

DELEGATED REPORT

Report by Tom Beirne	Date of report: 22/07/2025	Ref: 72060/FUL
Registration: 13/06/2025	LDFC: 18/07/2025	Expiry Date: 08/08/2025
Site Visit: 15/07/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Demolition of existing single storey rear extension; Single storey rear extension to include infill extension

Location: Hawkshaw Hall, Hawkshaw Lane, Tottington, Bury, BL8 4LD

Description

The application site is located to the north of Hawkshaw village and comprises a large detached stone-built house set in a large garden with various outbuildings. The site is surrounded by open countryside and located in the green belt, within the area of special landscape.

The dwellinghouse with an attached barn to the north of the dwelling and attached stables to the east of the dwelling. The dwelling, which is on the draft local list, is accessed from Hawkshaw Lane through an electric gate and private driveway. There have been various extensions and alterations in recent years - see planning history.

The proposed development comprises two main elements:

- Demolition of the existing 'boot room/WC' within the single storey rear outrigger on the east side of the house and the erection of a replacement single storey 'boot room/WC'. It would be 4.4m wide and project out 9.5m into the courtyard to line up with the two storey outrigger on the west side. It would have a dual pitched roof with a ridge height of 4.4m, carried onto the existing roof. Constructed in stone with mullioned windows to match the main house.
- Construction of an infill extension between the single and two storey outriggers on the north elevation to provide dining room space at ground floor level. Constructed in natural stone to match the house with glazing panels and a low-profile roof and glazed rooflight to give the extension a more lightweight appearance.

Relevant Planning History

47927 - Conversion/change of use of barn/stables to form additional living accommodation with extensions to form utility porch. conversion & extension of existing outbuilding to form stable & garage. verification of garden curtilage - Approved with Conditions 05/06/2007

53796 - Erection of garage / stable block (retrospective) - Approved with Conditions 18/05/2011

53806 - Non-material amendment following grant of planning permission 47927 to alter the windows in the additional living accommodation - Approve 20/04/2011

53815 - Erection of a stable block, midden, haylage store and associated new access, groundworks and boundary treatments - Approve with Conditions 24/05/2011

54287 - Non material amendment on approved planning application 53815 for external alterations to the building; change of roof material to stone; relocation of the midden - Approve 24/08/2011

55681 - Two storey extension at side and basement extension with 'green roof' to form swimming pool / gym and recreational facility. Removal of porch and replace with glazed link to allow access from house to pool / gym. Deposit of earth within garden - Approved

with Conditions 21/11/2012

56997 - New access drive; construction of tennis court and fencing on part of existing manege; retention of two timber animal shelters - Approved with Conditions 22/01/2014

58560 - Two storey extension at side; Single storey extension at rear; Replacement of parts of existing tarmac driveway to south of house with hard and soft landscaping enhancements - Approved with Conditions 07/05/2015

64608 - Installation of outdoor (uncovered) swimming pool and retention of hot tub, outdoor kitchen and fire pit to extended decked terrace and relocation of existing timber BBQ hut in rear garden - Approved with Conditions 28/10/2019

66724 - Single storey detached outbuilding - Approved with Conditions 11/05/2021

Publicity

Immediate neighbours notified by letter dated 02/07/2025. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection

Pre-start Conditions - N/A

Development Plan and Policies

H2/3 Extensions and Alterations

OL1/2 New Buildings in the Green Belt

SPD8 DC Policy Guidance Note 8 - New Buildings in the Green Belt

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.

Green Belt - In terms of Green Belt policy, the proposed extensions are acceptable in principle and would not constitute inappropriate development. Although the proposed extensions, together with previous additions/outbuildings, cumulatively add up to about 50% of the volume of the original dwelling. Whilst this is in excess of the 30% suggested in guidance, the new extensions are close-in to the house and clearly subservient in terms of scale and design. It is not considered that the proposal would result in disproportionate additions above and beyond the size of the original building and nor would it result in substantial harm to the openness of the wider Green Belt as views of the development would be set against the existing house.

In terms of green belt policy and guidance, the proposal is considered to be acceptable and complies Chapter 13 of the NPPF, Places for Everyone policy JP-G9 and UDP Policies OL1/2 and associated guidance.

Visual amenity - Both new build elements are constructed in natural stone and have a low profile in relation to the main house. Sited close-in to the house on the north side and not extending beyond the existing two storey outrigger on the west side, the extensions would not appear as particularly prominent within the site itself and wider locality. From Hawkshaw Lane to the east, the property is partly screened by mature boundary hedging which mitigates the impact on the wider green belt views.

In terms of visual amenity, the proposal is considered to be acceptable and complies with UDP Policies EN1/1 Visual Amenity and H2/3 Extensions and Alterations and associated guidance in SPD6.

Residential Amenity - Given its relatively isolated location and screen planting, the proposal does not raise any material residential amenity issues. The proposal is acceptable and complies with UDP Policy H2/3 and associated guidance in SPD6.

Parking and Access - The proposal does not impact on access from hawkshaw Lane or or parking within the site. The proposal is acceptable and complies with UDP Policy H2/3 and associated guidance in SPD6 with regard to access and parking.

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:
Location plan (2450-GTA-Z0-00-DR-A-1000)
Topographical Survey (2450-GTA-Z0-00-DR-A-1001)
Existing Ground Floor plans (2450-GTA-XX-XX-DR-A-1002)
Existing First Floor plans (2450-GTA-XX-XX-DR-A-1003)
Existing Elevations (2450-GTA-XX-XX-DR-A-1004)
Proposed Elevations (2450-GTA-XX-XX-DR-A-1007-D)
Proposed Ground Floor plans (2450-GTA-XX-XX-DR-A-1008-C)
Proposed Site Plan (2450-GTA-XX-XX-DR-A-1010-A)
Proposed Demolitions Plan (2450-GTA-XX-XX-DR-A-1011)
Proposed Demolitions Elevations (2450-GTA-XX-XX-DR-A-1012)
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.
- 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	22/07/2025	DM -	04/08/2025