site.

Planning permission is sought for the the variation of condition no. 2 (approved plans) and Condition no. 3 (materials) of planning permission 69121, to alter the roof from gable to hipped and change material from cladding to brick on front porch and side extensions.

Relevant Planning History

69121 - Two storey side extension; Single storey rear extension; Front porch
- Approve with Conditions 23/02/2023.

Publicity

N/A

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Development Plan and Policies

H2/3 Extensions and Alterations
SPD6 Supplementary Planning Document 6: Alterations & Extensions

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.

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.

The proposal is for the the variation of condition no. 2 (approved plans) and Condition no. 3 (materials) of planning permisison 69121: to alter the roof from gable to hipped and change material from cladding to brick on front porch and side extensions.

There are a mix of finishes to properties along this part of Agecroft Road, including brick and render. The change of material from cladding to brick on front porch and side extensions, whilst altering the appearance of the property from Agecroft Road, would not be out of keeping with other properties along the road frontage. Infact, this material would be more in keeping than the previously proposed timber cladding.

The change of roof design from gable to hipped roof would also be acceptable as majority of the properties on this street have hipped to roof and as such would be in-keeping with the street scen.

The proposed external alterations would not have a seriously detrimental impact on the streetscape and would comply with the NPPF and UDP Policy EN1/2 Townscape and Built Design.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

The proposed development would have no significant adverse impact on the residential amenity of any adjacent neighbours.

The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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 Dwg no. LP2224-3-200, Dwg no. LP2224-3-201, Dwg no. LP2224-3-300, Dwg no. LP2224-3-301 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	25/09/2024	DM -	26/09/2024