

DELEGATED REPORT

Report by Helen Pressley	Date of report: 15/12/2021	Ref: 67900/NON
Registration: 13/12/2021	LDFC:	Expiry Date: 10/01/2022
Site Visit: 15/12/2021	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: MIOT

Proposal: Non-material amendment following grant of planning permission 65555 for installation of new shop front:
Change of materials and design

Location: 7 Deansgate, Radcliffe, Manchester, M26 2SH

Description

The application relates to a ground floor unit that fronts onto Deansgate. The premises is located within a row of properties that makes up a prime shopping area and frontage as identified within Policy S2/2 in the UDP.

Planning permission has been granted for a new frontage for the premises. The proposal sought to replace the existing timber stall riser, pilasters, corbels and window frames with grey PVCu.

Relevant Planning History

36927 - Change of use from accountants to chiropodist and the fitting of roller shutters to front elevation - Approve with Conditions 21/09/2000

65555 - Installation of new shop front - Approve with Conditions 10/07/2020

Publicity

None

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

Area	Blackburn Street/Dale Street/Church Street West
RD1	
S1/2	Shopping in Other Town Centres
S2/2	Prime Shopping Areas and Frontages
EN1/2	Townscape and Built Design
EN1/8	Shop Fronts

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

Policy EN1/2 seeks to ensure that proposals do not have an adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. Policy EN1/8 further seeks to ensure that proposes for new and altered shop front properly respect the architectural elements of the building and the character of the surrounding street scene.

The existing dimensions, and details of the shop frontage will be replicated and an area above the existing glazed opening for signage retained. The previous shop front was showing signs of decline, with rot within the timber and the applicant wishes to replace this with a PVCu frontage. Whilst the materials have altered, the overall character of a traditional shop front will be retained. The proposed frontage is therefore considered to be acceptable and would maintain the character of the shops within this row.

The proposed amendments would not impact adversely on the design of the proposed development. Therefore, the proposal would still be in accordance with the overall principles in terms of the approved application 65555 and the policies against which this was

DELEGATED REPORT

approved. As such, the application is a non-material amendment.

Recommendation: Approve

Conditions and Reasons:

- 1 The proposed amendments would not impact adversely on the design of the proposed development. Therefore, the proposal would still be in accordance with the overall principles in terms of the approved application 65555 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>
Helen Pressley	15/12/2021	DM	16/12/2021