

DELEGATED REPORT

Report by Amanda

Date of report: 12/02/2024

Ref:69969/FUL

Uhunmwagho

Registration: 28/11/2023

LDfC: 21/12/2023

Expiry Date: 23/01/2024

Site Visit: 09/01/2024

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Increase roof ridge height (by 1100mm) with front dormer; Single storey rear extension.

Location: Westgate, 339 Manchester Road, Ramsbottom, Bury, BL9 5NA

Description

The application relates to a detached bungalow on Manchester Road, Ramsbottom. The site is accessed via a shared driveway which is under the ownership of a neighbouring property. There is a good sized front garden which is at a lower level to the dwelling. At the rear of the property there is a parking area for at least three vehicles and a private garden with fences to all boundaries. There is a detached double garage to the rear of the site and beyond the rear boundary are open fields. The site is within the designated Green Belt.

The proposal is to increase the roof ridge height by 1100mm, along with a with front dormer and single storey rear extension. The front dormer would have a pitched roof and there would also be two rooflights to the front and three to the rear. There would be one new room in the roof space.

The single storey rear extension would project 5m from the existing rear elevation and it would measure 7.63m wide. The roof would be pitched with bi-folding patio doors to the rear with glazing above. There would be one new window to bedroom 1 on the north side elevation. This window is shown as being obscurely glazed. The walls would be rendered.

Relevant Planning History

68668 - Application for prior approval of a proposed enlargement of a dwellinghouse by construction of additional storeys - proposed addition of one storey to create a two storey house (maximum height 8.2 metres) - Prior Approval Required & Granted - Ext 22/09/2022
69512 - Formation of new driveway to front garden with new vehicular access - Withdrawn - Invalid 23/11/2023

Publicity

3 neighbours notified on 29/11/2023 - No comments or objections received.

Statutory/Non-Statutory Consultations

Traffic Section - Objected to original submission which included a new drive to the front of the site and new access point off Manchester Road. The applicant/agent went on to remove the new drive and access point from the proposal and provided a new proposed site plan on 08/02/2024.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

OL1 Green Belt

EN9/1	Special Landscape Areas
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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 and the impact of the proposed development on the surrounded Green Belt.

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Principle (Green Belt)

Paragraphs 152 and 153 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 154 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 it's own merits.

The agent has submitted a Green Belt statement which advises that the proposed extensions would result in a 45% volume increase compared to the original dwelling. They have advised that the single storey rear extension could be built under the Larger Homes Scheme and the applicant have previously obtained prior approval for an additional floor in 2022 which would have resulted in a larger volume increase.

In addition the extensions to the property would be built wholly within the residential

curtilage and they would not be considered to be a disproportionate addition to the original dwelling. The site is also within a ribbon development of residential properties along Manchester Road. Therefore the development would not have a significant detrimental impact on the openness of the Green Belt complying with the policy considerations set out above. In this instance, although the extensions would result in a volume increase that would exceed the recommended 33% the development would not have a significant detrimental impact on the openness of the surrounding Green Belt.

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 existing dwelling is already rendered. As such the proposed render would be considered to be in-keeping with the existing dwelling.

The front dormer would be a new feature on the property. It would not appear disproportionate on the front of the property and as the adjacent property also has two front dormers it would not appear out of character in the streetscene.

The proposed single storey extension would be to the rear of the dwelling and as such wouldn't be openly visible in the streetscene. It would be finished with materials and a design that would be considered to be in keeping with the existing building.

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 open fields to the rear of the site and to the front there is a busy main road and open fields on the opposite side.
- The new bedroom window to the north side elevation would be obscurely glazed and it would face onto the blank side elevation of the adjacent property. As such it would not have any significant detrimental impact on residential amenity at that property.
- As the single storey rear extension would be over 13m away from the front of no.341 Manchester Road and there is an existing boundary fence between the two properties there would be no significant detrimental impact on residential amenity at this property.
- At the front the dormer would be set back from the front elevation and there are no residential properties to the front of the site.
- The front dormer would be a sufficient distance away from both adjacent properties not to have any significant detrimental effect on residential amenity at those properties.

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 not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The extension to the rear would reduce the parking space but there would still be room to park at least two vehicles at the rear as well as the existing double garage. As such the parking arrangements would be considered acceptable in this instance.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify

various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 drawing numbered 21069-LP received on 07/08/2023, drawings numbered 21069-01-A, 21069-10, 21069-16-B, 21069-17 and 21069-19 received on 28/11/2023 and drawing numbered 21069-18-A received on 08/02/2024 as modified by the email from The Intelligent Design Centre dated 08/02/2024. The development shall not be carried out except in accordance with the details 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.
- 4 Before the first occupation of the extension hereby permitted the new ground floor bedroom window to the north side elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with 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 - 12/02/2024			