

DELEGATED REPORT

Report by Jane Langan	Date of report: 16/10/2020	Ref: 65869/FUL
Registration: 02/09/2020	LDFC: 14/10/2020	Expiry Date: 28/10/2020
Site Visit: 28/09/2020	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/first floor extension at rear; Raised decking

Location: 1 Ringley Road, Whitefield, Manchester, M45 7LD

Description

The property is a large two storey detached house in brick/render. Planning permission was granted for the building in 2007 (47885) and permitted development rights were removed. There is a low stone wall and hedges screening the frontage and the vehicular access is gated and leads to a parking area at the front of the house. To the rear the elevation is two and single storey and there is an area of decking leading out from the rear of the house. Beyond the decking is a lawn and fencing and planting along the boundaries. The neighbouring property to the east side is 143 Higher Lane a detached house which sits at a lower level and at an angle. The rear elevation has a single storey section and the main elevation at first floor a bay window. To the opposite side 3 Ringley Road is a two storey detached house and extends single storey at the rear along the boundary with the site. To the rear the site garden borders that to 35 Ringley Chase where only the roof is visible from the garden level and there is planting to the boundary.

The application includes extending single storey at the rear 4.4m deep from the existing rear elevation which is 10.7m across. The garden narrows and the extension would be tapered down to be 6.9m across at the rear. It would form a dining area. As it would be built in the area of the existing decking a new area would be formed from the rear of the extension 2.4m deep and also tapered down to be 4.6m across. Above the existing single storey at the rear a first floor would be added to extend out to be flush with the existing first floor rear elevation and this would extend a bedroom.

Relevant Planning History

44638 - Demolition of existing bungalow and erection of new 2 storey dwelling with basement - Withdrawn 02/08/2005
45003 - Demolition of existing bungalow & erection of 2 storey dwelling with basement (resubmission) - AC 21/09/2005
47040 - Demolition of bungalow & erection of two storey dwelling with basement - AC 30/11/2006
47885 - Demolition of existing bungalow and erection of two storey detached house - AC 31/05/2007

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

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 and design - The two storey would have a pitched roof extending from the main roof. The single storey would be flat roofed and located at the rear would not be visible from the main street view. Materials are noted to be brick work and roof tiles to match the existing house.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered and the site has a large area for parking at the front of the property.

Residential amenity - The proposed single storey to the side to 143 would project less than 3m from the rear elevation. The decking would be set in from the boundary and would be a similar height to the existing, at 0.5m - 0.7m with the slight slope to the garden, and it would provide level access out from the extension. As such there would not be any significant change to the situation as existing.

To the opposite side to No.3 the two storey would not encroach a 45 degree line from the mid point of the first floor window. This has been demonstrated on the proposed floor plans. At ground floor this property is extended single storey and the proposed single storey would project less than 3m from the rear of this. The decking would also be set in from the boundary to this side and which is screened by the planting.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - 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 drawings numbered 2003101_PL_010, 2003101_PL_090, 2003101_PL_008, 2003101_PL_007, 2003101_PL_006, 2003101_PL_005, 2003101_PL_004, 2003101_PL_003, 2003101_PL_002, 2003101_PL_001 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>
JL	16/10/20	DM	20/10/20