

DELEGATED REPORT

Report by Tom Beirne	Date of report: 05/10/2022	Ref: 68749/FUL
Registration: 04/08/2022	LDFC: 26/09/2022	Expiry Date: 29/09/2022
Site Visit: 20/09/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Erection of a single storey detached building to provide an equipment store

Location: St Marys Park, St Marys Road, Prestwich, Manchester, M25 1GG

Description

The application relates to the replacement of an existing sports equipment store in St Marys Park. The new storage building would replace the existing steel container adjacent to the main clubhouse. The new building would be located immediately to the east of the clubhouse and would have a footprint 12m by 7.7m. The pitched roof would have a maximum ridge height of 5.3m, just below the height of the main clubhouse. It would be finished in a mix of brick and render with a profiled steel roof. There would be a ramped concrete hardstanding at either end.

The new building will be used to securely store football equipment, e.g. goalposts and nets etc, for Prestwich Marauders FC who have had a presence at St Mary's Park over many years. It will also be used for storing mowers and other equipment for maintaining the park which is carried out by the club. The new building would also allow for the removal of the existing inadequate store, in the form of a portakabin, situated to the south of The Phoenix on completion of the works.

Relevant Planning History

67445 - Erection of single storey storage container to provide equipment store - Withdrawn by Applicant 16/06/2022

Publicity

Surrounding residents notified by letter dated 05/09/2022. No objections received.

Statutory/Non-Statutory Consultations

EDS Head of Parks and Countryside - No objection.

Pre-start Conditions - N/A

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design
RT1/2 Improvement of Recreation Facilities

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.

Use - The use of the proposed building by the football club based at the park would be closely related to the recreational use of the park. The building would improve the facilities for the Marauders football club significantly and as such would be acceptable in principle and comply with UDP Policy RT1/2 Improvement of Recreational Facilities.

Visual amenity - The proposed storage building, immediately to the east of the existing Phoenix clubhouse would not be particularly prominent within the park. It would be modest in scale and 700mm lower in height than the existing clubhouse. In terms of design, massing and finishing materials (brick and render) the new building would be acceptable and in keeping with the clubhouse and wider park area. The proposal complies with UDP Policy EN1/2 Townscape and Built Design.

Residential amenity - Given the siting and scale of the new building and distance to boundaries, there are no residential amenity issues arising. The proposal complies with UDP Policy RT1/2 Improvement of Recreational Facilities in terms of residential amenity.

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

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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 drawings numbered SMP/1 and SMP2/N 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	05/10/2022		