

DELEGATED REPORT

Report by Jane Langan	Date of report: 10/07/2024	Ref: 70718/NON
Registration: 02/07/2024	LDFC:	Expiry Date: 30/07/2024
Site Visit:	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: HOUS

Proposal: Non-material amendment following the grant of planning permission 66644 for: Two storey side extension; Single storey front extension; Detached garage; 1.5m boundary wall to the front. Amendments to reduce existing windows to side elevation to 2 and wc window relocated to rear; Amendment to window designs; Omission of roof light to single storey front extension: Additional window to front entrance; Additional obscure glazed ensuite window to first floor side elevation of two storey extension; Addition of 2 roof lights to rear roof slope; Reduction in footprint of garage and with a roof light added to the side slope

Location: 1 Holcombe Grove (formerly 19A New Road), Radcliffe, Manchester, M26 1SE

Description

The property is a detached house located adjacent a new residential development of detached houses off New Road. The garden to the south side of the site borders the metrolink and to the opposite side and rear are residential properties.

The application has been submitted following investigation by the Enforcement Team and is a non material amendment application relating to approval 66644. The amendments to the approved plans have already been carried out and include :-

- The existing south west side elevation had 4 windows which would now be reduced to 2.
- New and existing windows to the front and rear have been amended in design to include headers and cills
- A rooflight is omitted from the single storey front extension.
- Two roof lights are added to the rear roof slope.
- An additional obscure glazed window has been added to the first floor north east side elevation of the extension to the ensuite.
- The detached garage has been reduced in footprint from 8.5m by 6.5m to 7.4m by 6.5m. Two garage doors are now combined into one and a roof light added to the side slope.

Relevant Planning History

66644 - Two storey side extension; Single storey front extension; Detached garage; 1.5m boundary wall to the front - AC 02/07/2021.

Publicity

None required.

Statutory/Non-Statutory Consultations

None.

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 PfE 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.

Issues

The proposed amendments would see a change in the design of the windows and front entrance door. The application notes the changes are in order for the to be more in keeping with the adjacent properties to the new development and with the roof lights to add light.

These amendments would not see a significant alteration to the scheme as previously approved or have a detrimental impact on either the property or the street scene.

The roof lights are located in the rear roof slope and would not cause overlooking to the properties to the rear. The plans note 3 rooflights to the front slope which faces on to the estate road however the applicant has confirmed in writing that they did not request these and is not something they have installed or are considering. Roof lights to front and rear roof slopes are in general permitted development.

The window that has been included to the first floor side elevation of the extension is a small window to an ensuite and obscure glazed, as such it would not cause any loss of amenity to the adjacent neighbouring property at 3 Holcombe Grove which has a similar obscure window to the side at first floor.

The detached garage would be to the same height and location with a small reduction in the footprint and a roof light added to the slope to the site rear garden.

As the revisions would not significantly alter the approved scheme in terms of the design of the extensions or adversely impact on the amenity of the adjacent neighbouring properties. The changes are then acceptable as a non material amendment.

Recommendation: Approve

Conditions and Reasons:

The proposed amendments to reduce existing windows to side elevation to 2 and wc window relocated to rear; Amendment to window designs; Omission of roof light to single storey front extension: Additional window to front entrance; Additional obscure glazed ensuite window to first floor side elevation of two storey extension; Addition of 2 roof lights to rear roof slope; Reduction in footprint of garage and with a roof light added to the side slope as detailed in the application will not impact adversely on the character of the property or the residential amenity of the neighbours. The amendment will accord with UDP Policy H2/3 - Alterations and Extensions to Residential Properties and the associated Supplementary Planning Document 6 - Extensions and Alterations to Residential Properties and the originally approved scheme reference 66644 and as such can be treated as a non-material minor amendment to the approved plans.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	10/07/24	DM - 16/07/2024	