

SUPPORTING STATEMENT

06 June 2022



129 Manchester Road, Ramsbottom, Bury, BL9 5NL

Prepared by MacMarshalls Rural Chartered Surveyors & Planning Consultants
on behalf of the Applicant



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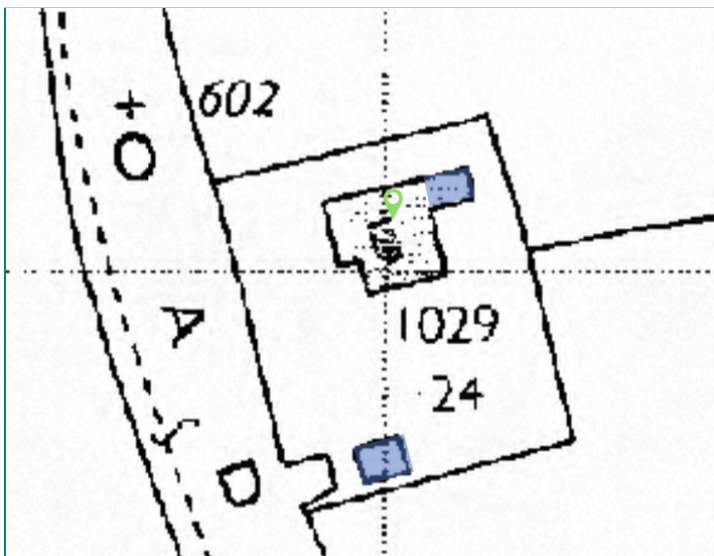
1. Introduction

- 1.1. This statement has been prepared in respect of the proposed development at 129 Manchester Road, Ramsbottom, BL9 5NL and is to be considered an addendum to the plans and supporting information submitted as part of that application.
- 1.2. The statement provides assessment and justification in respect of the scheme having regard to local and national Green Belt policy.

2. PLANNING POLICY & ANALYSIS

- 2.1. The National Planning Policy Framework (The Framework) states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Openness and permanence are essential characteristics of the Green Belt.
- 2.2. It goes on to say that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 2.3. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. *'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.
- 2.4. Under paragraph 149 of The Framework *'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'* is not considered to constitute inappropriate development. The term *'original building'* is defined in the Framework as a building as it existed on 1 July 1948 or, if constructed after that date, as it was built originally.
- 2.5. Saved policies OL1 and OL1/2 of the Bury Unitary Development Plan (UDP), adopted 1997, are generally consistent with the Framework in terms of the permitted exceptions to inappropriate development in the Green Belt. OL1/2 adds that proposals for extensions and alterations to development within the Green Belt should have regard to any supplementary planning guidance issued by the Council.
- 2.6. Supplementary Planning Document 6 (SPD 6) dated January 2020, of the Council's adopted local plan states:
 - 2.6.1. "Large areas of the Borough are designated as Green Belt and proposals for domestic extensions in such areas will be strictly controlled to ensure that proposals do not impact on the basic character and appearance of the Green Belt. Proposals for domestic extensions in the Green Belt should not normally exceed a third of the volume of the original dwelling. However every application is assessed on its own merits. A statement of Very Special Circumstances will be required if the extension is considered to be materially larger than the original building. Large parts of the Green Belt are also covered by Special Landscaped Areas and the West Pennine Moors and the Council will expect particularly high quality designs and materials in such locations."
- 2.7. It is noted that the SPD does not set a limit of 33% for the volume of extensions over the original building, stating that each application will be assessed on its own merits. It does state that the aim of the SPD with regards to Green Belt policy is to ensure that proposals do not impact on the Green Belt's basic character and appearance. A statement setting out Very Special Circumstances will be required if the extension is considered to be materially larger than the original building.

- 2.8. 'The Original Building' - A review has been undertaken of historic maps, aerial photographs and the planning history of the property. The footprint of the building as it existed in 1947 is shown below. It is noted that it contains a single storey rear extension and what appears to be a detached garage (both highlighted in blue), both of which are no longer in situ.



- 2.9. There does not appear to be any planning history detailing any submission or approvals for replacement dwellings, or anything else to suggest that there has been any replacement dwelling on the site. It is therefore reasonable to assume the building as it stood in 1947 can be considered 'original' for the purposes of the application and assessment.
- 2.10. The volumes of the original dwelling, existing dwelling and proposed options are set out in Table 1 below. Reasonable assumptions have been made in respect of the rear extension and the garage as shown in blue on the map above:

Table 1 - Volumes

	Original dwelling (A)	Existing dwelling (B)	Existing dwelling with extant extension (C)	Originally Submitted scheme	Amended scheme following case officer advice
Volume (m3) and % increase over original	592	631.5 (6.6%)	720.5 (21.5%)	928 (57%)	975 (64.5%)

- 2.11. The table above demonstrates that the scheme as originally submitted, which incorporated the extant approval reference 69581 would have a volume increase of 57% over the original building.
- 2.12. Planning officer comments have indicated that the scheme as originally submitted may not be supported, due to the impact of the flat roofed design to the rear. However, the property in its current form includes flat roofs. The flat roof design is of a visually pleasing design and appearance, improves upon the existing rear elevation and removes its dormer window, and due to its siting, has limited visibility from public vantage points. The scheme also provides a continuous and more aesthetically pleasing left hand side elevation to the property, sensitively incorporating the approved side extension which would otherwise appear as an awkward and disjointed ‘add on’.
- 2.13. The case officer has suggested an amendment to the scheme to overcome the Council’s concerns regarding the flat roofed rear extension. This would be to replace the originally proposed flat roof with a pitched roof. However, this design solution is only achievable by raising the eaves height of the building to achieve the necessary head heights in the resulting bedrooms. Accordingly, an amended scheme has been submitted that provides the pitched roof to the rear extension and increases the eaves height to the absolute minimum to enable the bedrooms to function effectively. This results in a volumetric increase of approximately 64% over the original dwelling.
- 2.14. Recent case law confirms that openness is not narrowly limited to a volumetric, spatial approach.
- 2.15. In the Euro Garages judgement (*Euro Garages Limited & (1) The Secretary Of State For Communities And Local Government (2) Cheshire West And Chester Council (2018)*) the Inspector for the planning appeal considered that increased floor area and volume meant a greater impact on the openness of the Green Belt and that a lack of visibility did not in itself mean that there would be no loss of openness. However, in upholding Euro Garages’ challenge to the Inspector’s decision, Mrs Justice Jefford observed that for there to be a greater impact on openness, there must be something more than merely a change, and an assessment should be made as to the harm caused by the change.

- 2.16. In paragraph 29 of the judgement, it was stated that whether the openness of the Green Belt is preserved, or conversely harmed, is not simply a question of whether something, which by definition has a spatial impact, is to be built. Further, the question of whether the openness of the Green Belt is preserved will generally involve an assessment of the visual or perceived impact.
- 2.17. More recently in *R (Samuel Smith Old Brewery (Tadcaster) and others) v North Yorkshire County Council [2020]* it was confirmed that it is for the decision maker on a case by case basis and as a matter of planning judgement, not law, to assess whether visual openness is relevant and if so to what extent.
- 2.18. In this instance, it is considered that the lack of visual and perceived impact of the development should be afforded significant weight. The increased eaves height is minimal and would not in itself increase the footprint of the building. Visually, it would have very little if any perceived impact on the openness of the Green Belt. The proposed side extension, incorporating a previously approved extension, would result in a visual change, but would not lead to visual harm or perceived harm to openness. Further, the side extension would incorporate, and in effect screen the two storey rear extension, which would not be prominent from public vantage points.
- 2.19. It is therefore considered that the development either in part, or in whole would not lead to a visual or perceived loss of openness to the Green Belt. It would not appear as a disproportionate addition, irrespective of the volume calculations.
- 2.20. Without prejudice to the above, should the Council consider that the development would be materially larger than the original dwellinghouse, it is reminded that the SPD 6 does state that each case is viewed on its own merits, with development being controlled to '*ensure that proposals do not impact on the basic character and appearance of the Green Belt*'. In this instance, it is considered that the basic character and appearance of the Green Belt is not negatively impacted upon.
- 2.21. Consistent with The Framework, SPD 6 requires very special circumstances to be demonstrated to outweigh the harm to inappropriateness and any other harm. It is important to note that no '*other harms*' are considered to result from the proposed scheme. The very special circumstances are set out below:
- 2.21.1. The property has huge sentimental value for the applicant, however, the existing space simply cannot provide the essential facilities the family need. Currently, one child is sleeping in the parents' bedroom, and the other children are of the age where they need their own space. The scheme provides the essential additional space required to enable the applicant and their family to remain in their family home;
- 2.21.2. The resulting design incorporates suggested changes by the planning officer to overcome their concerns with regards to the visual impact of the originally submitted two storey rear extension on the character of the property. The increased eaves height has been kept to an absolute minimum to provide those alterations;

- 2.21.3. There would be only a marginal increase in the footprint of development which is to the rear and would not be prominent, and the scheme would have no greater impact on the openness of the Green Belt;
- 2.21.4. The increased eaves height would not have a detrimental effect on the character and appearance of the dwelling, or the character of the area;
- 2.21.5. The scheme would improve the appearance of the dwelling as a whole, resulting in the removal of a large, tired and visually incongruent rear dormer and sensitively amending and incorporating the previously approved front/side extension that would otherwise appear as an 'add on';
- 2.21.6. The property retains all of its permitted development rights. Situated within a large curtilage the permitted development rights would allow for very significant alteration, extensions and outbuildings to the property that would have a far greater volume and impact on the openness of the Green Belt than proposed. Approval of the submitted scheme would provide the opportunity for the LPA to remove permitted development rights via condition, and thus gain control over any future extensions, alterations and outbuildings.

3. CONCLUSION

- 3.1. The proposed development would result in a volumetric increase of 64% over that of the original dwelling. However, having regard to established case law this does not directly equate to a loss of openness, which is not narrowly limited to a volumetric approach.
- 3.2. The scheme is not considered to impact on the basic character and appearance of the Green Belt, in accordance with SPD 6 of the Council's adopted local plan.
- 3.3. In any case, should the LPA consider that the scheme constituted inappropriate development, very special circumstances have been demonstrated to outweigh the finding of inappropriateness, and any other harms (of which there are considered to be none).
- 3.4. It is therefore respectfully requested that the LPA grants planning permission for the proposed development.

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