

DELEGATED REPORT

Report by Amanda

Date of report: 28/04/2022

Ref:68084/FUL

Uhunmwagho

Registration: 02/03/2022

LDfC: 30/03/2022

Expiry Date: 27/04/2022

Site Visit: 08/03/2022

Site Notice: N/A

Press Date: 10/03/2022

Objections: 0

Con Area: HOLC

Adv Type: CA

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Single storey side extension

Location: Norcot, Moorbottom Road, Ramsbottom, Bury, BL8 4NS

Description

Planning permission was previously granted at this property for a single storey extension of a very similar design in October 2021. The current proposal is also for a single storey extension in the same position but the current proposal shows a slightly larger extension compared to what has already been approved.

The application relates to a detached dwelling house located on Moorbottom Road. The application site is within Holcombe Village Conservation Area and is considered to be a Non-Designated Heritage Asset (NDHA). Nearby to the south west of the site is the Grade II Listed Hey House. The site is also located within the Green Belt.

Planning permission is sought for the construction of a single storey side extension that would project approximately 10.9m to the side of the existing dwelling and would measure 7.2m wide. The roof would be pitched.

Relevant Planning History

67490 - Single storey extension - Approve with Conditions 26/10/2021

10/0160 - Change of use to Builder's yard - 01/12/2010

12/0527 - High fence - 05/11/2012

13/0428 - Engineering operation - 03/09/2013

13/0580 - Erection of outbuilding - 31/01/2014

18/0019 - Alterations to walls and gate - 05/02/2018

18/0021 - Sycamore tree has been taken down - 02/02/2018

18/0338 - Insertion of window and door in barn gable - 25/02/2019

19/0157 - Bridleway being widened - 29/07/2019

19/0159 - Erection of hut and fencing in the field to house alpacas - 29/07/2019

20/0332 - Breach of conditions 2,4,6,9 (28 days) of planning permission 64786 -

Publicity

Neighbours notified on 02/03/2022.

Site noticed erected - 08/03/2022.

Press advert - 10/03/2022.

One letter of support received.

Statutory/Non-Statutory Consultations

Public Rights of Way Officer - No representations received.

Conservation Officer - No objections raised subject to conditions in relation to materials.

Pre-start Conditions - Agent has agreed with pre-start conditions

Unitary Development Plan and Policies

OL1/2	New Buildings in the Green Belt
OL1	Green Belt
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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.

Principle (Green Belt)

Paragraphs 147 and 148 state that inappropriate development in the Green Belt is by definition, harmful and should not be approved except in Very Special Circumstances (VSC). Planning Authorities should ensure that substantial weight is given to any harm in the Green Belt. VSC 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.

Paragraph 149 of the NPPF regards the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- 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;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Policy OL1/2 - New Buildings in the Green Belt states that the construction of new buildings in the Green Belt is inappropriate unless it is for agriculture and forestry; essential facilities for outdoor sport and recreation; limited extension, alteration or replacement of existing dwellings provided that this would not result in disproportionate additions over and above the size of the original dwelling; and limited infilling in existing villages as set out under Policy OL1/3.

This is further supported by Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt which state that extensions of existing dwellings should not result in disproportionate additions over and above the size of the original dwelling. To assist in what can be considered to be disproportionate SPD 8 considers additions of up to a third (33%). However, that is not to say something larger, or smaller than 33%, would not be supported as each case is considered on its own merits.

The proposal would constitute an alteration to the existing dwelling house. Volume calculations submitted by the agent advise that the proposed extension would equate to a volume increase of 29.8%. As the proposed extension would therefore be less than 33% of the volume of the original building as it stood in 1948 it would comply with guidance.

In addition it should be noted that the site makes up a cluster of residential development and is not an isolated house within a Green Belt location. Any alterations and additions within this area would be viewed within the context of the existing residential character.

It is therefore considered that the proposal would not lead to a disproportionate addition to the original dwelling and would therefore not have a detrimental impact on the openness of

the Green Belt complying with the policy considerations set out above.

Impact on Conservation Area and Visual Amenity

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in the exercise of their planning functions to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Paragraph 199 of the National Planning Policy Framework (NPPF) requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 203 of the NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

This is further supported by UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control that require any development within a Conservation Area to preserve or enhance the special character or appearance of the area.

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.

Norcot was originally a vernacular two storey, two bay farmhouse constructed with coursed and random local sandstone with a stone slate dual pitched roof with gable ends. Evidence suggests the building was extended sometime during the 19th century into a residential property with two storey bays to the western gable and eastern gable. The eastern gable is proposed to be extended at single storey level in coursed stone with a dual pitched roof in the same orientation as the main house and a full length corner window feature to the front and side elevation of the proposal.

The heritage assessment has identified the primary heritage value of the building as its architectural aesthetic and that the building has been much altered during its time.

The design, appearance, size and scale of the proposed extension is considered acceptable in relationship to the main house. It would not dominate the main house and its design contains a level of historicism that would relate to the main house, whilst contemporary features of its design would not challenge the architectural aesthetic of it. As such the proposal would not harm the significance of the NDHA.

The proposal would have limited views from within this part of the conservation area its design and materials would be in keeping with the vernacular built form in that part of the conservation area. The ridge of the roof of the proposed extension would be visible from Moorbottom Road along the northern boundary of the site however these views are limited and would be in the context of a cluster of existing buildings and built development. The proposed extension would be set back from the main front elevation of the proposal giving an impression of subservience.

It is therefore considered that subject to conditions in relation to materials the proposal would preserve the character of the Conservation Area, and would not have a detrimental impact on the character of the dwelling, street scene and neighbouring properties complying with the policies considerations set out above.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The proposed extension would be located approximately 40 m from Meadow Heys and as such it is considered that it would not be unduly overbearing.
- No dwellings directly to the rear of the site.
- The proposed extension would be located approximately 55 metres from the side elevation of The Croft and as such it is considered that it would not be unduly overbearing.
- Proposed side glazing would be screened by existing boundary treatments.
- Whilst the dwelling and extension is located at an elevated position compared to the Croft the proposed front glazing would be located approximately 55 metres from the side elevation of this dwelling and there are intervening trees and landscaping that act as a screen. As such it is considered that the proposal would not lead to undue loss of privacy.

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.

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 site/location plan and drawings numbered A1.3, A1.4, A1.5 and A2.2 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 Samples of the stone slate roofing and stone to be used in the external elevations, together with details of their manufacturer, type/colour, size, the proposed roofing pattern and elevationsal coursing details shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials and details shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policies EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and H2/3 - Extensions and Alterations.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU	26/4/22	DM	28/4/22