

**DELEGATED REPORT**

|                                 |                                   |                                |
|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Tom Beirne     | <b>Date of report:</b> 03/02/2025 | <b>Ref:</b> 71313/FUL          |
| <b>Registration:</b> 19/11/2024 | <b>LDfC:</b> 17/12/2024           | <b>Expiry Date:</b> 14/01/2025 |
| <b>Site Visit:</b> 07/01/2025   | <b>Site Notice:</b> N/A           | <b>Press Date:</b> 05/12/2024  |
| <b>Objections:</b> 0            | <b>Con Area:</b> HOLC             | <b>Adv Type:</b> CA            |
| <b>Reason for Delay:</b><br>N/A |                                   | <b>EIA:</b> NA                 |
|                                 |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> HOUS        |

**Proposal:** Single storey rear extension; Rear dormer; Erection of 2 no. outbuildings;  
Installation of gates to existing stone pillars

**Location:** Meadow Heys, Moorbottom Road, Ramsbottom, Bury, BL8 4NS

**Description**

The application relates to a small detached red brick bungalow with a flat roof extension and a small flat roof dormer, both at the rear. The property is located within a large garden on the lower slopes of Holcombe Hill. The plot is made up of a series of terraces, stabilised by gabbions, with the house in the lower section. On the highest terrace, adjacent to the rear boundary wall is a steel framed open side outbuilding with a corrugated concrete panelled roof sitting on an area of hardstanding. The site is within the Green Belt, West Pennine Moor and Holcombe Village Conservation Area.

**House extension**

The volume of the existing dwellinghouse is calculated as 288.1 cubic metres. The proposal involves demolishing the existing flat roof rear extension and adding a larger one at the rear. This would have a footprint measuring 7.7m by 4.7m and accommodate a lounge area. The roof ridge height would be raised by almost 750mm and pitched roof dormer added on the rear to accommodate an additional bedroom and en suite in the roofspace. The extensions increase the volume of the dwellinghouse by approximately 100 cubic metres, giving a total volume of 381.88 cubic metres (approx). This equates to an increase of about 32%. The elevations would be stone clad and the roof reclad in natural slate.

**Outbuildings**

As part of a garden redesign, a small, flat roofed 'home office' would be sited up against the existing retaining wall, on the stone flagged area. It would sit about 600mm below the top of the retaining wall and have a footprint 5.8m by 2.7m with a height of 2.7m.

The existing steel framed outbuilding (14m by 9m), on the upper terrace is used for storage of various materials, would be demolished and, on a smaller footprint (8.5m by 6m), replaced with a stone built, shallow pitched roofed outbuilding to a maximum height of 3m. It would accommodate a small family gym and garden room.

**Relevant Planning History**

02981/E - Increase in size of the dwelling footprint; increase in the roof pitch and ridge height; construction of an annex to contain a home office; construction of an annex to contain 1 bedroom accommodation ancillary to the enjoyment of the dwelling. - Enquiry completed 02/07/2024

20/0407 - Removal of trees around the property - 23/12/2021

23/0056 - Works to driveway/removal of wall and fly tipping - 17/11/2023

**Publicity**

Immediate neighbours notified by letter dated 26/11/2024. No objections received.

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

Conservation Officer - No objection to revised plans.

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

## **Development Plan and Policies**

|       |                                 |
|-------|---------------------------------|
| EN1/1 | Visual Amenity                  |
| EN2/1 | Character of Conservation Areas |
| EN2/2 | Conservation Area Control       |
| OL1/2 | New Buildings in the Green Belt |
| OL7/2 | West Pennine Moors              |

## **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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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.

### **Policy Background**

EN1/1 - Visual Amenity - Development will not be permitted where proposals would have a detrimental effect on:

- a) public views of prominent or important buildings, especially those in areas of architectural or historic interest;
- b) the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

EN2/1 - Character of Conservation Areas. The Council will take action as appropriate to preserve or enhance the character or appearance of the Borough's Conservation Areas. The Council will be especially concerned with encouraging and, where appropriate, implementing measures to:

- a) retain, replace and restore features of historical and architectural interest;
- b) retain and enhance existing landscape features including trees, parks and gardens;
- c) initiate and promote environmental improvement/enhancement schemes such as landscaping, refurbishment of street furniture, traffic management and pedestrian schemes;
- d) remove dereliction and bring unused land or buildings back into beneficial use;
- e) prepare and promote design guidelines to ensure sympathetic development.

EN2/2 - Conservation Area Control. Development within a Conservation Area will only be acceptable if it preserves or enhances the special character or appearance of the area. In considering proposals for development in Conservation Areas, regard will be had to the following criteria:

- a) the nature of the development in terms of its bulk, height, materials, colour, design and detailing;
- b) the relationship between the proposed development and the architectural and visual qualities of the surrounding area;
- c) where demolition is proposed, the contribution of any proposed new building to the character or appearance of the area as compared to the building to be demolished;
- d) in the case of the re-use of buildings or the introduction of new uses, the impact of the proposal on the character or appearance of the area and the fabric of the existing building.

### **UDP Policy OL1/2 - New Buildings in the Green Belt**

The construction of new buildings inside the Green Belt is inappropriate development, unless it is for one or more of the following purposes:

- a) agriculture and forestry (except where permitted development rights have been withdrawn);
- b) essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of Green Belt and which do not conflict with the purposes of including land in it;
- c) limited extension, alteration or replacement of existing dwellings, provided that this would not result in disproportionate additions over and above the size of the original dwelling, or, in the case of replacement of existing dwellings, the new dwelling is not materially larger than the one it replaces;
- d) limited infilling in existing villages as set out under Policy OL1/3.

### **Supporting Statement.**

The statement submitted with the application, in support of the proposal sets out a number of points:

The proposal complies with this policy within the NPPF, the need to satisfy any 'Very Special Circumstance is negated. When viewed from the surrounding Green Belt, there will

be a positive effect in respect of policy EN1/1, with the brickwork being replaced with stone, also preserving the special character of the Conservation Area. EN2/2.

The two small annexes locate requirements away from the main house, so as not to increase its size disproportionately. Proposals for a home office are tucked within an existing stone gabion retaining wall, and constructed using the same materials, preserving the openness of the Green Belt Policy OL1.

When viewed from the Green Belt, it will not appear prominent within the site with no detrimental effect on visual amenity in line with policy EN1/1.

Proposals for a remote gym and media room are again tucked within the slope of the hill, and will be a discrete addition, replacing the existing hardstanding and disused materials enclosure, in line with policy EN2/1.

Constructed using coursed stone to match the main house, but with a sedum roof to blend in visually from outside the site, complying with policy EN1/1.

### **Green Belt, West Pennine Moors and Visual Amenity**

Extensions to House - The bungalow itself is not in a prominent position and screened by trees and shrubs surrounding the site. In terms of the proposed extensions to the house, the additional volume would be in the most part at the rear of the house and not readily visible from the public arena as it is set down and screened by the existing house and planting. The volume increase on the property at around a third, is in line with UDP Policy and guidance.

The increased roof height would not be significant and the dwelling would retain a relatively low profile within its surroundings. The new dormer would sit relatively comfortably on the rear roof plane and with the dual pitched roofs, appear in keeping with the property. The stone cladding, along with the natural slate roof, would be more in keeping with finishing materials in the immediate vicinity than the existing brick/tile.

In relation to Green Belt, the outbuildings within the garden, whilst having some impact visually, would not have a significant impact on openness or character. The small 'home office' would be set down and against the existing stone gabbions and the larger outbuilding/garden room on the upper terrace would replace the larger and unsightly steel framed storage building and again, be set against the banking and down from the boundary wall and road on the north side of the site. The stone finish on both buildings would be appropriate to the site and surroundings. It is appropriate to attach a condition limiting the use of the outbuildings to that ancillary to the main dwellinghouse.

Given the siting, scale and nature of the works, the proposal would not have a significant impact on the openness and character of the Green Belt and complies with the NPPF, Places for Everyone and UDP Policies EN1/1 Visual Amenity and OL1/2 New Buildings in the Green Belt.

**Heritage** - The existing bungalow was built around the turn of the century and does not have a significant heritage value. The application was submitted with a heritage statement, assessing the buildings importance within the conservation area.

Home office outbuilding – The proposed home office/garden room would sit against the backdrop of the existing stone gabion retaining walls within the rear garden. It would be modest in scale and would not appear particularly prominent within the site which is well screened from the surrounding area. Finished in natural stone to match the gabions, it would not appear out of keeping within the site or wider conservation area.

Domestic Outbuilding – Sitting higher up within the garden, the larger outbuilding would have a greater impact than the smaller home office outbuilding on the lower terrace.

However the building would be on the site an existing, unsightly, large steel framed storage shelter. The removal of this structure, along with the general tidying up of this part of the garden area, would help mitigate the impact of the new building on the site, particularly one which is set down at a lower level than the existing hardstanding. The natural stone construction with a shallow pitched roof would be in keeping with the immediate vicinity.

The revised proposal appears more sensitive and appropriate within the site and wider conservation area as such it would preserve the character of the conservation area. The conservation officer has no objection to the revised scheme which would be acceptable and comply with the NPPF, PfE and UDP Policies EN1/1, EN2/2 and EN2/3 with regard to conservation areas.

**Access from Moorbottom Road** – The proposed timber gate across the existing 5m wide access would replace the existing temporary mesh across the opening. The gates would be at the same height as the existing wall and would open inwards to avoid obstructing the highway. The new gates would be an improvement over the existing situation and would be in keeping with the character of the area. The proposal with regard to the new gate complies with UDP Policies EN1/1, EN2/1 and EN2/2 relating to visual amenity and conservation areas.

**Traffic** - There is sufficient parking on site and access arrangements are unchanged as the new gate on the rear garden boundary relates to an existing opening. As such there are no serious issues with regard to traffic and parking and the proposal complies with UDP Policy H2/3 in this regard.

**Bats** - A bat survey was undertaken given the proposed works to the roof and the fact that the site is in an area of bat feeding habitat. The survey found no evidence of bats with the risk of roosting being moderate. As such the bat report recommends a further survey before any work is undertaken and any recommendations stemming from the survey, carried out. A condition would be attached to ensure this and as such the proposal would be acceptable and in accordance the NPPF current UDP policy and guidance.

**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 PK2-00, 01, 02D, 03, 04, 05C, 06, 07, 08, 09 and 10B 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 and Places for

Everyone Joint Development Plan listed.

- 3 Details/Samples of the materials 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 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.
- 4 The outbuildings hereby approved shall not be used for any purposes other than for those ancillary to the residential use of the dwelling known as Meadow Heys, Moorbottom Road.  
Reason. To ensure the proposed use remains ancillary to the principle use on the site pursuant to UDP Policy OL1/2 New Building in the Green Belt.
- 5 Prior to work commencing on the roof of the dwellinghouse, a bat/bird activity survey (emergence at dusk or return to roost at dawn) shall be conducted, and the survey results established as to whether the buildings are utilised by bats. A programme of mitigation based on the survey findings shall be submitted to and approved in writing by the Local Planning authority. All mitigation measures shall be fully implemented prior to the commencement of the works and remain in situ on the site for an agreed period of time.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 Conservation of the Natural Environment and EN6/3 Features of Ecological Value of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.

| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
|---------------------|-------------|-------------------------|-------------|
| Tom Beirne          | 03/02/2025  | DM                      | 04/02/2025  |