

DELEGATED REPORT

Report by Tom Beirne	Date of report: 24/11/2022	Ref: 68864/FUL
Registration: 03/10/2022	LDFC: 04/11/2022	Expiry Date: 28/11/2022
Site Visit: 15/11/2022	Site Notice: N/A	Press Date: 13/10/2022
Objections: 0	Con Area: HOLC	Adv Type: LBCA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: First floor extension above existing garage with external staircase

Location: Hey House, Holcombe Old Road, Ramsbottom, Bury, BL0 4NS

Description

The double garage with a footprint approximately 6m by 6m, is within the garden of Hey House, a grade 2* listed building, close to the entrance gate. The site is within Holcombe Conservation Area and is also within a Special Landscape Area and the West Pennine Moors. The garage is constructed in blockwork with a flat roof. It is set down behind the stone boundary wall and has no heritage value, indeed its presence rather detracts from the setting of the listed building.

The proposal is to extend the garage upwards to create a small workspace within a new pitched roof. The footprint would remain the same with the new pitched roof extending up to a height of 4.3m (3.2m eaves). It was originally proposed to extend the roof higher and render the building but revised plans now indicate a lower roof with a reclaimed stone finish to match the main house. Pedestrian access would be via an external timber staircase at the rear and new patio doors (grey UPVC). There would also be a new window above the sectional garage door on the front elevation.

Relevant Planning History

54528 - Installation of 10 panel solar photo voltaic system to the front elevation of the roof (Retrospective) - 30/04/2012

54528 - Installation of 10 panel solar photo voltaic system to the front elevation of the roof (Retrospective) - Refused 24/11/2011

Publicity

Immediate neighbours notified by letter dated 11/10/2022. Site notice posted 18/10/2022 and press notice posted 13/10/2022. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection to revised scheme.

Pre-start Conditions - N/A

Unitary Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
EN1/2	Townscape and Built Design
EN2/3	Listed Buildings
EN1/1	Visual Amenity
H2/3	Extensions and Alterations

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 and Heritage

The existing garage is in poor condition and currently detracts from the setting of the listed building as one enters through the main gate. The roof height increase to 4.3m, which has been reduced within the revised plan, is not significant and the walls would be finished in a natural stone with a slate roof. At a distance of just over 20 metres from Hey House, with mature landscaping in between, the impact of the extended garage with its stone/slate finish would improve the setting of the listed building. A condition on details of the stone finish is also considered to be reasonable in the interests of visual amenity.

The proposal in terms of heritage would preserve and enhance the setting of the listed building within the Conservation Area. The conservation officer has no objections to the revised scheme which complies with Section 16 of the NPPF and UDP Policies EN2/1 and

EN2/2.

Residential Amenity - Given the siting and scale and of extension, there are no issues with regard to residential amenity arising from the proposal. As such the proposal is acceptable in terms of Policy H2/3 and guidance in SPD6 as regards residential amenity.

Energy Efficiency - An electric vehicle charging point is to be installed inside the garage, concealed from view.

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 PR1-01A, PR1-02 and PR1-03 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 of the stone to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks 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 EN1/1 Visual Amenity.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	24/11/2022		