

DELEGATED REPORT

Report by Mo Warsame	Date of report: 30/05/2024	Ref: 70562/FUL
Registration: 05/04/2024	LDFC: 02/05/2024	Expiry Date: 31/05/2024
Site Visit: 17/05/2024	Site Notice: N/A	Press Date: 11/04/2024
13:00:00		
Objections: 0	Con Area: MARY	Adv Type: CA
Reason for Delay:		EIA: NA
N/A		Dec Level: OCL
		Stat Class: HOUS

Proposal: Erection of porch and garage conversion including removal of existing garage door and replacement with glass door/window unit.

Location: 65 Shrewsbury Road, Prestwich, Manchester, M25 9GQ

Description

The application relates to a detached morden built property that sits on hill. The adjacent property (No. 67) is similar styled houses and there is a steep embankment to the rear. There are no property to the east of the site.

Planning permission is sought for the erection of porch and garage conversion including removal of existing garage door and replacement with glass door/window unit.

Relevant Planning History

23/0437 - Works to TPO trees - 15/01/2024

Publicity

Neighbour letter sent. No objections received.
Public Notice displayed and advertised. No objection received.

Statutory/Non-Statutory Consultations

Conservation Officer

Pre-start Conditions

N/A

Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control

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 and Conservation Area

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.

Both the existing garage and porch would retain their forms as it would be only the doors/windows that would be altered. Furthermore, the proposed windows would be relatively modest and would align with the existing. Therefore, the proposal would be considered acceptable, in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

In terms of the Conservation Area, the Conservation Officer have not objected to this proposal. Overall the proposal is considered simple development that would not alter the form of the dwelling. Moreover, it is also considered to be reversible. As such the proposal would not have a detrimental impact on the visual amenity of the area and the character and appearance of the conservation area.

Residential amenity

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

- There would be minimal change and ground floor windows are also generally permitted development. Therefore, there would be no serious impact on the amenity of this adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - 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. 001, Dwg. no. 002, Dwg. no. 003, Dwg. no. 301 Rev 1, Dwg. no. MA24006 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 listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	30/05/2024		