

DELEGATED REPORT

Report by Jane Langan	Date of report: 10/09/2025	Ref: 71552/FUL
Registration: 10/02/2025	LDFC: 05/03/2025	Expiry Date: 07/04/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Variation of Conditions 2 (approved plans) 3 (Materials) and 5 (parking arrangements) of planning permission 68279 - To take account of the revised drawings showing the elevational treatment and parking arrangements

Location: 15 Brooklands Road, Ramsbottom, Bury, BL0 9SW

Description

The application relates to a large bungalow on a residential street of mix of bungalows, semi's, and detached properties.

Planning permission was granted on 30/06/22 (68279) to Increase height to create a two storey dwelling plus additional two storey build at rear; External alterations and rendered elevations, two parking spaces at front.

This application seeks to vary Conditions 2 (approved plans) and Condition 3 (Materials) and 5 (parking)

The changes include :-

- Addition of dark grey composite cladding to part of the first floor front and rear elevations and the west side elevation.
- Oak colour vertical cladding to the front entrance replacing timber look
- Ground floor window omitted from the east elevation

The application form also requested the removal of Condition 5 (implementation of the parking arrangements) Condition 6 (Work associated with the bat licence) and Condition 7 (Landscaping)

With respect to Condition 5 then revised plans have been submitted during the application process to widen the drop kerb to the west side providing 2 spaces with a permeable surface. This is now included and will then be subject to a condition for its implementation. Conditions 6 & 7 were discharged on application 68729 therefore do not require removal. The description of the proposal has been amended accordingly and the applicant provided with this and a list of proposed conditions.

Relevant Planning History

68279 - Increase height to create a two storey dwelling plus additional two storey build at rear; External alterations and rendered elevations, two parking spaces at front. - AC 30/06/2022

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions for implementation of the parking arrangements and storage of materials.

Greater Manchester Ecology Unit - No condition required for any variation of conditions.

Pre-start Conditions - Not relevant.

Development Plan and Policies

NPPF	National Planning Policy Framework
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN8/2	Woodland and Tree Planting
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury

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 and design - The amendment to the materials to the elevations are minor and with the various materials evident within the street scene, the amendments would not look out of place.

Parking - The proposal would provide the same 2 car parking spaces as approved under application 68279 which was considered acceptable as it increased the existing on site parking and complied with SPD11.

Residential amenity - The proposed amendments of the changes to the materials would not impact on the amenity of the neighbouring properties. The condition for the window to the west side elevation to be obscure glazed as attached to 68279 is included

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 This decision relates to drawings numbered SK1100, SK3000, SK1000 Rev 2 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.
- 2 The development hereby approved shall not be brought into use unless and until the car parking and bin storage arrangements and boundary alterations indicated on approved plan reference SK1000 Revision 2, incorporating the provision of a footway crossing extension, hardstanding in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway, demarcation of the limits of the adopted highway and all associated footway remedial works required to reinstate the footway to its former condition prior to commencement of the development, have been implemented to the satisfaction of the Local Planning Authority.
Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and associated Supplementary

Planning Document 6 - Alterations and Extensions to Residential Properties.

- 3 Before the first occupation of the extension hereby permitted the first floor corridor window on the west side elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

- 4 The development shall only be carried out in accordance with the details approved under condition 6 of permission 68279.

The loss and disturbance of the front dormer is likely to cause harm to common pipistrelle bats as identified in the Bat Survey by Martin Prescott Environmental Services dated 30th May 2022 and the proposed works shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead: or
- b) a statement in writing form the relevant licensing body or LPA to the effect that it does not consider that the specified development will require a license.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan, and NPPF chapter 15 - Conserving and enhancing the natural environment.

- 5 The development shall only be carried out in accordance with the details approved under condition 7 of permission 68279.
The approved scheme shall thereafter be implemented not later than 12 months from the date the building is first occupied.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan, and NPPF chapter 15 - Conserving and enhancing the natural environment.

- 6 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	10/09/25	DM - 11/09/2025	