

DELEGATED REPORT

Report by Mo Warsame	Date of report: 27/10/2023	Ref: 70019/FUL
Registration: 04/09/2023	LDFC: 28/09/2023	Expiry Date: 30/10/2023
Site Visit: 13/10/2023	Site Notice: N/A	Press Date: N/A
11:00:00		
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear and front extension; raised decking at rear; external alterations and render to existing elevations

Location: 25 Ringley Road, Whitefield, Manchester, M45 7LD

Description

The property is a two-storey detached house within a large plot. The premise has a large drive to the front, garden to the rear and the adjacent No.23 is a detached bungalow set back in the site with kitchen and non-habitable obscure windows to the side. On the opposite side, No.27 is also set back in relation to the applicant's house with a kitchen window facing the shared boundary. Conifer screen most of the way around the rear garden and the property to the rear is over 20m away.

Planning permission is sought for a single storey rear and front extension; raised decking at rear along with external alterations and render to existing elevations. The single storey rear extension would project approximately 5m to the rear, effectively infilling the existing enclaved area to align with the principal rear elevation. The proposed front extension would be a modest extension and extend approximately 0.6m to the front. The proposal would also include a new of decking platform which would not raise above the existing floor level and rendering to existing elevations.

The proposal would accommodate an open plan kitchen/diner. The development would have a flat roof with rooflight over the proposed rear extension and a modest flat roof over the proposed front extension.

Relevant Planning History

49274 - EXTENSIONS AND ALTERATIONS - Approve with Conditions 15/01/2008

Publicity

Neighbour letter sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

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.

Visual Amenity

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

The proposed single storey infill rear extension would not project beyond the principal rear elevation. Furthermore, it would be a simple rectangular structure with a flat roof that would not be visible from the street scene at the front. Overall, the proposed structure would appear subservient to the existing dwelling and would be constructed with materials that

would be in keeping with existing structure. Therefore, there would be no detrimental impact on the street scene. The proposed front extension would also be modest structure extending around 0.6m to the front.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity.

Residential Amenity -

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- In terms of overlooking and privacy, there would be no new habitable windows proposed in either side of the extension except for the proposed kitchen window facing towards the shared side boundary with No.23. However, there would be a sufficient setback distance to this property and the existing high scrubs and conifers would shade this window. Furthermore, this extension would not project beyond the principal rear elevation and there would be sufficient distance to the rear boundary.
- SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule would apply. However, taking in to account the Larger Homes Scheme and that the adjacent neighbours have not objected the projection of approximately 5 metres along the shared boundary with No.23 would be considered acceptable in this instance.
- In terms of the general prominence and impact on daylight the proposed extension would be setback off from the shared side boundary with No.23 and would not project beyond the principal rear elevation nor the rear elevations of the adjacent properties on either side. Therefore, any overshadowing would not be seriously excessive above and beyond the existing situation.
- The proposed front extension would be modest and not interfere with parking arrangements and there would be over 20m to the properties in front of the site.
- There would remain an acceptable amount of outdoor private amenity space.
- As there would be no increase to the number of bedrooms at the property the existing parking arrangements would be considered acceptable.

Overall, there would be no serious impact on the amenity of any adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to the drawings received on 21/08/2023 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	27/10/2023	DM	30/10/23