

DELEGATED REPORT

Report by Mo Warsame	Date of report: 12/09/2022	Ref: 68701/FUL
Registration: 25/07/2022	LDFC: 05/09/2022	Expiry Date: 19/09/2022
Site Visit:	Site Notice: N/A	Press Date: 25/08/2022
Objections: 0	Con Area: BROO	Adv Type: CAAF
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey side extension; Front, rear and side dormers

Location: 9 Crag Avenue, Summerseat, Ramsbottom, Bury, BL9 5NZ

Description

The application property is a two-storey detached dwelling situated adjoining the conservation area and it is within the Green Belt. The height of the roof was extended on previous application to create first floor and dormer at the front. The property has front and rear gardens and a driveway to the front providing on-site parking. The site shares the rear boundary with No. 11 Arlington Close. and on either side of the property are No.7 Crag Avenue, a semi detached dwelling and No. 11 Crag Avenue which is a detached property.

Planning permission is sought for the erection of two storey side extension, front, rear and side dormers. This involves the conversion of existing garage into office/gym on the ground floor and the enlargement of first floor bedroom.

Relevant Planning History

53926 - Raising of height of roof to create first floor and dormer at front - Approve with Conditions 08/06/2011

54664 - Non-material amendment following grant of planning permission 53926 to reduce width of ground floor rear elevation doors from 3.7/3.8m to 1.8m - Approve with Conditions 29/11/2011

Publicity:

- Immediate neighbours notified on 22/08/2022 - No comments or objections received.
- Press advert - 25/08/2022.
- Site Notice - 07/09/2022.

Statutory/Non-Statutory Consultations

Conservation Officer- No objections.

Pre-start Conditions - N/A**Unitary Development Plan and Policies**

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

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 if it does not result in disproportionate additions over and above the size of the original building.

Summerseat falls within the Greater Manchester Green Belt. Most of the properties along Crag Avenue have been extended in similar ways over the years. The proposed two-storey extension would be built within the site boundary to the side of the existing property. There would be ample garden 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 above the existing garage. The submitted plans show the volume increase would be less than 33% as set out in SPD 6 and SPD 8.

The scale of the proposed two storey side extension would not be considered disproportionate on the existing dwelling or the street scene. Summerseat is a well-established village with many properties which have also been extended in similar ways. The two-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.

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 extension works would be of a modern design that would be in-keeping with the existing dwelling. The proposed dormers to the front, rear and side would also be similar in design and scale as the existing front dormer. The proposed development would not be obtrusive to the local arena. As such neighbouring properties No.11 and No.15 Crag Avenue have similar designs as the proposed development. Overall, 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

Given the location of the development the two-storey side extension would sufficient setback distance from no.11 Arlington Close to the rear.

- The plans show a proposed window in the first-floor side elevation directly facing No. 11 Crag Avenue. This would have an impact on the neighbour's privacy. However, given that the proposed window would be a secondary window it should be obscured. This would then have no significant detrimental effect on residential amenity. This can be conditionally controlled.
- The driveway to the front of the site would remain in the same position with no proposed changes to the existing access. The driveway would then be acceptable in terms of SPD 6.
- 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 and would therefore be acceptable.

Taking the above in to 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 in terms of residential amenity.

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 ZT22-196-00, ZT22-196-01, ZT22-196-02, ZT22-196-03, ZT22-196-04, ZT22-196-05 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 listed.
- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 The proposed dormer side window (northerly facing to bedroom 3) on the first floor subject to this application shall be fitted with obscure glazing and remain as obscure glazed thereafter.
Reason: To protect privacy and residential amenity pursuant to policy: H2/3 and SPD 6

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	12/9/22	DM	12/9/22