

DELEGATED REPORT

Report by Amanda

Date of report: 26/10/2022

Ref:68732/FUL

Uhunmwagho

Registration: 28/07/2022

LDFC: 06/10/2022

Expiry Date: 22/09/2022

Site Visit: 12/09/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Erection of detached outbuilding in front garden

Location: 32 Ringley Road, Whitefield, Manchester, M45 7LE

Description

The application relates to a very large previously extended detached dwelling situated on Ringley Road, Whitefield. The property is set within a large plot of land which has a tall stone wall with railings on top along the front boundary along with solid gates for vehicle access. There are also a lot of mature trees along the front and side boundaries which are covered by a blanket TPO, No.71.

Directly in front of the main dwelling there is a drive way and large parking area. There is an attached garage to the front of the main dwelling. To the rear there is a large garden with tall conifers, trees and other planting to all boundaries.

The proposal is to erect a detached outbuilding in front garden to the side of the existing garage. It would measure 9.9m x 7.43m with two bay windows to the front with sliding doors. There would be one full length double window to the south side elevation and the roof would be hipped. The outbuilding would be to provide recreation space for the family.

Relevant Planning History

47279 - TWO STOREY EXTENSION AT SIDE/FRONT; TWO STOREY EXTENSION AT REAR AND SINGLE STOREY EXTENSION AT SIDE - Refused 16/01/2007

47613 - TWO STOREY EXTENSION AT SIDE/FRONT; TWO STOREY EXTENSION AT REAR AND SINGLE STOREY EXTENSION AT SIDE - Approve with Conditions 21/03/2007

48385 - DEMOLITION OF EXISTING DWELLING AND ERECTION OF NEW DETACHED DWELLING - Approve with Conditions 14/08/2007

50209 - DEMOLITION OF EXISTING DWELLING AND ERECTION OF NEW DETACHED DWELLING (AMENDMENT TO 48385 TO INCORPORATE ACCOMMODATION IN ROOF SPACE) - Approve with Conditions 14/08/2008

61000 - Single storey rear extension - Approve with Conditions 24/02/2017

62239 - Addition of railings to boundary wall at front and vehicle entrance to a maximum total height of 2.5m - Approve with Conditions 19/01/2018

62655 - Single storey rear extension and single storey side extension - Approve with Conditions 11/05/2018

63762 - Single storey extension at side and covered seating area at rear - Approve with Conditions 28/03/2019

Publicity

Neighbours were notified on 25/08/2022 but after finding that letters had been sent with an incorrect description amended neighbour letters were sent out on 14/09/2022 - No comments or objections have been received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary 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) 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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

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.

In many circumstances building an out building to the front of a dwelling would be considered inappropriate and could cause harm to the streetscape. However, in this instance the plot of land is very large with a high wall and railings along the front boundary as well as many mature trees and other planting that would screen most of the views of the outbuilding from Ringley Road in front. In addition to the screening the outbuilding would be around 9.46m set back from the front boundary.

The outbuilding would be finished with a design and materials that would be considered in keeping with the main dwelling on site. With this in mind the proposal is considered acceptable in this location and there would not be any significant detrimental effect on the character of the existing streetscape.

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 -

- The outbuilding would be built well within the site boundaries so encroachment on to neighbouring land would not be a concern.
- The outbuilding would be set back from the front boundary with Ringley Road by around 9.46m and the existing boundary treatments would remain. As such there would be no detrimental impact on the highway to the front of the site.
- The separation distance between the proposed outbuilding and properties on the opposite side of Ringley Road would be more than sufficient in terms of SPD 6.
- The outbuilding would be over 20m away from the shared boundary with no.30 Ringley Road to the east and there is a lot of planting and trees along the shared boundary which would screen much of the views to and from the new building. As such there would be no significant detrimental effect on residential amenity at this property.
- The west side elevation would be around 6m away from the shared boundary with no.34 to the west side. As there would be no windows in this side elevation and the outbuilding would not directly face on to the main dwelling next door the distance of 6m would be acceptable in terms of SPD 6.

With the above in mind the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of the separation distance to the surrounding properties.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the existing garage, drive way and front garden.

Trees -

The whole of the north side of Ringley Road is covered by blanket TPO No.71. As such all of the trees to the front and side boundaries of the site are covered by the protection order. The agent has provided a drawing showing that three trees along the west boundary would be close to where the outbuilding is to be built. The drawing shows that the single storey building would not interfere with the existing canopies of these trees but it would be built

within the area around the trees where roots would extend to. As such a condition would be added to the decision to ensure the proposed works would not be harmful to the health of the trees in question.

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 22/1286/100, 22/1286/101, 22/1286/201, 22/1286/202 and 22/1286/203 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 UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.
- 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 H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 26/10/2022			