

DELEGATED REPORT

Report by Joss Simpson	Date of report: 29/06/2026	Ref: 73190/LDCP
Registration: 12/05/2026	LDFC:	Expiry Date: 07/07/2026
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Lawful development certificate for proposed - We need to replace our roof due to age and condition and the existing concrete tile is no longer available. We are looking to make use of the replacement roof opportunity to install inset solar panels to the rear roof facing the woodland area. To be able to inset the solar tiles we need to replace the roof tiles with a modern grey flat concrete tile to. The Solar system proposed is a Marley Solar Tile and the roof tile is a Marley Modern Smooth finish in grey. As we do not want the roof to be different on the front and garage roofs we are proposing to replace all roofs on the property for new. They are all to be Marley Modern Smooth in grey.

Location: 93 Ripon Hall Avenue, Ramsbottom, Bury, BL0 9TQ

Description

Lawful development certificate for proposed replacement of roof tiles and the installation of solar panels on the rear elevation roof.

Relevant Planning History

50332 - FIRST FLOOR EXTENSION AT SIDE; SINGLE STOREY EXTENSION AT REAR; SINGLE STOREY GARAGE EXTENSION AT SIDE - Approve with Conditions 03/09/2008
50560 - FIRST FLOOR SIDE EXTENSION; ATTACHED GARAGE AND SINGLE STOREY REAR EXTENSION (RESUBMISSION) - Approve with Conditions 07/11/2008
60553 - Single storey extension at side / rear - Approve with Conditions 03/10/2016

Publicity

n/a

Statutory/Non-Statutory Consultations

n/a

Pre-start Conditions - Not Relevant

Development Plan and Policies

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.

Solar panels

The solar panels would not protrude more than 200mm from the plane of the roof.

The panels would not be higher than the highest part of the roof.

The site is not in a conservation area, is not listed or a scheduled monument.

The solar panels are sited on the rear roof slope of the dwelling, which backs onto open land, and are in a standard position for a domestic property. As such, it will not have a significant impact on the neighbouring properties or the amenity of the area.

Replacement roof tiles

The replacement roof tiles would be of similar appearance to existing roof tiles.

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Having regard to the above, the proposal would be lawful as it falls within the limitations of Part 1 Class B and Part 14 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Recommendation: LAWFUL

Conditions and Reasons:

- 1 The proposal as described in the First Schedule, is deemed to be 'Permitted Development' having regard Article 3, Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 in that it falls within the limitations Part 1 Class B and Part 14 Class A.
- 2 The materials used in any exterior work shall be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse as required by condition B.2(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer DM</u>	<u>Date 1/7/26</u>
JS	29/6/26		