

DELEGATED REPORT

Report by Helen Pressley	Date of report: 07/12/2022	Ref: 69101/NON
Registration: 22/11/2022	LDfC:	Expiry Date: 20/12/2022
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	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 (ref no. 63531) to alter the roof size of the proposed garage to match existing roofline of the property

Location: 15 Longridge Drive, Bury, BL8 2JQ

Description

The application relates to a detached bungalow located on Longridge Drive. The dwelling is located on a corner plot, on the junction of Longridge Drive and Watling Street. The premises has garden areas to the front, side and rear and has been extended to the side to provide a single storey flat roof garage. An area of parking is located to the front of this garage.

Planning permission has been granted for the construction of a single storey side extension that projects approximately 4500mm to the side of the dwelling, and a second single storey side extension that projects approximately 3000mm beyond the side elevation of the existing garage. To the rear it is proposed to construct a single storey rear extension that projects approximately 1500mm.

A non-material amendment is sought to raise the ridge height of the single storey extension to the garage so that it is in line with the ridge of the main dwelling. The raise in ridge height would be approximately 305mm.

Relevant Planning History

63531 - Single storey extension at sides, single storey extension at rear and front porch;
Render to external elevations - Approve with Conditions 15/01/2019

Publicity

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/3 Extensions and Alterations

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. 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.

Visual Amenity

The proposal would increase the ridge height of the proposed garage so that it is in line with the main dwelling. This change would be minor in terms of the overall design of the scheme and would not amend the original assessment in terms of visual amenity.

Residential Amenity

The proposal would not introduce any new openings, and would not create any additional footprint to be assessed in terms of SPD 6. The increase in height is minimal at 305mm and would not require any additional assessments in relation to creating an extra storey.

The proposed amendments would not impact adversely on the design of the proposed development or the residential amenity of the neighbouring properties. Therefore, the proposal would still be in accordance with the overall principles in terms of the approved application 63531 and the policies against which this was approved. As such, the application is a non-material amendment.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The proposed amendments would not impact adversely on the design of the proposed development or the residential amenity of the neighbouring properties. Therefore, the proposal would still be in accordance with the overall principles in terms of the approved application 63531 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>
HP	7/12/22	DM	7/12/22