

DELEGATED REPORT

Report by Jane Langan	Date of report: 31/05/2022	Ref: 68482/NON
Registration: 19/05/2022	LDFC:	Expiry Date: 16/06/2022
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Non material amendment following approval of planning permission 67069 - Proposed lower (extension to the store only) and ground floor extension removed. Reduced lower ground floor extension now rendered on rear elevation and side elevation with render to existing brick of existing outrigger. Additional window added to existing rear elevation with the existing bay window replaced on ground floor.

Location: 16 Glebelands Road, Prestwich, Manchester, M25 1NE

Description

The property is a red brick detached house situated at the border of the Poppythorn Conservation Area. It has been extended first floor at the side and two storey at the rear. The rear elevation is lower in levels resulting in the property being over 3 floors at the rear. It has a good sized rear garden with a patio from the rear of the house and lawn at a lower level. The neighbour to the side of the proposal is No.18, a two storey detached house which has blank wall to the side.

The application is for a non material amendment to approval 67069 for extensions to the rear of the property. The amendments include removing the proposed extension to the store to the lower ground floor and the 0.9m deep ground floor extension to the dining room. The lower ground floor extension with balcony would remain and the balcony would now extend back to the existing rear elevation, the 0.9m section now removed, and a bay window would replace what would have been bi fold doors. There would still be a 2m side screen to the balcony. The rear and east side elevations of the new extension and existing two storey would be finished in white render instead of matching brick. To the rear elevation an additional window would be added to the dining room.

Relevant Planning History

64249 - Replacement dormer at side - Withdrawn 27/06/2019
64400 - First floor extension at side with pitched roof - AC 15/08/2019
67069 - Single storey rear extension with balcony above: Garage conversion including changing garage door to window at front: Extension to lower and ground floor at rear - AC 09/08/2021

Publicity

None.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary 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) 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.

Issues

The amendments would see a reduction in the size of the rear extension and a replacement bay window added to the existing rear elevation. With the 0.9m extension removed the balcony would be increased by this depth but project only to the existing rear elevation as previously approved and it would be screened to the same 2m height. The amendment to add a window to the dining room at the rear would introduce a new window to the rear and closer to the boundary with the adjacent No.18 however the site is approximately 3.4m from

DELEGATED REPORT

the boundary and the window could be added under permitted development. In addition No.18 is deeper with blank wall along the side and extended single storey at the rear and as such there would be no concerns regarding overlooking.

The change in materials from matching brick to white render would be to the rear of the property and would not then be visible from the main street view.

The revisions would not significantly alter the approved scheme in terms of the design of the extension or adversely impact on the amenity of the adjacent neighbouring properties. The changes are then acceptable as a non material amendment.

Recommendation: Approve with Conditions

Conditions and Reasons:

The proposed amendments including - Proposed lower (extension to the store only) and ground floor extension removed. Lower ground floor extension now rendered on rear elevation and side elevation with render to brick of existing outrigger. Additional window added to existing ground floor rear elevation and bay window replaced.

These amendments as detailed in the application and plans received 25/05/22 will not impact adversely on the character of the property or the residential amenity of the neighbours. The amendment will 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 67069 and as such can be treated as a non-material minor amendment to the approved plans.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	31/05/22		