

DELEGATED REPORT

Report by Tom Beirne	Date of report: 29/11/2023	Ref: 69889/FUL
Registration: 16/10/2023	LDFC: 15/11/2023	Expiry Date: 11/12/2023
Site Visit: 14/11/2023	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: Remove all fascia signage, marketing and ATM and infill with matching brickwork

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

Description

The application relates to a two storey corner former bank property, circa 1914. The property is within Prestwich Town Centre and is a non-designated listed building (LL187). The property is currently vacant.

As the bank has closed, the signage, ATM and night safe are being removed. The proposal involves:

Elevation 1 (Main entrance):

- All fascia signage to be removed.
- All marketing to be removed.

Elevation 2 (Bury New Road):

- All fascia signage to be removed.
- All marketing to be removed.
- ATM to be removed and infill with brickwork.
- Night safe plate to be removed and infill with brickwork.

Elevation 3 (Clifton Road):

- All fascia signage to be removed.
- All marketing to be removed.

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

66134 - 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 - Approve with Conditions 08/12/2020

Publicity

Immediate neighbours notified by letter dated 24/10/2023. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection subject to a condition requiring a sample of the matching brick and mortar being submitted to and approved in writing by the Local Planning Authority.

Pre-start Conditions - Agreed.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
S2/2	Prime Shopping Areas and Frontages
EN1/9	Advertisements

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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.

Visual amenity and Heritage - In terms of the building itself, the removal of all the external signage and removal of the ATM and night safe would preserve and actually improve its appearance. All the fixing holes will be filled/ repaired and openings infilled with matching brickwork and mortar colour. The original building fabric and features would not be altered, removed, or concealed. Within the wider streetscape, the overall appearance would be preserved and improved and as such there would be no adverse effect to the historic environment. The conservation officer has no objection and the proposal complies with the NPPF and UDP Policies EN1/1, EN1/2 and EN2/2 relating to visual amenity and heritage.

Residential amenity - Given the nature of the proposal, there are no residential amenity issues arising. The proposal is acceptable and complies with UDP Policies EN1/1, EN1/2 and EN2/2 in relation to 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 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 3452/G2P/E1, G2P/E2, G1P/E3, G1P/E1, G1P/E2, G1/E1, G1/E2, G1/E3, G2P/E3, 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.
- 3 Prior to the commencement of any infilling of the ATM and night, a sample of the matching brick and mortar to be used shall be submitted to and approved in writing by the Local Planning Authority, together with a plan showing the protruding brickwork panelling to match that of the existing elevation. Only the materials and brickwork pattern approved shall be used in the carrying out of the development hereby approved.
Reason: To preserve the special architectural interest of the building which is of local heritage interest which has been identified as a Non-Designated Heritage Asset within the terms of Annex 2 of the National Planning Policy Framework. Pursuant to adopted Bury UDP policies EN1-Built Environment, EN1/1 Visual Amenity, EN1/2-Townscape and Built Design.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	2023		

