

DELEGATED REPORT

Report by Jane Langan	Date of report: 25/05/2022	Ref: 68270/FUL
Registration: 29/03/2022	LDfC: 18/05/2022	Expiry Date: 24/05/2022
Site Visit: 26/04/2022	Site Notice: 26/04/2022	Press Date: 21/04/2022
Objections: 0	Con Area: HOLC	Adv Type: CA
Reason for Delay: N/A		EIA: NA Dec Level: DEL Stat Class: HOUS

Proposal: Demolition of existing outbuilding; Single storey rear extension; Porch with canopy at rear; New window opening/replacement windows to corridor to east elevation; New french door opening (dining room) to west elevation

Location: Greystones, Redisher Lane, Ramsbottom, Bury, BL8 4HX

Description

The property is a stone detached house located in Holcombe Village Conservation Area and where an Article 4 Direction has removed permitted development rights. The site and surrounding area is also within the Green Belt. The site is accessed off a single track lane and has a lengthy drive and gardens to the front and rear. The adjacent neighbouring property is a detached house, Redbrook, located to the east side.

The application includes the demolition of a single storey building to the rear that currently forms a store and wc. It would be replaced with a single storey extension 5.7m deep and 9.7m across to form a kitchen. The existing kitchen would become a gym and a window would be inserted to the east side elevation of the existing house. A porch to the rear elevation would be removed and replaced with one 1.4m deep and 2.1m across and adjacent would be an open log store with a covered canopy. To the west side elevation a dining room window would be replaced with bi fold doors and a patio area formed in natural reclaimed stone flags.

Relevant Planning History

67525 - Demolition of existing outhouse; Single storey rear extension; External patio area; New window opening (utility room)/replacement windows to corridor to east elevation and new french door opening (dining room) to west elevation - Withdrawn 21/02/2022.

Publicity

Surrounding neighbours were notified by letter on 13/04/22. A site notice was posted on 26/04/22 and a press notice placed in the Bury Times on 21/04/22. No representations have been received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection subject to a condition for matching stone.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

OL1	Green Belt
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
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 that with the removed and replaced buildings there will be a 9.5% increase in volume. The site is also located off the footpath and screened. As such the proposal would not impact on the openness and character of the Green Belt.

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 proposed single storey extension would have a flat roof with parapet wall and lantern roof light. The window design would be in keeping with those to the existing property and the walls would be finished in stone to match. The porch would be in timber with the roof and canopy in materials to match the existing house. Bi fold doors would be added to the west elevation of the existing house and would be in keeping with those to the adjacent elevation of the proposed extension. A window would be added to the ground floor of the east elevation of the existing house and would be directly below one to the first floor.

The proposed extensions would be of an acceptable design and in appropriate materials and the development would therefore preserve the character and appearance of the conservation area and be in keeping with the existing property.

Parking - The proposal would not affect the existing parking arrangements.

Residential amenity - The adjacent neighbouring property is not 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 pre-application discussions 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 17.477.01, 17.477.06 (C), 17.477.07(C), 17.477.BP, 17.477.11 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 External stone finishes of the development hereby approved shall match the external stone finishes of the existing dwellinghouse. They shall match the stone size, colour, course and external face texture as those in the external elevations of the existing dwellinghouse.
Reason. In the interests of visual amenity and to ensure a satisfactory development

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pursuant to 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	25/05/22		