

DELEGATED REPORT

Report by Amanda Uhunmwagho	Date of report: 29/12/2020	Ref: 66124/FUL
Registration: 26/10/2020	LDfC: 22/12/2020	Expiry Date: 21/12/2020
Site Visit: 01/12/2020	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension

Location: Hurst Farm, Copper Lane, Whitefield, Manchester, M45 7TQ

Description

Hurst Farm is accessed via Copper Lane which is a long lane surrounded by open fields. The property on site has farm buildings to the west and to the north is a second residential property known as Copperhurst Bungalow. The area is within the designated Green Belt.

The property is a previously extended red brick, detached bungalow with a conservatory on the south side and detached garage to the west. The main garden areas are to the north and east side of the dwelling.

The proposal is to demolish the existing conservatory and build a larger single storey extension on the southern elevation of the property. It would project 3m from the original rear elevation and would measure 10.6m wide. The roof would be a parapet roof measuring 2.7m in height with a large skylight to the centre and the walls would be brick with timber cladding.

Relevant Planning History

01094/E - Woodland burial site - Enquiry completed 18/07/2012

57883 - Certificate of lawfulness for existing use as a dwelling house. - Lawful Development 09/10/2014

58268 - Removal of condition no. 2 of planning permission C/27159/92 that requires the occupation of the dwelling to be limited to a person solely or mainly employed in the locality in agriculture - Approve with Conditions 26/01/2015

65530 - Demolition of existing agricultural building and erection of 1 no. detached dwelling with associated landscaping and change of use of land to form domestic curtilage - Withdrawn by Applicant 14/08/2020

Publicity

Neighbour letter sent on 03/11/2020 - No comments or objection received.

Site notice erected on 01/12/2020 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

SPD6 Supplementary Planning Document 6: Alterations & Extensions

SPD8 DC Policy Guidance Note 8 - New Buildings in the Green Belt

H2/3 Extensions and Alterations

OL1	Green Belt
OL5/2	Development in River Valleys
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.

The main considerations of this application are the impact of the proposal on visual and residential amenity.

Green Belt and Visual Amenity-

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 NPPF regards the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this are:

- buildings for agriculture and forestry;
- provision for appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and recreation;
- extension or alteration of a building providing it does not result in disproportionate additions over and above the size of the original building;
- replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages;
- limited affordable housing for community needs under policies set out in the development plan (including policies for rural exceptions sites); and
- 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 with in the area of the local planning authority.

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 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.

The supporting Planning, Design and Access statement advises that the total increase to the volume of the existing property would be just 8%. This would be well within the recommended limit of 33%. Taking this in to account as well as that it would be built within the original residential curtilage of the site the proposed extension would not have any detrimental impact on the openness or character of the surrounding Green Belt.

The proposed extension would be constructed from and finished with materials that would compliment the existing dwelling whilst at the same time adding a more modern element. Given that there are only two residential properties in the immediate vicinity which both have a similar style the design of the proposal would be considered acceptable.

Given the above the proposal conforms to Bury UDP Policies OL1 - Green Belt, OL5/2 - Development in River Valleys, H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity, Supplementary Planning Document 8 - New Buildings in the Green Belt and the NPPF in terms of Visual Amenity and the impact on the Green Belt.

Residential Amenity -

As the extension would be built on the south side of the property there would be no detrimental impact on residential amenity at Copperhurst Bungalow to the north.

Existing parking arrangements to the west of the property would be unaffected by the proposed development.

The extension would be built to the south of the dwelling in a small area overlooking the fields to the rear of the site. The main garden areas on site would be unaffected by the proposed development.

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

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 19014-1001, 19014-1002, 19014-1003, 19014-1004, 19014-1005, 19014-1006, 19014-1007, 19014-1008, 19014-1010 and 19014-1011 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 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.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 29/12/2020.		DM - 04/01/2021	