

DELEGATED REPORT

Report by Mo Warsame	Date of report: 06/10/2022	Ref: 68786/FUL
Registration: 15/08/2022	LDfC: 03/10/2022	Expiry Date: 10/10/2022
Site Visit: 23/09/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey/single storey side extension; Single storey rear extension

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 North -West corner of the curtilage and an existing small shed to the side of the main house. The neighbours at No.51 Ribble Drive (attached) and No.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 section would have a mono-pitch roof and there are no new side windows proposed. Materials would match existing. 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.

This planning application is a resubmission of approved application 68314 with the same description. However, there would be some minor alterations in the proposed development. There would be internal alterations and increase to the roof's ridge height of the proposed two-storey side extension.

Relevant Planning History

68314 - Single storey extension at rear and single storey / two storey extension at side -
Approve with Conditions 22/07/2022

Publicity

Immediate neighbours notified on 12/09/2022. No representations were received.

Statutory/Non-Statutory Consultations

Traffic Section

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 would be considered appropriate for this property and street scene. Materials would match existing.

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

The window on the first floor bathroom would have obscure glazing and therefore be considered to provide an improved visual appearance with better window fenestration. The increased ridge height of the proposed roof as per the revised plans would also be acceptable. As such, the amended roof would still be slightly lower than the main pitch of the original dwelling, therefore the proposed development would appear subservient to the main house.

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, there is a 6.7m separation distance between the first floor ensuite window the rear boundary. This is slightly short of the 7m adopted guidance in SPD6. However, this would be considered acceptable given that this 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, more than 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 would be no proposed side windows on the latest revised plans.
- The kitchen window on the neighbour's side elevation facing No.1 Tweedsdale Close is a side/ non-habitable door and therefore would not have a detrimental impact.
- There would be an acceptable amount of private outdoor amenity space.
- In terms of the general prominence and impact on daylight the proposed extension would be 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 neighbour's rear garden in the mornings, and to a lesser extent No.1 Tweedsdale Close in the afternoons, but any overshadowing would not be seriously excessive above and beyond the existing situation.
- The increased ridge height to the roof of the proposed extension would be acceptable. As such, the change would be subtle and still slightly lower than the main pitch of the original dwelling.

The proposed extension would be acceptable and the amendments from the latest revised plans would 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 would be considered 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 revised 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:

- 2 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.
- 3 This decision relates to Drawings ZT22-196-00, ZT22-196-02, ZT22-196-03, ZT22-196-09 and Drawing ZT22-196-04 (Revision B) 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.
- 4 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.

- 5 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> MW	<u>Date</u> 06/10/2022	<u>Sign off Officer</u>	<u>Date</u>
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