

DELEGATED REPORT

Report by Sam Summers	Date of report: 27/02/2024	Ref: 70387/PIAPA
Registration: 05/01/2024	LDfC: 30/01/2024	Expiry Date: 01/03/2024
Site Visit:	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: NREQ

Proposal: Prior approval for change of use of part of ground floor from retail unit (Use Class E) to 1 no. dwelling (Use Class C3)

Location: 51 Walmersley Road, Bury, BL9 5AE

Description

Prior approval for change of use of part of ground floor from retail unit (Use Class E) to 1 no. dwelling (Use Class C3) under Part 3 Class MA of the General Permitted Development Order 2015(as amended). The property is a two storey building in a row of shops located on Walmersley Road.

Relevant Planning History

None

Publicity

Letters sent to neighbouring properties 08/01/2024

Statutory/Non-Statutory Consultations

Traffic Section - Cannot support without in curtilage bin store
Environmental Health - Contaminated Land - No comment
Environmental Health - Pollution Control - No comment

Pre-start Conditions - None

Unitary Development Plan and Policies

Issues and Analysis

There is no provision for operational development/external alterations under Part 3 Class MA of the General Permitted Development Order 2015(as amended). There are several external alterations indicated on the floor plans provided by the applicant. The most significant being the roof alterations to allow the creation of a courtyard area at the rear of the property. There are also several roof lights indicated on the proposed plans which would also constitute external alterations to the building.

Additionally even with the creation of the courtyard area the proposal would still not comply with MA.2-(2)(f) requiring the provision of adequate natural light in all habitable rooms of the dwellinghouses. This is due to the fact that the courtyard area is small and the new window created for the bedroom would be less than 1m from a two storey brick wall which would block the majority of the natural light. The dining/living room would have the same issue as the only natural light proposed is from the windows facing the courtyard although in this case they are facing a single storey wall rather than a two storey one.

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Whilst Traffic have objected on bin storage grounds that is not an aspect we can consider on this application.

Recommendation: Prior Approval Required and Refused

Conditions and Reasons:

- 1 The proposal requires operational development which is not permitted under Part 3 Class MA of the General Permitted Development Order 2015(as amended).
- 2 Proposal would not provide adequate natural light in all habitable rooms of the dwellinghouse and as such would not comply with Part 3 Class MA Paragraph MA.2.(2)(f) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
SS	27/02/2024	DM	28/02/24