

## **DELEGATED REPORT**

**Report by** Amanda

**Date of report:** 11/12/2024

**Ref:**71250/FUL

Uhunmwagho

**Registration:** 30/10/2024

**LDfC:** 20/11/2024

**Expiry Date:** 25/12/2024

**Site Visit:** 12/11/2024

**Site Notice:** N/A

**Press Date:** 07/11/2024

**Objections:** 0

**Con Area:** POTG

**Adv Type:** CAAF

**Reason for Delay:**

**EIA:** NA

N/A

**Dec Level:** DEL

**Stat Class:** HOUS

**Proposal:** Two storey side extension; Addition of first floor window to side elevation; Single storey rear extension

**Location:** 18 Pot Green, Ramsbottom, Bury, BL0 9RG

### **Description**

Planning permission was previously granted on 13/09/2024 at this property for the two storey side extension and addition of a first floor window to the side elevation. Following that permission being granted the applicant is now also proposing a single storey rear extension.

The application site is located within the Pot Green conservation area, Holcombe Brook. The property is a stone built two storey, 17th/18th Century cottage at the end of a row of 5 properties. It is a Non-designated heritage asset (NDHA) and as such is on the draft local list.

The immediate area around the site is made up of different styles of residential properties of various ages. The edge of the conservation area runs across the rear of the site. Across the rear boundary are semi-detached houses on Longsight Road.

There is a flat roof single storey extension to the rear which appears to have been in situ since at least 2005. There is a parking area for one vehicle to the side of the dwelling and garden areas to the rear/side. The front elevation of the property abuts the highway along Pot Green.

The proposal is to build a two storey side extension which would measure 3500mm x 3600mm. It would be set back from the front elevation of the existing building by 4900mm and the roof would be pitched. The existing chimney stack is to be taken down to half the size, then the remaining section would be repaired and retained.

The extension would be finished in stone and slate roof tiles to match the existing house. The new windows in the extension would be black aluminium 'crittall style' casement windows and the windows to the front elevation would have mullions to match the front windows on the existing building.

A small area of hardstanding would be created to the side and rear of the extension to provide addition space for access to the garden and allow more flexibility for parking. To the rear of the extension some of the garden would be levelled to create a new patio area. At the front part of the existing hedge along the front boundary would be removed in order to increase visibility for vehicles pulling on and off the driveway. The existing front boundary wall would remain as it is.

The single storey rear extension would be built off the rear of an existing extension. It would

project 3000mm and measure 4950mm wide. The roof would be flat. It would also be finished in stone to match the existing property and the roof would be rubber edpm single ply membrane. There would be patio doors installed to the north side elevation and no windows to the south or west elevations.

### **Relevant Planning History**

- 01552/E - Proposed extension to rear and loft area & addition of drive way. - Enquiry completed 06/02/2015.
- 02245/E - First floor extension at rear - Enquiry completed 01/03/2019.
- 63898 - First floor extension at rear - Approve with Conditions 25/04/2019.
- 64137 - Non-material amendment following grant of planning permission 63898 for first floor extension at rear: Rear elevation ground floor - existing window and door removed and new window and door added; Ground and first floor gable elevation - new mullioned windows added. - Approve with Conditions 24/05/2019.
- 70818 - Two storey side extension; Addition of first floor window to side elevation - Approve with Conditions 13/09/2024.

### **Publicity**

9 neighbours notified on 30/10/2024 - No comments or objections received.

### **Statutory/Non-Statutory Consultations**

Conservation Officer - No objections.

**Pre-start Conditions** - Not relevant.

### **Development Plan and Policies**

|       |                                                             |
|-------|-------------------------------------------------------------|
| SPD6  | Supplementary Planning Document 6: Alterations & Extensions |
| H2/3  | Extensions and Alterations                                  |
| EN1/2 | Townscape and Built Design                                  |
| EN2/1 | Character of Conservation Areas                             |
| EN2/2 | Conservation Area Control                                   |
| NPPF  | National Planning Policy Framework                          |
| PfE   | Places for Everyone                                         |
| JP-P2 | Heritage                                                    |

### **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, the conservation area and the NDHA.

#### **Impact on Conservation Area and Visual Amenity -**

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in the exercise of their planning functions to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Paragraph 205 of the National Planning Policy Framework (NPPF) requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Paragraph 209 of the NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.

Policy JP-P2: Heritage We will proactively manage and work with partners to positively conserve, sustain and enhance our historic environment and heritage assets and their settings. Opportunities will be pursued to aid the promotion, enjoyment, understanding and interpretation of heritage assets, as a means of maximising wider public benefits and reinforcing Greater Manchester's distinct character, identity and sense of place.

Local Plans will set out the key elements which contribute to the district's identity, character and distinctiveness and which should be the priority for conserving and enhancing in the future and demonstrate a clear understanding of the historic environment and the heritage values of sites, buildings or areas and their relationship with their surroundings. This knowledge should be used to inform the positive management and integration of our heritage by:

1. Setting out a clear vision that recognises and embeds the role of heritage in place-making;
2. Ensuring that the heritage significance of a site or area is considered in accordance with national planning policy in the planning and design process and opportunities for interpretation and local engagement are optimised;
3. Integrating the conservation and enhancement of heritage assets and their settings, with creative contextual architectural responses that contribute to their significance and sense of place;
4. Delivering positive benefits that sustain and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing; and
5. Exploring opportunities to reduce greenhouse gas emissions that restoration of historic buildings offer

Particular consideration will be given to ensure that the significance of key elements of the historic environment which contribute to Greater Manchester's distinctive identity and sense of place are protected from harm. These include historic town centres, places of worship, historic transport routes including the canal network, industrial buildings and structures including textile mills, farmsteads and other sites, buildings, and areas of identified archaeological, architectural, artistic and/or historic value.

Development proposals affecting designated and non-designated heritage assets and/or their settings will be considered having regard to national planning policy.

Where heritage assets have been identified as being at risk, Local Plans should identify specific opportunities for them to contribute to regeneration and place making, and they should set out strategies for their repair and re-use. Development proposals which will help safeguard the significance of and secure a sustainable future for Greater Manchester's heritage at risk will be supported in principle, provided they are not contrary to national policy or other policies in the development plan.

Proposals should be informed, as necessary, by the findings and recommendations of the appropriate heritage assessment(s) in the development plan evidence base and/or any updated heritage assessment submitted as part of the planning application process.

UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control that require any development within a Conservation Area to preserve or enhance the special character or appearance of the area.

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 design of the proposed extension, would be in keeping with the original building and wider streetscape within the conservation area. The single storey rear extension would be unseen in the public realm and it would be built with materials to match the rest of the building. The extension is subservient and relatively modest in scale, set back from the front elevation with a lower ridge height. The stone and slate finishing materials together with the mullions at the front would ensure that the character and appearance of the building and wider conservation area is preserved and enhanced.

A condition would be added to the decision regards proposed finished materials to ensure that the extension does not cause any harm to the surrounding conservation area, or deflect from the character of the NDHA.

The proposal is acceptable in terms of visual amenity and heritage and conforms to the NPPF and UDP Policies EN1/1 Visual Amenity, EN1/2 Townscape and Built Design, EN2/1

Character of conservation areas, EN2/2 Conservation Area control, H2/3 - Extensions and Alterations, the guidance in Supplementary Planning Document 6 Alterations and Extensions to Residential Properties.

### **Residential Amenity -**

- At the rear the new bedroom window would be around 6900mm from the rear boundary. Although this is 100mm short of the 7000mm recommended in SPD 6, the window would be no closer to the rear boundary than an existing first floor bedroom window is now. The new window would be relatively small and also be a secondary window to the room, with the main one being to the front elevation. As such the position of this window would not have any significant detrimental effect on residential amenity at properties to the rear.
- There would be one new first floor window to the side elevation which is a secondary window to a bedroom. There is also over 15,000mm from this window to the north site boundary. It would not cause any significant harm in terms of loss of privacy given any view from this window would be over the applicant's own garden.
- At the front the extension would be around 14,500mm away from properties to the front and the extension would be set back from the front of the dwelling by around 4900mm. As such the proposed habitable room windows to the front elevation of the extension would not have any more of an impact on residential amenity at properties to the front of site than the existing ones do currently.
- The widening of the driveway and path to the side, along with the new patio area to the rear would not have any detrimental impact on residential amenity in this area. In fact by widening the driveway by 1500mm it would ensure vehicles could be parked safely within the site.
- Removing part of the hedge at the front would give vehicle users better visibility when moving on and off the site.
- The drawings show that all of the development would be built within the site boundaries.
- As the extension would be to the north side of the dwelling there would be no significant detrimental impact on residential at no.20 Pot Green attached to the south side.
- The drive length would be 4900mm. Normally 5000mm drive length would be expected. However a lesser length can be accepted in some instances. Given the site is not located on a main through road the lesser length of 4900mm is considered to be acceptable on this occasion.
- The existing single storey rear extension is built along the shared boundary with no.20 Pot Green, attached and it extends all the way to the rear boundary at no.20. The proposed extension would extend a further 3000mm, but it would be adjacent to an access path that runs from Longsight Road and along the rear of properties on Longsight Road and Pot Green. As such it would not cause any significant detrimental harm to residential amenity at the neighbouring properties and gardens.
- The site is set down at a slightly lower level compared to no.7 and 9 Longsight Road to the west and there would be no windows in the rear elevation. As such there would not be any seriously detrimental effect on residential amenity at these properties.

The proposal is acceptable in terms of residential amenity and conforms to UDP Policy H2/3 Extensions and Alterations and the requirements of Supplementary Planning Document 6 Alterations and Extensions to Residential Properties. It is noted that no objections were received from neighbours.

### **Parking -**

The proposal would increase the number of bedrooms from 2 to 3. Parking for the property would be on the existing driveway, accommodating one car at the side of the main dwelling. The area has some on-street parking and there is public transport available along Longsight Road. Given the scale of development and the existing parking on site and within the immediate area, the parking arrangements are considered sufficient and comply with UDP Policy H2/3 and guidance within SPD6 relating to extensions and alterations.

### **Highways -**

As there were no changes to the proposal in terms of the two storey side extension, driveway layout and removal of part of the hedge along the front boundary the Highways officer was not consulted on the current application, which includes the addition of the single storey rear extension.

However they did object to the previous proposal on the grounds that the drive way would be 4900mm and the existing driveway did not have formal approval when it was created and that the existing bitmac fillet to the front of the drive has been placed illegally in the adopted highway and should be removed as part of the development. The driveway, and bitmac fillet appear to have been in situ for at least 4 years and as such would not be enforceable in Planning terms. It may be enforceable in terms of Highways, but this would be for them to pursue as a separate entity.

The 4900mm drive length has been addressed in the residential amenity section above. As the highway in front is not a busy main road 4900mm would be considered acceptable on this occasion. Part of the hedge would also be removed which would help to improve driver visibility when moving on and off the drive.

### **Conclusion -**

The proposal is considered acceptable in terms of visual and residential amenity and conforms to the Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control, H2/3 – Extensions and Alterations and the Development Control Policy Guidance Note 6 – Alterations and Extensions to Residential Properties.

**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 18PG/299/PL Rev P1, 18PG/300/PL, 18PG/301/PL Rev P1, 18PG/302/PL Rev P1, 18PG/303/BR and 18PG/304/BR 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 in terms of visual amenity, and Places for Everyone Joint Development Plan listed.
- 3 Details/Samples of the stone to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.  
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design.
- 4 The external finishing materials for the proposal hereby approved shall be stone walls to match the existing, roof tiles to match the existing and black aluminium

Crittall style casement windows.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policies EN1/2 - townscape and Built Design, EN2/1 - Character of conservation areas, EN2/2 - Conservation area control, H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

- 5 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.  
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

|                     |             |                         |             |
|---------------------|-------------|-------------------------|-------------|
| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
| AU - 11/12/2024     |             | HL - 18/12/2024         |             |