

DELEGATED REPORT

Report by Amanda

Date of report: 26/02/2024

Ref:70359/FUL

Uhunmwagho

Registration: 08/01/2024

LDfC: 30/01/2024

Expiry Date: 04/03/2024

Site Visit: 31/01/2024

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 rear extension

Location: 17 Ringley Road, Whitefield, Manchester, M45 7LD

Description

The application relates to a large previously extended two storey detached house on Ringley Road, Whitefield. It has a large front garden area with parking and to the rear there is a very large private garden with fences and planting to all boundaries. There is a patio directly to the rear of the property with steps leading down to the garden areas.

The proposal is to replace an existing first floor terrace with an extension to one of the bedrooms. The extension would measure 4.5m wide and would project 3m on the south west side and 1.2m on the north east side. The roof would be pitched to match the existing roof design and finished materials would also match the existing building.

Relevant Planning History

44898 - Single storey extension at rear - Approve with Conditions 19/08/2005

Publicity

5 neighbours notified on 09/01/2024 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions
H2/3 Extensions and Alterations

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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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.

As the extension would be to the rear of the property it would not be readily visible in the public realm and only partially visible from the adjacent rear gardens. It would be finished with materials and a design that would be considered to be in keeping with the existing building.

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 -

- The first floor extension would be just over 25m from the rear boundary which has lots

of trees and planting screening views to and from the rear of the site. However, the distance of 25m would be more than acceptable in terms of SPD 6 and there would not be any significant detrimental effect on privacy levels to homes and gardens to the rear.

- The extension would be just over 5m from the shared boundary with no.19 Ringley Road to the west and there would be no windows in the side elevation facing this property.
- No.19 has a two storey extension close to the shared boundary with two first floor windows in the side elevation facing site. However as there would be around 6.5m between the side of the extension and the side elevation of no.19. This would be acceptable in terms of separation distances as set out in SPD 6.
- Given its location towards the west of the site there would be no significant detrimental impact on residential amenity at no.15 to the north east side.

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 would not increase 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 garden and drive.

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:

- 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 23-0026-00-010 Rev P2, 23-0026-00-011 Rev P2, 23-0026-00-101 Rev P1, 23-0026-00-102 Rev P1, 23-0026-03-001 Rev P1, 23-0026-20-301 Rev P2 and 23-0026-20-302 Rev P1 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.
- 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 26/02/2024			