

DELEGATED REPORT

Report by Helen Pressley	Date of report: 07/12/2021	Ref: 67838/NON
Registration: 24/11/2021	LDfC:	Expiry Date: 22/12/2021
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Non material amendment following approval of planning permission 66963- Smooth white render finish to both original dwelling and proposed extension in place of brick finish

Location: 62 Harper Fold Road, Radcliffe, Manchester, M26 3RU

Description

The proposal relates to a routine semi-detached dwelling positioned adjacent to a small area of open space that is separated by a public footpath that is routed at the side of the site. The rear garden is enclosed by 1.8m high concrete panel fencing and backs onto Pitt Street.

Planning permission has been granted for a two storey side extension and single storey rear extension. The side extension would duplicate the profile of the existing dwelling, but with a minor set-back at first floor and commensurate step down at the ridge. The single storey rear extension would project 3m and span the full width of the rear elevation (including the proposed side extension).

A non-material amendment is sought to amend the facing brick work to smooth white render finish to both original dwelling and proposed extension.

Relevant Planning History

66963 - Two storey side extension; Single storey front and rear extensions - Approve with conditions 30/06/2021

Publicity

None

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary 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) 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 applicant could render the existing walls without permission. Render is now a common finishing material for residential extensions and alterations and as such in keeping with the residential context of the site. It is therefore considered that rendering the walls of the proposed extension, and the existing dwelling is acceptable

Residential Amenity

The change in materials would not impact on the residential amenity of the neighbouring properties.

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 66963 and the policies against which this was approved. As such, the application is a non-material amendment.

Recommendation: Approve

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 66963 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>
Helen Pressley	7/12/2021	DM	09/12/2021