

DELEGATED REPORT

Report by Amanda

Date of report: 31/10/2025

Ref:72467/NON

Uhunmwagho

Registration: 20/10/2025

LDFC:

Expiry Date: 17/11/2025

Site Visit:

Site Notice: N/A

Press Date: N/A

Objections:

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Non-material amendment following grant of planning permission71322 (Single storey extension at side):

Addition of non opening light well to the roof of the rear room of the development.

Location: 25 Malvern Close, Prestwich, Manchester, M25 1PH

Description

Planning permission was previously at this property in February 2025. The applicant has submitted this non-material amendment application as they wish to make a change to that permission.

The proposal is to add a non-opening light well to the roof of the rear room of the development.

Relevant Planning History

02263/E - Single storey side extension to existing detached dwelling - Enquiry completed 01/03/2019

03015/E - Single storey side extension to existing property - Enquiry completed 09/10/2024

52506 - Two storey extension at rear and pitched roof to existing extension - Approve with Conditions 07/06/2010

63927 - Lawful development certificate for proposed construction of a garage/shed - Lawful Development 16/04/2019

71322 - Single storey extension at side - Approve with Conditions 19/02/2025

Publicity

N/A

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

H2/3 Extensions and Alterations

PFE Places for Everyone

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.

The proposed light well would not be readily visible from the streetscene at the front of the property and there would not be any amendments to the overall size and design of the extension. As such can be treated as non-material to application ref 71322.

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

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Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve

Conditions and Reasons:

- 1 The revision to the previous proposal, by way of the addition of a non-opening light well to the roof of the rear room of the development, of the previously approved extension will not impact adversely on residential or visual amenity in the surrounding area. As such it can be treated as a non-material amendment to application ref 71322.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU -	31/10/2025	DM	31/10/25