

## **DELEGATED REPORT**

|                                 |                                   |                                |
|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Tom Beirne     | <b>Date of report:</b> 12/09/2023 | <b>Ref:</b> 69733/FUL          |
| <b>Registration:</b> 10/07/2023 | <b>LDFC:</b> 05/08/2023           | <b>Expiry Date:</b> 04/09/2023 |
| <b>Site Visit:</b> 22/08/2023   | <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> N/A           |
| <b>Reason for Delay:</b><br>N/A |                                   | <b>EIA:</b> NA                 |
|                                 |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** Variation of condition 2 (approved plans) of planning permission 68876 - Amend roof design above garage, amendment to windows and replacement brickwork.

**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.

This application proposes to amend the design of the roof above the garage at the rear, omitting the dormer, adding two rooflights and replacing stone work with brickwork at the rear.

### **Relevant Planning History**

60870 - Conversion of two redundant agricultural outbuildings to create 6 no. dwellings - Approve with Conditions 01/03/2017

68336 - Variation of condition 02 following approval of planning permission 66016-Garage widened to provide internal corridor and WC and the back door position amended accordingly; position of window GW-03 moved (Ground Floor WC and additional ensuite to First Floor Bedroom 3); addition of window GW-05 to boot room / cloaks entrance and introduction of a stove to the kitchen - additional flue indicated on the elevations and internal amendments to layout

- Approve with Conditions 21/06/2022

68337 - Variation of condition 02 following approval of planning permission 60870:- Amendments to internal layout of unit 2; First floor - additional bedroom and ensuite; Second floor - additional floor area to provide dressing room & ensuite and East elevation amended to reflect the above changes. - Approve with Conditions 27/06/2022

68593 - Variation of condition 2 following approval of planning permission ref. 68336 - The addition of PV panels to the roof, a reduction in the window cill height of kitchen window and the inclusion of a glazed lean to south elevation - Approve with Conditions 06/02/2023

68876 - First floor extension above attached garage with dormer window at rear; Amended door and window openings - Approve with Conditions 17/11/2022

### **Publicity**

Immediate neighbours notified by letter dated 14/07/2023. No objections received.

### **Statutory/Non-Statutory Consultations**

N/A

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

### **Unitary Development Plan and Policies**

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

OL1/2 New Buildings in the Green Belt

### **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 and visual amenity** - The alterations to the roof are relatively minor in reference to the previously approved scheme. The changes are acceptable in terms of design and in keeping the existing house and would not appear out of keeping with the surrounding group of buildings and wider Green Belt. In terms of the impact on the openness of the Green Belt, the changes to the approved scheme would not have a significant impact on openness.

The additional brick would, replacing the stonework on the garage wouldn't have a significantly detrimental impact on the appearance of the existing house and would reflect the other the stone barn conversions in the building complex that have had brick extensions approved.

The proposed amendments comply with UDP Policies H2/3, OL1/2 and guidance in SPD6 in relation to extensions and new building in the Green Belt.

**Residential amenity** - There are no residential amenity issues arising from the variations to the approved scheme. Complies with UDP Policy H2/3 and SPD6 relating to residential amenity.

**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 SK1 and SK3-D 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> |
| Tom Beirne          | 12/09/2023  |                         |             |