

DELEGATED REPORT

Report by Tom Beirne	Date of report: 31/10/2024	Ref: 71022/FUL
Registration: 02/09/2024	LDfC: 27/09/2024	Expiry Date: 28/10/2024
Site Visit: 15/10/2024	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey / two storey side extensions with 2 no. first floor balconies; alterations to fenestration including 4 no. loft windows at front and 1 no. loft window at rear and formation of additional basement area

Location: Height Barn Cottage, Harwood Road, Tottington, Bury, BL8 3PR

Description

The application relates to a detached two storey dwellinghouse on the east side of Harwood Road. The site is within the Green Belt and West Pennine Moors and is a designated Special Landscape Area. The three bed property itself appears to be a converted barn, coursed stone with stone tiled roof. It has been locally listed along with Height Barn Farm, across Bradshaw Road, although there is little information recorded on either property. Vehicular access is from the south further along Bradshaw Road. Immediately to the north across a narrow access track is a telecoms mast. Height Barn Farm is across Bradshaw Road to the west and there is open countryside on all sides beyond the immediate property, the adjacent dwellinghouse and telecoms mast.

It is proposed to extend the property to the east, on the far side from Bradshaw Road. The extension would project out two storeys from the east gable by 4.3m and be set in slightly on either side. An additional single storey element would project out a further 1.2m from the new gable with a balcony above. The new roof would be set down and follow a similar line to the existing ridge. The finishing materials would be coursed stone to match the existing house.

The extension would accommodate an additional family room on the ground floor with an additional lounge/bedroom above. There are no amendments proposed to the existing access, driveway and parking area on the south side of the house.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 26/09/2024. 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
SPD6	Supplementary Planning Document 6: Alterations & Extensions
OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors

PFE	Places for Everyone
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
EN2/3	Listed Buildings

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.

Policy Background - The site is within the Green Belt and West Pennine Moors and is designated a Special Landscape Area. As such the following policies are relevant.

H2/3 Extensions and Alterations. Applications for house extensions and alterations will be considered with regard to the following factors:

- a) the size, shape, design and external appearance of the proposal;
- b) the character of the property in question and the surrounding area;
- c) the amenity of adjacent properties;
- d) visibility for pedestrians, cyclists and drivers of motor vehicles.

EN1/1 Visual Amenity. Development will not be permitted where proposals would have a detrimental effect on:

- a) public views of prominent or important buildings, especially those in areas of architectural or historic interest;
- b) the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

OL1/2 New Buildings in the Green Belt. The construction of new buildings inside the Green Belt is inappropriate development, unless it is for one or more of the following purposes:

- a) agriculture and forestry (except where permitted development rights have been withdrawn);
- b) essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of Green Belt and which do not conflict with the purposes of including land in it;
- c) limited extension, alteration or replacement of existing dwellings, provided that this would not result in disproportionate additions over and above the size of the original dwelling, or, in the case of replacement of existing dwellings, the new dwelling is not materially larger than the one it replaces;
- d) limited infilling in existing villages as set out under Policy OL1/3.

EN9/1 Special Landscape Areas. In those areas identified on the Proposals Map as Special Landscape Areas, any development which is permitted will be strictly controlled and required to be sympathetic to its surroundings in terms of its visual impact. High standards of design, siting and landscaping will be expected. Unduly obtrusive development will not be permitted in such areas.

OL7/2 West Pennine Moors. Throughout the area of the West Pennine Moors, as defined on the Proposals Map, the Council will control development and manage recreational activity and public access, so as to reduce any possible detrimental effects these may have on the important character of the area. In considering proposals for development particular regard will be had to the effect on the following:

- a) agriculture and forestry;
- b) water catchment;
- c) settlements;
- d) landscape character;
- e) ecological and geological features;
- f) archaeological and historic features.

Green Belt and Visual Amenity/Character of the Area - A planning statement has been submitted with the application and proposed extension would represent an increase of approximately 30%. Given the size and scale of the extension and the fact that it is on the far side of the house to Harwood Road and partly screened by trees within the garden, the proposal is considered appropriate in relation to green belt policy OL1/2 and the West Pennine Moors policy OL7/2 and associated guidance in SPD8 relating to New Building in the Green Belt.

Design and appearance - Built in coursed stone with a similar styled footprint and roof, the design and appearance of the extension is in keeping with the existing house and would not appear incongruous within the wider landscape.

The proposal is considered to be acceptable in terms of design and appearance and complies with UDP Policies EN1/1, EN1/2 and H2/3 relating to extensions and alterations and visual amenity.

Heritage - It is apparent that the property was originally a barn and converted to residential at a later date. The property has not been extended and retains its character. It is locally listed, mostly for its association with the 18th Century farm across Harwood Road and its outward appearance although there is no detailed information on it. The proposed extension is simple in form and reflects the design and scale of the original structure. As such the proposal is considered acceptable and would not have a significant impact on the existing building in terms of heritage. Complies with the NPPF and UDP Policy EN2/3 Listed Buildings.

Residential amenity - Given the siting of the property in a relatively isolated location, there are no serious residential amenity issues arising from the proposal. The extension is acceptable in terms of residential amenity and complies with UDP Policy H2/3 and guidance in SPD6 relating to extensions and alterations.

Access and Parking - The existing access and parking is appropriate and as there are no alterations to the access and parking on the site, the proposal is considered acceptable in relation to UDP Policy H2/3 and guidance in SPD6 relating to extensions and alterations.

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 01, 02, 03, 04, 07B, 08B, 09B and 010B 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 and Places for Everyone Joint Development Plan listed.
- 3 Details/Samples of the external finishing materials 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 construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy

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EN1/2 - Townscape and Built Design.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	31/10/2024	DM 31/10/24	