

DELEGATED REPORT

Report by Steven Gunn
Russell

Date of report: 22/07/2022

Ref:68314/FUL

Registration: 04/05/2022

LDfC: 26/05/2022

Expiry Date: 29/06/2022

Site Visit: 15/06/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey extension at rear and single storey / two storey extension at side

Location: 53 Ribble Drive, Whitefield, Manchester, M45 8WF

Description

The application relates to a two-storey semi-detached house on a residential street of similar properties with retail opposite. There is an existing rear outbuilding at the NW corner of the curtilage and an existing small shed to the side of the main house. The neighbours at No.51 (attached) and 1 Tweedsdale Close (unattached) are as originally built, with the latter having a setback position. The existing driveway is 10.5m in length.

Planning permission is sought for a part two-storey part single-storey extension that would project out 3.5m and have a gable roof carried over from the existing roof. The single-storey sections would have a monopitch roof and there are no new side windows proposed. Materials would match existing plus patio doors to the rear. The two-storey section would have a Z-shaped configuration. There would be a separation of 7.0m to the rear boundary, although there is no new boundary treatment proposed. The new driveway would be 9.8m in length.

It should be noted that this site is subject to removal of permitted development rights under application 28564 which requires that all applications for extensions must have approval from the LPA.

Relevant Planning History

None

Publicity

Immediate neighbours notified by letter dated 05/05/2022 and 14/05/2022 sent to 8 (eight) neighbours. No representations were received.

Statutory/Non-Statutory Consultations

Traffic Section - No response.

Pre-start Conditions

N/A

Unitary Development Plan and Policies

NPPF National Planning Policy Framework

H1/1	Housing Land Allocations
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury

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

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments

the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

In terms of scale, design, and appearance the proposed part single/ part two-storey extension would be generally in-keeping with the existing house. Situated largely at the side, the proposed extension would be readily visible from the public arena, although its design and scale is considered to be appropriate for this property and streetscene. Materials would match existing plus patio doors to the rear overlooking their own garden.

The proposed two storey section would project into the rear garden by 3.46m. However, this is considered to be acceptable given that the unattached neighbour at No.1 has an existing setback position and the new building line would be broadly similar.

During the assessment process the rear elevation has been improved to incorporate an additional window for the rear bathroom (which would have obscure glazing). This is considered to provide an improved visual appearance with better window fenestration and is therefore considered to be acceptable.

In this respect the proposed extension complies with UDP Policy H2/3 and associated guidance in SPD6.

Residential amenity

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- In terms of overlooking and privacy to the rear, although slightly short of the 7m normally required from a first-floor window to a rear boundary the 6.7m separation distance to the rear boundary from the extension is considered to be acceptable given that this is window would be conditioned to have obscure glazing and therefore complies with adopted guidance in SPD6.
- The proposed extension would project out from the existing rear building line by 3.46m, in excess of 3m beyond which the 45-degree rule would apply and therefore the 45-degree rule and 25 -degree rule is considered. The applicant has provided evidence to show that the proposed extension is acceptable in this regard.
- There are no new side windows proposed (one non-habitable side window has been removed).
- The kitchen window on the neighbours side elevation (1 Tweedsdale Close) is a side/ non-habitable door and therefore cannot be afforded significant weight in any assessment.
- There would be an acceptable amount of private outdoor amenity space.
- In terms of the general prominence and impact on daylight the proposed extension is set off the shared side boundary and is to the east of No.51. The proposed extension would have some impact on part of that neighbours rear garden in the mornings, and to a lesser extent 1 Tweedsdale Close in the afternoons, but any overshadowing would not be seriously excessive above and beyond the existing situation.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Sustainable Development

The applicant proposes to install solar panels on the roof. As this is not a listed building or in a conservation this is therefore considered to be permitted development. The council strongly encourages sustainable development solutions to support its net zero carbon

objectives.

Refuse

The proposed development would include space along the side of the property to enable movement of bins and maintenance, which is considered to be acceptable.

Highways

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, which requires the proposal to provide a maximum of 3 parking spaces within this low access area. Existing on-site parking provides 2 car spaces, there would remain 2 spaces, and there is additional parking available on street. Given the situation and the fact there are no changes to parking layout other than driveway width/length, it is therefore considered that the parking arrangements are sufficient.

The proposed extension would be acceptable and comply with UDP Policy HT2/4 and associated guidance in SPD11.

Conclusion

In consideration of the above, it is considered that the proposed development would be acceptable in terms of the design, and siting, of this development. As such, the proposed development is therefore considered to be acceptable and complies with UDP Policy H2/3 and associated guidance in SPD6.

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 ZT22-196-03, ZT22-196-08, ZT22-196-09 as submitted on 07/04/2022, and Drawing ZT22-196-04 Revised as submitted on 21/07/2022 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 plus rendering as outlined in drawings submitted on 17/03/2022.
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.

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- 4 Before the first occupation of the extension hereby permitted the rear bathroom window at first floor shall be fitted with obscured glazing 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>
SGR	22/7/22	DM	22/7/22