

DELEGATED REPORT

Report by Jane Langan	Date of report: 19/01/2023	Ref: 68974/FUL
Registration: 09/11/2022	LDFC: 13/12/2022	Expiry Date: 04/01/2023
Site Visit: 22/11/2022	Site Notice: 22/11/2022	Press Date: 24/11/2022
Objections: 0	Con Area: HOLC	Adv Type: CA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension

Location: Heather Cottage, 22-24 Cross Lane, Ramsbottom, Bury, BL8 4LY

Description

The property is a two storey detached stone cottage. It is set back from Cross Lane with stone boundary walls to the sides and along the frontage. To the rear the garden slopes up and there is a patio at the rear of the house. The property sits at a lower level and has a catslide roof. There is open land to either side of the site and beyond the rear garden boundary the land slopes up steeply where there are numerous trees. The site is located within the Green Belt and Holcombe Village Conservation Area where there is an Article 4 Direction. The property is also on the Councils draft Local List as a non designated heritage asset.

The application proposes a single storey extension to the south west side of the rear elevation. It would project 3.5m deep for 5.6m across and form an extended kitchen and dining area with the existing kitchen becoming a study. The proposal has been revised from the original submission for a two storey extension following concerns raised with the agent regarding size and design.

Relevant Planning History

62459 - Erection of electric gates at front - Refused 05/04/2018. Appeal Dismissed 17/0442

Publicity

Surrounding neighbours were notified by letter on 21/11/22. A site notice was posted on 22/11/22 and a press notice placed in the Bury Times on 24/11/22. No representations have been received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

OL1	Green Belt
H2/3	Extensions and Alterations
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
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 an extension up to a third of the volume of the original dwelling may be acceptable however, each proposal will be considered on its own merits.

The statement of volume provided with the application notes the volume increase to be under a third at 10%. In addition the proposed extension would be single storey and located to the rear where it would not be readily visible. As such the development would not impact on the character and openness of the Green Belt.

Visual amenity and impact on the Conservation Area - 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.

UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control seek to preserve or enhance the character and appearance of these areas. Development will only be acceptable if it preserves or enhances these areas with regard to the nature of the development in terms of bulk, height, materials, design, relationship to the surrounding area, and impact of a new use on the character of the surrounding area. Proposals where appropriate should seek to implement measures to retain, replace, restore features of architectural interest, retain and enhance landscaping features, promote environmental enhancement and promote design guidelines to ensure sympathetic development.

The proposed extension would have a dual pitched roof finished in natural slate to match the existing. The rear elevation would be oak framed with full height feature glazing and doors and black hardwood fascia, soffits and barge boards. There would be a window to the south side elevation with cills and headers to match the existing and timber windows. To the opposite side would be black aluminium sliding doors. The walls would be finished in random coarse stone to match. A set of patio doors to the existing side elevation would be replaced with a window to match the existing ones and that to the extension. To accommodate the extension an area of the patio at the rear would be lowered.

The proposal would result in a modern and subservient addition with materials appropriate to the existing house.

With the proposed extension not be readily visible from the main street view the character and appearance of the Conservation Area would be preserved.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Residential amenity - There are no neighbouring properties located 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 2022/69-01 Rev B, 2022/69-02 Rev C, 2022/69-03 Rev B and the development shall not be carried out except in

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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>
JL	19/01/23		