

DELEGATED REPORT

Report by Amanda

Date of report: 14/03/2025

Ref:71508/FUL

Uhunmwagho

Registration: 23/01/2025

LDfC: 18/02/2025

Expiry Date: 20/03/2025

Site Visit: 12/02/2025

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: Two storey front extension; Single storey rear porch extension

Location: 1 Tweedsdale Close, Whitefield, Manchester, M45 8ND

Description

The application relates to a two storey detached house on Tweedsdale Close. The house is located at the junction with Ribble Drive to the front. Access to the property is via the rear, where there is also a driveway. At the front of the house is a small garden with a wall with fence panels to the boundary.

The proposal is to build a two storey extension to the front and a porch to the rear. At the front the extension would project 2986mm from the west side of the front elevation and it would measure 5472mm wide. On the east side the extension would be stepped back to follow the line of the boundary. The roof would be pitched. The windows to the existing bedrooms would be relocated to the side elevations.

At the rear the porch would be built in front of the existing access. It would project 1180mm and would measure 2493mm wide. The roof would be pitched.

Relevant Planning History

N/A

Publicity

9 neighbours were notified on 28/01/2025 - There was one comment received.

The proposed extension at 1 Tweedsdale may impact the efficiency of the solar panel system at 53 Ribble Drive, which was designed by an MCS accredited company to capture sunlight throughout the day. The new roofline could introduce shading, particularly affecting the east facing rear panel array, potentially reducing solar yield. An assessment of this impact is requested to ensure minimal/no interference with renewable energy generation.

Additionally, as 1 Tweedsdale is at a higher elevation than neighbouring properties, consideration should be given to whether the new roofline may create an overbearing structure.

Any design that includes additional side windows, I would hope, meets all relevant building regulations.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
PFE	Places for Everyone

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.

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.

The proposed front extension would be built with a design and materials that would be considered to be in keeping with the existing building. In addition it would be stepped back from the front of no.53 Ribble Drive to the west and it would be around 7000mm set back from the front boundary. As such it is considered that the front extension would not have any significant detrimental impact on the character of the existing streetscene.

The porch to the rear would also be constructed with a design and finished materials that would be considered to be in keeping with the existing building and as such would be considered acceptable in this location.

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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- The two storey front extension would be around 7000mm set back from the front boundary and it would be more than a sufficient distance from properties to the front in terms of SPD 6.
- The window to bedroom 1 would be relocated to the east side elevation, which would be around 1700mm to the side boundary and around 6500mm to the boundary with no.2 Tweedsdale Close. Although these distances would be less than the recommended 7000mm as set out in SPD 6 there is a road in between the two sites and the only area at no.2 that may be overlooked would be the driveway to the front of the house. There would be no overlooking of private garden areas at that property, or other nearby properties.
- Similarly the window to bedroom 2 would be repositioned on the west side elevation, around 1400mm away from the shared boundary with no.53 Ribble Drive next door. The drawings show that the window would be obscurely glazed and top opening only and it would face on to the side elevation of the adjacent property. As such, it is considered that there would be no significant detrimental affect on privacy levels at the neighbouring property and its garden. A condition would be added to the decision stating that this particular window would need to remain obscurely glazed at all times.
- The two storey extension would project just under 3000mm and would be positioned around 1400mm away from the shared boundary with no.53 Ribble Drive. It would project around 2400mm forward of the neighbouring dwelling, and it would be adjacent to an extension and a driveway at this property. It would be set back from the main front elevation of no.53 Ribble Drive. The roof would be pitched away from the west boundary which would help to alleviate any overshadowing next door. As the extension would be adjacent to a driveway and not any private amenity area it is considered that any detrimental impact on the driveway, and the side extension at the neighbouring property would be minimal and would not warrant refusal of the proposal.
- The porch to the rear of the property would be built on an existing paved area and it would not have any detrimental impact on existing parking arrangements within the site.
- As the porch would be classed as non-habitable the separation distance between it and no.3 Tweedsdale Close to the rear of the site would be considered acceptable.

Given the above the proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.

Solar Panels at 53 Ribble Drive -

With regards to the possible impact on solar panels on the roof at no.53 Ribble Drive, there are five areas on the roof of no.53 Ribble Drive where solar panels are installed. Two panels are on the west side of the main roof and two panels are to the west side of the two storey rear extension. On the east side of no.53 Ribble Drive there are three areas of solar panels. One to the main roof facing on to the garden area of the application site, two panels to the front of the two storey side extension, which face over the driveway at no.53 Ribble Drive and the fifth set of panels are to the east side of the two storey rear extension.

The neighbour has provided information to demonstrate how they feel the proposed development would affect the solar panels at their property and they have suggested that if the proposed front extension is built it would result in a reduction of solar generation, which would bring the system's production to below 50% of the household requirements.

Looking at the placement of the solar panels on the roof at 53 Ribble Drive the three sets of panels to the west side of the roof would be unaffected by the proposed development as the development would be to the east of this property.

The two panels on the east side of the two storey rear extension face on to the side elevation of the application dwelling meaning that there would be some existing overshadowing of these particular panels. Given that they are to the rear of the property it is considered that the extension to the front of no.1 Tweedsdale Close would not have any significant detrimental impact on these particular solar panels.

At the front of no.53 Ribble Drive there are four solar panels located on the east side of the front of the main dwelling. These panels face on to the driveway at 53 Ribble Drive and the front garden at no.1 Tweedsdale Close. Given that the site is due east of 52 Ribble Drive the proposed two storey extension would have some detrimental impact on the path of sunlight to these panels in the early part of the day. By mid to late morning there would not be any significant overshadowing of these panels.

Similarly, the two solar panels to the front of the two storey side extension at 53 Ribble Drive, are adjacent to the existing side elevation of the application dwelling. The two storey front extension would project around 3000mm forward application dwelling, which would result in some overshadowing of these solar panels in the early part of the day, but in terms of sunlight there would be no obstruction by late morning to noon.

The roof of the extension would also be pitched away from the shared boundary with no.53 Ribble Drive, which would help to alleviate any light concerns at that property.

Taking the above into account it is considered that there would be some detrimental impact on the path of sunlight accessing solar panels to the front of no.53 Ribble Drive in the early part of the day, but it would not be significant enough to warrant refusal.

Parking -

The proposal would increase the number of bedrooms from 2 to 3 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 2 parking spaces.

Parking would be as existing to the drive at the rear, which would be unaffected by the development and there is space for two vehicles. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient.

Response to neighbour comment -

The neighbour's comment regards the proposed first floor window to the side elevation and solar panel concerns have been addressed in the report above.

The impact of the roof/elevation of the extension compared to the neighbouring property and the new window to the side elevation have been addressed in the residential amenity section of the report.

Any Building Regulations concerns would be addressed when the applicant submits their Building Control application.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 PL002, PL003 and PL004 received on 10/01/2025, drawing numbered PL001 received on 28/01/2025 and drawing numbered PL005 Rev A received on 13/03/2025 as modified by the email from Studio Tashkeel Architecture dated 13/03/2025. The development shall not be carried out except in accordance with the details 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 in terms of visual amenity, and Places for Everyone Joint 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 H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 Before the first occupation of the extension hereby permitted the first floor bedroom window to the west side elevation shall be fitted with obscured glazing, be non-opening below an internal height of 1.7m and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 14/03/2025		DM - 1903/2025	

