

PLANNING STATEMENT

Single Storey Side Extension, Front Porch, Decking and Boundary Fence

39 Bye Road, Shuttleworth, Ramsbottom BL0 0HH

I have been asked by the applicant to assist in achieving planning permission for the above development.

Introduction

The property is semi detached and built in stone with a slate roof. It is two storey at the front and three storey at the rear, overlooking a Council owned recreation area. A porch has been constructed with the front elevation lining up with the adjoining house. A single storey extension at the side projects 3.94 metres, with access onto a new decked area surrounded by a timber fence. A rear dormer has been added to an existing loft bedroom together with a window in the side elevation, but these are clearly “permitted development” and do not require a planning application.

Planning permission (number 66585) was initially granted in September 2021 and the development has been completed, but not wholly in accordance with the approved plans. The most significant change is the straightening of the rear boundary to include a small area of the Council owned land. The rear boundary has a timber fence rather than the approved glazed screen. There is no car parking space. Two small obscure glazed windows have been added to the front of the extension. The new walls have black, composite cladding rather than timber boarding.

Complaints have been made by neighbours. A second application (number 69614) was submitted including the changes but also indicating a car parking space which would have replaced part of the decked area. The car space has not been provided.

The second application was refused on 25 July 2023 for two reasons.

The first reason contended that “the proposed development would, by reason of its size, position, materials and design introduce a discordant, intrusive and long term harmful impact on the historic character, openness of the Green Belt and Special Landscape Area” contrary to specific Unitary Development Plan Policies and guidance in the National Planning Policy Framework”.

The second reason claimed that the application and submitted plans contain insufficient information to enable them to be properly assessed to ensure sufficient parking can be provided safely within the curtilage of the site to comply with the Council’s parking standards”.

The Planning Officer’s Report explains the thinking behind the reasons for refusal. The applicant sought additional guidance from the Planning Officer, with a meeting taking place on site. My statement examines the reasons for refusal and deals with the issues that are set out in the meeting note. The Officer Report on the earlier application is also relevant.

Briefly, it was agreed at the meeting:-

- The unauthorised decking would be removed and details of any remediation provided.
- The timber fencing to the edge of the decking would be acceptable, particularly if painted.
- The change in materials to the extension and porch should be included on a new planning application together with the additional obscure glazed windows on the front of the extension.
- Green Belt and Heritage Issues must be dealt with.
- The loss of the parking space needs to be addressed.
- A new planning application may be accepted without the need to pay another submission fee.

- The plans now submitted omit the disputed area and reduce the area of decking accordingly. One timber supporting post will need to be moved and resited with any disturbed ground made good
- The horizontal boarded timber fence will be moved back to the correct position on the curved boundary and stained dark brown. The 1.8 metre high fence to the front of the decked area, with its single gate, will be retained.
- The plans do not show a parking space.
- The plans confirm the materials that have actually been used and the additional windows.
- The plans show the dormer and the window in the side elevation but they are not part of the planning application.

Green Belt

The Bury Unitary Development Plan was adopted as long ago as 1997. The latest revision of the National Planning Policy Framework was issued in December 2023. Despite the 26 year time gap, UDP Policies and NPPF Guidance are very similar.

The property is in the Green Belt and a Special Landscape Area. This allocation does not affect permitted development rights and a single storey extension and slightly smaller porch could have been built without planning permission. Permission is only needed for the extension because its width is more than half the width of the house. If the extension was narrower and longer planning permission would only be required for the raised decking and rear fence.

Both the UDP (Policy1/2) and the NPPF (para 154) consider many forms of development in the Green Belt to be “inappropriate” with limited exceptions. These include extensions to existing dwellings which are not inappropriate provided that their size is not “disproportionate”, usually up to one third of the volume of the original house as specified in SPD 8. The volume of the original dwelling was approximately 355 cubic metres. Even including the dormer, 71.cubic metres has been added, around 20%. The extensions are therefore not “inappropriate” and it is not necessary to plead Very Special Circumstances to make them acceptable in principle.

The Planning Officer raised no concerns about the extension or porch in her Reports on either of the previous applications. However, serious concern was raised by the extended decking area which was “inappropriate” in principle, encroaching into the park area and introducing a suburban character to the open landscape in this area. No such concerns were raised about the decked area in the first planning application and should no longer be an issue now that the correct boundary is being re-established.

There was also criticism of the colour and materials of the fence despite timber being a traditional and natural material for fences. My opinion is that it is more appropriate to this location than the glass screen that was originally specified. The Planning Officer has now confirmed that the timber fence in its correct position is acceptable.

Heritage

I am surprised that it is considered necessary to address heritage issues when they were never mentioned in the Report recommending approval of the first application. The existing house is not of exceptional historic or architectural merit, otherwise it would have achieved at least local listing. The NPPF requires “an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset’s importance and no more than is sufficient to understand the potential impact of the proposal on their significance”.

The name Shuttleworth means a gated enclosure and the name was first documented with a different spelling in 1227.

The two storey houses on Bye Road were no doubt built to accommodate workers at the mill to the north. I have consulted the website of Ramsbottom Heritage Society. Information is limited.

Neither the houses nor mill are shown on an 1848 map..The Twine Valley to the east contained small mills, no doubt using the water power of Crossbank Brook. The houses and the mill do appear on the 1892 map. Given the date, it was likely to have relied on steam power from the start. It was shown as Shuttleworth Mill (Cotton). Shuttleworth Lower Mill and its reservoir was on the west side of Manchester Road. Various maps show areas of water in the valley .but no reservoir is indicated at Shuttleworth Mill.

There is no suggestion that 37/39 Bye Road was directly associated with the mill. The building is domestic in scale but was probably a workshop. It was disused when planning permission was granted for conversion to two dwellings in 1989. Little external alteration was needed.

I do not know when the mill ceased operations or was demolished. The site was forced to be purchased by the Council in the 1980s by the service of a Purchase Notice. Landscape planting was carried out which was then totally neglected with no maintenance. Local residents have recently reclaimed and maintained the site. The work includes the establishment of a car park at the eastern end of the site which has eased the parking situation on Bye Road.

As previously stated, 39 Bye Road has little intrinsic historic or architectural merit. As stated by the Planning Officer in her first Report “the proposed extensions are considered to be of a suitable scale and massing and would not overwhelm the dwelling or result in over development of the associated residential amenity space”.

Neither the extensions nor the fence adversely affect the heritage asset, namely the building itself and the adjoining former mill site.

Car Parking

SPD8 – Parking Standards in Bury was adopted in 2007. It follows redundant Government advice in seeking to impose *maximum* parking numbers rather than minimum numbers and cannot realistically be used to support the reason for refusal. In the absence of a planning application the applicant could have decided at any time to stop using his car parking space. Equally, if a car space continues to be shown on the latest plan and is approved as such, its use for parking cannot be enforced.

I agree that, in other circumstances, it would be desirable to keep a parking space. However, here there is a small, awkwardly shaped private amenity space at the side of the house which should be retained for the family’s use. Despite a car space being shown on the previous plan, access to it would be very awkward, obstructed by the neighbours’ parked cars and a low stone wall.

The land drops away sharply. It is easy to construct decking but a substantial and visibly obtrusive retaining wall would be needed to support a hardstanding area to take the weight of a car. Most of the houses on Bye Road do not have dedicated parking. Previous parking problems have been eased by the new car park as referred to above.

Conclusion

- The porch and extension have been built as approved except for a change in the cladding material and the addition of two small windows. There has been no suggestion by the Planning officer that this is unacceptable.
- The size of the decked area will be reduced to take account of the correct position of the site boundary.
- A condition requiring the fence to be stained or painted is acceptable.
- The development is not inappropriate in principle in the Green Belt and is not harmful to its openness.
- The development does not adversely affect the heritage asset.
- It is impractical to provide a useable parking space and unreasonable to insist that one is provided.

I see no reason why planning permission should not be granted. The applicant is happy to agree conditions requiring the changes to the development being carried out, subject to agreement of a reasonable time scale for compliance.