

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 30/09/2025	Ref: 72174/NON
Registration: 15/09/2025	LDfC: 08/10/2025	Expiry Date: 13/10/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: COUS

Proposal: Replace existing front door with window (non-material amnedment of pp 71755)

Location: 89 Wood Street, Bury, BL8 2QU

Description

The application relates to a former hot food takeaway which was granted permission for a change of use to a 3 bed (4 no occupiers) HMO.

This application seeks to make an alteration to change the front door to a window which would be glazed at the upper section with a solid white panel below.
the access into the property would be from the existing side door.

The application has been submitted as a non-material amendment.

Relevant Planning History

71755 - Change of use from former hot food takeaway with first floor residential flat (Sui Generis/Class C3) to 3 no. bedroom (maximum 4 no. occupants) house in multiple occupation (HMO) (Class C4); External alterations - Approve with Conditions 30/05/2025

Publicity

n/a

Statutory/Non-Statutory Consultations

n/a

Pre-start Conditions - Not relevant

Development Plan and Policies

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
SPD13	Conversion of Buildings to Houses in Multiple Occupation
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-S2	Carbon and Energy
JP-P1	Sustainable Places

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.

Design and appearance

The change to replace the front door with a window would not significantly alter the front elevation of the property as there would be a glazed section above a solid white panel which is similar in design to some entrance doors. As such, it is considered there would not be a harmful impact on the street scene.

access to the ground floor would be provided by the existing side door on the side

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elevation.

Given the minor alteration, the proposed development is considered to be acceptable as a non-material amendment to the original application ref 71755.

Recommendation: Approve

Conditions and Reasons:

The proposed amendment to alter the front elevation to replace an existing door with a would not affect the character of the originally approved scheme and there would be no adverse impacts on the appearance of the property in the street scene. The development would still be in accordance with the principles of the planning permission reference 71755 and the policies against which it was approved.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	30/9/25		