

DELEGATED REPORT

Report by Mo Warsame	Date of report: 05/08/2025	Ref: 71893/FUL
Registration: 30/04/2025	LDFC:	Expiry Date: 25/06/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Discharge of condition no. 5 (Facilities for the storage of construction materials shall be provided within the curtilage during the course of construction period) from planning permission 71494 (Single storey extension at front/side/rear and front porch; Alterations to existing driveway):
Proposed construction management plan submitted

Location: 3 St Peters Road, Bury, BL9 9RA

Description

The site relates to a detached bungalow dwelling. The premises has a drive to the side and gardens to the front and rear. The adjacent neighbouring properties on either side are No. 1 St Peters Road and No. 5 St Peters Road.

Planning permission is sought for a discharge of condition no. 5 (Facilities for the storage of construction materials) of planning permission 71494.

Condition 5

Facilities for the storage of construction materials shall be provided within the cartilage during the course of construction period.

Reason. To maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy HT6/2.

Relevant Planning History

71494 - Single storey extension at front/side/rear and front porch; Alterations to existing driveway - Approve with Conditions 20/03/2025

Publicity

N/A

Statutory/Non-Statutory Consultations

Highways Section. No objections.

Pre-start Conditions

N/A

Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
HT6/2	Pedestrian/Vehicular Conflict

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.

Submitted Documents: dwg no. ZT24-196-09 (Proposed Construction Management Plan).

Highways: Proposal would have no impact on the existing parking arrangements.

A proposed construction management plan (dwg no. ZT24-196-09) has been submitted with this application. The plan highlight a section measuring 45m² has been allocated at the

front of the house for the storage of construction materials. This allocated area would be within the curtilage of the site and would satisfy the imposed condition 5 of previous application (71494). Therefore, condition 5 can be discharged.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore comply with UDP Policy H2/3 and SPD 6.

Based on the above, the condition (5) can be discharged.

Recommendation: Approve

Conditions and Reasons:

1 This decision relates to the following plan:

- Proposed Construction Management Plan- ZT24-196-09

The condition is hereby discharged in so far as the above details are satisfactory.

Providing that the development is carried out in accordance with the above-mentioned details, the requirements of the condition will be complied with.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	05/08/2025	DM -	07/08/2025