

**DELEGATED REPORT**

|                                 |                                   |                                |
|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Tom Beirne     | <b>Date of report:</b> 16/11/2022 | <b>Ref:</b> 68876/FUL          |
| <b>Registration:</b> 10/10/2022 | <b>LDFC:</b> 08/11/2022           | <b>Expiry Date:</b> 05/12/2022 |
| <b>Site Visit:</b> 15/11/2022   | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b> 0            | <b>Con Area:</b> N/A              | <b>Adv Type:</b> NONE          |
| <b>Reason for Delay:</b><br>N/A |                                   | <b>EIA:</b> NA                 |
|                                 |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** First floor extension above attached garage with dormer window at rear; Amended door and window openings

**Location:** Bast House Farm, Manchester Road, Ramsbottom, Bury, BL9 5LZ

**Description**

Bast House Farm is a recently renovated two storey detached house on the eastern edge of a group of buildings, comprising a large barn and stables, Bast House and Baste house Farm Cottage. The barn and stables are in the process of being converted to residential use. Permission was given in 2016 to demolish two outbuildings and extend the property.

The site is within the designated Green Belt and Special Landscape Area. There are buildings to the west, a lodge to the south and open fields to the north and east. Access to the property is via a long track which skirts the northern edge of the building complex and links to Manchester Road to the north west.

The proposal seeks to raise the height of the garage roof by just over 2m and add a small pitched roof dormer to enable an additional room in the roof. The proposal also includes some very minor changes to window and door positions.

**Relevant Planning History**

60091 - Demolition of existing brick outbuildings and erection of two storey extension at side with a single storey garage attached; Renovation of porch at the front - approved 21/07/2016.

**Publicity**

Immediate neighbours notified by letter dated 17/10/2022. No objections received.

**Statutory/Non-Statutory Consultations**

N/A

**Pre-start Conditions - N/A**

**Unitary Development Plan and Policies**

|       |                                                             |
|-------|-------------------------------------------------------------|
| OL1/2 | New Buildings in the Green Belt                             |
| EN9/1 | Special Landscape Areas                                     |
| H2/3  | Extensions and Alterations                                  |
| SPD6  | Supplementary Planning Document 6: Alterations & Extensions |
| SPD8  | DC Policy Guidance Note 8 - New Buildings in the Green Belt |
| NPPF  | National Planning Policy Framework                          |

**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 proposed increase in the height of the garage roof and additional dormer would constitute approximately 8% of the volume of the house as previously extended approved. The approved extensions in 2016 constituted 34% over the original house. Whilst it would increase the roof height by just over 2m, it would remain lower than the main ridge of the house and appear subservient. The proposed additional volume would not be so significant as to warrant refusal or constitute a serious detriment to the character and openness of the Green Belt. As such the proposal is acceptable and complies with the NPPF and UDP Green Belt Policy.

**Visual amenity** - The proposed change to the garage roof are not considered to be significant in terms of the overall design and massing of the house. The proposed finishing materials, stone and slate, would not change. In terms of visual amenity the proposal is

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considered to be acceptable complies with UDP Policy regarding extensions and alterations with the Green Belt and Special Landscape Area.

**Residential amenity** - There are no issues with the proposed alterations in terms of residential amenity. Complies with UDP Policy H2/3 and guidance relating to extensions and alterations.

### **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 A.DR.20B, 21B, 22C, 23 and 24B 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          | 16/11/2022  |                         |             |