

DELEGATED REPORT

Report by Tom Beirne	Date of report: 23/07/2025	Ref: 71935/FUL
Registration: 12/06/2025	LDfC: 04/07/2025	Expiry Date: 07/08/2025
Site Visit: 15/07/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: First floor glazed gable extensions to front and side elevations; Alterations to existing single storey flat roof at front/side; External alterations to include changes to existing fenestration and render/ cladding to external elevations; Solar panels to roof

Location: 34 Moorway, Tottington, Bury, BL8 4LF

Description

The application relates to a two storey detached house at the head of a residential cul-de-sac. Integral garage and area of parking to the side. The house is finished in a mix of materials - render, brick and cladding and has been extended to the side and rear. The site is washed over by the green belt and West Pennine Moors and there is open countryside to the rear.

The proposal is for alterations to the house:

- First floor glazed gables to front and side elevations;
- Alterations to existing single storey flat roof at front/side;
- External alterations to include changes to existing fenestration and render/ cladding to external elevations;
- Solar panels to roof

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 12/06/2025. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Development Plan and Policies

OL7/2	West Pennine Moors
OL1/2	New Buildings in the Green Belt
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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.

Green Belt/West Pennine Moors - With the very modest extensions proposed and within an existing residential area, there are no significant green belt issues arising. Complies with UDP Policies OL1/2 New Development in the Green Belt and OL7/2 West Pennine Moors and associated guidance in SPD8.

Visual amenity - Although the alterations would change the appearance of the house significantly, the house as existing appears rather tired and does not have a great amenity value within the streetscape. The new cladding with a render would improve the appearance of the house and wider streetscape. The proposal would comply with UDP Policy H2/3 Extensions and Alterations and associated guidance in SPD6 with regard to visual amenity.

Residential amenity - Given the modest nature of the alterations and with window positions staying generally the same, there are no residential amenity issues arising. The proposal is acceptable and complies with UDP Policy H2/3 Extensions and Alterations and associated guidance in SPD6 with regard to residential amenity.

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 with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered TDS-24-196-01, 02, 2.5, 03, 04(rev), 4.5(Rev) and 05(Rev) and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	23/07/2025	DM -	28/07/2025