

DELEGATED REPORT

Report by Jane Langan	Date of report: 26/01/2022	Ref: 67980/NON
Registration: 14/01/2022	LDFC:	Expiry Date: 11/02/2022
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: NONE
Reason for Delay: N/A		EIA: Dec Level: DEL Stat Class: HOUS

Proposal: Non-material amendment following approval of planning permission 66216 - Alterations to front apertures

Location: 15 Maple Grove, Ramsbottom, Bury, BL0 0AN

Description

The property is a detached bungalow located on a corner plot. It has two drives to the front, one of which leads to an integral garage which, due to land levels, is located beneath the lounge. There is a garden to the front, side and rear. The adjacent neighbouring property to the side is No.13, a semi detached house extended two storey at the side and single storey at the rear. To the opposite side across the street is 14 Maple Grove a two storey detached house. To the rear the side garden borders 17 Maple Grove which sits side on with an attached garage closest.

The application is for a non material amendment to approval 66216 which included raising the roof ridge height with a loft conversion; Single storey front extension with raised decking and single storey extension at rear and a detached garage. The amendments sought are to add a secondary window to the side elevation to bedroom 3, the gable section to the front above the garage, and reduce the size of the front bi fold doors and the window adjacent the front door. The agent notes the reason for the amendment is at the applicants request.

Relevant Planning History

66216 - Raise roof ridge height and loft conversion of existing bungalow to form two storey dwelling; Single storey front extension with raised decking and single storey extension at rear; Erection of detached garage at rear - AC 28/01/2021

67773 - Non-material amendment following grant of planning permission 66216 (Raise roof ridge height and loft conversion of existing bungalow to form two storey dwelling; Single storey front extension with raised decking and single storey extension at rear; Erection of detached garage at rear): Proposed gables to be finished with render instead of brick - Approved 15/11/2021.

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 amendment would see a minor alteration to a window adjacent the front entrance and smaller bi fold doors. The additional bedroom window would be to the gable which sits to the road side of the corner of the plot and not close to any neighbouring property. Additionally, as existing the property has a lounge window in this location. The revisions would not significantly alter the approved scheme in terms of the design of the extensions 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 the front apertures as detailed in the application and on plans ZT20-196-09, ZT20-196-10 received 25/01/22 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 66216 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	26/01/22		