

DELEGATED REPORT

Report by Mo Warsame	Date of report: 27/11/2024	Ref: 71169/FUL
Registration: 07/10/2024	LDfC: 30/10/2024	Expiry Date: 02/12/2024
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey front extension; conversion of existing garage to habitable space and alterations to patio doors on rear elevation

Location: 261 Stand Lane, Radcliffe, Manchester, M26 1JA

Description

The property is a large detached bungalow which has gated access to the front and is well screened from Stand Lane in front by mature bushes and shrubs. To the rear of site is Stand Golf Club. No. 271 Stand Lane, next door to site is a two storey house and the ground level at this property is slightly higher than the site. There is a tall fence along the boundary which measures approximately 2m on the neighbours side but as No. 261 is lower this is much taller on the side belonging to the applicant.

Planning permission is sought for the erection of a single storey front extension; conversion of existing garage to habitable space and alterations to patio doors on rear elevation. The proposed extension would project 8.1m to the front and run 6.8m to the side. The existing garage would be converted to habitable to facilitate a kitchen area while the proposed extension would accommodate a new garage. The proposed extension would have a pitched roof and it would be constructed using matching materials.

Relevant Planning History

43939 - NEW PORCH & FIRST FLOOR EXTENSION TO REAR - Approve with Conditions 07/03/2005
44329 - PORCH AT FRONT; FIRST FLOOR EXTENSION AT REAR - Approve with Conditions 23/05/2005
55172 - Single storey extension at side - Approve with Conditions 11/06/2012
57064 - Garage extension - Approve with Conditions 24/03/2014

Publicity

Neighbour letters sent. 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 proposed addition would equate to an increase of approximately 51%. This would be substantially over the generally accepted 33.3%. However, Paragraph 143 of the NPPF states that any impact on the openness must be considered subject to individual merits of each scheme, so long as the openness of the Green Belt is maintained.

The site is located along a residential properties which front Stand Lane, a lengthy main road leading into Radcliffe centre. There are residential properties fronting and also opposite across the road. The site sits along a section to the south of Stand Lane with the residential properties fronting and where the open land is to the rear in the form of a golf course. Even though the extension would be located on the front elevation, it would appear modest as it would not project beyond the front elevations of the adjacent properties. Moreover, it would be mainly screen by the existing high scrubs at the front of the house. Therefore, it is not considered that in this instance, at this particular site, the proposal would impact on the character or openness of 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.

Situated in the front the, the front extension would be visible from the street scene. However, the extension would have a rectangular, simple and unobtrusive design, which would not detract from the character of the dwelling. The proposal would also include the conversion of the existing garage to habitable along with the alterations of windows/doors.

Overall, the proposed development would utilise the use of matching materials which would create a harmonious development. The proposed extension would be considered a suitable scale and massing and would not overwhelm the original dwelling or result in over development of the associated residential amenity space.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and as such complies with UDP Policy H2/3 and SPD 6.

Residential Amenity

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

The proposed front extension would be a relatively small development in comparison to the host property and it would not extend beyond the adjacent properties. Additionally, there would be sufficient distance to the properties in front and the existing high scrubs at the front of the property would screen the proposed development. Therefore, there would be no detrimental impact on residential amenity of neighbouring properties.

Overall, there would not be any seriously detrimental effect on the residential amenity of the adjacent neighbouring properties. The proposal therefore conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Highways

The proposal will result in no additional bedrooms and the driveway at its current condition would meet 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. SMD3-03A, dwg no. SMD3-04A, dwg no. SMD3-05A, dwg no. SMD3-06A, dwg no. SMD3-07A 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.
- 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>
MW	27/11/2024	HL	29/11/2024