

DELEGATED REPORT

Report by Mo Warsame	Date of report: 22/09/2022	Ref: 68477/FUL
Registration: 27/07/2022	LDfC: 25/08/2022	Expiry Date: 21/09/2022
Site Visit: 12/07/2022	Site Notice: 15/08/2022	Press Date: 04/08/2022
Objections: 1	Con Area: N/A	Adv Type: ASB
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey extension at side

Location: Dry Gap, Bury Old Road, Shuttleworth, Ramsbottom, Bury, BL0 0RX

Description

The application relates to a two-storey detached house located within a rural setting in the Green Belt that is an NDHA adjacent to a Grade 2 listed building (Built AD1530) which is a former barn converted into a dwelling. The curtilage includes a detached outbuilding being used as a storeroom but not affected by this proposal. Both properties are currently occupied and there are no other immediate neighbours although surrounding boundaries are predominantly agricultural fencing and hedgerows interspersed with occasional trees and the nearest adopted highway is a country lane (Bury Old Road) approximately 55m to the south and east. There is ample space for off road parking.

Planning permission is sought for a two-storey side extension that would involve the demolition of existing single storey storage rooms replaced with a proposed two-storey side extension which would be to the south of the main property and have a gable roof carried over from the existing roof. Materials would include natural stone walls, natural slate roof, timber framed windows, and timber doors to match the existing house. The extension would accommodate a tack room, office, and utility room at ground floor and an additional living room and bedroom at first floor. New first floor habitable windows are proposed to the west, south, and east elevations. All new ground floor windows are for non-habitable rooms.

Relevant Planning History

47921 - conversion of an a-frame barn to a dwelling - Approved 2007

47922 - listed building consent for conversion of existing barn to dwelling - Approved 2007

50365 - Hay barn, 5 no. Loose boxes, tack room, feed store and repositioning of manege with change of use of 2 no. Stables to store - Approved 2018

50818 - conversion of a-frame barn to dwelling (revised scheme) - Approved 2009

50819 - listed building consent for conversion of a-framed barn to dwelling (revised scheme) - Approved 2009

56318 - Single storey extension to existing stables with manege; New pre-manufactured timber eco-house/ managers dwelling with bed and breakfast accommodation for tourists with new car park. - Withdrawn by Applicant 2013

60021 - Change of use of existing domestic stables to use as equestrian centre for able bodied people and individuals with autism and similar disabilities and creation of 3 no. new parking spaces - Approved 2016

Publicity

Immediate neighbours notified on: 28/07/2022. Site notice posted on 29/07/2022 and 15/08/2022 and a press notice was published in the Bury Times on 28/07/2022.

Two letters of support have been received, which has raised the following issues:

- Support the addition of an extension as it will provide space for future needs
- This will enhance the property and will look like a continuation of the current main residence
- It mirrors the existing buildings in the area

One letter of objection has been received, which has raised the following issues:

- The design not being in keeping with the original farmhouse - "terraced" appearance on west elevation.
- Proximity / overbearing / overlooked – we have a right to privacy in our home & garden. This mainly concerns the western elevation.
- Right to light – a significant amount of the morning / eastern light will be obstructed by the addition of a second story in such close proximity on southern gable end.
- Within curtilage of a Grade II Listed building (Dry Gap Barn), preservation of original farmstead appearance of Dry Gap, therefore conversion rather than demolition of existing outbuildings would be preferable.

Statutory/Non-Statutory Consultations

Conservation Officer - No objections.

Greater Manchester Ecology Unit - No objections subject to ecology condition.

Traffic Section - No objections

Pre-start Conditions - N/A

Unitary 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
OL1/2	New Buildings in the Green Belt
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) 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.

Green Belt

The application site is located in the Green Belt and as such, paragraph 149 is relevant.

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 - 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 if 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 OL/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 disproportionate SPD 8 considers additions of up to a third (33%) of the volume of the original dwelling, notwithstanding other material planning considerations such as design and visual appearance. 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.

The proposed extension is located within the greenbelt of a NDHA adjacent to a Grade 2 listed building within a rural location east of Ramsbottom. The original dwelling (as existing in 1947) but excluding later extensions measures 615.25m³, and the proposed extensions would measure 203.03m³. After the development, the dwelling would measure approximately 818.29 cubic metres, which if approved would result in total extension representing an increase of 32.9% on the original building which is within the 33% suggested within SPD 8. The dwelling and proposed extension is reasonably within a cluster of structures in a rural area, partially screened by hedgerows and trees, is no higher than the existing main roof pitch, set back from the highway by a good distance (approximately 55m) and is therefore considered to be acceptable in terms of massing, and height.

In this instance due to the location of the proposal and design it is considered that the proposal would not conflict with the surrounding land uses nor would it create harm to the openness of the Green Belt given the above circumstances. It is considered therefore that the proposal is a limited extension that would not have an adverse impact on the openness of the Green Belt or result in a disproportionate addition above and beyond the original (replacement) building and is a limited extension. It is there considered that the proposal complies with the NPPF, UDP Policies OL1/2, and associated guidance in SPD8.

Heritage

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.

Paragraph 203 of the National Planning Policy Framework (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. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The building has been identified as a non-designated heritage asset (NDHA) in accordance with Annex 2 of the NPPF and is considered to be a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing). The 'Good Practice Advice Note 2: Managing Significance in Decision-Taking' published by Historic England (2015) clarifies non-designated assets as those "that have been identified in a Historic Environment Record, in a local plan, through local listing or during the process of considering the application."

Paragraph 202 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The proposal would replace the existing single storey extension which was constructed

around 1900. This was a later addition and not part of the original construction of the main dwellinghouse. The proposed extension will have a level of historicism in its design that gives an acknowledgement to the, setting, materials of the original dwelling and the character of the adjacent listed barn. As such, it is considered that the proposal would not cause harm to the setting of the adjacent listed barn and as such it would not have an unacceptable impact on or cause a loss of its significance.

Ecology

NPPF 2021 Section 174 states that planning policies and decisions should contribute to and enhance the natural and local environment. This is further supported by UDP policies EN6 - Conservation of the Natural Environment, and EN6/3 - Features of Ecological Value.

A bat survey has been submitted with the application, which concludes that an emergence survey is required. The emergence survey has been undertaken and concluded that no evidence of bats roosting was identified. It is therefore very unlikely that the development will negatively impact on the conservation status of bats in the locality.

GM Ecology Unit has no objections, subject to condition relating to the inclusion of a house sparrow terrace and bat box.

Visual amenity

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that complements the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

In terms of scale, design, and appearance the proposed extension would be generally in-keeping with the existing property. Although situated at the rear, the proposed extension would be readily visible from the public arena due to the proximity of the nearby country lane, however its design and scale is considered to be appropriate.

Materials would match existing and include natural stone walls, natural slate roof, timber framed windows, and timber doors to match the existing dwelling. Existing stonework would be carefully dismantled and stored following the demolition of existing single storey storage rooms to be reused on the front east elevation facing Bury Old Road. This would therefore be considered acceptable within the context of the adjacent Grade 2 listed building. Overall, it is considered that the proposed extension complies with UDP Policy H2/3 and associated guidance in SPD6.

Residential amenity

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

In terms of overlooking and privacy, the first-floor windows on the west elevation are less than 7m away from the shared boundary and would also be facing into a private court-yard. However, the windows would be obscure glazed up to 1.7m from the first-floor level as such, there would be no detrimental impact on the private amenities.

Regarding the general prominence and impact on daylight the proposed extension would not be immediately adjacent to any shared side boundary and would be located to the east of the neighbours dwelling. The proposed extension would have a minimal impact on part of that neighbours 'courtyard garden' in the mornings, but any overshadowing would not be seriously excessive above and beyond the existing situation. In this respect the proposed extension would not have a serious impact on the outlook from the neighbour.

The proposed extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways

The proposal would not affect the existing parking arrangements. However, there would be an increase in the number of bedrooms from 3 to 4 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered, which requires the proposal to provide a maximum of 3 parking spaces within this low access area. Existing on-site parking provides ample car spaces, although additional on street parking is limited by the preponderance of narrow country lanes. Given the situation and the fact there are no changes to parking layout, it is therefore considered that the parking arrangements are sufficient.

The proposed extension would be acceptable and comply with UDP Policy HT2/4 and associated guidance in SPD11.

Conclusion

In consideration of the above, the proposed development would be acceptable in terms of the design, and siting, of this development. As such, the proposed development is therefore considered to be acceptable and complies with UDP Policies, H2/2 - The Layout of New Residential Development, H2/3 - Extensions and Alterations, EN1/1 – Visual Amenity, and EN1/2 - Townscape and Built Design, OL1/2 - New Buildings in the Green Belt, and associated guidance in SPD6. It is therefore considered that the proposed scheme would preserve the visual and residential amenities and the adjacent listed building.

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 drawings numbered DGF-RALA-ZZ-XX-DR-A-(PL)-000, DGF-RALA-ZZ-XX-DR-A-(PL)-0001, DGF-RALA-ZZ-XX-DR-A-(PL)-0002, DGF-RALA-ZZ-XX-DR-A-(PL)-0003, DGF-RALA-ZZ-XX-DR-A-(PL)-0004, DGF-RALA-ZZ-XX-DR-A-(PL)-0010 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/bricks) 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

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EN1/1 Visual Amenity.

- 4 First floor windows on the West elevation facing the neighbour's Court-yard shall remain obscure glazed up to 1.7 metres from the first floor level.
Reason: To protect privacy pursuant to policy: H2/3 and SPD 6
- 5 The development hereby approved shall include bat box and house sparrow terrace and shall be provided prior to first occupation/use of the development and thereafter maintained.
Reason: In order to ensure that adequate provision is made for Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.

<u>Case Officer</u> MW	<u>Date</u> 22/09/2022	<u>Sign off Officer</u>	<u>Date</u>
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