

**DELEGATED REPORT**

**Report by** Steven Gunn  
Russell

**Date of report:** 19/05/2022

**Ref:**68367/NON

**Registration:** 22/04/2022

**LDfC:** 18/05/2022

**Expiry Date:** 20/05/2022

**Site Visit:** 05/05/2022

**Site Notice:** N/A

**Press Date:** N/A

**Objections:**

**Con Area:** N/A

**Adv Type:** NONE

**Reason for Delay:**

**EIA:** NA

N/A

**Dec Level:** DEL

**Stat Class:** HOUS

**Proposal:** Non material amendment following approval of planning permission 66682 - Internal corner quoins removed on front elevation

**Location:** 33 Daneshill, Prestwich, Manchester, M25 2QL

**Description**

The application relates to a two-storey semi-detached house on a residential street of similar properties. Many dwellings on this side of the street have stone quoins, although some dwellings opposite have brick quoins.

Planning permission was recently granted (66682 / September 2021) for a "Single storey front extension; Two storey side extension; Single storey rear extension". A non-material amendment is sought following approval of planning permission 66682 to remove the Internal corner quoins on the front elevation.

**Relevant Planning History**

66682 - Single storey front extension; Two storey side extension; Single storey rear extension; - Approve with Conditions 02/09/2021

**Publicity**

Not required for this type of application.

**Statutory/Non-Statutory Consultations**

N/A

**Pre-start Conditions**

N/A

**Unitary Development Plan and Policies**

NPPF National Planning Policy Framework

EN1/2 Townscape and Built Design

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

**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.

**Visual amenity** - The proposed development involves a modest change in the appearance and design of the front extension involving removal of internal stone quoins on the basis they are in poor condition.

The applicant has submitted elevations. The proposals are considered minimal modifications to the previously approved scheme and cause no significant greater harm to visual amenity of the area.

It is therefore considered that the proposed amendment would not change the character of the originally approved scheme and is considered acceptable as a non-material amendment to approval 66682.

**Residential amenity** - In terms of overlooking and privacy to the rear, the proposed development involves a modest change in the design of the front elevation the involving removal of internal stone quoins. The amendment would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

**Highways** - No changes proposed.

**Conclusion** - In consideration of the above, it is considered that the proposed NMA would be acceptable in terms of the design, of this development. As such, the proposed development is therefore considered to be acceptable and complies with UDP Policies H2/3 and associated guidance in SPD6.

**Recommendation:** Approve

**Conditions and Reasons:**

- 1 The proposed amendments would not affect the character of the originally approved scheme and there would be no adverse impacts on design or visual amenity. The development would therefore still be in accordance with the principles of planning permission 66682 and the policies against which it was approved.

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|---------------------|-------------|-------------------------|-------------|
| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
| SGR                 | 19/05/2022  |                         |             |