

DELEGATED REPORT

Report by Jane Langan	Date of report: 16/04/2026	Ref: 73068/NON
Registration: 07/04/2026	LDfC:	Expiry Date: 05/05/2026
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 72441 (single storey side extension):

Amendments to windows and doors

Location: 5 Old Oak Cottages, Bolton Road, Tottington, Bury, BL8 4JB

Description

The property is a stone cottage and one in a row of 3 which sit side on to the main road towards Hawkshaw village. The site and surrounding area is within the Green Belt. The site is the end property and has been previously extended. It has parking to the east side and a raised patio to the south side and a garden. Beyond the garden is open land which is also in the ownership of the applicant.

The application is for a non material amendment to approval 72441 for a single storey side extension forming a sun room fully glazed to all sides. The proposed amendment is to reduce the window sizes and include more stone to the elevations and a increase in the width of the patio doors by 150mm. The form notes the revisions have been submitted as a client request.

Relevant Planning History

72761 - Non-material amendment following grant of planning permission 72441 (single storey side extension): New Stone Low wall under windows and 2 new velux windows - AC 29/01/2026

72441 - Single storey side extension - AConditions 16/12/2025

16067 - 3 storey storeroom, lounge, hall, bedroom & dressing room extension at side - AC 26/07/84.

Publicity

None.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3	Extensions and Alterations
OL1	Green Belt
SPD6	Supplementary Planning Document 6: Alterations & Extensions
PFE	Places for Everyone

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.

Issues

The proposed amendments would see additional stone to each of the 3 elevations and the patio doors slightly wider. The proposed extension is to be located to the side of the property adjacent the garden area and not adjacent any of the neighbouring properties. The revisions would not significantly alter the approved scheme in terms of the design 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:

The proposed amendment to the window and door sizes, as detailed in the application and on plan no. TDS-25-196-05 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 72441 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	16/04/26	DM	20.04.2026