

DELEGATED REPORT

Report by Tom Beirne	Date of report: 01/10/2025	Ref: 72371/NON
Registration: 11/09/2025	LDfC: 30/09/2025	Expiry Date: 09/10/2025
Site Visit: 23/09/2025	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Non-material amendment following grant of planning permission 70316 (Extension of roof over the existing garage to provide covered storage area; Modifications to existing front elevation to include removal of all brick facings and replacement with natural coursed stone/stone sills and a steel stanchion to replace the brick column; Replacement balustrade/canopy at side; Creation of new garden area over the existing driveway at front); Change the surface of the drive from tarmac to cobble sets

Location: Redlands, Rawsons Rake, Ramsbottom, Bury, BL0 9HH

Description

The application requests a non-material amendment following grant of planning permission 70316 Extension of roof over the existing garage to provide covered storage area; Modifications to existing front elevation to include removal of all brick facings and replacement with natural coursed stone/stone sills and a steel stanchion to replace the brick column; Replacement balustrade/canopy at side; Creation of new garden area over the existing driveway at front.

The amendment is to change the surface of the driveway from tarmac to stone setts.

Relevant Planning History

68159 - Replacement garage with roof link to main dwelling; elevation alterations - Approve with Conditions 11/05/2022

70316 - Extension of roof over the existing garage to provide covered storage area; Modifications to existing front elevation to include removal of all brick facings and replacement with natural coursed stone/stone sills and a steel stanchion to replace the brick column; Replacement balustrade/canopy at side; Creation of new garden area over the existing driveway at front - Approved with Conditions 19/01/2024

Publicity

N/A

Statutory/Non-Statutory Consultations

Conservation Officer - No objection.

Pre-start Conditions - N/A

Development Plan and Policies

H2/3	Extensions and Alterations
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
NPPF	National Planning Policy Framework

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.

Non-material amendment - The change in surfacing the driveway from tarmac to stone setts is acceptable as a non-material amendment and would constitute a significant improvement to the overall scheme.

The amendment is acceptable as non-material and complies with UDP Policy H2/3 and guidance.

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Recommendation: Approve

Conditions and Reasons:

The proposed amendment to the replace the proposed tarmac finish to the driveway with stone setts will not impact adversely on the character of the property, conservation area 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 70316 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>
Tom Beirne	01/10/2025		