

DELEGATED REPORT

Report by Tom Beirne	Date of report: 07/05/2025	Ref: 71752/FUL
Registration: 24/03/2025	LDfC: 24/04/2025	Expiry Date: 19/05/2025
Site Visit: 15/04/2025	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: MIOT

Proposal: Variation of condition no. 2 (approved plans) of planning permission 70762: Amendments to extension roof at rear and windows to front elevation

Location: 3 Ringley Drive, Whitefield, Manchester, M45 7BX

Description

The application relates to a previously approved scheme to alter and extend a large two storey red brick detached dwelling on a residential road of similar large detached houses.

The proposals involves the following alterations:

- Changing the roof of the single storey rear extension from a flat roof to a mono-pitch. The new roof would follow the angle of pitch of the main roof.
- Minor alterations to the roofspace windows on the front elevation.

Relevant Planning History

00768/E - Proposed first floor front extension - Enquiry completed 20/01/2011

55912 - Two storey extension side/front; 1st floor extension at front - Approve with Conditions 08/02/2013

59766 - Two storey extension side/front; First floor extension at front - Approve with Conditions 18/03/2016

70307 - Raise of roof ridge height, Two storey front extension; Single storey rear extension with glass balustrade and steps to garden; External alterations - Withdrawn - Invalid 15/03/2024

70762 - Raise of roof ridge height, Two storey front extension; Single storey rear extension with glass balustrade and steps to garden; External alterations - Approve with Conditions 17/07/2024

Publicity

Immediate neighbours notified by letter dated 02/04/2025.No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

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), 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.

Visual amenity - The alteration to the windows on the front elevation are relatively minor and have little impact on the overall design and appearance of the property as previously approved.

The change to the roof over the extension at the rear is more significant but remains relatively minor when within the overall scheme as approved. The eaves level would increase by approximately 200mm closest to the shared side boundary with the neighbour at No.1A Ringley Drive with the greater increase of 1.3m on the inside elevation.

Given the relatively minor nature of the proposed alterations, they are considered to be acceptable and complies with UDP Policy H2/3 and guidance in SPD6 in relation to visual amenity.

Residential amenity - Given the nature of the proposed alterations, there are no residential amenity issues arising. The proposal is acceptable and complies with UDP Policy H2/3 and guidance in SPD6 in relation to visual amenity.

The amendments to the original scheme are considered to be acceptable and comply with UDP Policy and guidance.

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 drawings numbered PL/K1103/00B, 01E, 02D, 03E, 04C and 05C 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 and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	07/05/2025	DM	08/05/2025