

DELEGATED REPORT

Report by Tom Beirne	Date of report: 17/01/2024	Ref: 70244/FUL
Registration: 17/11/2023	LDFC: 11/12/2023	Expiry Date: 12/01/2024
Site Visit: 03/01/2024	Site Notice: 05/12/2023	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; Single storey rear extension; Single storey side extension

Location: Chest Wheel Farm, Rowlands Road, Bury, BL9 5PB

Description

The application relates to a two storey, semi-detached house in a rural setting to the west of Walmersely Road. The house is rendered with stone tiled roof. The attached neighbour on the west side, finished in stone, is a mirror image of the application house. To the rear are far, outbuildings and access is to the front/ south side.

The proposal involves:

- A first floor dormer extension above the existing 'cat-slide' roof at the rear of the property. It would have a pitched roof to the same height of the existing ridge.
- A small mono-pitched porch on the rear elevation. It would extend out 1.5m and have a width of 4.1m.
- There would be a single storey garden room on the side/east elevation. It would project out 3.7m from the side elevation and have a depth of 4.8m and a hipped roof. All the extensions would be finished in a mix of render and stone to match the existing house.

Relevant Planning History

N/A

Publicity

Immediate neighbour notified by letter dated 20/11/2023. Site notice posted 05/12/2023. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
OL1/2	New Buildings in the Green Belt
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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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 - A Green Belt statement, setting out the calculations for the proposed volume and footprint increases, has been submitted with the application and are summarised below.

The existing Gross footprint of Chest Wheel Farmhouse is 86m².

The proposed Gross footprint of Chest Wheel Farmhouse is 109m².

The existing total volume of Chest Wheel Farmhouse is 383.6m³.

The proposed total volume of the Chest Wheel Farmhouse is 488.7 m³.

The increase in volume is 105.4m³ which equates to 27.5%.

At less than 30%, the extensions would generally comply with green belt guidance, both nationally and locally. The proposal would not have a significant impact on the openness and character of the green belt and would comply with UDP Policy H2/3 and OL1/2 with regard to extensions in the green belt.

Visual amenity - In terms of visual amenity, extensions are relatively modest in scale and considered to be in keeping with the existing house. The first floor dormer extension which has been revised from a more visually dominant gable end now sits relatively comfortably within the roof plane and is no higher than the existing ridge. The proposed porch and garden room are modest in scale and have also been revised and are now more in keeping with the house. The extensions would be finished in a mix of stone, render and tile to match the existing house.

The extensions are considered to be acceptable and comply with UDP Policy and guidance in SPD6 - relating to alterations and extensions.

Residential amenity - Given the siting and scale of the extensions, there are no residential amenity issues arising from the proposal. Complies with UDP Policy H2/3 and guidance in SPD6 in relation to residential amenity.

Access and Parking - There are no issues arising with regard to access or parking which remains as existing.

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 23-12-01, 02A, 05 and 10A 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 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	17/01/2024		