

DELEGATED REPORT

Report by Mo Warsame	Date of report: 14/03/2023	Ref: 69274/FUL
Registration: 24/01/2023	LDfC: 17/02/2023	Expiry Date: 21/03/2023
Site Visit: 03/03/2023	Site Notice: N/A	Press Date: N/A
13:00:00		
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Demolition of existing single storey side extension, replace with single storey front/side/rear extension including replacement of existing front porch

Location: 237 Heywood Old Road, Rochdale, Manchester, M24 4QR

Description

The proposal relates to a semi-detached dwelling located within the Greater Manchester Green Belt and backing onto open fields. The dwelling is in a raised position relative to the level of Heywood Old Road, which fronts the dwelling. The property has been previously extended with a single storey side extension and rear conservatory.

Planning permission is sought for the demolition of existing single storey side extension, and replace with single storey front/side/rear extension including replacement of existing front porch. The rear element of this wrap around extension would project 2.9 metres and run for 5.6 metres. The proposed side extension would replace the existing like for like and would project merely 0.1 metres less than the existing extension to the side. The proposed front extension would extend 0.83 metre to the front and run for 5.5 metres. The development would accommodate an open plan kitchen/diner and a utility room. The entire proposed development would have a connected pitched roof with sunroofs over the side and rear extensions. The proposal would also utilise the use of matching materials.

Relevant Planning History

65892 - Remove existing single storey extensions and erect two storey extension at side/rear, single storey rear extensions and new front porch - Withdrawn - Invalid 22/09/2020

66355 - Demolition of existing single storey side extension, replace with single/two storey extension at side and single storey extension at rear with replacement of existing porch at front - Approve with Conditions 15/03/2021

Publicity

Neighbour letters sent on 27/01/2023. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
NPPF	National Planning Policy Framework
OL1	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.

Impact on the Openness of the Green Belt

Section 13 of the NPPF confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' 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. The local planning authority should regard

the construction of new buildings as inappropriate in Green Belt. Exceptions to this include (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. In this respect, the NPPF does not provide any specific definition of what constitutes a disproportionate addition.

UDP policy OL1 and OL1/2 relate to Green Belt and the provision of new buildings. SPD 8 - New Buildings and Associated Development in the Green Belt provides greater clarity and states that in general terms, extensions up to a third of the volume of the original dwelling may be allowed, but that every application is to be assessed on its merits and even an increase up to a third may not be appropriate in certain situations. This guideline is duplicated in SPD 6 - Alterations and Extensions to Residential Properties.

The measure of (dis)proportion is not a measure of volume only and is widely taken to be an assessment of the volume, mass, scale, footprint and dimensions of a proposal relative to the original and its impact on the openness of the Green Belt.

All the dwellings on the west side of Heywood Old Road fall within the Green Belt, whereas the opposing dwellings on the east side do not. From the main vantage point to the dwelling, from Heywood Old Road, the character and appearance of the locality is a typical mature residential main road with dwellings of a largely similar age and style lining the street on either side.

The proposed extensions would amount to a volume increase of around 39%. Many dwellings on the west side of the road have had similar extensions (e.g. No.215, No. 221 and No. 223), often larger than the one proposed. The wrap around extension would appear proportionate relative to the original dwelling and would appear subordinate to the scale of the original. Furthermore, there is little or no visual appreciation of the open Green Belt land to the west of the dwellings that line Heywood Old Road due to their raised nature relative to the street level.

Therefore, the proposed development would not have any adverse impact upon the openness of the Green Belt and the proposed development would comply with above UDP policies and SPD's and the NPPF.

Visual Amenity

UDP Policy H2/3 and SPD 6 seek to achieve a high standard of design that complements the original dwelling and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

As noted previously, the scale and proportion of the proposed extensions would conform appropriately with the existing dwelling.

The development would be a simple and unobtrusive design, which would not detract from the character of the dwelling. The design would not over dominate the character of the original dwelling and would be similar to number of developments within this area. Furthermore, the design detailing and materials would complement the existing dwelling and the character and appearance of the street scene.

The design of the proposal is considered acceptable in this location and the proposal would preserve the character and appearance of this established residential area. The proposal would therefore comply with the above UDP Policies, SPD6 and the NPPF.

Residential Amenity

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The single storey rear extension would not encroach the 45° rule when taken from the attached neighbouring property (No.235) and the rear extension would not project beyond the neighbouring property on the opposite side.
- Adequate amenity space would be retained within the generous rear garden.
- The proposed side windows would be facing towards a blank gable.
- The front extension would not have any detrimental impact on the drive and the nearest property would be over 20 metres away.

Given the above, the proposal would comply with the above UDP Policies and SPD6.

Highways

The existing single garage would be lost as a result of the proposed extension. However, there would not be an increase in the number of bedrooms.

Given these circumstances, it is not considered that the proposal would have any additional unacceptable impacts upon highway safety.

Conclusion

No objections have been received concerning the proposal. The proposed extension would not represent a disproportionate addition to the building and would not have any unacceptable impacts on the openness of the Green Belt, the character and appearance of the area, visual or residential amenity. Given this, the proposal would be compliant with the above stated policies and the NPPF. Therefore, in accordance with the Section 38(6) of the Planning and Compulsory Purchase Act, the proposal merits approval.

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 001, 002, 003 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 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.

DELEGATED REPORT

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	14/03/2023	DM	15/03/23