

DELEGATED REPORT

Report by Tom Beirne	Date of report: 03/12/2020	Ref: 66134/FUL
Registration: 28/10/2020	LDfC: 27/11/2020	Expiry Date: 23/12/2020
Site Visit: 19/11/2020	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Replacement of A/C system, external condenser unit to be replaced with new, New roof edge protection to the existing low parapet wall - Convert existing window to access door to flat roof

Location: 463 Bury New Road, Prestwich, Manchester, M25 1AD

Description

The application relates to the two storey Nat West Bank on the corner of Bury New Road and Clifton Road. The site is within Prestwich Town Centre.

The proposal is to replace the existing VRV/air conditioning units to provide heating and cooling for the building. Most of the works are internal with the external unit installed on rear wall, above the flat roof.

Relevant Planning History

58642 - 3 no. internally illuminated fascia signs. 1 no. internally illuminated hanging sign. 1

no. internally illuminated ATM sign - Approve with Conditions 08/06/2015

61654 - Alterations to the size of the ATM aperture to accommodate new ATM machine and surround - Approve with Conditions 28/07/2017

61655 - 1 no. 420mm high NatWest marketing tablet with internally illuminated lettering, logo and accent lines - Approve with Conditions 28/07/2017

Publicity

Immediate neighbours notified by letter dated 05/11/2020. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Unitary Development Plan and Policies

NPPF National Planning Policy Framework

TC1 Town Centres

EN1/2 Townscape and Built Design

EN4/2 Energy Efficiency

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.

Need - The new air con system would increase AC efficiency for the bank and offices and is therefore welcomed.

Visual amenity - The only external element would be the condenser unit on the rear wall at first floor level. As such the system would not have a detrimental impact on visual amenity and would not be readily viewed from the public arena. The proposal complies with UDP Policy EN1/2 Townscape and Built design.

Residential amenity - Given the nature and scale of the proposal within what is a commercial area, noise would be minimal and there would be no impact on residential amenity.

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

DELEGATED REPORT

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 received 28/10/2020 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 listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	03/12/2020	DM	08/12/2020