

DELEGATED REPORT

Report by Mo Warsame	Date of report: 04/03/2024	Ref: 70493/NON
Registration: 07/02/2024	LDFC:	Expiry Date: 06/03/2024
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:
		Stat Class: HOUS

Proposal: Non-material amendment following grant of planning permission 69390 (Two storey side; Single storey rear extension; Loft conversion with rear dormer; Front porch): Thru-coloured Render finish to be applied to both the extension and the existing house; Existing rosemary style roof tiles to be existing house to be removed and replaced with a slate grey concrete roof tile.

Location: 6 Barnhill Road, Prestwich, Manchester, M25 9NH

Description

The application relates to a semi-detached dwelling located on Barnhill Road. The dwelling has an area of garden and driveway to the front that leads to a single storey attached garage.

Non-material amendment sought for thru-coloured render finish to be applied to both the extension and the existing house along with the replacement of the existing rosemary style roof tiles with a slate grey concrete roof tile. Application relates to planning permission granted under 69390 (Two storey side; Single storey rear extension; Loft conversion with rear dormer; Front porch).

Relevant Planning History

64900 - Two storey side extension including alterations to existing garage; Single storey rear extension; Loft conversion with dormer window - Approve with Conditions 23/12/2019
69191 - Non-material amendment following grant of planning permission (64900) for Two storey side extension including alterations to existing garage; Single storey rear extension; Loft conversion with dormer window.

Amendments to design to permit temporary flat roof construction over two-storey side extension prior to phase 2 work starting - Refused 20/01/2023

69390 - Two storey side; Single storey rear extension; Loft conversion with rear dormer; Front porch - Approve with Conditions 10/07/2023

Publicity

N/A

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary 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) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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

The overall design of the extension, its footprint and height would remain as previously approved under application 69390. The addition of thru-colour render would be on all the elevations and would therefore be visible in the streetscape along Nuttall Hall Road to the front. However, its design and finished materials would remain in-keeping with the existing building and the street scene as there are several properties with this street with rendering.

Other changes include the replacement of existing rosemary style roof tiles with a slate grey concrete roof tile. This would also be acceptable given it would be in-keeping with the street scene as well as complimenting the proposed thru-coloured render finish.

The proposed changes would remain acceptable in terms of visual and residential amenity, and would not cause harm in the existing street scene. As such there would be no significant detrimental impact on both visual or residential amenity and the proposal will still accord with SPD 6. With this in mind the amendment can be treated as non-material.

Recommendation: Approve

Conditions and Reasons:

- 1 The proposed amendments would not impact adversely on the design of the proposed development or the residential amenity of the neighbouring properties. Therefore, the proposal would still be in accordance with the overall principles in terms of the approved application 69390 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>
MW	04/03/2024	DM	06/03/24