

DELEGATED REPORT

Report by Mo Warsame	Date of report: 02/06/2025	Ref: 71670/FUL
Registration: 31/03/2025	LDfC: 24/04/2025	Expiry Date: 26/05/2025
Site Visit: 04/04/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side extension

Location: 56A Bradley Fold Road, Radcliffe, Bolton, BL2 5QP

Description

The application site relates to 56a Bradley Fold Road, Radcliffe, Bolton, a modest two-storey end-terrace. The dwelling is finished in white render with a gable pitched roof design. The site is within a designated Green Belt, but it is an area that has many different designs and sizes of residential properties. The property is part of a terrace consisting of 7 properties and it is positioned on the corner. Between the application property and the closest residential property to the north (No.54a) is distance of 30m. No.54a Bradley Fold Road has been significantly extended in the past by way of a large two storey extension to the side. Tall mature trees front the road and separate the application property and No.54a.

Planning permission is sought for the erection of two storey side extension. The extension would project 4m to the side and would not project beyond the principal rear elevation. The development would facilitate a lounge on the ground floor and two additional bedrooms on the first floor. The extension would have pitched roof with slightly lower ridge height than the main dwelling. The proposal would utilise the use of matching materials.

Relevant Planning History

02689/E - Two storey extension at side - Enquiry completed 18/02/2022

Publicity

Neighbour letters sent on 03/04/2025. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN2/3	Listed Buildings
EN6/3	Features of Ecological Value
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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.

Green Belt

The application site is located in the Green Belt. Paragraphs 143 and 144 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 145 of the National Planning Policy Framework (NPPF) states that the construction of new buildings within the Green Belt are inappropriate. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of the 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 it;
- c) the extension or alteration of a building provided 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 is 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.

The NPPF continues that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances.

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.

Policy OL1/2 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.

Policy OL1/3 states that in all named villages which lie within the Green Belt, limited infill development may be permitted, provided that it is in scale with the village and would not adversely affect its character or surroundings. In addition even if a development may cause harm to the openness of the Green Belt it may still be acceptable if very special circumstance (VSCs) are demonstrated.

The site is situated on the outskirts of an existing sub-suburban setting north of Ainsworth but it is within an area with many different designs and sizes of residential properties. The property is part of a terrace consisting of 7 properties and it is positioned on the corner.

The proposal would represent an increase of 79.1% in volume (calculated by the agent). This would not be within the recommendations as set out in SPD 6 and may seem excessive given it would be well above 33%. However, SPD8; states; each case should be considered on its own merits even if the proposed development is above 33%.

The property is situated on the outskirts of an existing sub-suburban setting and the design of the extension would be in keeping with character of the host property and the street scene. Furthermore, property would be located on the corner and the proposed extension would not extend beyond the principal front and rear elevations. The ridge height of the

proposed roof would also be lower than the existing. Therefore, the extension would not be visible from the adjoining terrace properties.

Even though, the proposed extension would substantially increase the size of the existing property, it would improve the living conditions and standards of this particular house. As such, it would be considered that the development would not have any seriously detrimental effect on the openness or character of the surrounding Green Belt. Therefore, in this instance, the effect of the proposal on the Green Belt is considered to be within acceptable limits and is not contrary to Bury UDP policy no. OL1/2-New Buildings in the Green Belt.

Given it's position and that other properties along this street have also been extended and are mostly of different designs the proposed extension would not have any seriously detrimental impact on the openness or the character of the surrounding Green Belt.

In this instance it is considered that the proposal would comply with NPPF paragraphs 143 to 145, OL1/2 - New Buildings in the Green Belt, OL1/3 - Infilling in existing villages in the Green Belt and Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt.

Visual Amenity

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

The proposed two storey extension to the side would be visible from the street scene. However, development would have a simple and unobtrusive design, which would not detract from the character of the dwelling. Furthermore, the main ridge height of the extension would be lower than that of the dwelling building and as such, would be subordinate and proportionate. The extension would also be constructed with matching materials, and it would not extend beyond the principal front and rear elevations.

The two-storey extension would not have setback on the first floor or to the side and SPD 6 seeks to prevent two storey side extensions from causing a terracing effect by requiring a 1.5 metre set back to the main frontage or to the boundary. However, in this instance due to the property's corner position, it is considered that the proposal would not lead to the uncharacteristic terracing of dwellings. Furthermore, No. 54a have also extended with a similar side extension without any setback. Therefore, the proposed two-storey extension would be acceptable and would not have any adverse impact on the street scene.

Overall, the proposed development would be constructed with materials that would be in keeping the existing and the proposed windows would appropriately align with the existing. As such, the proposed development would not be a prominent feature in the street scene and would comply with Policies H2/3 of the Bury Unitary Development Plan and SPD6.

Residential Amenity

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

There would be no proposed side windows facing the adjacent neighbouring property (No. 54a). Moreover, there would be over 30m to this property and the extension would not be visible from the adjoining terraced properties as it would not extend beyond the principal front and rear. Furthermore, the main ridge height of the extension would be lower than that of the host dwelling. As a result, the 45° rule would not apply and no other issues in terms of overshadowing, overlooking or privacy have been identified.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Parking

The proposal will result in two additional bedrooms, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

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 drawings numbered Dwg no. 037/24 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 Unitary Development Plan and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	02/06/2025		