

DELEGATED REPORT

Report by Amanda

Date of report: 15/08/2024

Ref:70980/NON

Uhunmwagho

Registration: 24/07/2024

LDfC:

Expiry Date: 21/08/2024

Site Visit:

Site Notice: N/A

Press Date: N/A

Objections:

Con Area: HOLC

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Non-material amendment following grant of planning permission 68084 (single storey side extension):

New roof windows in the rear roof slope and alterations to the opening to the front elevation

Location: Norcot, Moorbottom Road, Ramsbottom, Bury, BL8 4NS

Description

There have been several planning permissions granted at this property. The applicant has submitted this non-material amendment application as they wish to make a change to permission regards application 68084. The site is within the Holcombe Village conservation area and the designated Green Belt.

The proposal is to make two changes to the previously approved single storey side extension. Originally there was a fully glazed link in between the original dwelling and the main part of the extension and the roof of the extension would have been fully tiled. The applicant is now proposing to construct the link with glazing to the front and a tile roof to the rear, and the ridge would be the same height as the rest of the extension. They also intend to add three rooflights to the rear of the extension. The design and size of the extension would remain as previously approved.

Relevant Planning History

- 10/0160 - Change of use to builder's yard - 01/12/2010
- 12/0527 - High fence - 05/11/2012
- 13/0428 - Engineering operation - 03/09/2013
- 13/0580 - Erection of outbuilding - 31/01/2014
- 18/0019 - Alterations to walls and gate - 05/02/2018
- 18/0021 - Sycamore tree has been taken down - 02/02/2018
- 18/0338 - Insertion of window and door in barn gable - 25/02/2019
- 19/0157 - Bridleway being widened - 29/07/2019
- 19/0159 - Erection of hut and fencing in the field to house alpacas - 29/07/2019
- 67490 - Single storey extension - Approve with Conditions 26/10/2021
- 68084 - Single storey side extension - Approve 28/04/2022
- 20/0332 - Breach of conditions 2,4,6,9 (28 days) of planning permission 64786 - 03/10/2022
- 69736 - Variation of condition no. 2 (approved plans) 68084 - Single storey side extension. Change approved aluminium curtain wall glazing to aluminium glazed roof windows set into grey slate and formation of raised garden area at patio level with steps - Approve with Conditions 27/07/2023
- 02976/E - Proposed alterations to the previously approved single storey extension and site wide matters - Enquiry completed 15/07/2024

Publicity

N/A

Statutory/Non-Statutory Consultations

Conservation Officer - No objection.

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
PfE	Places for Everyone
NPPF	National Planning Policy Framework
OL1	Green Belt
OL1/2	New Buildings in the Green Belt
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt

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.

The previous approval showed a fully glazed link in between the main dwelling and the single storey side extension which would have had a slightly lower ridge compared to the ridge of the extension. The proposal includes raising the ridge to the same height as the ridge of the main section of the extension and to change the link so that it would be fully glazed to the front and a wall with tiled roof to the rear and there would be three rooflights to the rear.

The site is located at the end of a single track lane with several residential properties close by. However, the site is quite large and the extension would only be fully visible from within the site. It is considered that it would remain in keeping with the existing property and will not have an adverse impact on either residential or visual amenity, or the surrounding conservation area and green belt. As such it can be treated as a non-material amendment to application ref 68084.

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

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

Conditions and Reasons:

- 1 The revision to the previous proposal, by the change to the link between the main dwelling and the extension from a fully glazed link to a half glazed, half tiled pitched roof link and the addition of three rooflights to the rear, will not impact adversely on residential or visual amenity, or the surrounding conservation area and green belt. As such it can be treated as a non-material amendment to application ref 68084.

<u>Case Officer</u> Au - 15/08/2024	<u>Date</u>	<u>Sign off Officer</u> DM - 16/08/2024	<u>Date</u>
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