

DELEGATED REPORT

Report by Helen Pressley	Date of report: 08/08/2025	Ref: 72110/FUL
Registration: 26/06/2025	LDFC: 07/08/2025	Expiry Date: 21/08/2025
Site Visit: 30/07/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Conversion of garage into a habitable room

Location: 11 Crosby Road, Radcliffe, M26 4JL

Description

The application relates to a brick built residential barn conversion at the end of Crosby Road. The building is accessed from the west side with boundary hedging along the south and east boundaries. The site is within the Green Belt. The closest house is No.9 Crosby Road to the north east.

Planning permission is sought for the conversion of garage into a habitable room. The proposal includes the removal of the existing garage door and replacement with glazed panels, and a glazed floor to the front elevation.

Relevant Planning History

66691 - Certificate of lawfulness for proposed single storey extension at rear - Withdrawn by Applicant 29/04/2021

67144 - Single storey extension at rear - Withdrawn by Applicant 17/09/2021

67592 - New opening in existing wall to accept bi-fold doors. - Approve with Conditions 15/11/2021

71901 - Lawful development certificate for proposed garage conversion - Withdrawn by Applicant 24/06/2025

Publicity

Letter sent to neighbouring properties 16/07/2025.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Development Plan and Policies

JP-G9	The Green Belt
JP-G1	Landscape Character
H2/3	Extensions and Alterations
OL1/2	New Buildings in the Green Belt
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

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.

Principle (Green Belt)

Paragraph 153 of the NPPF states 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, including harm to its openness.

Paragraph 154 of the NPPF states that the construction of new buildings in the Green Belt should be regarded as 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), including buildings, 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 (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Policy OL1/2 states that the construction of new buildings within the Green Belt will be inappropriate development unless it is for agriculture, forestry, essential facilities for outdoor recreation, limited extensions of existing dwellings and for other uses of land which do not conflict with the purposes of including land in it. Proposals for buildings, which do not fall into one of the above categories is inappropriate development and will only be permitted in special circumstances.

PfE Policy JP-G9 - The Green Belt confirms the extent of the Green Belt within the Borough and confirms the five purposes of including land within the Green Belt. The beneficial use of the Green Belt will be enhanced where this can be achieved without harm to its openness, permanence or ability to serve its five purposes. In particular, the enhancement of its green infrastructure functions will be encouraged, such as improved public access and habitat restoration, helping to deliver environmental and social benefits for our residents and providing the high quality green spaces that will support economic growth.

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 its own merits.

The proposal would lead to the conversion of an integral garage, rather than an extension to the existing building. As such the proposal would not lead to any additions over and above the existing and original dwelling. The proposal is therefore considered to be acceptable in principle.

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.

Externally, the proposal would lead to the replacement of the existing garage door with glazed panels and a glazed door. The size of the opening would be retained as existing as would the standing brick course lintel above the existing opening. The retention of this existing opening, would retain the existing barn conversion character of the building.

As such it is considered that the proposal would not have a detrimental impact on the character of the building or the general street scene and would therefore comply with UDP Policy H2/3 and SPD 11.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- No extension proposed.
- Proposed glazing would face towards the garden of the property with open fields beyond this. The window would be over 50 metres from the boundary of the site and as such no undue overlooking is 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 LH4-00, LH4-01, LH4-02, LH4-03, LH4-04, LH4-05 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 and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 08/08/2024		DM - 15/08/2025	