

**DELEGATED REPORT**

|                                 |                                   |                                |
|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Helen Pressley | <b>Date of report:</b> 04/08/2023 | <b>Ref:</b> 69666/FUL          |
| <b>Registration:</b> 16/06/2023 | <b>LDfC:</b> 28/07/2023           | <b>Expiry Date:</b> 11/08/2023 |
| <b>Site Visit:</b> 20/07/2023   | <b>Site Notice:</b> 27/06/2023    | <b>Press Date:</b> 06/07/2023  |
| <b>Objections:</b> 0            | <b>Con Area:</b> BROO             | <b>Adv Type:</b> CA            |
| <b>Reason for Delay:</b>        |                                   | <b>EIA:</b> NA                 |
| N/A                             |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> MIOT        |

**Proposal:** Single storey rear extension with ramp access

**Location:** Summerseat Methodist Primary School, Rowlands Road, Summerseat, Ramsbottom, Bury, BL9 5NF

**Description**

The application relates to Summerseat Methodist Primary School. The site is located within Brooksbottoms and Rowlands conservation area and within the Green Belt. The building is not listed or a Non-Designated Heritage Asset. The school is single storey, and stone built fronting Rowlands Road. The school is accessed via Queens Place, with car parking located to the south of the building.

Planning Permission is sought for the construction of a single storey rear extension with ramp access. The proposed extension would project approximately 5670mm from the side of the existing lobby and would have a flat roof. The proposed extension would be constructed from sandstone.

**Relevant Planning History**

45898 - Landfill to former quarry to form extension to existing school playground to form play area and informal teaching area - Approve with Conditions 28/06/2006

69245 - Replacement of 33 no. existing single glazed timber framed windows with 33 no. slimline aluminium framed double glazed window; Replacement of 4 no. existing single glazed tracery style arched windows with 4 no. Insulead(R) double glazed BFRC 'A' rated double glazed windows - Approve with Conditions 06/04/2023

**Publicity**

Neighbour letters - 21/06/2023

Site Notice - 27/06/2023

Press Notice - 6/07/2023

No representations received.

**Statutory/Non-Statutory Consultations**

**Conservation Officer** - no objection

**Environmental Health - Contaminated Land** - no comments to make regarding contaminated land or air quality.

**Pre-start Conditions** - Agreed by agent

**Unitary Development Plan and Policies**

OL1 Green Belt

OL1/2 New Buildings in the Green Belt

|       |                                                             |
|-------|-------------------------------------------------------------|
| EN1/1 | Visual Amenity                                              |
| EN1/2 | Townscape and Built Design                                  |
| EN2   | Conservation and Listed Buildings                           |
| EN2/1 | Character of Conservation Areas                             |
| EN2/2 | Conservation Area Control                                   |
| 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. 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.

## **Principle (Education)**

Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the impact on residential amenity, traffic generation and parking provision, scale and size of the development, access to shops and other services, accessibility by public transport, the needs and requirements of the disabled.

Policy CF2 states that the Council will, where appropriate, consider favourably proposals for the provision, improvement and dual use of educational facilities.

The proposed internal layout of the extension consists of a reception area, and an office space which is to be relocated as a result of some internal remodelling to accommodate an SEN classroom to meet local demands. It is considered that the proposal would result in the improvement of educational facilities and therefore, the proposed development is considered to be acceptable in principle and would be in accordance with Policies CF1/1 and CF2 of the Bury Unitary Development Plan.

**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 states that the construction of new buildings would be inappropriate in the Green Belt. 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 states that the construction of new buildings in the Green Belt is inappropriate development, unless it is for one of more of the following purposes: agriculture and forestry essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it; limited extension, alteration or replacement of existing dwellings, provided that this would not result in a disproportionate additions over and above the size of the original dwelling, or, in the case of replacement existing dwellings, the new dwelling is not materially larger than the one it replaces; limited infilling in existing villages.

There is no recent planning history to suggest that the school building has had permission to extend previously but there do appear to be some additions to the south west corner of

the school, including a canopy over part of the playground to facilitate outside play in bad weather. The proposed extension is limited at 14m<sup>2</sup>. The site is located within the boundary of Summerseat Village and is viewed within this context, with the extension viewed against the back drop of the existing school building. Given the scale, location and layout of the proposed extension it is not considered that the proposed extension would result in a disproportionate addition over and above the size of the original building. The proposed extension would therefore comply with the policy considerations set out above.

### **Impact on Conservation Area**

Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. This is further supported by 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.

Paragraph 189 of the NPPF requires applicants to describe the significance of any heritage assets affected. A heritage assessment has been submitted with the application and it identifies that the school building was opened in 1863. The building was built in a quarry that was situated next to the chapel and originally consisted of a large central room with a tranverse wing across each end. The heritage statement acknowledges that the school has significance within the locality.

The rear elevation of the school fronts onto the school playground with a public car park beyond at a lower level and beyond that Brooksbottoms Cricket Club. The side and rear boundaries of the site are heavily screened with mature trees.

Due to the location of the proposed extension, to the rear elevation of the school, and the screening of the rear and side boundaries of the site it is considered that the proposal would preserve the character of the Conservation Area. The proposal would therefore comply with adopted UDP policies EN2/1-Character of Conservation Areas, EN2/2-Conservation Area Control and paragraphs 194, 195, 199, 202, 206 of the NPPF.

### **Layout and Design**

UDP Policies EN1/1 and EN1/2 seek to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area.

The proposed extension would provide 14m<sup>2</sup> of floor area to the ground floor at the rear of the property. The proposed extension would be flat roof in design, with a parapet wall replicating the existing flat roofs that are visible to the rear of the school. Facing stone is considered to be an acceptable external material however a sample will be required via condition to ensure that the stone work is not at odds with the original building. The proposed windows and openings are considered to be suitably aligned. The proposed extension would not overwhelm the existing building and a suitable area of playground would be retained for use.

In this instance therefore it is considered that the proposed extension would not detract from the character of the site, adjacent buildings or street scene and as such complies with UDP Policies EN1/1 and EN1/2.

### **Impact on Residential Amenity**

Due to the location of the extension on residential amenity issues are foreseen.

### **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 S9 10494-P-01, S9 10494-P-02, S9 10494-P-03, S9 10494-P-04 Rev B, S910494-P-05, S9 10494-P-06 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 Details/Samples of the materials 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 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 Policies EN1/1 Visual Amenity, EN1/2 - Townscape and Built Design, EN2/1-Character of Conservation Areas and EN2/2-Conservation Area Control of Bury Unitary Development Plan.
- 4 The proposed windows for the proposal hereby approved shall match those approved under application 69245.  
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 and EN2/2-Conservation Area Control of Bury Unitary Development Plan.

|                     |             |                         |             |
|---------------------|-------------|-------------------------|-------------|
| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
| HP 04/08//2023      |             | DM 04/08/23             |             |