

DELEGATED REPORT

Report by Amanda

Date of report: 30/03/2023

Ref:69362/FUL

Uhunmwagho

Registration: 20/02/2023

LDfC: 29/03/2023

Expiry Date: 17/04/2023

Site Visit: 10/03/2023

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: First floor extension with juliet balcony at rear, Single storey extension at side, Obscured first floor window at side

Location: 19 Ringley Road, Whitefield, Manchester, M45 7LD

Description

The property is a two storey detached house with a large garden and parking area to the front. There are large trees and mature planting to the front and side boundaries as well as a low stone wall along the front boundary. To the rear there is a large private garden with high hedges and trees along all boundaries. There is a patio area directly to the rear of the house with steps leading down to the garden.

Planning permission was previously granted at this property for a similar development on 15/06/2018 (ref 62774). The previous application included a first floor balcony to the rear of the dwelling, whereas the current application shows a larger rear extension and the balcony has been omitted. The current application also shows a single storey extension to the front of the garage. The extensions, including what is currently being applied for are virtually complete.

The garage extension to the front has been built set back from the front elevation and it has a pitched roof. At the rear the balcony, as shown on the previously approved application has been removed and the rear elevation of the master bedroom has been built in line with the rear elevation of bedroom 3. It has a pitched roof.

Relevant Planning History

62774 - Part single storey / part two storey extension at rear; Formation of balcony and balustrade to first floor at rear; External alterations - Approve with Conditions 15/06/2018

Publicity

Neighbours notified on 23/02/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

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.

Overall the development has been built as what was previously approved, with the addition of a single storey front extension to the garage and the master bedroom projects further from the original rear elevation as the balcony has not been included in the development.

Ringley Road comprises of many different designs and sizes of properties, most of which are set well back from the highway in front and screened by mature trees and/or planting,

or boundary walls and fences. The property on site would not be extended forward of the main front elevation with the exception of the ground floor bay window roof. The main changes to the front are that the whole elevation will be rendered white as oppose to the original mock Tudor style cladding to the dwelling and garage would be replaced with a more modern Cedar cladding. The overall character of the property would remain the same at the front but the resulting elevation would be much more modern with the proposed change of materials.

The change to the design of the rear extension would remain in keeping with what has already been approved previously and it would not be openly visible in the public realm. The design of the proposal is 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.

Residential Amenity -

- Properties to the front and rear of the site would be more than a sufficient distance not to have any detrimental impact on residential amenity.
- As the proposed additions to the previously approved development are to the west side of the building there would be no more of an impact on residential amenity at no.17 next door than what was assessed as part of the previously approved planning application.
- As the additional two storey rear extension has been built around 3.6m from the shared boundary with no.21 the 45° rule is satisfied regards relevant windows on the rear of the neighbouring property.
- The Juliet balcony to this bedroom would not have any significantly detrimental effect on privacy at the adjacent sites.
- The extension to the garage at the front would not interfere with existing parking arrangements to the front of site.
- The garage extension does not project forward of the front elevation of no.21 next door and it is single storey only. There are no windows in the side of no.21 facing the site. As such there would be no significant detrimental effect on residential amenity at this property due to the garage extension.

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 in terms of separation distance to the surrounding properties.

Parking -

The proposal has not increased 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 front of site.

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:

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18-0018-03-102, 18-0018-03-010, 18-0018-03-011, 18-0018-50-010, 18-0018-50-011, 18-0018-50-101 and 18-0018-50-102 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.

- 2 The external finishing materials for the proposal hereby approved shall be as shown on the approved plans.

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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU -	30/03/2023	HL	04/04/23