

DELEGATED REPORT

Report by Dean Clapworthy	Date of report: 23/06/2023	Ref: 69558/FUL
Registration: 03/05/2023	LDfC: 29/05/2023	Expiry Date: 28/06/2023
Site Visit: 15/05/2023	Site Notice: 15/05/2023	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Replacement of roof and external works

Location: Unit 2, Park Seventeen, Whitefield, Manchester, M45 8FJ

Description

The proposal relates to an existing contemporary utilitarian employment unit linked to similar units at Park 17, Whitefield. The unit fronts onto a shared car park and residential properties to the south, beyond a largely landscaped bund. It has a ridged roof screened behind a parapet wall.

The proposal is for the replacement of roof and external works, including:

- Replacement of asbestos roof and installation of new profiled metal roof including roof lights (in goosewing grey);
- Installation of Hoval Roof Vent;
- Installation of Air Sourced Heat Pump and 2No. outdoor split units;
- Installation of 2No. Security cages;
- Installation of new window frames;
- Installation of new roller shutter;
- Installation of new warehouse fire door; and
- Preparation and re-coating of the existing elevation cladding sheets.

Relevant Planning History

69653 - Prior approval for proposed installation of roof mounted solar PV system comprising of 234 panels, 93.6 kwp. Undetermined.

Publicity

The proposal has been advertised by direct neighbour notification and press notice. No representations received.

Statutory/Non-Statutory Consultations

Environmental Health - Pollution Control: No comments to make.

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

EC2	Existing Industrial Areas and Premises
EC2/1	Employment Generating Areas
EN1	Built Environment
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution

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.

ASSESSMENT

Impact on visual amenity

The proposed alterations pertain largely to the roof and the rear (south) elevation. The new roof covering would be entirely screened behind the parapet walls, aside from a new roof vent that would be 1.5m wide and would project 1.2m above the parapet walls.

The cages to the rear would be 2m high and would enclose the mechanical plant units for the air source heat pumps and the roof vent). These would be set against the rear brick wall of the host building and would not be visible from nearest neighbouring dwellings to the south due to the intervening bund and landscaping. The works to the front elevation that would require planning permission, such as new windows, fire exit door and roller shutter

door to match the existing, would be minor. Other alterations (which would have the most significant impact) do not require planning permission as these relate to the renovation of existing cladding finishes, by cleaning and re-coating.

Given the above, the proposed alterations would refresh the appearance of the building and would not have any unacceptable impacts upon visual amenity or the street scene.

Impact on neighbouring amenity

The proposed air source heat pumps and ventilation units would be positioned at the base of the rear wall and over 35m from the rear of the nearest residential property to the south. There is a significant intervening bund and mature landscaping atop this. The Environmental Health Officer has not raised an objection to the proposal and it is not therefore considered that the proposal would have any unacceptable impacts on nearest neighbouring amenity.

Other matters

The subject building is of a modern construction with parapet walls effectively sealing the edges of the roof. The roof is therefore unlikely to provide suitable habitat for bats.

Conclusion

The development would not have any harmful impacts upon visual or residential amenity or protected species. As such, the proposal would comply with the above policies of the Local Plan and the NPPF. Therefore, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act, the proposal merits approval.

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 Subject to the requirements of the subsequent conditions, the development hereby permitted shall be carried out in accordance with the following approved drawings and documents:

Drawings

Location Plan (Dwg No. 533-020 Rev.A)

Block Plan (Dwg No. 533-021)

Plans as Proposed (Dwg No. 533-060 Rev.A)

Roof Plan as Proposed (Dwg No. 533-061 Rev.A)

Sections & Elevation as Proposed (Dwg No. 533-062 Rev.A)

Supporting Documents

Air Source Heat Pump - Ecodan R32 Monobloc 9PUZ-WM60VAA(-BS)

Hoval RoofVent Unit details/specs (Ref. 4 218 023-en-01)

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 The external finishing materials for the proposal hereby approved shall be as detailed within the approved application particulars.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u> DSC	<u>Date</u> 23/06/2023	<u>Sign off Officer</u>	<u>Date</u>
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