

DELEGATED REPORT

Report by Amanda

Date of report: 28/10/2022

Ref:68789/FUL

Uhunmwagho

Registration: 14/09/2022

LDfC: 06/10/2022

Expiry Date: 09/11/2022

Site Visit: 04/10/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area:

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: 2 no. single storey front extensions; 3 no. rear dormers

Location: 10 Crag Lane, Summerseat, Ramsbottom, Bury, BL9 5NE

Description

The application relates to a semi-detached bungalow situated on Crag Lane, Summerseat. The site is not located within the conservation area but it is in the Green Belt. There are large garden areas to three sides of the property and parking available to the front of the site for at least two vehicles.

The proposal is to build two single storey front extensions and three pitched roof dormers to the rear. At the front there would be an extension to an existing music room projecting 2.7m forward of the existing front elevation and measuring 3m wide. The roof would be pitched with a rooflight to both sides.

The second extension at the front would be to the existing hall. It would project 1.32m forward and 2.57m wide. The roof would be pitched.

At the rear there would be three pitched roof dormers erected. The dormer to bedroom no.2 would measure 2.7m wide, the dormer to the dressing room would measure 2.65m wide and the central dormer to the master bedroom would measure 4m wide. They would all be set back from the eaves by around 836mm.

The plans also show that there would be some changes to fenestration on all three elevations.

Relevant Planning History

N/A

Publicity

Neighbours notified on 15/09/2022 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

NPPF National Planning Policy Framework

OL1 Green Belt

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

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 the impact on the surrounding Green Belt.

Principle (Green Belt) -

Paragraphs 147 and 148 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 149 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 whole of Summerseat Village is situated within the designated Green Belt. There are many different property size and styles throughout the village, many of which have been previously extended. The agent has provided a Green Belt statement in which they advise the following;

- The size of the existing property is 172.3m²
- The size of the existing extensions are 0m²
- The size to be removed in proposal is 0m²
- The proposal is 190.1m²
- Difference between existing and proposed is 17.8m²

The volume increase to the property due to the proposal would be far less than the recommended limit of 33% and the site is situated in a fairly densely residentially populated village where many properties have been previously extended. Apart from extending the footprint of the property slightly forward of the main elevation other extensions would be to the roof only.

As such it is considered that the proposal would not conflict with the surrounding land uses nor would it create harm to the openness of the Green Belt. It is considered therefore that the proposal would not have an adverse impact on the openness of the Green Belt and it is

considered that the proposal complies with UDP Policies OL1/2, SPD8 and the NPPF.

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 addition of the two single storey front extensions along with changes to the windows to all elevations and rendering to the outer walls would result in a more modern appearance of this property. However, there are many different styles and sizes of properties throughout the immediate area.

The rear dormers would not be openly visible in the main streetscape along Crag Lane and it is also taken in to account that the applicant could erect rear dormers was permitted development. With this in mind the proposed changes to the property would not cause any harm to the existing streetscape and 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.

Residential Amenity -

- There are no residential properties directly to the rear of the site.
- The attached neighbour also has a rear dormer. As such the addition of dormers to the rear of the application property would not have any significant detrimental impact on residential amenity at this property.
- To the south no.8 Crag Lane is positioned much further forward than the property on site and there would be around 16m from the front corner of the application dwelling to the nearest point of this property. As such there would be no significant detrimental impact on residential amenity at this property.
- New windows would be installed to the existing south side elevation. These would be three full length secondary windows to a bedroom. The main window would be to the front elevation. As these windows would be around 9.5m from the shared boundary with no.8 next door the distance would be acceptable in terms of SPD 6 and it is considered that there would be no significant detrimental effect on residential amenity to the rear garden areas at no.8.
- Properties to the front would remain a sufficient distance away from the extended property in terms of the requirements set out in SPD 6.
- The existing parking area within the 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.

Parking -

The proposal would increase the number of bedrooms from 3 to 4 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 3 parking spaces. The site as existing has an area at the front for parking at least two vehicle and this would remain following the development at the property. There are also no parking restrictions to the highway in front. In this instance then the parking arrangements are considered sufficient.

DELEGATED REPORT

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 and 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 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 28/10/2022			