

DELEGATED REPORT

Report by Amanda

Date of report: 21/10/2024

Ref:71134/FUL

Uhunmwagho

Registration: 20/09/2024

LDFC: 18/10/2024

Expiry Date: 15/11/2024

Site Visit: 07/10/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Demolition of garage and shed and erection of single storey side and rear extensions with white render; new glazed entrance; first floor balcony at rear with balustrade at sides / rear; privacy screen at side and first floor window to side elevation

Location: 14 Ramsbottom Road, Tottington, Bury, BL8 4JS

Description

The application relates to a two storey end terrace in a short row of 4 houses. There is a small front garden area with a low stone wall and hedge. To the side of the property there is a driveway and garden area with a stone wall and planting to the front boundary. There is a detached garage to the rear of the site. As well as the detached garage there is an integral garage at the property.

At the rear of the property there is a single storey porch extension and a lean-to shed adjacent to the shared boundary with no.16 next door. The rear yard area is paved and there is an outbuilding directly to the rear of the property. The remainder of the rear garden area slopes up steeply from the house and there is open and to the rear of the site.

The proposal is to build a single storey side/rear extension. It would have a flat roof with a balcony to the rear. The front and east side elevation at the rear would be finished with stone to match the existing dwelling and the side/rear elevations would be rendered white. the door and window frames would have brushed aluminium frames and at the rear the balcony would have a glazed balustrade with a 1.7m high obscurely glazed privacy screen to the side adjacent to the shared boundary with no.16 Ramsbottom Road.

The extension would be set back from the front elevation of the main dwelling by 4212mm and it would project 2200mm to the side. Along the west side it would measure 6613mm and across the rear it would measure 10,185mm. It would project 3000mm from the original rear elevation and the side wall would be around 291mm away from the shared boundary with no.16. The detached double garage, rear porch and shed would be demolished to build the extension and the existing integral garage would be converted into living accommodation.

Relevant Planning History

02213/E - Construction of 2 no. dwellings - Enquiry completed 09/11/2018

Publicity

4 neighbours notified on 27/09/2024 - No comments of objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors
MW1/1	Areas of Search
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), 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.

The main considerations of this application are the impact of the proposal on visual and residential amenity, and its impact on the openness of the surrounding Green Belt.

Principle (Green Belt) -

Paragraphs 152 and 153 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 154 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 site is the end terrace in a short row of four properties which lies on the outskirts of Hawkshaw Village, which is a well established village with many residential properties. There is also one detached property to the west of the site.

The agent has submitted Green Belt calculations that advise the proposed extension would equate to 25.45% of the volume of the original building. The proposed extension would be

subservient to the existing dwelling and it would be built wholly within the residential curtilage of the site. It would not be considered to be a disproportionate addition to the original dwelling. Therefore the proposal would not have a detrimental impact on the openness of the surrounding Green Belt.

Visual Amenity -

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.

The flat roof design and partially rendered walls to the proposed extension would be a modern addition to the traditional terraced property. The extension would be set back from the main front elevation by 4212mm and the front elevation would be finished with stone to match the existing dwelling. The west side and rear elevations would be finished with white render, which would be very different to the existing building. However, as the extension would be set back from the front of the dwelling and there is planting along the front boundary the majority of the extension would not be immediately visible in the streetscape. The balcony to the rear would not be visible in the streetscape at all.

The main part of the proposal which would be visible to the front would be the new entrance with full length glazing to the side of the entrance as well as two full length windows directly above. These windows would serve the entrance hall way and staircase/landing. The existing windows to the front would also be replaced to match. The existing windows could be replaced under permitted development rules. The proposed feature windows to the entrance would be a more modern addition to the property but given the application property is the end terrace is a short row of four homes and the large style windows wouldn't be dissimilar to those at no.10/12 Ramsbottom Road, to the west of the site they would be considered acceptable in this instance. The design of the proposal is considered acceptable in this location.

Given the above the proposal conforms to Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- There are open fields and woodland to the front and rear of the site.
- There are no residential dwellings within 20m of the west of site.
- No.16, attached to the east has a single storey rear extension directly adjacent to the shared boundary with site. The proposed extension would project around 800mm past the rear elevation of that extension which would be acceptable in terms of SPD 6.
- The proposed elevation drawing shows that the east side elevation of the extension would be 291mm away from the shared boundary with no.16 next door. As such there would be no concerns regards encroachment on to land next door.
- The privacy screen to the balcony would be set in from the side of the extension below. It would be around 700mm away from the shared boundary with no.16. The screen would be obscurely glazed and would measure 1.7m high. A condition would be added to the decision stating that this screen must remain in place at all times in order to retain privacy levels between the two properties. There is also a single storey extension to the rear of no.16.
- When assessing whether a balcony would be acceptable, or not, noise levels also need to be taken into consideration. The balcony would be around 700mm away from the shared boundary with no.16. The proposed privacy screen would not only act as a barrier in terms of overlooking the neighbouring property, it would also help to reflect sound. It is noted that the next door neighbour has not objected to the proposal, so in this instance the position of the rear balcony would be considered acceptable.
- The removal of all of the garage spaces would reduce parking within the site by three spaces. However, part of the driveway would remain to the front of the extension and

would be suitable for two vehicles. This would be considered acceptable at this site.

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 and that it is no more than 3000mm on the shared boundary with no.16 Ramsbottom Road.

Parking -

The proposal would decrease the number of bedrooms from 3 to 2 (plus a study) and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 2 parking spaces. Parking would be as existing to the drive at the side of the property which would measure around 6000mm in length. This would accommodate at least two vehicles. The area has on street parking and there is public transport available. In this instance then the parking arrangements are considered sufficient

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 drawings numbered 102, 103, 201, 202, 301 Rev A, 401, 403 and 404 received 26/09/2024 and drawings numbered 302 Rev B and 402 Rev C received on 15/10/2024 as modified by the email from Studio Seventeen dated 15/10/2024. The development shall not be carried out except in accordance with the details 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 in terms of visual amenity, and Places for Everyone Joint Development Plan listed.
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- 3 The external finishing materials for the proposal hereby approved shall be stone finish to the front elevation and east side elevation at the rear to match the existing dwelling, white render to the side/rear elevations and brushed aluminium frames to the doors and windows as noted on the proposed drawings.
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 Before the first occupation of the balcony hereby permitted an obscurely glazed

DELEGATED REPORT

privacy screen measuring 1.7m high from floor level shall be installed to the east side of the balcony shall be installed and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 21/10/2024		DM 31/10/24	