

DELEGATED REPORT

Report by Tom Beirne	Date of report: 16/07/2025	Ref: 71938/FUL
Registration: 14/05/2025	LDfC: 20/06/2025	Expiry Date: 09/07/2025
Site Visit: 24/06/2025	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Demolition of existing dwelling and erection of 1 no. replacement dwelling with associated works (approved under 68736) - amended scheme with single storey rear extension

Location: 34 Hillingdon Road, Whitefield, Manchester, M45 7QN

Description

The application relates to a detached two storey dwellinghouse with accommodation within the roofspace, currently being constructed on a residential road of detached houses. The external shell has largely been constructed. As stated in the previous report, the new house would have a footprint measuring approximately 13.9m by 11.3m. The house would have a relatively conventional design with a hipped roof. The overall ridge height of the house would be 8.5m. The house would be finished in mix of blue/grey brick and render with blue/grey roof tiles. At the front, a new front garden wall would be constructed with vehicular access from Hillingdon Road onto the driveway. There would be an integral garage and space for parking two cars on the frontage. The boundary wall at the front would be 600mm with railings to a maximum height of 1.5m. The electric sliding vehicular access gate would be 1.2m high.

The latest proposal seeks permission to add a single storey rear extension, centrally located on the rear elevation. It would project out 3.8m and have a width of 4.2m and have a dual pitched roof with a rendered finish. The rest of the scheme would be as previously approved.

Relevant Planning History

00697/E - Proposed dormer extensions - Enquiry completed 25/06/2010
53759 - Demolition of existing dwelling and erection of five bed detached dwelling - Approved 02/06/2011
67573 - Demolition of existing dwelling and erection of 1 no. replacement dwelling - Refused 01/04/2022
68736 - Demolition of existing dwelling and erection of 1 no. replacement dwelling with associated works - Approved 10/11/2022
24/0396 - Breach of condition no. 3 (CTMP) of planning permission 68736 - 14/10/2024

Publicity

Immediate neighbours notified by letter dated 30/05/2025. One letter of objection from the neighbour to the north (No.32). Concerns are summarised.

- Plans are incorrect.
- The new extension would have a detrimental impact on light.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Development Plan and Policies

EN1/2	Townscape and Built Design
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
NPPF	National Planning Policy Framework
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-P1	Sustainable Places

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.

Policy - The National Planning Policy Framework emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term.

Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

The site is residential, located in the urban area and surrounded by other residential properties. As such, the proposed development would not conflict with the surrounding land uses. The proposed development is clearly acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

H2/1 - The Form of New Residential Development - All new residential development will be expected to make a positive contribution to the form and quality of the surrounding area. Factors to be considered when assessing proposals will include:

- a) the height and roof type of adjacent buildings;
- b) the impact of developments on residential amenity;
- c) the density and character of the surrounding area;
- d) the position and proximity of neighbouring properties;
- e) the materials to be used in proposed developments, especially their colour and texture.

H2/2 - The Layout of New Residential Development - New residential development will be required to demonstrate acceptable standards of layout. Factors to be considered when assessing proposals will include:

- a) car parking provision;
- b) access for both vehicles and pedestrians, and provision for public transport;
- c) the possible need for traffic calming measures;
- d) density;
- e) space about and between dwellings;
- f) landscaping and screening;
- g) protection/provision of trees and hedgerows;
- h) open space/children's play areas;
- i) design for safety and security;
- j) access/facilities for the disabled;
- k) the existence of any public rights of way.

Visual amenity and streetscape - As the only difference between the previously approved application is the addition of a single storey rear extension, the latest assessment focuses on this element.

As the rear extension is modest in scale, finished in a render to match the house and centrally positioned on the rear elevation, it would not be viewed from the public arena. Set back from the shared side boundaries on either side, the extension would not be viewed so prominently from the neighbours to warrant refusal of planning permission. The proposal would be acceptable in terms of visual amenity within the streetscape and would comply with UDP Policies EN1/2 Townscape and Built Design and H2/1 The Form of New Residential Amenity.

Residential amenity - The single storey extension would be set in from the side boundaries by approximately 4.5m house and this is considered sufficient. There is no balcony above (as there was with the previously refused application) and as such there are no overlooking issues. As per the approved plans, all windows on the side elevations are obscure glazed and a condition would be added to any decision notice requiring these window to be retained in such a condition.

The objector has referred to plans being incorrect. The site plan, showing the relationship with the neighbours on either side has been amended and now appears correct.

In terms of residential amenity, the development complies with UDP Policy H2/1 The Form of New Residential Development.

Access and Parking - Currently the frontage is open to Hillingdon Road, an arrangement that is not particularly attractive or safe. The proposed new boundary wall with gated vehicular and pedestrian access points from Hillingdon Road would improve on the existing situation. There would be space to park two cars on the frontage and this is considered to be acceptable. Refuse bins would be kept at the rear and brought to the front for collection.

The development is acceptable in terms of access and parking and complies with UDP Policies H2/2 The Layout of New Residential Development, HT2/4 Car parking and New Development and HT6/2 Pedestrian/Vehicular Conflict.

Conditions - As development has started, the 'commencement condition' is not required. A condition relating to materials storage is necessary given the nature of the site and a condition removing permitted development rights is considered reasonable.

Objection - The objections raised by the neighbour have been addressed in the above report. Plans have been revised to correct inaccuracies with regard to the neighbours property.

Given the single storey extension is situated centrally on the rear elevation, away from the shared side boundary, the impact on the neighbours is not considered serious enough to warrant refusal. Unlike the previously refused application that included a single storey rear extension, this latest proposal would not have a balcony above and therefore there are no overlooking issue arising.

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 This decision relates to drawings Sheets 1, 2 (revised), 3, 4, 5, 6 and 7 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.

- 2 The development hereby approved shall not be first occupied unless and until the car parking, permeable driveway and boundary wall alterations and bin storage arrangements indicated on approved plan references HAD3344-02-08 Revision B and HAD3344-11, incorporating the reinstatement of the redundant southerly footway crossing to adjacent footway levels, widening of the existing northerly footway crossing to limits to be agreed on site with the Highway Authority, boundary wall constructed with foundations that do not extend under the adjacent adopted highway, sliding gate, new driveway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway and all accommodation/remedial works in front of the proposed boundary wall/driveway required to reinstate the footway to its former condition prior to commencement of the development, have been implemented in full to an agreed specification and to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site in terms of highway safety, to allow adequate space to maintain a vehicle clear of the highway and maintain the integrity of the adopted highway pursuant to UDP Policy H2/2 The Layout of New Residential Development.
- 4 The windows in the side elevations of the main house 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.
- 5 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
- 6 All storage of construction materials shall be within the site.
Reason. To avoid obstruction to highway in the interests of public safety pursuant to UDP Policy HT6/2 Pedestrian/ Vehicular Conflict.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	16/07/2025		