

DELEGATED REPORT

Report by Amanda Uhunmwagho	Date of report: 28/02/2022	Ref: 67793/FUL
Registration: 23/11/2021	LDfC: 13/01/2022	Expiry Date: 18/01/2022
Site Visit: 16/12/2021	Site Notice: 16/12/2021	Press Date: 02/12/2021
Objections: 0	Con Area: BROO	Adv Type: CA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey side extension to provide porch, shower room and utility

Location: 4 Crag Avenue, Summerseat, Ramsbottom, Bury, BL9 5NZ

Description

The application property is a three storey semi-detached house situated in the conservation area and Green Belt which has been previously extended to the rear. It has gardens to the front and rear with a drive way to the front/side of the property providing on site parking for at least two vehicles. There is an existing single storey extension to the rear of the property. The attached neighbour, 6 Crag Avenue has been extended to the side and rear and there is a single storey extension adjacent to the rear shared boundary of the site.

Number 1 Rowlands Road to the south of site has a garage building directly adjacent to the site boundary and the side elevation of 3 Rowlands Road is also adjacent to the rear garden. There are several windows in the side elevation of this property but none directly overlook the site. There is a tall, well established privet hedge along this boundary which screen most of the ground floor views to and from the site.

The proposal is to build a single storey side extension. It would be built flush to the existing rear elevation of the property and would be set back from the front elevation by 600mm. The roof would be mono pitched with three rooflights. To the south side an access path from the front to the rear of the site would be retained measuring 750mm to the side boundary.

Relevant Planning History

01443/E - Installation of new Velux roof windows - Enquiry completed 06/12/2013
47945 - Single storey extension at rear - Approve with Conditions 31/05/2007
61228 - Demolition of existing garage and single storey annex and erection of single storey side/rear extension, front bay window extension & creation of hardstanding for off road parking - Approve with Conditions 05/05/2017
63126 - Demolition of existing garage and single storey rear annex and erection of single storey extension at rear - Approve with Conditions 21/09/2018

Publicity

- Immediate neighbours notified on 24/11/2021 - No comments or objections received.
- Press advert in Bury Times - 02/12/2021.
- Site Notice - 16/12/2021.

Statutory/Non-Statutory Consultations

Conservation Officer - No objections to the proposal. Their comments are shown below.

The application site is within Brooksbottoms, Rowlands Conservation Area. The dwellinghouse is not listed and not considered to be a Non-Designated Heritage

Asset.

Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The building is part of a group of 8 dwellinghouses built in the 1920s, at the periphery of the conservation area, in the vicinity of the junction of Crag Avenue and Rowlands Road. These properties are somewhat separated from the historic core of the conservation area by Rowlands Road and bounded to the north and west by 20th century housing development. As such this part of the conservation area does not represent the strongest element of the conservation area's special character and appearance.

The proposed development would be visible in the street scene from limited views from the south along Crag Avenue. Its scale and resultant mass together with its design would not produce a dominant or overbearing feature that would cause harm to the character or appearance of that part of the conservation area. However, the proposed finish to the roof of concrete tiles would represent a contemporising feature that would be at odds with the traditional slate roofing used on the other dwellings at the junction of Crag Avenue that form that part of the conservation area, and which contributes to its distinctiveness and character, as such concrete tiles would jar visually with that character. The proposed extension should have a natural slate roof covering.

Subject to the proposed amendment above, the proposal would have a neutral impact and as such would preserve the character and appearance of the conservation area.

As the agent/applicant agreed to the change of materials for the roof slates from concrete tiles to natural slates the Conservation officer has no objections to the proposal.

Pre-start Conditions - Agent has agreed to the pre-commencement materials condition. Email received on 25/02/2022.

Unitary Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
EN1/2	Townscape and Built Design
EN2/2	Conservation Area Control
EN9/1	Special Landscape Areas
OL1	Green Belt
OL1/3	Infilling in Existing Villages in the Green Belt
NPPF	National Planning Policy Framework
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt

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. Most of the properties along Crag Avenue have been extended in some way over the years. The proposed extension would be built within the site boundary to the side 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 to the side of the existing dwelling. There would be a path to the south side measuring 750mm wide according to the proposed plans. The agent has noted on the proposed plans that the volume increase would be less than 33% as set out in SPD 6 and SPD 8. The scale of the existing rear extension and proposed side 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.

Visual Amenity and Conservation Area -

UDP Policy H2/3 and SPD 6 seek to achieve a high standard of design that complements the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

Section 72 of the Town and Country Planning Listed Building and Conservation Act impose a duty of care onto the LPA to preserve or enhance the character of Conservation Areas. This is reflected in UDP Policies EN2/1 and EN2/2 as a saved policy and following the publication of the NPPF these are consistent with NPPF.

Paragraphs 192, 193, 194 and 196 of the NPPF state that in when considering the impact of the a proposed development LPAs should take into consideration the desirability of sustaining and enhancing heritage assets, and the positive contribution these heritage assets can make. Any new development is required to make a neutral or positive contribution to local character and distinctiveness.

Crag Avenue consists of 18 properties, 8 two and three storey properties which are within the Brooksbottom Conservation area and 10 bungalows which are not. The proposed extension would be built with materials and a design that would be considered acceptable in terms of its impact on the conservation area/visual amenity and it would remain in-keeping with the existing building. As the conservation officer advised the proposed concrete tiles would be inappropriate within the conservation area the agent has agreed to change the tiles to a natural slate and a condition would be added to the decision advising that samples would be required prior to commencement. Subject to such finishing materials, the proposed extension would compliment the existing property.

The extension would be set back slightly from the front elevation of the main dwelling and the proposed door and glazing to the front would be similar to that at no.6 Crag Avenue (attached).

The design of the proposal is considered acceptable in this location and the proposal would preserve the character of the Brooksbottoms Conservation Area and would complement the existing dwelling. The proposal would therefore comply with the above Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties and the NPPF.

Residential Amenity -

The proposed extension would be single storey only with four non-habitable room windows to the side elevation. The site has a slightly higher ground level to that at no.2 to the south and so any new windows to the side elevation would mean users of the new room could

view across to this particular neighbouring house/garden. However, as there is a garage and another outbuilding to the rear of no.2 and there is a single storey rear extension on the house any views to the south from the extension would more than likely be towards the outbuildings at no.2 and the roof of the rear extension rather than directly towards any windows in the house or over the garden. It is also noted that the neighbour has not objected to the proposal.

Houses to the front and rear of the site would be more than a sufficient distance from the extension in terms of SPD 6 and there would be no habitable room windows to the front or rear elevations of the extension.

With the above in mind 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 area to the front of the site.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 15/11/2021 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 Details/Samples of the natural slate roof tiles to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks 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 Policy EN1/1 Visual Amenity.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 28/02/2022			