

DELEGATED REPORT

Report by Tom Beirne	Date of report: 22/02/2022	Ref: 67536/FUL
Registration: 13/09/2021	LDFC: 20/10/2021	Expiry Date: 08/11/2021
Site Visit: 06/10/2021	Site Notice: N/A	Press Date: 30/09/2021
Objections: 0	Con Area: MARY	Adv Type: CAAF
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: The infilling of the undercroft car port, removal of existing porch and addition of chimney to west elevation, insertion of new windows, doors and rear canopy along with over cladding brickwork (side and rear)

Location: Denewood, St Anns Road, Prestwich, Manchester, M25 9LD

Description

The application relates to a large detached white rendered house on a residential road within St Marys Conservation Area. The house, which has been significantly extended, predominantly at the rear, is set back from the road and partly screened by a boundary wall and hedging.

The proposal comprises a number of elements - the infilling of the undercroft car port, removal of existing porch and creation of new gable, addition of chimney to west elevation, insertion of new windows, doors and rear canopy along with over cladding brickwork

A design and Access and Heritage Statement has been submitted with the application and sets out the reasoning behind the proposals.

Relevant Planning History

64031 - Removal of existing conservatory and construction of single storey orangery at rear; Removal of existing front porch and creation of new open porch with accessible ramp; Infilling of existing car port at side to form living accommodation with new window openings at front, side and rear and addition of new chimney to west elevation - Approve with Conditions 16/05/2019

Publicity

Immediate neighbours notified by letter dated 27/09/2021. Site and press notices posted. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer - recommends refusal - No objection to revised plans.

Pre-start Conditions - N/A

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
NPPF	National Planning Policy Framework
EN1/1	Visual Amenity
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN1/2	Townscape and Built Design

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 and heritage - Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local planning Authorities in the exercise of their planning functions to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The Conservation Area Appraisal and Management Plan was published 2009. The relevant policy to this proposal is: Policy 3 - Where planning permission is required, the following proposals should be resisted - over-large, prominent, or out of character extensions; out of character dormer windows; non-traditional materials; the external cladding of walls, out of character building alterations; loss of historic building fabric; inappropriate shop/office frontages, shutters and signage,

the building of out-of-character gates and walls, and the location of satellite dishes in prominent locations.

Development in this part of the conservation area, St Anns Road and Prestwich Park Road South, can be regarded as piecemeal from the late 19th century to the early 20th century reflecting the different architectural periods of that time. From early Edwardian Polite Style in the Victorian period through to Arts and Crafts to the Edwardian period and this timeliness the development of this part of Prestwich as a burgeoning suburb of Manchester. This part of the conservation area is characterised predominantly by large plots with detached dwellings set back within the plots creating large frontages with boundary treatments comprising of stone walls and mature vegetation. The special distinctiveness and appearance of this part of the conservation area is created by the layout, mix of architectural styles and varying levels of dilution of architectural styles during the period and which makes this evolution a strong contributor to the character, appearance and legibility of the conservation area.

The application dwelling is not nationally listed or considered to be a Non-Designated Heritage Asset. However, the building is a constituent part of the conservation area and as such is a major contributor to the special distinctiveness, character and appearance of that part of the conservation area.

The proposed development to the side and rear of the property would be acceptable as it would not be visible in the street scene and as such would preserve the character and appearance of the conservation area. The proposed demolition and replacement of the front porch is acceptable as the existing porch is not considered to be original. An assessment of the historical Ordnance Survey map from 1961 does not show the existing porch. Given the design of the existing porch, in particular the size and proportions of its glazing, its glazed roof, its poor relationship to the existing bay window in terms of size and siting which equates to an unacceptable level of massing on the front elevation, its demolition would enhance the character and appearance of the conservation area. The proposed porch would also enhance the character and appearance of the conservation area by virtue of its open design, size, scale and position it would relate well the existing bay window. The proposed access ramp is considered to be visually ephemeral by virtue of its size, scale and design. As such it would preserve the character of the conservation area.

The application initially involved the removal of the front bay and proposed brick slip cladding on the front elevation. It was considered that these two elements would have a detrimental impact on the dwelling and create an incongruous and contemporising feature to a constituent part of the conservation area thereby causing harm to it.

These negative and inappropriate elements of the proposed scheme were amended. The original two storey front bay was retained and the front elevation would comprise the original brick, following removal of the existing render. These amendments now make the proposal acceptable in heritage conservation terms as the proposal would preserve the character and appearance of the conservation area.

Residential amenity - Given the relationship to immediate neighbours, there are no residential amenity issues arising from the proposal. As such the proposal complies with UDP Policy H2/3 in relation to residential amenity.

Parking and Access - Access and parking would remain as existing and therefore would be acceptable and comply with UDP Policy H2/3 Extensions and Alterations.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised

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sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 drawings numbered 01, 02, 03, 04, 05, 06, 07A, 08A, 09A and 10A 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 Unitary Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	22/02/2022		