

DELEGATED REPORT

Report by Jane Langan	Date of report: 20/07/2022	Ref: 68414/FUL
Registration: 19/05/2022	LDFC: 18/06/2022	Expiry Date: 14/07/2022
Site Visit: 08/06/2022	Site Notice: 29/06/2022	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: First floor extension at side

Location: Taylors Lane Farm, Taylors Lane, Radcliffe, Bolton, BL2 6QS

Description

The property is a two storey stone house and is extended single storey at the side and then with a conservatory to the rear. It sits with its main frontage abutting a single track, an unadopted road which is public footpath 46CC. The single storey extension is set back from the front of the house and mostly screened by the a stone boundary wall and gates. There is an enclosed drive/garden to the side and garden to the rear. The site and surrounding area is within the Green Belt.

The application proposes a first floor extension above the single storey at the side. It would form a study and bathroom.

Relevant Planning History

None.

Publicity

Surrounding neighbours were notified by letter on 26/05/22. A site notice was posted on 29/06/22. No representations have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

OL1	Green Belt
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 - SPD6 states that extensions to existing dwellings in the Green Belt should not result in disproportionate additions over and above the size of the original dwelling. In general extensions up to a third of the volume of the original dwelling may be acceptable however, each proposal will be considered on its own merits. Volumes have been provided with the application to state there will be a 28% increase in volume. The proposed extension would be viewed against the east side elevation where it would be set back 3m from the main frontage with the roof significantly lower than the main ridge. The site is on a narrow lane with the site boundary wall running along in front of the proposal and up to the neighbouring property. As such the proposal would not impact on the openness and character of the Green Belt at this particular site.

Visual amenity and design - The proposed extension would have a pitched roof forming a side gable wall with two windows with cills and headers. The front slope would contain a dual pitch roof to the first floor window. This has been reduced in size in order that it better relates to the windows to the existing first floor front. To the rear the window design would be to match those to the existing rear elevation. Materials would be white render to match the ground floor and grey concrete roof tiles. The proposal would be different in its design and materials however it would be set back 3m from the main front elevation and to the rear of the front boundary and viewed as a separate addition. The agent has provided a street scene plan and notes that due to the tight aspect of the lane then the existing property and extension would not be read together unless viewed from the farm field opposite and this is the case.

DELEGATED REPORT

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered and the proposal would not affect the existing parking arrangements.

Residential amenity - The proposed first floor would have two windows to the side elevation which be secondary ones and to non habitable rooms, a study and bathroom. They would look over the side drive/garden to the site and there would be over 7m to the boundary with the adjacent neighbouring property at 5 Taylors Lane. There are no properties directly at the rear and fields are opposite.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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 001, 002, 003, 101 revA, 102 revB, 103 revB, 104 revB 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.

<u>Case Officer</u> JL	<u>Date</u> 20/07/22	<u>Sign off Officer</u>	<u>Date</u>
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