

DELEGATED REPORT

Report by Jane Langan	Date of report: 01/08/2022	Ref: 68730/NON
Registration: 28/07/2022	LDFC:	Expiry Date: 25/08/2022
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Non-material amendment following approved planning permission 67211 - Rear extension to be finished in white/off white render

Location: 15 Greenheys Crescent, Tottington, Bury, BL8 4QD

Description

The property is a two storey detached house on a residential estate. It has garden and drive to the front and to the rear is extended with a conservatory. The adjacent No.11 is a detached house, set at an angle, with the rear elevation slightly deeper than the site. To the opposite side No.17 is extended at the rear with a conservatory.

The application is for a non material amendment to approval 67211. The single storey rear extension was to be finished in matching brick and this application seeks to amend this to white/off white render. It is requested as there is an issue with the setting out of the bricks.

Relevant Planning History

67211 - Proposed single storey rear extension, porch at front and replace existing rear door with ground floor rear window - AC 24/08/2021.

Publicity

None.

Statutory/Non-Statutory Consultations

None.

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. 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.

Issues

The use of render for domestic extensions is common and the proposed amendment would be to the extension to the rear of the property. The revision would not significantly alter the approved scheme in terms of the design of the extension or on the amenity of the adjacent neighbouring properties. The changes is then acceptable as a non material amendment.

Recommendation: Approve with Conditions

Conditions and Reasons:

The proposed amendment to replace matching brick with off white render to the single storey rear extension, as detailed in the application and on plan ZT21-196-04, will not impact adversely on the character of the property 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 67211 and as such can be treated as a non-material minor amendment to the approved plans.

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<u>Case Officer</u> JL	<u>Date</u> 01/08/22	<u>Sign off Officer</u>	<u>Date</u>
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