

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 06/05/2022	Ref: 68082/FUL
Registration: 14/02/2022	LDFC: 17/03/2022	Expiry Date: 11/04/2022
Site Visit: 10/03/2022	Site Notice: 10/03/2022	Press Date: 03/03/2022
Objections: 0	Con Area: N/A	Adv Type: ALB
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Removal of existing porch; Removal of existing brick stores; Removal of window to be replaced with door; Addition of 4 no. windows to ground floor and first floor roof's; Conversion of attic space to bedroom

Location: Brandlesholme Hall, Brandlesholme Road, Tottington, Bury, BL8 4LS

Description

The application relates to a Grade II * Listed Building which dates back to the late 15th - early 16th Century. The property was originally one large dwelling, but was separated to form 2 semi detached dwellings, the southern portion being Brandlesholme Hall. The property has been extended and altered in the past, the most recent addition being the rear porch, circa the mid 20th C.

The property itself is timber framed, with rendered stone walls and a slate roof. Internally, the attic is one of the most important elements of the build, displaying a fine sequence of roof timbers. The dwelling is defined by English Heritage as being particularly important and of more than special interest, and is of high significance in both architectural and historical terms as a good example of late medieval open hall of complex development.

The dwelling is set within a good sized plot, with a garden and curtilage parking to the front and garden area to the rear. There are open stone outbuildings/stores located next to the northern boundary close to the house.

The property is part of a nuclear settlement of farmstead type buildings and dwellings accessed via a track from Brandlesholme Road. It is located in the Green Belt.

The application proposes the removal of the existing rear porch and detached brick stores and replacement with a bay/bi-fold door opening, addition of 4 no rooflights to the ground and 1st floor roof 's, conversion of the attic space to bedroom, replacement of a window with a door opening on the side elevation and repairs/re-render of external elevations.

An application for Listed Building consent for these works has also been submitted.

Relevant Planning History

43517 - New detached summerhouse - Approve with Conditions 10/12/2004
46684 - Alterations to summerhouse and retention of existing windows - Approve with Conditions 06/09/2006
49659 - Alterations to summer house at rear - Approve with Conditions 10/04/2008
57635 - Two/single storey extension at rear; Loft conversion with rooflight to rear roof slope - Approved 27/8/14
57639 - Listed building consent for two/single storey extension at rear and loft conversion with roof light to rear roof slope - Approved 27/8/14
58981 - Erection of two storey rear extension; conversion of attic space including the

insertion of glazed roof lights in rear slope of roof and repairs & improvements to the fabric of the principal elevation - Approved 16/12/15

58982 - Listed Building Consent for erection of two storey rear extension: conversion of attic space including the insertion of glazed roof lights in rear slope of roof and repairs & improvements to the fabric of the principal elevation - Approved 16/12/15

68083 - Listed building consent for removal of existing porch; Removal of existing brick stores; Removal of window to be replaced with door; Addition of 4 no. windows to ground floor and first floor roof's; Conversion of attic space to bedroom - Concurrent application

Publicity

Letters sent to adjacent 7 properties on 23/2/22

Site notice posted 10/3/22

Press advert 3/3/22

No responses received as a result of the publicity.

Statutory/Non-Statutory Consultations

Historic England - No comments to make

Conservation Officer - No objection

Public Rights of Way Officer - No comments

Pre-start Conditions - Applicant/Agent has agreed with pre-start conditions

Unitary Development Plan and Policies

OL1	Green Belt
OL5/2	Development in River Valleys
EN2/3	Listed Buildings
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
H2/3	Extensions and Alterations
NPPF	National Planning Policy Framework
EN6/3	Features of Ecological Value

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.

Visual amenity - The property is a Grade II* Listed Building and a building of national historical importance, and as such particular regard would be given to the design, scale, massing and materials which would form any development of the building or the site. Proposals should be of a sensitive nature and respect the existing architectural fabric of a building.

On the front elevation, it is proposed to carry out repairs to the rendered elevations, remove the white wash paint from the side and rear elevations and repoint in traditional lime render. It is considered the proposed works would improve the appearance of the historic building and contribute to the future preservation of the Listed Building.

The proposed bay/bi-fold doors on the rear elevation would result in an increase of 2.3 sqm in area and as such considered to be a minimal extension in Green Belt terms. The opening would be a lightweight form and would allow the build to be viewed in its original state without compromise to the historic features.

The rooflights which would be inserted within the roof of the single storey side projection and main rear roofplane would be a conservation type. The lights would not unduly project above the roof plane and are considered to be of acceptable proportions in comparison to the roof expanse.

In terms of the attic conversion, the attic space has already been opened up which has exposed the historic timbers, including the trusses and purlins and which provide interesting features.

This application seeks the insertion of partitions and works to enable the space to be used as living accommodation, and which would include the insertion of 2 rooflights, which could be carried out without planning permission.

The majority, if not all of the proposed works would not in themselves require planning permission, and mostly comprise works which would require Listed Building Consent. An LBC (ref 68083) has been submitted for these works.

For the purposes of this planning application, it is considered that the proposed works would be relatively minor in terms of alterations to the existing residential property and as

such are considered acceptable.

Ecology - The previously approved application involved an extension which would tie into the existing property and as such works would have been intrusive and required a bat survey. GMEU were satisfied that with Reasonable Avoidance Measures (RAM) the proposed development would not be a cause for concern.

For this application, the proposals would not require significant building works or interruptions to the structural integrity of the roof, and comprise conversion works only and therefore a bat survey for this application was considered unnecessary. However, an informative would be included to remind the applicant of their responsibilities under Habitat Regulations.

Residential amenity - The scale and position of the proposed alterations would not affect adjacent properties or amenity of neighbours.

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 - 19/026 - Site location plan (0-)AXP001P; Proposed site plan (2-)AP027; Existing ground and first floor plan (0-)AXE002; Existing elevations (0-)AXE003 rev 2; Proposed elevations (2-)AE023; Proposed ground floor plan (2-)AP024; Proposed first and second floor plan (2-)AP-25; Proposed roof plan (2-)AP026 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 Details/Samples of all the materials, (including paint and render colour and types) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to protect the historic character of the Listed Building pursuant to Bury Unitary Development Plan Policies EN1/1 Visual Amenity, EN2/3 - Listed Buildings and H2/3 - Alterations and Extensions.
- 4 No development shall commence unless and until design details of the roof lights and bay window/bi-fold doors and methods/detail of their installation have been submitted to and approved by the Local Planning Authority. Only the approved details shall thereafter be implemented.

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Reason. In the interests of visual amenity and to safeguard the character and setting of the Listed Building pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual amenity, EN2/3 - Listed Buildings and the NPPF.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	6/5/22		