

DELEGATED REPORT

Report by Helen Leach	Date of report: 14/02/2024	Ref: 70498/NON
Registration: 08/02/2024	LDfC:	Expiry Date: 07/03/2024
Site Visit: 14/02/2024	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA:
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Non-material amendment following grant of planning permission 68582 (Single storey front extension; Garage conversion); Removal of proposed front extension - the garage frontage will be retained with new garage roof/conversion

Location: 18 Sunningdale Close, Bury, BL8 2DG

Description

The property is a semi detached house with an attached garage at the side. To the front is garden and a drive. To the rear is a patio and fenced garden. The neighbouring property to the side of the proposal is No.16 and has its garage and drive adjacent that to the site.

Planning permission was granted in September 2022 for a single storey extension at the front 0.9m deep and 2.9m across. It would form an office in connection with the conversion of the garage which includes a wc and extended kitchen. The roof would extend along the side to the garage conversion and to the front across the entrance a further 2.2m in the form of a canopy supported by a pillar.

The applicant seeks a non material amendment to delete the proposed front extension and retain the garage conversion and associated roof.

Relevant Planning History

68582 - Single storey front extension ; Garage conversion at 18 Sunningdale Close, Bury. Approved with conditions - 9 September 2022.

Publicity

None required.

Statutory/Non-Statutory Consultations

None required.

Pre-start Conditions - Not relevant.

Unitary 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) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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 Policy 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.

Impact upon visual amenity - The proposed front extension would be removed from the scheme and the proposed extension would retain a garage door with a hipped roof above. The proposed materials would be brickwork with roof tiles to match.

The proposed amendment would be acceptable and would not have an adverse impact upon the streetscene. Therefore, the proposed development would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

Impact upon residential amenity - The window in the front elevation would be deleted and the existing garage door retained. The change is minor and there would not be an adverse impact upon the amenity of the neighbouring properties. Therefore, the proposed development would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

Recommendation: Approve

Conditions and Reasons:

- 1 The proposed amendments would not impact adversely upon the appearance of the dwelling or the residential amenity of the nearby properties. As such, the proposed development would not be unduly prominent in the locality. The proposed amendments would not have a detrimental impact upon highway safety and would still be in accordance with the overall principles in terms of the approved application 68582 and the Policies against which this was approved. As such, the application is a non-material amendment.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 14/02/2024			