

DELEGATED REPORT

Report by Helen Leach	Date of report: 25/11/2022	Ref: 69031/NON
Registration: 31/10/2022	LDFC:	Expiry Date: 28/11/2022
Site Visit: 16/11/2022	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIOT

Proposal: Non-material amendment following planning approval (ref no. 66895) - Change style of roof on two storey side extension and retain existing flat roof on single storey rear extension

Location: Greenmount Cricket Club, Brandlesholme Road, Tottington, Bury, BL8 4DX

Description

The application relates to Greenmount Cricket Club located on Brandlesholme Road. The site has residential properties to the south and east and a children's playground located to the north. The site is located within the Green Belt.

Permission was granted for the construction of a two storey extension at side that projects approximately 5000mm to the side of the existing club house and a single storey extension at rear that projects approximately 6250mm. External alterations are also proposed including new dark fascias, verges and balcony railings and external render and resurfacing of the existing parking area.

The applicant seeks a non material amendment to change the dual pitched roof on the proposed two storey extension to a mono pitch roof and to retain the existing flat roof on the single storey rear extension instead of a pitched roof.

Relevant Planning History

54854 - Extension to existing external viewing deck at Greenmount Cricket Club, Brandlesholme Road, Tottington. Approved with conditions - 20 March 2012

62346 - Erection of 6000mm high flag pole on village green at Greenmount Cricket Club, Brandlesholme Road, Tottington. Approved with conditions - 2 March 2018

66895 - Two storey extension at side; single storey extension at rear and external alterations including re-surfacing the existing car park at Greenmount Cricket Club, Brandlesholme Road, Tottington. Approved with conditions - 12 July 2021

68011 - Replace existing post & chainlink fence with picket fencing on grass verge between pavement to Brandlesholme Road and cricket field at Greenmount Cricket Club, Brandlesholme Road, Tottington. Approved with conditions - 26 April 2022

Publicity

None required.

Statutory/Non-Statutory Consultations

None required.

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.

Design and layout - The proposed change from a dual pitched roof to a mono pitched roof would not affect the height and appearance of the proposed development. The proposed retention of the flat roof on a small section of the proposed single storey extension would not alter the character of the building and would be acceptable. Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - The proposed changes to the roof on the two storey

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extension and the single storey extension would not have an adverse impact upon the amenity of the neighbouring properties.

Highways issues - The existing access and parking would be unaffected by the proposed development.

Recommendation: Approve

Conditions and Reasons:

- 1 The proposed amendments would not impact adversely upon the appearance of the site or the residential amenity of the nearby properties. As such, the proposed development would not be unduly prominent in the locality. The proposed amendments would not have a detrimental impact upon highway safety and would still be in accordance with the overall principles in terms of the approved application 68895 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>
HL - 25/11/2022			