

DELEGATED REPORT

Report by Tom Beirne	Date of report: 01/08/2024	Ref: 70835/FUL
Registration: 07/06/2024	LDFC: 01/08/2024	Expiry Date: 02/08/2024
Site Visit: 25/06/2024	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: Single storey side extension

Location: 12 Ringley Chase, Whitefield, Manchester, M45 7UA

Description

The application relates to a large two storey detached house on a corner plot on a residential road of similar styled properties. The gable of No.1 Leyburn Close faces the site and the gable includes a small ground floor non-habitable room window and there is a conservatory at the rear. There is a small conifer tree and a small holly in the side garden adjacent to the boundary with No.1 Leyburn Close.

It is proposed to add a single storey extension with mono-pitched roof to the south side of the house. The footprint would measure 15m by 3.8m and finished in a mix of brick, render and tile to match the house. The extension would project out towards the shared side boundary with No.1 Leyburn Close leaving a passageway 1m wide along the boundary. The extension would comprise a gym, utility room and kitchen extension. To accommodate the extension, the two small tree adjacent to the boundary would be removed.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 12/06/2024. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations

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 and streetscape - The extension would be modest in scale and situated behind the boundary fence, between the house and the neighbour at No.1 Leyburn Close, would not be particularly prominent within the streetscape. The extension is in keeping with the house and in terms of siting and design, would be acceptable and comply with UDP Policy H2/3 and guidance in SPD6 Alterations and Extensions.

Residential amenity - Given the size and position of the extension in relation to the immediate neighbour, there are no residential amenity issues arising from the proposal. There is no objection from the neighbour. The proposal is therefore acceptable and complies with UDP Policy H2/3 and guidance relating to extensions and alterations.

Trees - The two small trees to be removed to accommodate the extension are small and of low value. Their removal would be acceptable and would not impact on the quality of the streetscape or ecology. The proposal complies with UDP Policy H2/3 and guidance in SPD6 Alterations and Extensions in this respect.

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 11657/PLE01/P1, E02/P1, L01/P1, P01/P1, P02/P2, P03/P2 and P04/P1 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.
- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	01/08/2024	JT -	05/08/2024