

DELEGATED REPORT**Report by** Amanda**Date of report:** 22/03/2022**Ref:**68068/FUL

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Registration: 24/02/2022**LDfC:** 18/03/2022**Expiry Date:** 21/04/2022**Site Visit:** 03/03/2022**Site Notice:** N/A**Press Date:** N/A**Objections:** 0**Con Area:** N/A**Adv Type:** PI**Reason for Delay:****EIA:** NA

N/A

Dec Level: DEL**Stat Class:** HOUS**Proposal:** Demolition of existing conservatory and erection of single storey rear extension**Location:** 14 Crosfield Avenue, Summerseat, Ramsbottom, Bury, BL9 5NX**Description**

The application property is a previously extended two storey semi-detached dwelling with a conservatory to the rear. The front of the site is brick paved providing on site parking for at least two vehicles and there is a large private garden to the rear. Directly to the rear of the site is Queen's Place. The rear site boundary abuts the Brooksbottom Conservation area. However, the site is not within the conservation area. There is a pedestrian gate to the rear for access.

The proposal is to remove the existing conservatory and replace it with a flat roof single storey extension. The extension would project 3m from the original rear elevation and 3.5m from the rear of the two storey side extension to the north side. The structure would extend across the whole width of the rear elevation and there would be two raised roof lanterns to the centre of the roof. To the rear elevation there would be a window and bi-fold patio doors and to the north side elevation there would be a high level window. There would be steps constructed to the rear leading down to the garden which slopes down away from the property at the rear.

Relevant Planning History

N/A

Publicity

Neighbours notified on 24/02/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.**Unitary Development Plan and Policies**

OL1 Green Belt

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

SPD8 DC Policy Guidance Note 8 - New Buildings in the Green Belt

NPPF National Planning Policy Framework

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 as well as its impact on the Green Belt and Conservation area.

Green Belt -

Section 13 of the NPPF confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. In this respect,

the NPPF does not provide any specific definition of what constitutes a disproportionate addition.

SPD 8 - New Buildings and Associated Development in the Green Belt provides greater clarity and states that in general terms, extensions up to a third of the volume of the original dwelling would not be considered disproportionate, but that every application is to be assessed on its merits. This guideline is duplicated in SPD 6 - Alterations and Extensions to Residential Properties.

The measure of (dis)proportion is widely taken to be an assessment of the volume, mass, scale, footprint and dimensions of a proposal relative to the original and its impact on the openness of the Green Belt.

Summerseat falls within the Greater Manchester Green Belt. There are numerous properties within Summerseat that have been extended in some way over the years. The proposed extension would be built within the site boundary to the rear of the existing property. There would be ample gardens areas remaining within the site to the front and rear of the dwelling.

The proposed extension would be built in a similar position to the conservatory on the rear of the existing dwelling. The agent has noted in the Green Belt statement that the volume increase would exceed the recommended 33% as set out in SPD 6 and SPD 8. However, despite being above the recommended volume increase the scale of the proposed single storey rear extension would not be considered disproportionate on the existing dwelling or within the existing street scene.

Summerseat is a well established village with many properties which have also been extended in many ways. The single storey side extension would not be considered excessive on this property and therefore, the proposed development would not have any adverse impact upon the openness of the Green Belt and the proposed development would comply with Bury UDP policies OL1 and OL1/3 of the Bury UDP and the NPPF.

Conservation Area -

The site is not within a conservation area but the rear boundary borders the Brooksbottom Conservation area, Summerseat. The boundary line runs along the rear of boundaries of properties on Crosfield Avenue where it meets the back street of Queen's Place. Given that the proposed extension would be over 14m from the rear site boundary and the proposed extension would be more in-keeping with the dwelling than the existing conservatory it was deemed that it would not cause any harm to the adjacent conservation area. As such a site notice was not erected and there was no need to advertise in the local press.

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 proposed single storey extension would replace an existing white UPVC conservatory. The extension would be of a more modern design built with materials that would compliment the existing dwelling. As it would be built on the rear of the property it would not be visible in the public realm along Crosfield Avenue to the front.

The extension would be visible from properties on Queen's Place to the rear of the site and given its elevated position to these properties it would only be partially visible from ground floor level and from the lane which runs along the back of the properties. As such the design of the proposal is considered acceptable in this location and there would be no significant detrimental effect on visual amenity in this area.

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 on Queen's Place to the rear of the site would be more than a sufficient distance from the proposed extension. As such there would be no significant detrimental impact on residential amenity at these properties.
- The extension would be built adjacent to the shared boundary with no.16 Crosfield Avenue (attached) and would project 3m from the original rear elevation. This would be acceptable in terms of SPD 6. It is also noted that there is a pergola type structure at no.16 which projects along the shared boundary.
- The application property angles away from no.12 to the north of site. As the extension would project just 3m from the original rear elevation it would not project past the rear elevation of this property and there would be one high level window in the side elevation facing this property. As the window would be high level there would be no significant detrimental effect on residential amenity at no.12 next door.
- There would be around 14m from the rear elevation to the rear boundary and there is a back street between the site and properties to the rear. This separation distance would be acceptable in terms of SPD 6.

Taking the above into account 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.

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 the drawings received on 10/02/2022 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

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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-	22/03/22		