

DELEGATED REPORT

Report by Jane Langan	Date of report: 11/05/2022	Ref: 68159/FUL
Registration: 17/03/2022	LDFC: 26/04/2022	Expiry Date: 12/05/2022
Site Visit: 05/04/2022	Site Notice: 05/04/2022	Press Date: 24/03/2022
Objections: 0	Con Area: HOLC	Adv Type: CA
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Replacement garage with roof link to main dwelling; elevation alterations

Location: Redlands, Rawsons Rake, Ramsbottom, Bury, BL0 9HH

Description

The property is a split level detached house located on Rawsons Rake. It has garden and a drive along the front with a stone front boundary wall and two vehicular accesses. To the west side of the property is a detached garage. The site is located within the Green Belt and Holcombe Village Conservation Area where an Article 4 Direction has removed permitted development rights.

The application includes the demolition of the existing garage. The land to the rear of the wall would be lowered and a new garage constructed with the roof extended across to link to the house providing a covered area beneath. The vehicular access to the front of the garage would be removed and the stone boundary wall across the front reinstated.

Alterations to the front elevation of the property would be removal of the red and concrete brick and a spiral column and replacement with natural coursed stone and stone cills to the windows. To the east side elevation a glazed canopy and balustrade would be removed and replaced with a pitched roof canopy and natural stone balustrade.

Relevant Planning History

51365 - Two storey rear extension incorporating balcony within roof - AC 14/07/2009.

Publicity

Surrounding neighbours were notified by letter on 21/03/22. A site notice was posted on 05/04/22 and a press notice placed in the Bury Times on 24/03/22. No representations have been received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection to plans as revised. Recommends a pre commencement condition for stone samples.

Pre-start Conditions - Agent has agreed with the pre-start condition.

Unitary Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
OL1	Green Belt
H2/3	Extensions and Alterations
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. 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 - SPD6 states that extensions of existing dwellings in the Green Belt should not result in disproportionate additions over and above the size of the original dwelling. In general extensions up to a third of the volume of the original dwelling may be acceptable however, each proposal will be considered on its own merits. Volumes have been provided with the application to state there will be a 22.9% increase in volume. The site is also located within the village with other properties in the immediate area as such it would not impact on the openness and character of the Green Belt at this particular site.

Visual amenity, design and impact on the Conservation Area - As the site is located within Holcombe Village Conservation Area it is necessary to consider the proposal in terms of the Town and Country Planning Listed Building and Conservation Act. In this regard proposals should either preserve or enhance the character and appearance of the

conservation area. In terms of policy consideration of National Planning Policy Framework paragraphs 189-202 and Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the Bury Unitary Development Plan.

The alterations to the property would see the brick and concrete replaced with natural coursed stone and stone cills to the windows which would be painted in a 'dusted moss' colour. The proposed alterations would improve the appearance of the property.

The replacement garage would have a pitched roof with a gable wall to the rear of the reinstated wall. It has been revised from the original submission to set the garage back behind the new wall and for the roof link to be 0.5m below the ridge of the main house. Gradients behind the wall would be adjusted to suit allowing easier manoeuvring of vehicles and the garage would also be approximately 1.2m lower than the highway adjacent the boundary wall. As such the garage would be much less prominent than the one it would replace. The walls would be finished in natural coursed stone and with a natural slate roof.

The alterations to the house, removal of the flat roofed garage and reinstatement of the stone wall would represent a positive in the Conservation Area and with the design and materials appropriate the development would enhance the character and appearance of the conservation area.

Parking - The parking arrangements would be as existing to the drive and hardstanding at the front of the property.

Residential amenity - There are no neighbouring properties in close enough proximity for the proposal to have any significant impact.

The proposal complies with UDP Policies H2/3 - Alterations and Extensions, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and SPD6 - Alterations and Extensions to Residential Properties.

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 RM-01, RM-02A, RM-03A, RM-04A, RM-05A, RM-06A 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 Samples of the stone to be used in the external elevations and boundary wall shall be submitted to and approved in writing by the Local Planning Authority before the

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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 H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	11/05/22		