

DELEGATED REPORT

Report by Helen Leach	Date of report: 12/08/2025	Ref: 72201/NON
Registration: 08/08/2025	LDfC:	Expiry Date: 05/09/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Non-material amendment following grant of planning permission 45093 (First floor extension at side with dormer; Single storey rear extension; Dormer at rear):
Change to floor layout plan and replacement of patio doors with window

Location: 64 Sheepfoot Lane, Prestwich, Manchester, M25 0DN

Description

The property is a semi-detached dwelling, which is located on Sheepfoot Lane, which is opposite Heaton Park. The land to the rear is wholly in residential use.

Planning consent (45093) was granted for a single storey rear extension either side of the existing single storey outrigger, a two storey extension to the rear of the existing two storey side extension and two dormers (side and rear) in the roof

The applicant seeks a non material amendment for the relocation of patio doors to a central position and the addition of a small bathroom window on the rear elevation. The proposed amendments are required to facilitate a bathroom downstairs.

Relevant Planning History

34315 - Two storey extension at side at 64 Sheepfoot Lane, Prestwich. Approved with conditions - 18 August 1998.

44563 - First floor extension at side & dormer; single storey extension at rear; dormer at rear at 64 Sheepfoot Lane, Prestwich. Refused - 7 July 2005.

45093 - Resubmission - First floor extension at side & dormer; single storey extension at rear; dormer at rear at 64 Sheepfoot Lane, Prestwich. Approved with conditions - 11 October 2005.

Publicity

None required.

Statutory/Non-Statutory Consultations

None required.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions

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 PpE 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.

Visual amenity - The proposed changes would effectively swap the location of the window and patio doors on the rear elevation. The proposed patio doors would be located centrally and would be enlarged slightly and as such, would not affect the design of the dwelling. The proposed bathroom window would be relatively small and would be obscure glazed. Given that the proposed amendments would be located at the rear, the proposed development would not have be a prominent feature in the streetscene and would not impact upon the design of the dwelling. Therefore, the proposed development would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

Residential amenity - The proposed patio doors would look out onto the existing rear garden and there is a 2 metre high fence to all boundaries. The proposed bathroom window

would be at ground floor level and would be obscure glazed. As such, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties. Therefore, the proposed development would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

Recommendation: Approve

Conditions and Reasons:

- 1 The proposed amendments would not impact adversely upon the appearance of the site or the residential amenity of the nearby properties. As such, the proposed development would not be unduly prominent in the locality. The proposed amendments would still be in accordance with the overall principles in terms of the approved application 45093 and the Policies against which this was approved. As such, the application is a non-material amendment.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 12/08/2025		DM - 15/08/2025	