

DELEGATED REPORT

Report by Amanda

Date of report: 15/05/2025

Ref:71729/FUL

Uhunmwagho

Registration: 26/03/2025

LDfC: 25/04/2025

Expiry Date: 21/05/2025

Site Visit: 02/05/2025

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: First floor side extension; garage conversion; raise external ground levels to provide level access and erection of front canopy

Location: 81 Ringley Road, Whitefield, Manchester, M45 7LH

Description

The application property is a large, flat roof detached property. Along the front boundary is a short wall with a hedge along the top and there is an electric gate for access to the site. The whole of the front of the site is hardstanding which could provide on site parking for several vehicles. At the front of the house is a garage and to the side there is a flat roof annex.

The proposal is to build a first floor side extension that would create a lift shaft for the owner of the property who uses a wheelchair. The extension would measure 2.16m x 2.21m, It would have a flat roof and would be rendered to match the rest of the dwelling.

The proposal also includes a garage conversion to the front and raising external ground levels to the front and rear in order to create level access to and from the property for the resident. An existing utility room window would also need to be slightly moved forward on the side elevation due to the position of the proposed lift shaft. There would also be a canopy at the front entrance of the annex. This would be a light structure measuring around 2.4m high.

Relevant Planning History

- 01958/E - Demolition of existing house and construction of new dwelling with granny annexe - Enquiry completed 07/04/2017
- 61883 - Demolition of existing dwelling and erection of 1 no. replacement dwelling - Approve with Conditions 01/11/2017
- 62445 - Non-material amendment following grant of planning permission 61883 for demolition of existing dwelling and erection of 1 no. replacement dwelling: Changes to windows on entrance elevation: Reduction in size of 2 no. GF windows, 1 no horizontal window on FF instead of Juliet window, addition of door and canopy to garage. Changes to window on side elevation: Horizontal window of en-suite changed to vertical window - Approve 07/03/2018

Publicity

8 neighbours notified on 03/04/2025 - One email was received in support of the proposal and there are no objections.

The neighbour stated that they have reviewed the planning-application drawings, and are supportive of the alterations, which they understand are necessary for the special needs of the incoming occupier.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

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), 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.

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.

The first floor side extension would be set back from the front elevation of the dwelling by around 10m and it would be finished with a design and materials that would be considered to be in keeping with the existing building.

The new utility room window at the side would be similar to other openings on the building. The design of the proposal is considered to be in keeping with the existing building.

The only external change to the garage at the front of the property would be the replacement of the existing door with a window, and the side door is to be removed. The proposed finished materials on this part of the building would be considered to be in keeping with the rest of the building.

The proposed changes to the driveway and rear patio areas, by raising the levels slightly to gain a level access to the property for a wheelchair user would not cause any significant harm in terms of visual amenity. There is also a new canopy proposed to the front of the annex at the property. This would be a light structure to provide cover from the weather when entering and leaving the property. It is considered that this would be 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, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

The extension would be built in order to add a lift to the property. There would be no windows to any of the elevations and in comparison to the main house it would be a relatively small addition, set well in from the front and rear elevations of the house.

The structure would be around 4m away from the side elevation of no.79 Ringley Road next door but it would not have any windows and it would not be adjacent to any habitable room windows on the side elevation of no.79. As such the first floor side extension would not have any significant detrimental impact on residential amenity at this property, or properties to the front or rear of the site.

The garage conversion could be carried out as permitted development. There would not be any changes to the size of the existing garage. The only external changes would be that the front door would be replaced with a window and the side door would be removed. These changes would not cause any significant detrimental impact on residential amenity at neighbouring properties.

The proposal to level the ground levels to the front and rear of the property, to create a level access to the house could possibly be undertaken as permitted development, as could a new canopy to the front entrance of the annex part of the property.

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 drive at the front of the 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:

- 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 D&PM 4297/01, D&PM 4297/02, D&PM 4297/03, D&PM 4297/04, D&PM 4297/05 and D&PM 4297/06 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 in terms of visual amenity, and Places for Everyone Joint Development Plan listed.
- 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 - 15/05/2025			