

DELEGATED REPORT

Report by Helen Leach	Date of report: 12/09/2022	Ref: 68581/FUL
Registration: 22/06/2022	LDfC: 12/08/2022	Expiry Date: 17/08/2022
Site Visit: 18/08/2022	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: Two storey extension at front; External alterations to include new windows, juliet balconies to west and rear elevations and installation of solar panels; Two storey/first floor extension to existing detached garage with front dormer windows and solar panels

Location: Baxter Head Farm, Watling Street, Tottington, Bury, BL8 3QL

Description

The application relates to a substantial detached dwelling, which is located on Watling Street outside the main village of Affetside. The dwelling is an L-shaped dwelling, which has been extended in the past, which includes a flat roofed dormer. The dwelling is constructed from stone with a slate roof. The site is accessed from Watling Street and there is a detached garage to the south of the main dwelling. There is a large garden to the side and rear of the dwelling.

The site is bounded by open fields to the north, west and south. There are residential properties to the north east and south east of the site.

The proposed development involves the erection of a two storey extension to the front, external alterations to include new windows and juliet balconies to the existing dwelling and the installation of solar panels. The proposed development involves the erection of a two storey extension to the existing garage with the addition of front dormer windows and solar panels.

Relevant Planning History

Building Regulations applications

12/8/3619 - Alteration and extension to existing dwelling to form dining room, bedrooms, and study at Baxter Head Farm, Watling Street, Affetside.

12/8/3929 - Extensions to form porch and additional kitchen at Baxter Head Farm, Watling Street, Affetside.

Publicity

The neighbouring properties were notified by means of a letter on 21 July 2022.

7 letters have been received, which have raised the following issues:

- Support the application - the design is a vast improvement on the present property and more in keeping with the local area.
- It is sympathetic to its surroundings and designed to a high standard.
- This is an ageing property in a charming village. The look of the property at present is dated and not in keeping with similar properties in the village, which have been updated.
- The proposals submitted will bring the house in line with others in the village and be in keeping with modern look and feel without being insensitive to current character and look.
- I look forward to this property being brought upto date and modernised. Especially glad

to see that solar panels are being thought of, in the current environmental climate.

Statutory/Non-Statutory Consultations

None required.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
OL1/2	New Buildings in the Green Belt
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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.

Principle - Green Belt - Paragraph 149 of the NPPF states that the construction of new buildings would be inappropriate in the Green Belt. Exceptions to this are:

- a. buildings for agriculture and forestry;
- b. the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e. limited infilling in villages;
- f. limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g. limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Policy OL1/2 states that the construction of new buildings in the Green Belt is inappropriate development, unless it is for one of more of the following purposes:

- agriculture and forestry
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it;
- limited extension, alteration or replacement of existing dwellings, provided that this would not result in a disproportionate additions over and above the size of the original dwelling, or, in the case of replacement existing dwellings, the new dwelling is not materially larger than the one it replaces;
- limited infilling in existing villages.

UDP Policy EN1/1 - Visual Amenity states that development will not be permitted where proposals would have a detrimental effect on public views of prominent or important buildings, especially those in areas of architectural or historic interest, or the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

The proposed extensions would be located at the front of the dwelling and there have been some additions to the building before 1972. In addition, the proposed development involves the extension of the existing garage. The volume of the original building and the original garage is 2902 cubic metres. The proposed extensions to the dwelling and the garage would be 685 cubic metres. This equates to a 23.6% increase, which would be within the 33% increase in SPD6. Therefore, the proposed development would be in accordance with Policy OL1/2 of the Bury Unitary Development Plan and the NPPF.

Visual amenity - SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

The proposed development involves some external changes to the dwelling. Most of the

existing openings would have new window frames, which would provide a vertical emphasis. On the western elevation, two of the large windows at first floor level would be replaced with juliet balconies and three large patio doors would be provided at ground floor level. The proposed openings would be suitably aligned and would provide a more random arrangement, which is typical of a barn character.

On the rear elevation, 7 of the existing openings would have new window frames and an existing opening would be changed to patio doors, all of which would provide a more vertical emphasis. The four openings in the eastern part of the rear elevation would be amended to provide a window, patio doors and two juliet balconies would be provided at either end of the building. The proposed openings would be suitably aligned and would be acceptable.

The proposed front extension would replace the existing L shaped flat roofed dormer, which has a negative impact upon the character of the dwelling. The proposed two storey extension would be of a modern design and would include floor to ceiling glazing. The proposed pike detailing would add visual interest and the proposed extension would be constructed from a smooth ashlar stone with a slate roof. The proposed extension through the design and materials would be a clear modern addition to the building and would represent an improvement on the existing dormer.

The proposed garage would add an extra garage and would rotate the ridge of the roof through 90 degrees, which would not detract from the character of the building. The proposed development would include three dormer windows, which would be located above each garage door. The proposed extension would be constructed from stone and slate, which would match the existing building.

Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies OL1/2, EN1/1, EN1/2 and H2/3 of the Bury Unitary Development Plan.

Residential amenity - SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- There would be between 9.7 and 13.1 metres from the rear elevation of the dwelling to the boundary, which would be in excess of the 7 metre aspect standard.
- There would be 30.4 metres between the side elevation of the dwelling and the boundary, which would be in excess of the 7 metre aspect standard.
- There would be 18.7 and 21.3 metres between the proposed front extension and the boundary of the site, which would be in excess of the 7 metre aspect standard.
- There would be 39.9 metres between the proposed dormers on the garage and the boundary of the site, which would be in excess of the 7 metre aspect standard.

Therefore, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

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 ZT22-196-00, ZT22-196-01, ZT22-196-02, ZT22-196-03, ZT22-196-04, ZT22-196-05, ZT22-196-06, ZT22-196-07, ZT22-196-08, ZT22-196-09, ZT22-196-10, ZT22-196-11, ZT22-196-12 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 12/09/2022			