

DELEGATED REPORT

Report by Tom Beirne	Date of report: 09/05/2024	Ref: 70693/NON
Registration: 24/04/2024	LDFC:	Expiry Date: 22/05/2024
Site Visit: 08/05/2024	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 70475: Changing material to both sides of single-storey extension from render to brick

Location: 8 Redisher Croft, Ramsbottom, Bury, BL0 9JS

Description

The application relates to a large detached two storey house at the end of a residential cul-de-sac of similar styled properties. Conservatory at the rear, adjacent to the shared side boundary with No.6 Redisher Croft. The neighbour at No.6 also has a similar styled conservatory adjacent to the boundary. Large garden bounded by a timber panelled fence and an embankment with trees/hedges to the west.

The original proposal involved demolishing the existing conservatory and constructing a flat roofed, single storey extension across the rear elevation. It would be finished in a grey render and accommodate an extended kitchen/living space.

The proposed amendment involves changing the render on either side of the extension to a brick finish to match the house.

Relevant Planning History

02941/E - Single storey rear extension - Enquiry completed 24/01/2024

70475 - Single storey rear extension - Approve with Conditions 14/03/2024

Publicity

N/A

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

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.

Visual amenity - The proposed alterations to the originally approved scheme would be considered minor and non-material and indeed improve the appearance from the neighbour's side (who raised this issue on the original application). As such the amendment is acceptable and complies with UDP Policy H2/3 and guidance in SPD6.

Residential amenity - The proposed amendment would have no impact on residential amenity and as such is acceptable and complies with UDP Policy H2/3 and guidance in SPD6.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The revisions to the previous approval - changing the render on the side elevations to facing brick to match the house - are considered minor and would not impact adversely on either residential or visual amenity of the surrounding area. As such the changes are considered acceptable as a non-material amendment to application 70475 .

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	09/05/2024	DM -	09/05/2024