

DELEGATED REPORT

Report by Jane Langan	Date of report: 22/12/2021	Ref: 67897/NON
Registration: 13/12/2021	LDFC:	Expiry Date: 10/01/2022
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 grant of planning permission 65959 for two storey side extension, single/two storey rear extension & canopy at front: Amend to increase the porch size and change pitched roof to a flat roof and side windows omitted

Location: 598 Bolton Road, Bury, BL8 2DR

Description

The property is a bay fronted semi detached house. It has a garden and parking to the front and a detached garage at the side. To the rear a single storey extension runs across part of the rear elevation to the outer side. The rear garden is fenced and borders the rear garden to 8 Seddons Avenue which sits off set to the west. The adjoining semi is No. 596 and to the opposite side No.600.

The application is for a non material amendment to approval 65959 which included two/single storey extensions to the side/rear and a front porch. The proposed amendment is to the front porch/canopy it would now be slightly larger. It was to be 1705mm deep by 2255mm across and now would be 1795mm by 2355mm. The previous pitched roof would now be flat and the side windows omitted. The application states the amendment to a flat roof is requested as the porch pitched roof rain water drain is only on one side and can not provide a additional on other side. So a flat roof is proposed to overcome this problem.

Relevant Planning History

65437 - Two storey side extension; Single/two storey rear extension; Canopy at front - AC 10/06/2020

65959 - Two storey side extension; Single/two storey rear extension; Canopy at front - AC 19/11/2020

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 amendment would now see a flat roofed porch/canopy and which would be slightly larger. The proposed amendment would not see a significant alteration with the flat roof porch being of an acceptable design and the increase of its size minimal. The revisions would not significantly alter the approved scheme or adversely impact on the amenity of the adjacent neighbouring properties. The changes are then acceptable as a non material amendment.

Recommendation: Approve with Conditions

Conditions and Reasons:

The proposed amendment to amend to increase the porch size and change the

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pitched roof to a flat roof and the side windows omitted as shown on plans SHT 5, SHT 6 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 65959 and as such can be treated as a non-material minor amendment to the approved plans.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	22/12/21	DM	22/12/21