

DELEGATED REPORT

Report by Tom Beirne	Date of report: 22/03/2022	Ref: 67994/FUL
Registration: 18/01/2022	LDfC: 16/02/2022	Expiry Date: 15/03/2022
Site Visit: 02/03/2022	Site Notice: N/A	Press Date: 03/02/2022
Objections: 2	Con Area: N/A	Adv Type: CAAF
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Conversion of existing flat roofs to pitched roofs

Location: Blocks 1-7 Rectory Green, Prestwich, Manchester, M25 1BQ

Description

The application relates to a group of late 1960s Housing Association flats to the north east of Prestwich Town Centre. There are seven buildings consisting of three and four stories. part of St Marys Conservation area lies to the south, across Rectory Green. The roof was last replaced over 25 years ago. The association has now decided to carry out a major refurbishment of the scheme which includes replacement of roof and windows. The proposed roof ridge height would be about 1700mm above the existing flat roof with a 22-degree pitch. The roof tiles would be charcoal grey which has been changed from the originally proposed terracotta coloured finish.

Relevant Planning History

50868 - Replacement railings, footpaths, seating areas and 26 new parking spaces, provision of access ramps to buildings - Approve with Conditions 06/03/2009

Publicity

Nearby residents notified by letter dated 26/01/2022. Two comments received state the proposed terracotta colour would be inappropriate and a slate grey would better relate to the surroundings, in particular the conservation area.

Statutory/Non-Statutory Consultations

Transport for Greater Manchester - No objection.

Pre-start Conditions - N/A

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas

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 - The site is not within the Conservation area and therefore has a limited impact upon it. In terms of the significance, it is determined that the apartment blocks are of 'limited architectural merit' and that the proposals for the scheme are likely to improve the overall aesthetics of the buildings on site. The proposed ridge height of 1700mm would not be overly impactful on the surrounding buildings and from the pedestrian footway. In terms of heritage, the charcoal grey coloured roof tiles, revised from the originally proposed terracotta, would preserve and enhance the character of the conservation area and comply with the NPPF and UDP Policies EN1/1, EN1/2 EN2/1 and EN2/2 relating to visual amenity and conservation areas.

Residential Amenity - Given the scale and nature of the development, there are no residential amenity issues arising from the proposal. As such the proposal is acceptable and complies with UDP Policy EN1/2 Townscape and Built Design.

Public comments - The comments relating to the 'inappropriate' colour of the tiles have been addressed by the change from the originally proposed terracotta to charcoal grey (email from agent dated 22/03/2022).

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

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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 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 the drawings received on 19th January 2022 and email received 21/03/2022 relating to colour of tiles 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.
- 3 Notwithstanding the approved plans, the proposed roof tiles on all residential blocks shall be coloured charcoal grey.
Reason. In the interests of visual amenity pursuant to UDP Policy EN1/2 Townscape and Built Design.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	22/03/2022		