

DELEGATED REPORT

Report by Dean Clapworthy	Date of report: 13/05/2024	Ref: 70669/NON
Registration: 22/04/2024	LDfC:	Expiry Date: 20/05/2024
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Non-material amendment following grant of planning permission 68243: Amendments to roof shape of single storey link & introduction of a window to the side elevation on first floor hallway

Location: 44-46 Meade Hill Road, Prestwich, Manchester, M25 0DJ

Description

The proposal relates to two adjacent semi-detached dwellings (i.e. not adjoined) that fall within the same ownership. They are positioned within a row of similarly styled and proportioned semi-detached dwellings that back onto the Metrolink line. The property at 46 Meade Hill Road has a single/two storey extension to the rear and a single storey side extension. The property at no. 44 has a first floor flat roof extension at the rear and an extant planning permission to extend further at the rear with a two/single storey extension (65765).

Planning permission 68243 was for a two storey side extension at no. 46 and single storey side joint extension to link no. 44 and 46.

The proposal is for a non-material amendment to the roof shape (introduction of a ridge between the single storey link) and the introduction of a window at the first floor side elevation of the two storey side extension.

No changes are sought to the materials and the extensions would be finished in brick and tile to match the existing dwelling.

Relevant Planning History

68243: Two storey side extension at no. 46 and single storey side joint extension to link no. 44 and 46. Approved with conditions 01/07/2022.

65765: Two/ single storey rear extension - Approve with conditions 12/11/2020

Publicity

N/A

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - Applicant/Agent [Not relevant/has/has not] agreed with pre-start conditions

Development Plan and Policies

H2/3 Extensions and Alterations

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.

ASSESSMENT

Impact on visual amenity

The proposed amendments include the installation of a ridged connecting roof in between the rear single storey extensions. The ridge would be set back from around 9m from the

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existing front elevation and would align with the height above ground of the ridge of the opposing extensions. The additional window to the first floor of the two storey side elevation would oppose the gable of no. 44 at close quarters.

Given the position of the proposed amendments, these would not be prominent in the street scene, are of a minor nature.

Impact on neighbouring amenity

The proposed connecting ridged roof between the opposing extensions would be set back around 2.75m from the rear wall (of the approved extensions) and would not be perceptible from within neighbouring properties. The proposed additional window would oppose a blank gable and would serve a non-habitable room.

The proposal would not have any unacceptable impacts on nearest neighbouring amenity.

Conclusion

Section 96A of the Town and Country Planning Act 1990 states that, 'A local planning authority may make a change to any planning permission, or any permission in principle (granted following an application to the authority), relating to land in their area if they are satisfied that the change is not material.'

The assessment of the proposed development above clarifies that the proposed change would not be material as it would not impact upon the visual amenity, the appearance and character of the site or residential amenity. As such, the proposed development constitutes a non-material amendment.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The proposed amendment to the roof shape of the single storey link and the introduction of a window to the side elevation on first floor hallway, as detailed in the application and on drawings Sheet 4 and Sheet 5, would not impact adversely on the character of the property, the street scene or the residential amenity of the neighbours. The amendment would accord with UDP Policy H2/3 - Alterations and Extensions to Residential Properties and the associated Supplementary Planning Document 6 - Extensions and Alterations to Residential Properties and the originally approved scheme reference 68243 and can be treated as a non-material amendment to the approved plans.

<u>Case Officer</u> DSC	<u>Date</u> 13/05/2024	<u>Sign off Officer</u>	<u>Date</u>
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