

DELEGATED REPORT

Report by Jane Langan	Date of report: 15/05/2023	Ref: 69634/NON
Registration: 09/05/2023	LDFC:	Expiry Date: 06/06/2023
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: Dec Level: DEL Stat Class: HOUS

Proposal: Non-material amendment following grant of planning permission ref. 68572 for single storey garage and porch extension at side: Alterations to existing windows to front and side elevations; Changes to construction materials including use of facing brick to match existing in lieu of render and use of render in lieu of blue brick slips.

Location: 11 Mayfield Close, Ramsbottom, Bury, BL0 9TL

Description

The site is detached bungalow located at the top of a cul de sac on an unadopted road which public footpath 93Ram runs through. Parking is to the front of the property and there is fenced garden to the side and rear. The neighbouring property to the east side is No.9 and to the opposite side the site side garden borders the rear gardens to 4-10 Linley Grove which are bungalows and slightly lower.

The application is for a non material amendment to approval 68752 for a single storey garage and porch extension at side and alterations to existing windows to front and side elevations. The change is to the proposed materials which would see the use of facing brick to match the existing in lieu of render and use of render in lieu of blue brick slips. The form notes the revisions have been submitted to enhanced the aesthetics of the property, increase the quality of the finished development and to be more in keeping with properties on the street.

Relevant Planning History

68572 - Single storey garage and porch extension at side; Alterations to existing windows to front and side elevations - AC 31/08/2022.

Publicity

None required.

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 approved materials were a mix of render, brick to match the existing and an area of blue brick to the front elevation. The proposal would now see matching brick and render to the front elevation without the use of the blue brick. Other areas proposed as render would now be in matching brick. The now proposed materials would be acceptable and in keeping with the existing property and would not have a detrimental impact on either the property or the street scene. The revisions would not significantly alter the approved scheme in terms of the appearance of the extension or adversely impact on the amenity of the adjacent neighbouring properties. The changes are then acceptable as a non material amendment.

Recommendation: Approve

Conditions and Reasons:

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The proposed amendment to the materials, including the use of facing brick to match existing in lieu of render and use of render in lieu of blue brick slips, as detailed in the application and on the submitted plan, 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 68752 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	15/05/23	HL	18/05/23