

DELEGATED REPORT

Report by Amanda

Date of report: 14/01/2025

Ref:70967/FUL

Uhunmwagho

Registration: 04/12/2024

LDfC: 30/12/2024

Expiry Date: 29/01/2025

Site Visit: 17/12/2024

Site Notice: N/A

Press Date: 12/12/2024

Objections: 0

Con Area: MARY

Adv Type: CA

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Replace existing bay window and first floor windows to the front elevation, single glazed timber sashes to be replaced with vacuum glazed timber sashes

Location: 19 Prestwich Park Road South, Prestwich, Manchester, M25 9PF

Description

The application property is a Victorian semi-detached house on Prestwich Park Road South, which is located within the St Mary's Conservation area in Prestwich. The property is also on the draft local list identified as a NDHA. The area is also covered by a blanket TPO numbered 48. The house is set well back from the highway in front and there are lots of mature trees throughout the site. The house is in an elevated position compared to the road in front and the parking area to the front garden. It has a ground floor bay window to the front elevation and the house is finished with red brick, with slate cladding to the side elevation.

The proposal is to partially demolish the existing bay window and rebuild it as well as replacing the bay windows and two first floor windows on the front elevation. The new windows would be vacuum glazed timber sash windows, which would be painted white.

Relevant Planning History

48964 - 3 Storey extension at rear - Approve with Conditions 29/01/2008

Publicity

12 neighbours were notified on 06/12/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objections.

Prestwich Village Neighbourhood Forum - No objections.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

EN1/2 Townscape and Built Design

EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control

PFE Places for Everyone

NPPF National Planning Policy Framework

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.

Policy and guidance -

Section 16 of the NPPF relates specifically to conservation and heritage. It indicates that the effect of an application on the significance of heritage assets, in this case, the conservation area and the non-designated heritage asset, should be taken into account in determining the application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage assets.

Most relevant UDP Policies are EN1/1 Visual Amenity. Development will not be permitted where proposals would have a detrimental effect on:

- a) public views of prominent or important buildings, especially those in areas of architectural or historic interest;
- b) the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

The Council's document - St Marys Conservation Area Appraisal and Management Plan - (2009) is an important guidance document in helping to assess the appropriateness of proposals within the conservation area.

S66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA) requires Local Planning Authorities to consider the desirability for the preservation and enhancement of conservation areas and listed buildings including their setting.

Conservation area and Heritage -

The property is located within the St Mary's conservation area and the building is on the draft local list, identified as a Non-designated heritage asset (NDHA). As such any works to the property must be carefully considered to ensure that the proposed works would not harm the character of the NDHA, and would either retain or enhance the character of the conservation area.

A heritage statement has been submitted along with the application explains why there is a need to rebuild the existing bay window on the property and states that the proposed materials would retain the character of the existing property. The new bay window would be the same size and design as the existing bay window, and the window frames to the bay and the upper floor windows would be timber sash, which would be considered to be in keeping with the existing building. As such it is considered that the development would not cause any harm to the NDHA and the character of the conservation would be preserved. It is also noted that the conservation officer has no objections to the proposal.

Visual Amenity -

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

The new bay window would be the same size as the existing bay window. This and the upper floor replacement window frames would be timber sash style which would reflect the existing character of the building. The property is set well back from the highway in front with lots of mature trees and planting which screen most of the property from view already.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

The proposal is not to extend the bay window, but to rebuild it, as well as replacing the first floor windows above. The room types would not change. As such it is considered that there would be no significant detrimental impact on residential amenity at neighbouring properties.

The proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of separation distance to the surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing

where there is parking to the front of the site.

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 the drawings received on 14/08/2024 and 06/12/2024 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity, and Places for Everyone Joint Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 14/01/2025		DM 20/01/25	