

Title	Planning Applications
To:	Planning Control Committee
On:	18 February 2020
By:	Development Manager
Status:	For Publication

Executive Summary

The attached reports present members with a description of various planning applications, the results of consultations, relevant policies, site history and issues involved.

My recommendations in each case are given in the attached reports.

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

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, I have 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 Planning Control Committee shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Development Manager

Background Documents

1. The planning application forms and plans submitted therewith.
2. Certificates relating to the ownership.
3. Letters and Documents from objectors or other interested parties.
4. Responses from Consultees.

FOR FURTHER INFORMATION ON THE CONTENTS OF EACH REPORT PLEASE CONTACT INDIVIDUAL CASE OFFICERS IDENTIFIED IN EACH CASE.

01	Township Forum - Ward: Radcliffe - North	App No. 64875
	Location: Land off Ainsworth Hall Road, Ainsworth, Bolton BL2 5RY	
	Proposal: Proposed dwellinghouse with attached 'granny annex', detached garage, formation of driveway off existing access lane, associated private garden curtilage, erection and alteration of means of enclosure and hard/soft landscaping	
	Recommendation: Approve with Conditions	Site Visit: Y
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02	Township Forum - Ward: Ramsbottom and Tottington - Ramsbottom	App No. 64955
	Location: Margaret Haes Riding Centre, Moor Road, Ramsbottom, Bury, BL8 4NX	
	Proposal: Retention of welfare unit with associated landscaping to form welfare and security accommodation	
	Recommendation: Approve with Conditions	Site Visit: N
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03	Township Forum - Ward: Radcliffe - North	App No. 64967
	Location: Land at Junction of Arthur Lane/Bury Old Road, Ainsworth, Bury	
	Proposal: Demolition, conversion and extension of existing livestock buildings to create 1 no. single storey dwelling with enclosed garden and parking	
	Recommendation: Approve with Conditions	Site Visit: N
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Applicant: Janet Leach

Location: Land off Ainsworth Hall Road, Ainsworth, Bolton BL2 5RY

Proposal: Proposed dwellinghouse with attached 'granny annex', detached garage, formation of driveway off existing access lane, associated private garden curtilage, erection and alteration of means of enclosure and hard/soft landscaping

Application Ref: 64875/Full

Target Date: 29/01/2020

Recommendation: Approve with Conditions

Site Visit requested by the Development Manager

Description

The application relates to a site (0.19ha) within Ainsworth Village. The site is within the conservation area and is washed over by the Green Belt. The plot is undeveloped and generally level with a mix of protected trees (TPO 83) and shrubs and is situated between detached two storey red brick houses to the north and south with residential properties to the rear of the site. There are residential properties across Ainsworth Hall Road with a community hall on the corner of Bury Old Road. There is an existing access from Ainsworth Hall Road serving the two residential properties at The Old Vicarage situated to the rear of the site. The immediate locality is residential in character.

The site was historically part of an open and wooded area to the west of Christ Church. From the late 19th century onwards, the area was gradually built upon with the construction of three properties between the church and Ainsworth Hall Road - Holly Bank, Rose Bank and lastly, Christ Church Vicarage furthest to the west. In the late 20th Century the areas to the south and west, residential development was extended and intensified.

The application proposes the siting of a two storey detached 4-bed house including a integral 1-bed 'granny annex' and detached garage towards the front of the site. The house would be traditional in design and appearance with a double gable feature on the front elevation. The ridge height would be 6.7m with eaves at 4m. The finishing materials would be predominantly red brick but with areas of rosemary hanging tiles and herringbone brickwork between timber panelling. The roof would be slate and the windows would have a mix of stone cills and brick headers.

The proposed detached double garage would be timber in an open 'Dutch barn' style with a slate roof to match the house. The proposal would utilise the existing shared private access from Ainsworth Hall Road and there would be two access points from the drive.

As the site is within the conservation area and contains protected trees under TPO 83, both a Heritage Statement and Arboricultural Assessment has been submitted with the application alongside the Planning Statement.

Relevant Planning History

Pre-application Enquiry 02205/E - Dwelling and garage - 07/11/18

Applications relating to TPO works have been processed over a number of years and the most relevant are outlined in the main report - see Ecology/Trees.

Publicity

Press notice posted 12/12/2019 and site notice posted 06/12/2019.

The following neighbouring properties were notified by letter dated 06/12/2019.

Nos.1, 2 and 3 The Old Vicarage and Christ Church Vicarage, Ainsworth Hall Road, Nos. 1,

2, 3, 5 14, 26 Ainsworth Hall Road, Christ Church, Holly Bank and Rose Bank, Church Street, 11, 30 Rosebank Close, 10 - 24(even) Bankfield Close, Ainsworth Church and Community Hall.

Objections from Nos. 3, 214 Ainsworth Hall Road, 552 Manchester Road, 42, 53, 92 Church Street, Christ Church Vicarage, The Old Vicarage, 22 Bankfield Close, 1 Edgeworth Avenue, 48 Riverbank Drive, 51 Bury Old Road, 2 Pleasant Street, 24 Broomfield Close.

Objections are summarised below:

Application process -

- There is a conflict of interest/impartiality, as the applicant is (related to) a leading members of the planning/ Building control teams. The case should be referred to another local authority.
- We were told, when the land went up for sale, that there was no way anyone would be able to get planning permission to build on the land. Mind you, if you happen to work in the planning department, then you might just be able to find a way!
- I would request that an investigation be set up to look into the nepotism involved in this case. This would expose the underlying reasons for this application being pushed through contrary to all usual planning regulations. Why wasn't the applicant punished for removing trees and shrubs without permission?
- Underhandedness of the whole planning application business being apparently an 'inside job'. Totally unacceptable.
- The land owner if successful is benefiting from a previous illegal act by a former owner of the land who removed viable trees and was prosecuted by the same council who employ the current land owner.

The Proposal -

- The Ainsworth Community Association has had an historic interest with this plot of land when the new vicarage was built, to which we were originally minded to object. The diocese persuaded us to agree to that development by stating the remaining land could never be developed, being in the Ainsworth Conservation Area and would also be protected by an enduring covenant. This assurance appears to have been worthless and we are very disappointed. There is at present a drive to preserve and enhance wooded areas not chop them down and build on them!
- The small wildlife haven, now there to protect the historical context of the original vicarage, the church, Holly and Rose Bank Houses, has already been trashed. Many of the mature trees had already been cleared even though they were protected by law, and some had been replaced by council order after a previous prosecution - even these are now threatened again. The noted roost of bats and owls has been affected by works carried out recently and will be greatly affected by the proposed site development. Bat and owl boxes should be erected now to mitigate damage already caused
- The building is far too close to the present vicarage and will overlook the living and dining rooms greatly impinging on their privacy and quality of life. The curtains would need to be permanently drawn. The situation would be made worse by the removal of trees (T24-T27) near the boundary.
- The new building would restrict light into the vicarage and distances between the new development and windows on the Vicarage are sub-standard and would be less than the minimum required.
- Japanese Knotweed meant that any application would not be considered for at least 7 years. I am now left wondering what has changed. Within weeks of purchasing the land, the owner was working on clearing it !! The applicant is breaking planning regulations by not adhering to the rules about it's eradication.
- The site is in a semi-rural setting with owls that nested in the trees - some of which have already been felled! The current wildlife has already been affected by tree felling.
- The proposed dwelling will benefit the owners but not the wider community.
- The proposal is a totally inappropriate development in a village conservation area and any building on the site would be detrimental to the immediate environment and the

village as a whole.

- There is very little conservation land left in Ainsworth for recreational purposes, and we would like to keep it this way. If this application goes through, there will be a snowball effect and the further applications will be inevitable, and refusal will be very difficult if this is approved.
- The felling of trees which caused such an outcry all those years ago as a result of sheer vandalism on this same plot of land. We want more trees in the village, not less!!
- There would be an adverse effect on the indigenous wildlife. The mass destruction of the habitat is completely wrong. There are mature trees on this plot that serve as a home for many species of birds, animals and insects. It forms part of the wildlife corridor in the beautiful village of Ainsworth. There has already been some habitat destruction on the site without permission and further decimation is intolerable.
- In the 1990s one of the previous owners of this plot of land referred to in this application was fined a substantial amount of money by Bury Planning office for removing trees with preservation orders on them. Now, the applicant, whose I believe is the partner of an employee of the Planning Office, wants to remove a further 12 trees to build a dwelling in a designated conservation area. The mind boggles.
- Ainsworth Hall Road still has a rural feel and I believe this development will change the nature of it.
- Destruction of existing trees on this land that would have been subject to a preservation order has already been ignored by the council. This is simple vandalism for greed and another example of the drip-drip destruction of Greenbelt (in a conservation area too, which makes this doubly concerning).
- Notwithstanding green corridors being essential for our wildlife, this construction will exacerbate the existing issues of access down Ainsworth Hall road and do nothing to enhance the surrounding environment - quite the opposite.
- Concerns about existing wildlife in this area and the impact these buildings and excavation for gardens will have. But, perhaps, more important, is the allegation that the land is owned by a current member of the Council and that the application is being submitted by a person who has a close relative on the Planning Committee. If this application is approved and the last point I have made is correct, then I will take this objection to the Local Government Ombudsman. Clearly, it is not ethical for such an application to be approved if this is the case and should be independently reviewed.
- As the secretary of Bury Folk Keep it Green I totally object to any building on the Greenbelt or in conservation areas!
- Ainsworth Village is a protected conservation site and the above proposed is wrong on many levels. Firstly due to the highway in front of the property as vehicles drive at excessive speed and this build will only impede visibility further.
- Traffic is already horrendous with double parking. The access route to the proposed dwelling is adding further traffic to an already over used lane.

Other representations in have been received from Howarths Farm, Plunge Farm and 6 Summer Ave.

- As a previous resident, business owner, current property owner and walker of Ainsworth Village, I noted the recent tidying undertaken to the site of application 64875.
- I am surprised there has been so many complaints, as I note all constraints have been dealt with in respect of these objections. These appear to have been considered through the various processes of consultation reports and site visits to ensure full compliance.
- I believe that already the enhancements to the visually overgrown and unsightly waste and shrub land, far outweigh any negativity received. It not only removes a tipping area, but avoids a potential undercover, concealed area for people to congregate. The utilising of this land is also more appropriate than using pure agricultural land for building. I consider the proposed changes will boost, enrich and improve the aesthetics of the site and appears a welcome progression.

All those making representations have been notified of the Planning Control Committee.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - No objection subject to drainage condition.

Environmental Health - No objection subject to conditions.

Public Rights of Way Officer - No objection.

United Utilities - No objection subject to a condition relating to drainage.

The Coal Authority - No objection.

Greater Manchester Ecology Unit - No objection subject to conditions.

Conservation Officer - No objection.

Pre-start Conditions - Applicant/Agent has agreed with pre-start conditions

Unitary Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN9/1	Special Landscape Areas
OL1	Green Belt
EN1/3	Landscaping Provision
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/3	Extensions and Alterations
HT2/4	Car Parking and New Development
OL1/2	New Buildings in the Green Belt
OL1	Green Belt
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
NPPF	National Planning Policy Framework
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
OL1/3	Infilling in Existing Villages in the Green Belt

Ainsworth Village Conservation Area Appraisal and Management Plan (2008)

Conservation Areas of Bury (2004)

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.

Probity and Planning Procedure - Before any assessment of the proposal, the issue of probity and how the application has been dealt with needs to be addressed, particularly in the light of some of the objectors comments.

The applicant is related to two employees of the Council. One in the Development Management section and one in the Building Control section as indicated in the planning application form. Planning applications submitted by officers (or their close relatives) can

easily give rise to suspicions of impropriety although it is perfectly legitimate for such applications to be submitted.

The Council's Constitution has procedures in place to ensure that applications involving Council employees are handled in a way that gives no grounds for accusations of favouritism or bias:-

- Applications submitted by officers or their close relatives are required to be reported to Planning Control Committee rather than being dealt with by delegated powers (if they are recommended for approval);
- Where an officer or their close relative has a personal interest in a planning application, on no account must that officer be directly involved in the processing of the application;
- All aspects of the application must be conducted or supervised by an employee more senior to the individual who has declared the personal interest;
- The Council's Monitoring Officer should be informed.

Both officers have completed a conflict of interest declaration and this is on their personnel files. The application has been assessed without the involvement of the two related officers and the application process has been supervised by the Development Control Manager. This is standard procedure as many officers of the Council apply for planning permission from time to time. Due reporting procedures have been complied with by the officers and the application is being presented to the Planning Control Committee for a decision following a site visit by members.

Policy - National Planning Policy Framework - The current legislation relating to conservation areas is the Town and Country Planning (Listed Buildings and Conservation Areas) Act (Paragraph 66). This sets out the duty of Local Planning Authorities in respect to conservation areas in the exercise of planning functions and states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Government guidance within chapter 5 of the National Planning Policy Framework (NPPF) is supportive of new housing in appropriate locations and where it does not have an adverse impact on the streetscape, neighbour amenity or other issues such as traffic, flooding. Small, windfall sites, it states, can make an important contribution to meeting the housing requirements of an area.

Chapter 13 of the NPPF relates to Green Belt and paragraph 143 states that inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 145 states that a local planning authority should regard the construction of new buildings inappropriate in the Green Belt. Exceptions to this include (e) limited infilling in villages.

Chapter 15 of the NPPF relates to the Natural Environment and paragraph 170 states that the planning system should contribute to and enhance the natural and local environment. Paragraph 175 states that if significant harm to biodiversity resulting from a development cannot be avoided, or adequately mitigated, or as a last resort, compensated for, then planning permission should be refused.

Paragraph 189 of the NPPF requires that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local

planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Policy - Unitary Development Plan - The following Unitary Development Plan (UDP) policies are considered most relevant:

H1/2 - Further Housing Development. The Council will have regard to the following factors when assessing proposals for housing

development on sites not identified on the Proposals Map:

- a) the need to direct development towards the urban area;
- b) the availability of infrastructure;
- c) the need to avoid the release of peripheral open land, unless this can be shown to be consistent with urban regeneration;
- d) the suitability of the site in land use terms with regard to amenity, the nature of the local environment and surrounding land uses;
- e) other policies and proposals of the Plan.

UDP Policy OL1 - Green Belt states that the Council will maintain a Green Belt, ensuring that it fulfils the following strategic purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns from merging into one another;
- c) to assist in safeguarding the countryside from further encroachment;
- d) to preserve the setting and special character of historic towns;
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

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.

OL1/3 - Infilling in Existing Villages in the Green Belt. In all named villages which lie within the Green Belt, limited infill development may be permitted, provided that it is in scale with the village and would not adversely affect its character or surroundings.

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.

EN1/3 - Landscaping Provision. Development proposals will be required to make provision for incidental open space and landscaping to the Council's satisfaction.

EN1/2 - Townscape and Built Design. The Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. Factors to be considered when assessing proposals will include:

- a) the external appearance and design of the proposal in relation to its height, scale, density

and layout;

- b) the relationship of the proposal to the surrounding area;
- c) the choice and use of materials;
- d) access and other design features for the mobility impaired;
- e) the design and appearance of access, parking and service provision;
- f) landscaping, including the use of natural landscape features, and open space provision;
- g) the use of lighting.

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.

H2/1 - The Form of New Residential Development. All new residential development will be expected to make a positive contribution to the form and quality of the surrounding area. Factors to be considered when assessing proposals will include:

- a) the height and roof type of adjacent buildings;
- b) the impact of developments on residential amenity;
- c) the density and character of the surrounding area;
- d) the position and proximity of neighbouring properties;
- e) the materials to be used in proposed developments, especially their colour and texture.

H2/2 - The Layout of New Residential Development

New residential development will be required to demonstrate acceptable standards of layout.

Factors to be considered when assessing proposals will include:

- a) car parking provision;
- b) access for both vehicles and pedestrians, and provision for public transport;
- c) the possible need for traffic calming measures;
- d) density;
- e) space about and between dwellings;
- f) landscaping and screening;
- g) protection/provision of trees and hedgerows;
- h) open space/children's play areas;
- i) design for safety and security;
- j) access/facilities for the disabled;
- k) the existence of any public rights of way.

H2/6 - Garden and Backland Development

The Council will not permit proposals which will result in the loss of private gardens and backland for infill development unless such proposals can be shown not to adversely affect the character and amenity of the area.

When assessing proposals, special regard will be given to:

- a) the concentration of such development in the surrounding area;
- b) the relative density of the proposal to that of the surrounding area;
- c) the impact on neighbouring properties and the local environment;
- d) access arrangements.

EN8 - Woodland and Trees. The Council will support the retention of trees, woods, copses and hedgerows and encourage natural regeneration and new and replacement tree planting throughout the Borough.

EN8/2 - Woodland and Tree Planting. The Council will support and encourage new

woodland and tree planting in the Borough. In considering development proposals, the Council will encourage the planting of hedges, trees and woodlands using locally native species.

Principle

Residential land use - The National Planning Policy Framework is a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. There is a particular emphasis, as in previous national planning guidance, to identify a rolling five year supply of deliverable housing land.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up with sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

The site is located within Ainsworth Village and surrounded by residential properties. As such, the proposed development would not conflict with the surrounding land uses and would be in a sustainable location with access to public transport and local services. As such, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Green Belt - Green Belt policy is very clear where it relates to gap sites within existing villages. Paragraph 145 of the National Planning Policy Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, however it goes on to list a number of exceptions to this, including (e) limited infilling in villages.

The proposed dwelling is located within Ainsworth Village, which is a named village for the purposes of policy OL1/3 and is surrounded by existing residential properties. As the plans demonstrate that the dwelling footprint and height would be similar in scale to the neighbouring properties and with a clear road frontage, it would be considered limited infill development that would satisfy the both the NPPF and UDP Green Belt policies OL1/2 and OL1/3.

Siting and Design within the Conservation Area - The Ainsworth Conservation Area was designated in 1973. In considering whether to grant planning permission for development which affects a conservation area, the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation which in this case is the Ainsworth Conservation Area and nearby listed church. Any development proposal should not have a detrimental impact on the character or appearance of the conservation area or the setting of the listed church.

A heritage statement has been submitted, identifying the significance of the conservation

area and its evolution, referencing the Council's appraisal and management plan, 2019 review and historic maps as sources of research. A field study was also carried out as part of the heritage assessment and referenced with photographs. The submitted heritage assessment also identifies the relevant strengths and weaknesses of the conservation area from the listed Christ Church to the late 20th century residential development, whilst being outside the boundary of the conservation area, is on its periphery and as such has an impact on the setting of the conservation area. This assessment identifies the potential impact of the development in terms of its size, design, scale and massing on the character and appearance of the conservation area. It concludes that the impact of the proposal on the character and appearance of the conservation area would be neutral. The overall assessment of the proposal in relation to the conservation area is considered reasonable.

Although the application site is in the conservation area, it is adjacent to more modern 20th Century residential development to the south and west, which weakens its conservation setting somewhat. Although a mature Sycamore and a number of smaller trees would be lost from the site, these would be set well back from the frontage and represent only a very small proportion of the trees within the site as a whole. With an appropriate landscaping/replanting scheme, together with a management plan, the proposal would preserve and enhance the appearance of that part of the conservation area.

In terms of siting, the new house sits comfortably within the plot, maintaining good amounts of space around the dwelling and preventing it from appearing cramped and the site overdeveloped. With a traditional appearance, utilising elements of the local vernacular, the house is well designed with good articulation and a mix of materials that would lend itself to its setting within the conservation area. The house would be of a similar size and scale to the surrounding residential properties, which comprise a mix of styles and materials.

At the rear, the site shares a boundary with the grade II listed Christ Church, to the east. The church and its curtilage have been gradually enclosed during the 20th century by residential development right up to its southern and eastern boundaries and to the south and west of the application site. This built environment has impacted on its setting by changing over time, how the church would have been approached, viewed and experienced from wider distances to the south, west and east of the church. By virtue of its siting, the proposed dwelling would not affect the setting of the listed church by the way in which its current setting is experienced from the main approaches west and east along Church Street and wider views to the north would not be affected by the proposed dwelling.

Set in the context of that part of the conservation area in which the site is located, with nearby 20th century residential development, and taking into account the other factors described, the proposed development would preserve the significance of the wider conservation area. It is considered that the dwelling, with a suitable landscape management plan, including replacement tree and hedge planting, would preserve the character and appearance of the conservation area and would not affect the setting of the Grade II listed Christ Church and as such would comply with UDP policies EN2/1 Character of Conservation Areas, EN2/2 Conservation Area Control, EN2/3 Listed Buildings and the Chapter 16 of the NPPF.

Visual amenity and streetscape - The house design is considered to be well proportioned and sits comfortably within the site, back from the road frontage, generally in line with houses on either side and partly screened by trees and shrubs. With existing boundary planting along the road frontage retained, the house would not appear out of keeping within the streetscape whilst the plot itself would retain its wooded character.

From properties at the rear (The Old Vicarage), the new dwelling would be viewed through existing trees and shrubs and given the separation distance of approximately 30m with a slight raise in land levels to the rear, there would be no serious visual amenity issues arising.

Given the siting of the house within the plot, the presence of trees and the relationship to its neighbours and surroundings, it is considered appropriate to remove permitted development rights, thereby requiring any future extensions and alterations to require planning approval.

The proposal in terms of visual amenity and streetscape, would be acceptable and comply with the NPPF and UDP Policies EN1/1, EN1/2 and OL1/3 and housing policies H2/1, H2/2 and H2/6.

Residential amenity - In terms of residential amenity, given the siting and alignment of the new dwelling within the site, the neighbours most impacted would be the residents at Christ Church Vicarage immediately to the north, particularly with the ground floor habitable room windows on the side elevation facing the side of the proposed dwelling at a distance of 7.5m.

The windows referred to, in the side of Christ Church Vicarage are on the side elevation and whilst sizeable, are considered to be secondary windows, with the primary windows being on the front (with regard to the lounge) and rear (with regard to the dining room). In this respect, less weight is afforded to these windows in any assessment. Indeed, it is commonplace to have houses 'side by side' and the provision of secondary habitable room windows in a side elevation of an existing house should not, on their own, prevent suitable development on adjacent land.

Openings on the side elevation of the proposed house, facing Christ Church Vicarage would be a door to the utility room, an small obscure glazed WC/shower room and a small kitchen window towards the rear, both on the ground floor. There are no windows at first floor on this elevation. This arrangement would not present any significant direct overlooking to the windows on the side of the neighbour. Further mitigation to reduce potential overlooking would come in the form of a boundary hedge between the properties. This would comprise beech, holly and rose and would afford a suitable amount of screening along this boundary in a relatively short time period.

Whilst the new building may reduce daylight on this side of the vicarage, again the fact that it is the side of the house means that less weight is afforded to this aspect. The impact on the rear garden would be negligible. It is also considered that the existing trees on the site at present contribute to a shadowing effect on this property already, albeit lesser degree than the proposed new house.

In terms of residential amenity, the proposal would not have a significantly detrimental impact on the neighbours at the Christ Church Vicarage. There would be little or no impact on the other neighbours sharing a boundary at The Homestead, Rosebank and The Old Vicarage given the relationship to these properties.

The proposal is considered to be acceptable in terms of residential amenity and would comply with UDP Policies H2/1 and H2/2 and guidance relating to residential extensions and alterations.

Ecology/Trees - Trees within a conservation area have protection, but not to the same degree as those covered by a Tree Preservation Order. Anyone wishing to carry out works to a tree within a conservation area is required to give 6 weeks notice to the local planning authority. The purpose of this is to give the authority an opportunity to make a Tree Preservation Order.

Given the site is within a conservation area and covered by a TPO, it would be useful at this stage to set out the historical background with regard to the trees on the site.

Due to the then owner of Rosebank unlawfully felling 11 trees, which were protected under the conservation area status, and being successfully prosecuted in July 1990, a Tree Preservation Order (No.83) was placed on trees on the site and within gardens of Rosebank

and Christ Church Vicarage. Tree Preservation Order No.83 came into force in January 1990 and included 41 existing trees on the original schedule and 10 replacement trees. A plan of the original Tree Preservation Order with the list of trees is attached at the back of this report.

In December 1990 the owner of Rosebank, applied to fell 17 trees at Rosebank and this site. He was refused permission to fell 7 of the trees and was required to replace 10 trees which were given consent to fell. The subsequent appeal against the refusal to fell the 7 trees and replant 10 trees was part allowed and part dismissed. The appeal allowed 5 of the 7 trees to be felled and dismissed the appeal in respect of the 10 replacement trees in lieu of the 10 trees given consent to fell.

A number of applications relating to the TPO trees on the site were made in subsequent years. In 1996 consent was given works on a Lime on drive, 2 Sycamores (one on drive and one in grounds of Christ Church Vicarage) and fell a Beech at the rear.

In 2016 under reference 00343, consent was given to fell and remove a beech tree, which had part fallen on land close to Rose Bank and was dangerous.

In 2017, under reference 00445, consent was given to fell a Horse Chestnut. It was deemed to be in poor condition and unstable and a risk to two neighbouring properties. The application to fell was supported by an approved tree surgeon and no objection was raised subject to a suitable replacement. It should be noted that the replacement Beech, indicated by the letter 'H' on the existing site plan on the current planning application (64875), would be relocated to a suitable location within the site to facilitate development.

In 2017, application reference 00504, consent was given to remove 3 trees, some bramble, hawthorn and self-seeded saplings with works to an Ash. It is noted that consent is not required to remove bramble.

In 2018 consent was granted for works to a Sycamore, the removal of smaller Hawthorns between more mature trees and the removal of an Ash sapling to left hand side of access road. This application was part of an ongoing plan by the applicant to manage the trees within the site, removing some of the poorer quality Hawthorn trees within the site which were suppressed by surrounding larger trees and did not add to the visual amenity of the area. As more suitable replacements were sought, no objections were raised to the removal of the trees.

It is important to note that sites containing trees, be they protected by a TPO or in a conservation Area, are still subject to proper management to maintain their contribution to their wider setting. The overall logic to imposing TPO's and conservation area designation is to townscape and visual amenity. The imposition of such constraints are about having a reasonable and appropriate control over what takes place to such sites. Legislation for such controls is not about preventing works or development, but about guiding closely what does take place, such that a positive contribution is made as a result.

The history of the site and immediate vicinity demonstrates that uncontrolled or reckless activity can, and did, result in appropriate enforcement action. Whilst carefully considered management can bring about enhancement and contribution from the site.

The most recent consents have been granted for the trees works carried out and these proposals were duly assessed in accordance with policy.

Current Proposal and ecological Impact - Section 170 of the NPPF indicates that the planning system should contribute to and enhance the natural and local environment.

Paragraph 175 goes on to state that if significant harm to biodiversity resulting from a development cannot be avoided, or adequately mitigated, or as a last resort, compensated for, then planning permission should be refused. The test in this case is therefore the extent of any harm caused by the proposal and if there is harm, to what extent could it be mitigated or compensated for.

The tree survey submitted with the application identifies 28 specific trees of varying species, size and maturity on the site together with various shrubs. The report indicates that the trees within the site have not been under any reasonable management regime for in excess of thirty years. In order to manage this woodland to ensure it has a sustainable future and enhance wildlife habitat, the survey gives recommendations regarding future management. See Table 1: Tree survey. and the proposals retain the vast majority of the tree cover.

The original plans indicated the removal of 2 mature, 4 semi-mature and 12 young/ low grade trees. However, following further assessment, a mature Sycamore (T12) near the driveway and a semi-mature Oak near the northern boundary, together with 6 smaller/lower grade trees, previously down for removal, would now be retained. The mature Sycamore(T14) to be removed is halfway into the site and set in from the drive, in front of the proposed detached garage. The majority of the other, smaller trees to be removed are close to the shared boundary with Christ Church Vicarage. Three small trees would be removed within the rear part of the site.

It is accepted that some of the trees proposed for removal were over topped by the more mature trees and would, in the long term, have needed removal anyway.

Whilst the site would retain its wooded character, the loss of a mature Sycamore tree and other trees smaller within the site and the associated bird nesting habitat would represent harm. However this harm is limited and, it is considered, can be mitigated through an appropriate landscaping and tree planting scheme. This plan would include a new heavy standard Oak, 2 semi-mature maples, 2 Rowans and 2 Silver Birch with under-planting of a suitable shade tolerant native shrub layer species such as holly and hazel, and the introduction of native bulbs such as blue bell and or wildflowers, planted mostly in the rear garden area. In addition, it is proposed to plant native hedgerows along the northern boundary with neighbours at Rosebank and Christ Church Vicarage. These hedgerow, comprising Beech, Holly and Guelder Rose would provide better, more appropriate screening to the neighbours than the existing fencing and provide greater biodiversity and wildlife habitat within the site. Some new hedge planting along the driveway would have a positive impact and create a more characteristic route into the site.

With the removal of one mature Sycamore tree and 3 semi-mature specimens along with 6 low grade trees that are not thriving and the replacement with a heavy standard Oak, two semi-mature Maples, two Rowans and two Silver Birch, the replacement is not 'like for like' but represents a better mix of species that will be better suited to the site with improved longevity.

The Greater Manchester Ecology Unit have assessed the scheme and raise no objection to the proposal in principle. No significant ecological issues were identified by the developer's ecological consultant and issues relating to bats, nesting birds, invasive species and landscaping can be resolved via condition and informatives.

Bats - One tree with bat roosting potential was subject to an emergence survey but no evidence of bats emerging was recorded. As this tree is proposed to be retained, no further information or measures are required. It is recommended that an informative, relating to Habitat Regulations is applied to any permission, given mature trees are proposed for removal.

Birds - All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981. With the removal of trees, the development would result in the loss of potential bird nesting habitat although tree and hedge planting would, over time mitigate the impact on birds by providing replacement habitat. A condition requiring a landscape plan to secure the replacement planting with bird boxes on retained trees, to mitigate for loss of bird nesting potential, is therefore considered appropriate. It would also be appropriate to attach a condition to any approval that no works to trees or shrubs should occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present.

Invasive species - One species listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended, Monbetia and a possible second species an unnamed Cotoneaster, several of which are on this schedule, were recorded on the site. Although it is an offence to introduce or cause to grow wild any plant listed under this schedule, both species are not illegal to plant in garden situations and are not as invasive as Japanese knotweed or Himalayan balsam.

Tree cover would remain largely as existing with the development plot centrally located within the site. With the required landscaping/replanting scheme, together with a tree management plan, the proposal would maintain the character of the site and preserve its wider ecological value. In this respect, the proposal would be acceptable and comply with the NPPF and UDP Policies relating to ecology and trees.

Contaminated Land - The site has historically been in use as a wooded area associated with the Vicarage. Surrounding historical uses have included a pond, a graveyard and a school. A small building was historically situated on the site although the site is currently vacant and is surrounded by residential properties. The site is situated within 250m of Delph Lane Quarry historical landfill and is situated above the Lower Coal Measures Formation Secondary A Aquifer which is overlain by Glacial Till.

As the site is proposed for a sensitive residential end use, in line with guidance within the NPPF, it is recommended that contaminated land conditions are attached to any planning approval. The site is not situated within an Air Quality Management Area but an informative regarding electrical vehicle charging is considered appropriate.

Coal Board - As the site falls within a defined Development High Risk Area, where there may be coal mining features and hazards that need to be considered, a Coal Mining Risk Assessment was submitted. The report concludes that the possible past unrecorded mining of shallow coal seams beneath the site poses a moderate risk to the proposed development. Accordingly, the report makes appropriate recommendations for the carrying out of intrusive ground investigations in the form of bore holes in order to establish the depth and condition of shallow coal seams.

The Coal Authority agrees with the Coal Mining Risk Assessment report; that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development. The Coal Board recommend that a suitable condition be attached to any approval that would require site investigations to be undertaken and the findings submitted to the local planning authority for written approval and any remedial works implemented in accordance with existing guidance. The Coal Authority does not object to the proposal subject to an appropriate condition.

Access and Parking - The proposed access would utilise the existing driveway from Ainsworth Hall Road and this is considered to be acceptable. The proposed access from the

driveway and the parking for at least three cars and turning arrangements within the site are considered to be acceptable for house of this size and there are no objections from the Traffic Section. The proposal complies with UDP Policies H2/2 The Layout of New Residential Development and HT2/4 Car Parking and New Development and adopted parking standards.

Servicing - Bins would be stored on the drive/garage and collected from Ainsworth Hall Road . This arrangement is acceptable and would comply with UDP Policy.

Objections - The planning issues raised by the objectors have been addressed in the above report.

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/ 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 10576/L/02/D10576/L/03/I, 10576/E/01/D, 10576/E/02/C, 10576/E/03/B and 10576/E04/C 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. No development shall commence unless and until details/Samples of the materials to be used in the external elevations, boundary walls, driveway and areas of hardstanding have been 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. No development shall commence unless and until a landscaping scheme and management plan is submitted to, and approved by the Local Planning Authority. The contents of the plan should include:
 - The planting of a heavy standard Oak tree, 2 semi-mature Acer, 2 semi-mature Rowan and 2 semi-mature Silver Birch
 - Under planting with native woodland shrub species,
 - Hedge planting along northern boundary and along the driveway,
 - Under planting with native woodland wildflowers and
 - Provision of bird boxes on retained trees.

The approved scheme shall thereafter be implemented not later than 6 months from the date the building is first occupied or within the first available tree planting season; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 The Layout of New Residential Development, EN1/1 Visual Amenity, EN1/3 Landscape Provision and EN8/2 Woodland and Tree Planting of the Bury Unitary Development Plan and the NPPF, Chapter 15 Conserving and Enhancing the Natural Environment.

5. No development shall commence unless and until all trees to be retained on site are protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". All measures required shall remain in situ until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to UDP Policy EN8/2 Woodland and Tree Planting of the Bury Unitary Development Plan.

6. A minimum of 5 working days written notice shall be provided to the LPA of intended commencement of the development. The notification of commencement shall include a timetabled schedule of the intended tree protection measures and tree works. Any subsequent variation of the timetable shall be subject to further written notice.

Reason - To ensure that the development is carried out in accordance with the approved plans, to protect trees which are of amenity value on the site and pursuant to Policies EN8/1 – Tree Preservation Orders and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

7. No works to trees or shrubs shall commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance.

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 National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

8. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and outside designated root protection zones;
- Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials.
- If proposed, site hoardings/inward opening gate positions to be located clear of visibility splays required to be provided at any temporary site access onto Tanners Street.
- Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.
- The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Reason. To mitigate the impact of the construction traffic generated by the

proposed development on the adjacent residential streets and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 Townscape and Built Design and HT4 New Development.

9. No development shall commence unless and until:-
- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

10. Following the provisions of condition 9 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 Conserving and enhancing the natural environment.

11. The parking and turning facilities indicated on approved layout plan shall be provided before the dwelling is first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety and pursuant to UDP Policy H2/2 The Layout of New Residential Development.

12. No development shall commence until a survey by an appropriately qualified person has been carried out to assess the extent of any Japanese Knotweed (*Fallonia Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*), Himalayan Balsam (*Impatiens Glandulifera*) or other invasive species on the site. If any invasive species are found, a management plan for the removal of the species shall be submitted to, and approved by, the LPA prior to development commencing. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 Landscape and pursuant to National Planning Policy Framework Section 11 Conserving and enhancing the natural environment.

13. No development shall commence unless and until surface water drainage

proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. The scheme should take account of flows from adjoining land and shall not increase flows onto adjoining land considering the topography of the site and details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 Water Pollution and EN7/5 Waste Water Management and chapter 14 Meeting the challenge of climate change, flooding and coastal change of the NPPF.

14. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to E of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan H2/1, EN1/2 and EN8/1.

15. No development shall commence unless and until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing.

- The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.
- Where the findings of the intrusive site investigations identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing.
- Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Reason. In order to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

16. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
- Dilapidation survey of the footway that immediately abuts and crossing that serves the site to in the event that subsequent remedial works are required following construction of the development and as a result statutory undertakers connections to the dwelling;
 - Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Storage on site of construction materials, including any requisite phasing of the development to accommodate this;
 - Parking on site of operatives' and construction vehicles together with storage

on site of construction materials;

- Measures to ensure that all mud and other loose materials are not spread onto the adopted highway as a result of the proposed ground works operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the demolition/construction periods and the measures shall be retained and facilities used for the intended purpose for the duration of both periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

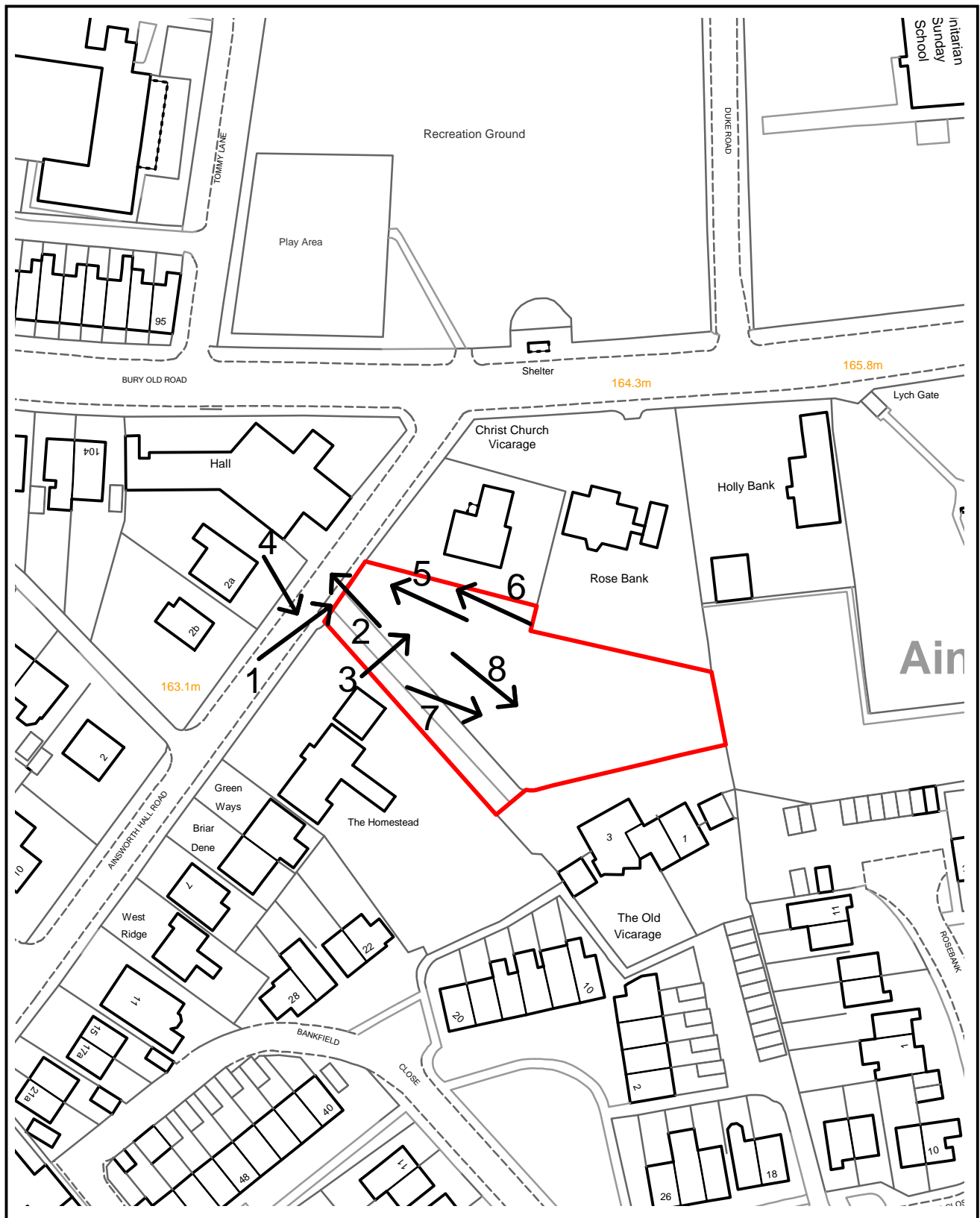
Reason. To maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, ensure adequate off highway materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

17. No development shall commence unless and until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing.
- The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.
 - Where the findings of the intrusive site investigations identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing.
 - Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Reason. In order to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

For further information on the application please contact **Tom Beirne** on **0161 253 5361**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64875

**ADDRESS: Land off Ainsworth Hall Road
Ainsworth**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64875

Photo 1



Photo 2



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Photo 3



Photo 4



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Photo 5



Photo 6



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Photo 7



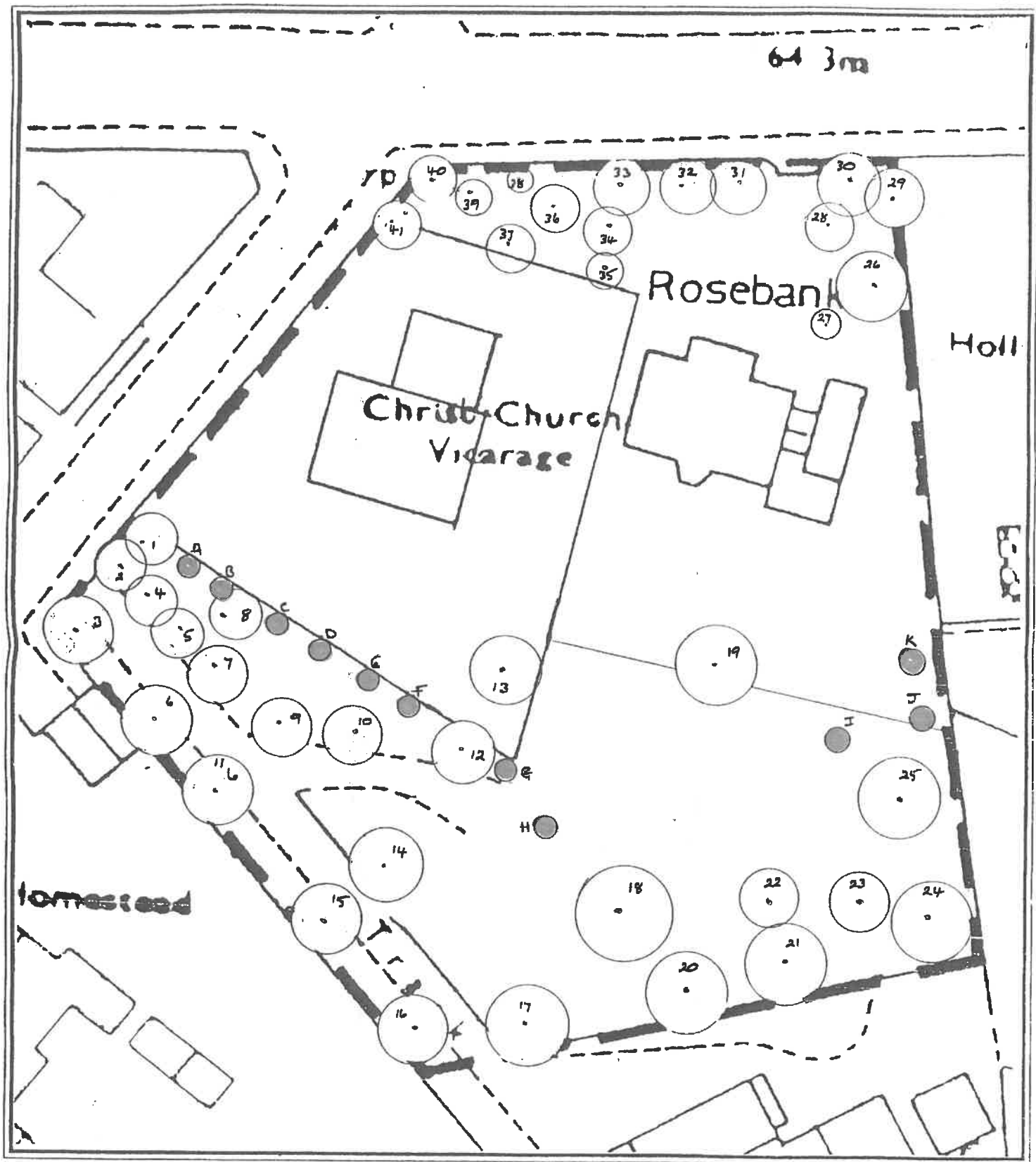
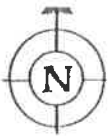
Photo 8



PLAN REFERRED TO

TPO 83

PHOTOGRAPHIC COPY LIABLE TO DISTORTION IN SCALE



PLAN New trees planted.

SCALE _____

DRAWN BY _____

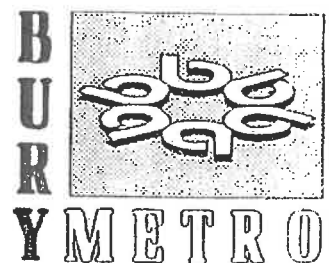
OS No. _____

DATE _____

Department of Development Services

Planning Division

Craig House,
5 Bank Street, Bury, BL9 0DN
Telephone 061 705 - 5000
Fax. No. 705 5985



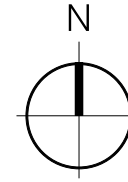
T.P.O. No 83 Rosebank Ainsworth

Trees as numberd on plan

1 Sycamore	22 Beech
2 Sycamore	23 Horse Chestnut
3 Sycamore	24 Sycamore
4 Sycamore	25 Sycamore
5 Ash	26 Ash
6 Lime	27 Oak
7 Lime	28 Sycamore
8 Sycamore	29 Ash
9 Sycamore	30 Sycamore
10 Beech	31 Sycamore
11 Sycamore	32 Sycamore
12 Horse Chestnut	33 Sycamore
13 Sycamore	34 Ash
14 Sycamore	35 Sycamore
15 Sycamore	36 Horse Chestnut
16 Lime	37 Sycamore
17 Sycamore	38 Acer
18 Beech	39 Sycamore
19 Horse Chestnut	40 Ash
20 Lime	41 Sycamore
21 Sycamore	

New Plantings

A. Sorbus	G. Sorbus
B. Maple	H. Malus
C. Ash	I. Prunus
D. Sorbus	J. Ash
E. Sorbus	K. Prunus
F. Ash	



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SITE SPECIFIC HAZARDS

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NOTES

— SITE BOUNDARY AREA 1950 SQM



REV.	DATE	NOTES	INIT.
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CLIENT / PROJECT

JANET LEACH

LAND OFF AINSWORTH HALL ROAD

AINS WORTH, BURY

DRAWING TITLE

EXISTING LOCATION PLAN

STATUS

FOR PLANNING

DATE	DRAWN	SCALE @ A4
02.10.2019	DB/RL	1:1250

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
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DRAWING NO.

10576 L 01

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix: Colour	C

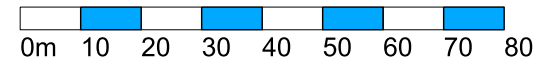
THE RATCLIFFE GROVES PARTNERSHIP

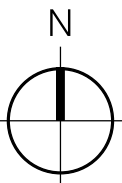
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SCALE 1:1250





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SITE SPECIFIC HAZARDS

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Notes

Red markers indicate trees to be removed by client. Tree spread data not provided for these trees.

Black tree outline data provided by client.

Legend

- Symbol denotes existing trees
- Symbol denotes extents of root protection areas to be provided by client.
- Dashed red lines denote development exclusion zone.
- Symbol denotes Category A trees.
- Symbol denotes Category B trees.
- Symbol denotes Category R trees.

REV.D 290120	TREES UPDATED	RSL
REV.C 290120	TREES UPDATED	RSL
REV.B 280120	TREES UPDATED	RSL
REV.A 041219	NOTES UPDATED	INIT.
REV.	DATE	INIT.

CLIENT / PROJECT
JANET LEACH
LAND OFF AINSWORTH HALL ROAD
AINSWORTH, BURY
DRAWING TITLE
EXISTING SITE PLAN

STATUS
FOR PLANNING

DATE	DRAWN	SCALE @ A2
02.10.2019	DB/RL	1:200

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
10576	L	02	D	

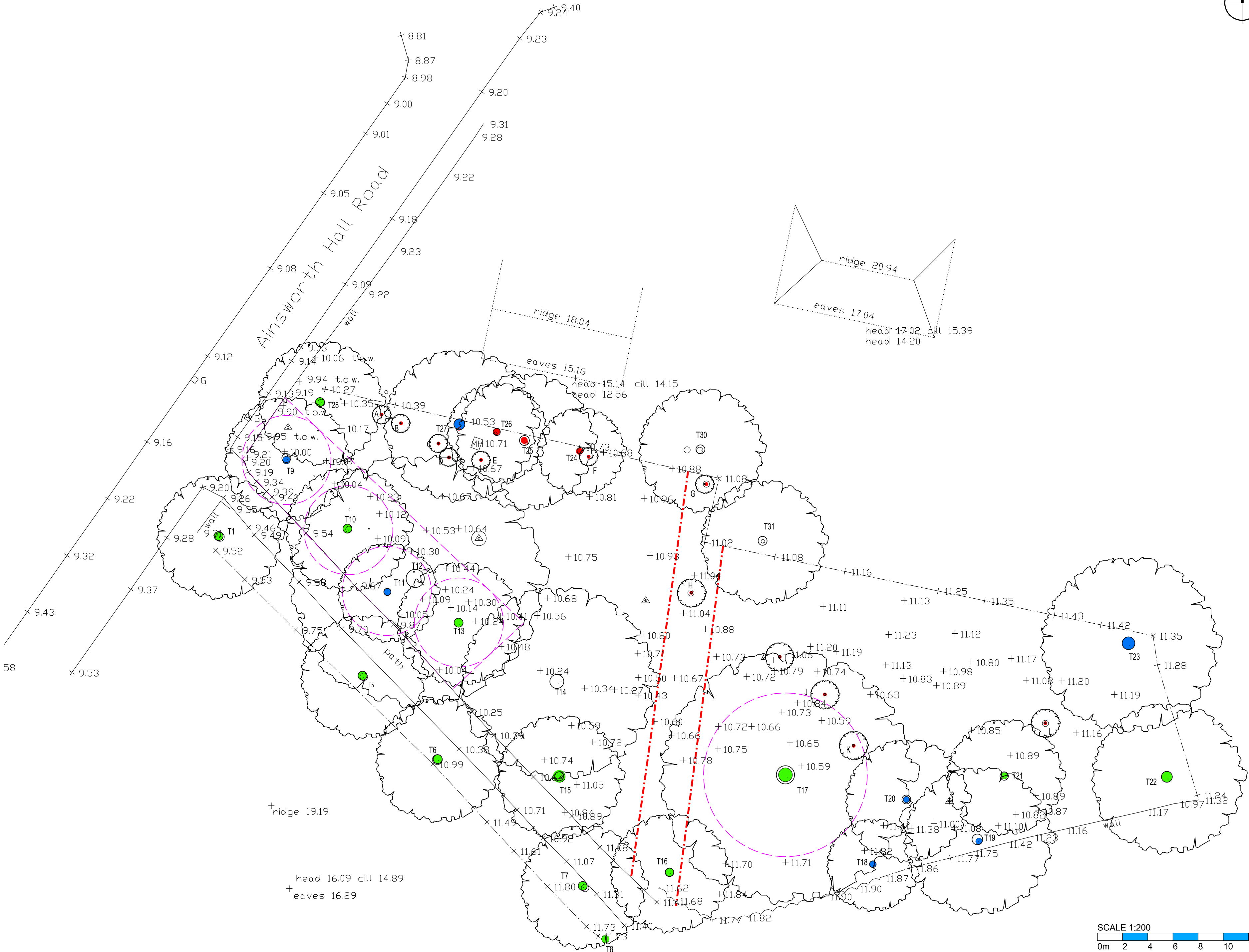
Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix Colour	C

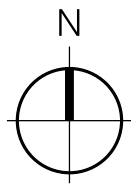
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SCALE 1:200
0m 2 4 6 8 10 12





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Legend

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Dashed red lines denotes 2 storey development exclusion zone.

Symbol denotes extents of subpavers

Symbol denotes gravel in geogrid to stop migration

Garden planting

Cobble sets or similar at entrance to site

Widen track to for informal passing place

Existing post and panel fence

Dry stone wall 200-500mm high

Estate fencing - black flat bar

New hedge

New tree



Estate fencing - black flat bar



REV.I	29.01.20	UPDATED TO CLIENT COMMENTS	RSL
REV.H	29.01.20	UPDATED TO CLIENT COMMENTS	RSL
REV.G	29.01.20	UPDATED TO CLIENT COMMENTS	RSL
REV.F	28.01.20	T12 RETAINED	RSL
REV.E	28.01.20	UPDATED TO CLIENT COMMENTS	RSL
REV.D	22.10.19	UPDATED TO CLIENT COMMENTS	SPL
REV.C	17.10.19	GENERAL UPDATE	AAS
REV.B	17.10.19	PLANNING ISSUE	SPL
REV.A	07.10.19	UPDATED TO CLIENT COMMENTS	RSL
REV.	DATE	NOTES	INIT.

CLIENT / PROJECT
JANET LEACH
LAND OFF AINSWORTH HALL ROAD
AINS WORTH, BURY
DRAWING TITLE
PROPOSED SITE PLAN

STATUS
FOR PLANNING

DATE	DRAWN	SCALE @ A2
02.10.2019	DB/RL	1:200

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
10576	L	03	I	

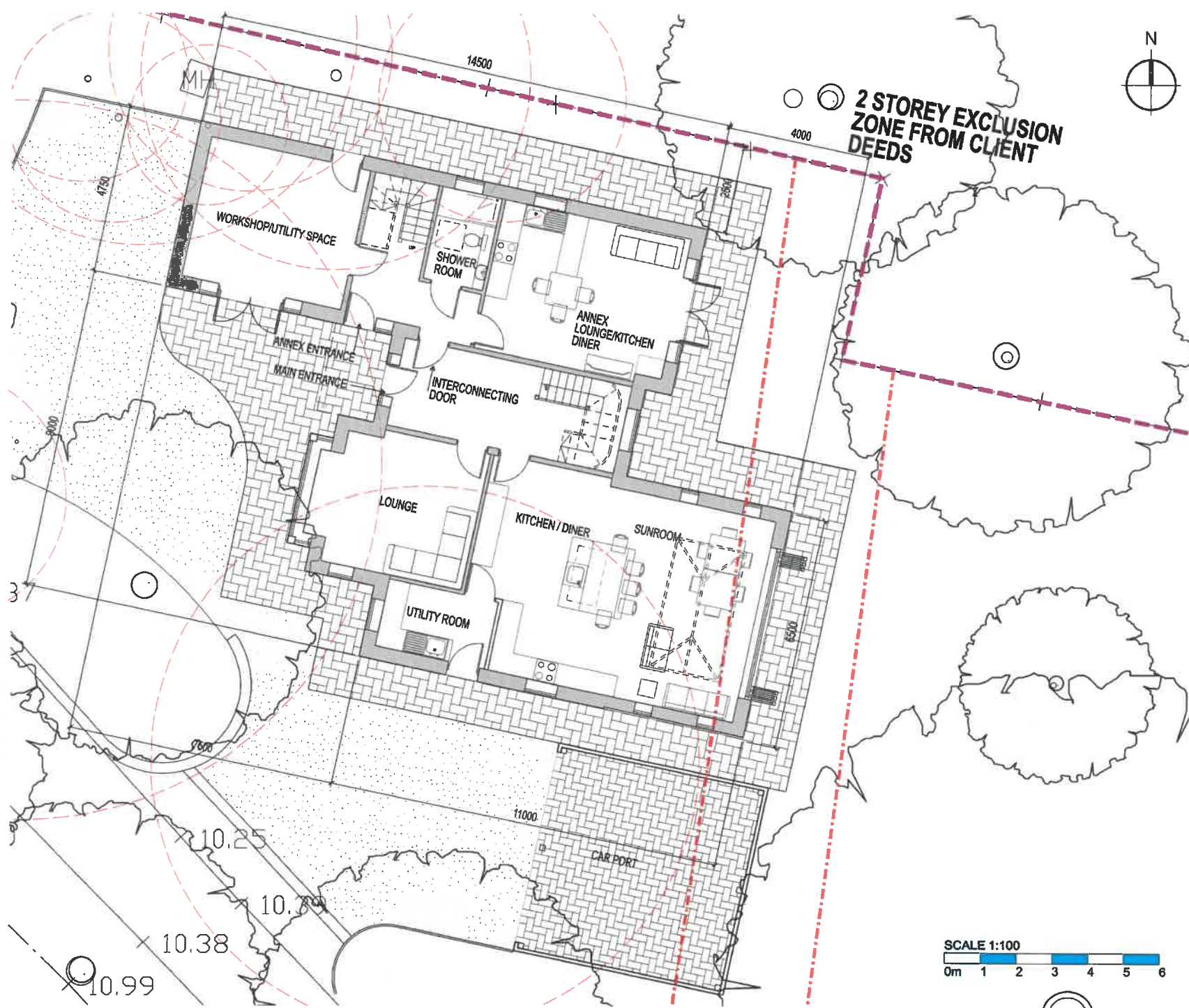
Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix Colour	C

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SCALE 1:200
0m 2 4 6 8 10 12



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NOTES

GROUND FLOOR PLAN BASED ON CLIENTS DRAWING

RED MARKERS INDICATE TREES TO BE REMOVED BY CLIENT. TREE SPREAD DATA NOT PROVIDED FOR THESE TREES.

BLACK TREE OUTLINE DATA PROVIDED BY CLIENT

- Symbol denotes trees retained
- Symbol denotes trees removed
- Symbol denotes extents of root protection areas to be provided by client
- Dashed red lines denotes development exclusion zone
- Symbol denotes extents of SUDS paviers
- Symbol denotes gravel

REV.B 221019	UPDATED TO CLIENT COMMENTS	SPL
REV.A 071019	UPDATED TO CLIENT COMMENTS	RSL
REV. DATE	NOTES	INIT.

CLIENT / PROJECT

JANET LEACH
LAND OFF AINSWORTH HALL ROAD
AINSWORTH, BURY
DRAWING TITLE
PROPOSED GROUND FLOOR PLAN

STATUS FOR PLANNING

DATE	DRAWN		SCALE @ A3	
02.10.2019	DB/RL		1:100	
PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
DRAWING NO.				
10576	P		01	B
Site Location Plans	L	GA Plans	P	Elevations
Sections	S	Crests	D	Profile Colour

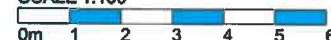
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SCALE 1:100



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SITE SPECIFIC HAZARDS





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REV. 9 15/10/19 UPDATED TO CLIENT COMMENTS AAS
REV. A 07/10/19 UPDATED TO CLIENT COMMENTS RSL
REV. DATE NOTES INIT.

CLIENT / PROJECT
JANET LEACH
LAND OFF AINSWORTH HALL ROAD
AINSWORTH, BURY
DRAWING TITLE
PROPOSED FIRST FLOOR PLAN

STATUS
FOR PLANNING

DATE 02.10.2019 DRAWN DB/RL SCALE @ A3 1:100

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
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DRAWING NO.	10576	P	02	B
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Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Profile Colour	C

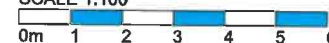
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SCALE 1:100



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SITE SPECIFIC HAZARDS





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-  Dashed red lines denotes development exclusion zone

REV. A 07/10/19 UPDATED TO CLIENT COMMENTS RSL
REV. DATE NOTES INIT.

CLIENT / PROJECT
JANET LEACH
LAND OFF AINSWORTH HALL ROAD
AINSORTH, BURY
DRAWING TITLE
PROPOSED ROOF PLAN

STATUS FOR PLANNING

DATE 02.10.2019 DRAWN DB/RL SCALE @ A3 1:100

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
10576	P	03	A	

DRAWING NO.

10576 P 03 A

Site Location Plans	L	GA Plans	P	Sections	E
Sections	8	Details	0	Profile Colour	C

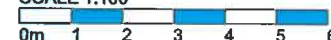
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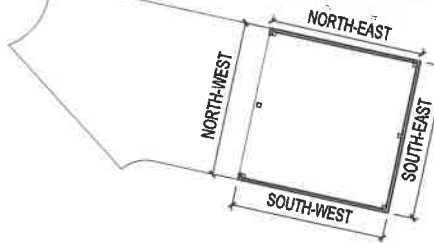
SCALE 1:100



SITE SPECIFIC HAZARDS

The image displays four architectural elevation drawings of a building, arranged in a 2x2 grid. Each drawing includes labels for its components:

- NORTH-WEST ELEVATION:** Shows a gabled roof with 'Slate roofing' and an 'Oak frame and feature trusses' supporting the roof. The walls are clad in 'Timber cladding'. The foundation is a '3 course brick plinth'. A vertical dimension line on the left indicates '2050 mm high to eavesth' and a label 'Min pitch for slate' points to the roof slope.
- NORTH-EAST ELEVATION:** Shows a gabled roof with 'Slate roofing' and 'Timber cladding' on the walls. The foundation is a '3 course brick plinth'.
- SOUTH-EAST ELEVATION:** Shows a gabled roof with 'Slate roofing' and 'Timber cladding' on the walls. The foundation is a '3 course brick plinth'.
- SOUTH-WEST ELEVATION:** Shows a gabled roof with 'Slate roofing' and 'Timber cladding' on the walls. The foundation is a '3 course brick plinth'. A label 'Min slate pitch' points to the roof slope, with a dimension line indicating a pitch of 23.4°.



GROUND FLOOR REFERENCE PLAN

CUSTOMER / PROJECT
JANET LEACH
LAND OFF AINSWORTH HALL ROAD
AINSWORTH, BURY
DRAWING TITLE
PROPOSED CAR PORT ELEVATIONS

STATUS **FOR PLANNING**

DATE	DRAWN	SCALE @ A3
02.10.2019	DB/RL	1:100

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
DRAWING NO.				

10576	E	03	B
Site Location Plans	L	GA Plans	P
Sections	S	Details	D
			Elevations
			Prefix; Colour
			C

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 **architects**



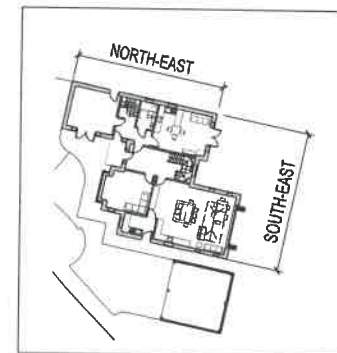
SCALE 1:100



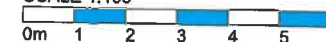
0m 1 2 3 4 5 6

SITE SPECIFIC HAZARDS

KEY:



SCALE 1:100



REV.C 270120	Car port updated	RSU
REV.B 101019	PLANNING ISSUE	SPL
REVA 071019	UPDATED TO CLIENT COMMENTS	RSU
REV. DATE	NOTES	INIT.

CLIENT / PROJECT
JANET LEACH
LAND OFF AINSWORTH HALL ROAD
AINSWORTH, BURY

DRAWING TITLE
PROPOSED NORTH-EAST &
SOUTH-EAST ELEVATIONS

STATUS **FOR PLANNING**

DATE	DRAWN	SCALE @ A3
02.10.2019	DB/RL	1:100

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
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10576	E	02	C
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Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Traffic Colour	C

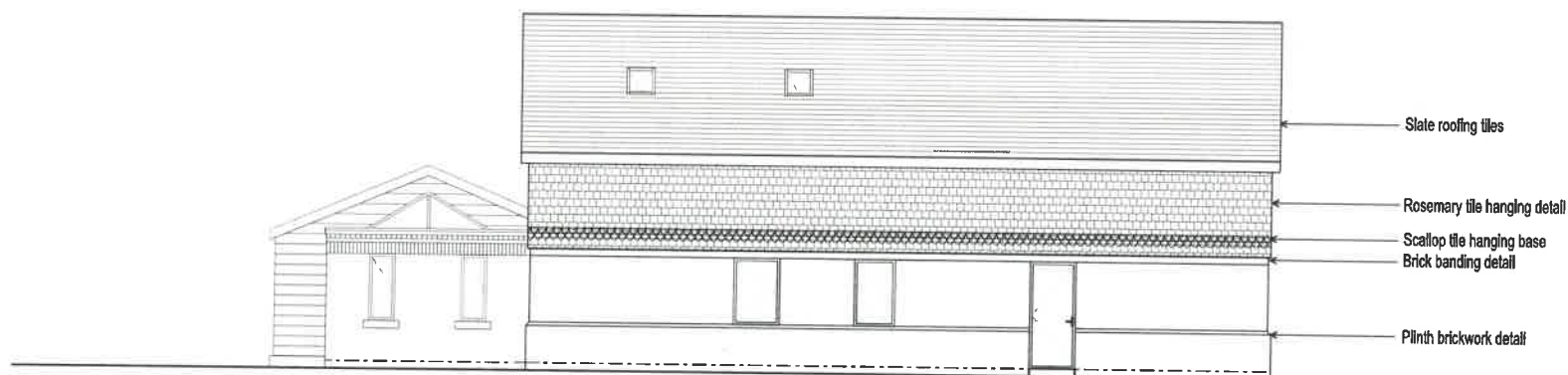
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SOUTH-EAST ELEVATION



NORTH-EAST ELEVATION

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DRAWING:

A detailed floor plan of the building, showing the layout of rooms and corridors. The plan is oriented with North-West at the top-left and South-West at the bottom-right. The building has a complex, irregular shape with several rooms of varying sizes and a central corridor system.

PROPOSED NORTH-WEST &
SOUTH-WEST ELEVATIONS



NORTH-WEST ELEVATION

Herringbone brickwork between timber panelling

Slate roofing tiles

Dentil brickwork detail at eaves level

Slate roofing tiles

Soldier brickwork course above windows with projecting dentil detail above

Brickwork colour as Christchurch Vicarage

SOUTH-WEST ELEVATION

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AINSWORTH HALL ROAD

West Elevation

SCALE 1:200
0m 1 2 3 4 5 6

REV.C 25.01.23 Car port gable added RSL
REV.B 20.01.23 Car port roof light and pitch lowered RSL
REV.A 291119 Updated RSL

REV. DATE NOTES INIT.

CLIENT / PROJECT

JANET LEACH
LAND OFF AINSWORTH HALL ROAD
AINSWORTH, BURY

DRAWING TITLE

STREET SCENE
AINSWORTH HALL ROAD

STATUS

PLANNING

DATE NOV 19 DRAWN RSL SCALE @ A3 1:200

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
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DRAWING NO.

10576 E04 C

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix Colour	C

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Ward: Ramsbottom and Tottington -
Ramsbottom

Item 02

Applicant: Margaret Haes Riding Centre

Location: Margaret Haes Riding Centre, Moor Road, Ramsbottom, Bury, BL8 4NX

Proposal: Retention of welfare unit with associated landscaping to form welfare and security accommodation

Application Ref: 64955/Full

Target Date: 27/01/2020

Recommendation: Approve with Conditions

Description

The application site relates to a riding centre which is located on the edge of Holcombe Village and is within the Green Belt, Special Landscape Area and West Pennine Moors and the Holcombe Conservation Area. The site is accessed via Moor Road, an unmade and unadopted access road which is a designated bridleway and leads to residential properties, Higher Barn House and Higher barn being the closest to the north of the site. To the east and at a lower level is the Emmanuel C of E Primary School which fronts Helmshore Road and to the south is Higher House Cottage and Higher House at the lower end of Moor Road. To the west, the land rises steeply from the site and is part of Holcombe Hill.

Part of the riding school when viewed directly to the east from Moor Road is elevated and separated by a steep embankment which forms the boundary. As Moor Road rises northwards, the access into the site becomes level with the road.

The riding school comprises a number of buildings and facilities which would be expected of a facility of this type, namely an indoor and outdoor riding arena, stables and tackroom. The buildings are located more or less centrally within the site, close together around the indoor and outdoor arenas and there is a concrete stable yard which leads from the access into the site.

The applicant has sited a green metal container on a concrete apron located on the eastern edge of the site directly adjacent to the embankment with Moor Road without planning permission. The container is 9.75m long, 3m wide and 2.7m high.

Following enforcement processes, the application has been submitted retrospectively. The application originally sought retention of the welfare unit in its current position. Following negotiations with the LPA, the scheme has been amended to re-locate the build and make changes to the external appearance.

It is proposed to re-site the container approximately 10m west, adjacent to the outdoor arena and behind the line of the tackroom and stables. The new location would require minor re-profiling and grading of land to form a base which would be level with the riding yard.

It is also proposed to re-clad the entire exterior of the building with timber boarding and form a mono pitch grey felt shingle roof with an overhang canopy at the front, akin to a stable or shed type structure.

The riding school specialises in offering lessons and activities for those with special needs as well as the able-bodied, and of all ages. The applicant states that the development is

required to provide an ancillary resource in association with the riding school for a small administrative office and to enable better and secured welfare facilities for staff, visitors and users of the riding facility. The building would also enable natural surveillance over the entrance to the site which is particularly important and crucial to the well-being of the children and other vulnerable users who attend the school.

For clarity, the applicant has confirmed that the timber framed building which is located between the indoor and outdoor arena is an existing build is to be converted to provide accessible changing rooms and toilet facilities and covered area for parents and carers to spectate both arenas. It does not form part of this planning application and planning permission is not required for the conversion works.

Relevant Planning History

47759 - Erection of building to include new loose boxes, equipment store and disabled wc's
- Withdrawn by Applicant 01/05/2007

48135 - New loose boxes plus w.c. for the disabled - approve with conditions 27/06/2007

19/0292 - Enforcement case - Storage containers

Publicity

Letters sent on 9/12/2019 to 11 properties on Moor Road, Helmshore Road and Holcombe Village.

Site notice posted 18/12/2019

Press advert in the Bury Times 19/12/2019.

15 Letters of objection received in total.

The following commented on the original submission - Nos 12, 14, 18 Helmshore Road, Harcles Hill farm, 155 Lumb Carr Road, 1 Lumb Carr Road, 103 Holcombe Old Road, Higher Tops barn, Higher Barn Farm, Higher Tops Farm, c/o Dawes Bank Holcombe Old Road, Higher House, Tower View.

The issues raised were:

- Object to the size, industrial appearance and position on the edge of the lane - very visually prominent.
- Conflicts with the landscape and question whether it is in keeping with conservation regulations.
- Possibility of the relocation of the unit with appropriate screening of the unit at the very least?
- Not ideal construction in an SSSI and Conservation Area and does not enhance the character of the area.
- Large amounts of earth and other materials have been added on top of a very steep bank that is only supported by a dry stone wall - parts of the wall have already fallen down as a result and any slippage in the ground would result in more wall and possibly the bank falling onto Moor Road which is the only access to my property and other farms. Dangerous location.
- Works should be carried out to ensure the bank is properly supported and earth/sand/hardcore would not wash down the bank and into the drainage ditch below, which would result in further silting up of a drainage system already causing problems.
- Disappointed the applicant has not consulted the Holcombe Society of which he is a member.
- Looking at the plans the location of trees has been changed on a photograph which does not show true representation at all of the situation. All in all this is something which should not have been placed in this area and need to be removed and a relevant aesthetically pleasing natural material construction be put forward.
- Contravenes the special Article 4 Conservation Area character
- One side appears to have some artificial foliage attached, but the sides remain ugly and out of keeping with the rural aspect.
- I bought a house in a conservation for a reason and not to look out on an industrial unit that is totally incongruous with the natural environment. I am very concerned the charitable nature is only a ruse to secure residential accommodation and either way this

should not be allowed to go forward. Our countryside needs protecting as well as the integrity of applications.

- Bury Council should send out a very strong message to the owner of the land, that you simply cannot put any unsightly units on your land, whatever the use.
- There are no contracts for the riding schools attached to the deeds - this is an obvious exit plan for the owner - your ability to grant permission paves the way for it to change to a residential development.
- My main concern is the underpinning legality of the application which I would strongly recommend that the Planning Officers investigate with legal specialists if need be. I do not believe that BMBC can permit an application if there is any doubt that the applicant is neither the owner nor the tenant in question.
- I strongly recommend that any Planning Permission granted is strictly tied to the Riding School as tenants (with the caveat of course that this is proven) and cannot roll on to benefit change of the use of the land to say an urban development.
- Visually ghastly
- The location of the container is incorrectly depicted on the plan.
- Inconsistent with the claim for needing security as it is so distant from the access slope.
- The recently constructed floodlights cannot be justified.
- It is in full view of houses and the iconic Peel Tower.
- Would be better as custom built next to the original stables.
- What is the other new block specified on the plans but not referred to in the application?
- Are water mains available for the facility?
- An inaccuracy of the application is the access track up a slope from Moor Road to the Riding School on the agents plan which suggest this is all the long term property of the Riding School under the terms of the lease.
- Strongly recommend a site visit by Councillors and officers
- Describing the site as 'brown field' is false. It is in a conservation area, is green belt and borders National Trust Land. It also adjoins a main route used weekly by hundreds of walkers going to Bury's true iconic Peel Tower.
- Policy is incorrectly stated in the application
- Am sure everyone would like the centre to have secure facilities but the location of the container is not appropriate.
- The landscaping is a concern as the banking to the boundary with Moor Road is already compromised.
- If permission is to be granted it should be temporary to allow for long term more suitable plans.
- Does not preserve the openness of the Green Belt would conflict with the NPPF and therefore very special circumstances would be needed.
- Heritage - Grade II Listed Higher House and Holcombe Church - considered to harm the setting.
- If approved a condition should be attached to require its removal in the event it is no longer needed.
- As a separate matter, apparent/potential planning breached at the overall site should be investigated.
- Concerns are compounded by the fact that the agent for this application has a track record of large scale development and no record of working with charitable organisations (see their website).
- I would have no objections if such were built in a safe and sympathetic manor in keeping with the surroundings.
- Should take into account the line of sight judgement as on other applications

Revised plans received to relocate the welfare unit in the site together with proposals to timber clad the exterior of the building and form a mono pitch to the roof.

Those originally notified and those who have made previous representations to the application were re-notified of the revisions by letter on 28/1/2020.

Letters of objection received from Nos 1, 155 Lumb Carr Road, Harcles Hill Farm, 12 Helmshore Road, Tower View Lumb Carr Road, Higher Barn Farm, Higher House

- After consideration of changes, it is still a grotesque structure which has no place in a conservation area.
- This will change the outlook of the view in this village which should be cherished.
- The prime issues here are Green Belt stringent regs. coupled with such a High Grade Conservation Area protection, balanced against possible exceptional circumstances which would qualify breaking these stringent constraints legally. I, as an amateur, can see no case for such.
- To reason that a Shipping Container, clad or not clad, with no proper foundation - hence certainly not a 'building' , no conventional heating in such an exposed position, no sanitation , sewerage, toilets or running water (food is specified as being consumed, with no facility for washing hands after dealing with horses !) can be classed as a welfare unit for the disabled is frankly ludicrous. Far better for the Riding School Chair and Officers to have constructed a purpose built unit, most favourably within the footprint of the original building (plenty of space), incorporating all such services under one roof perhaps even with showers and hot towns water to service. Investment seems to have been mismanaged.....
- And further two other such temporary constructs of truly ugly character, quite inappropriate to our treasured hill have come to my attention already on site. Should these be included in a planning application at this very late stage ?
- The site owner is acting as the Chair of the riding school so there is clearly divided loyalty.
- Still have serious reservations regarding the application. Nothing has been done at all to address the risks to the steep bank overlooking Moor Road, which is the sole access for myself and other residents to our properties. The addition of extra weight (including large areas of concrete, which are not even mentioned in the application, and several wagon loads of hardcore and sand under them) has already resulted in part of the bank starting to slide down.
- There is also a section of the wall that has buckled out and is at risk of collapse into the drainage channel and onto the road.
- I will be contacting the Chief Planning Enforcement Officer to request a site inspection.
- The applicant is completely out of touch in the way they are trying to call the section of Land 'Brownfield' - this section of land is within the conservation area and therefore needs to be protected vigorously.
- Alarm bells ring as the owner is looking for a residential development on this site
- Its charitable status is only reason why it is viewed favourably.
- Unfair no enforcement action has been taken.
- Two other containers have appeared on site.
- Sanctioning the container clad or unclad would set a dangerous precedent for the future.
- Historically all local residents and other enterprises have been required to comply with the most stringent and rigorous planning regulations - allowing it would be inequitable and an insult.
- Cladding the container is a quick fix, cheap accommodation - should utilise and improve existing facilities and restore dilapidated buildings on site makes more sense economically and environmentally friendly.
- H&S concerns of safety and the concrete foundations.
- New location would be more visible from Moor Road from the entrance.
- Insufficient time for representations to be made
- the original plan and elevations bear no resemblance at all to the actual shipping container which had been placed on the site and therefore it is highly unlikely in my submission that the new proposal will bear any resemblance to the drawings.
- The new proposed siting of the shipping container is also still within the line of sight from Helmshore Road, it was a pre-condition for a previous application (48135) that no structure should be visible.
- Should be a new application as the changes are material.
- Refer the committee to aerial photo which shows the concrete has been extended to a large area.
- It appears that the Council have been providing advice as to how the applicant can be

amended.

- Floodlights have also been installed on the site which also should be considered by the council, no permission or consultation has been sought by the applicant for this.
- Strongly urge the committee to visit the site in order to appreciate the extent of the changes which have been made, and the council should bear in mind all the time that the applicant only has made this retrospective application in response to a visit by an enforcement officer.
- Failure to address the concern this is a permanent application for a non permanent need. The appropriate application should be for a temporary structure.
- Bury MBC has a duty to protect and preserve the Green Belt and conservation nature of this area.

Those who have made representations have been informed of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objection or comments to make

Borough Engineer - Drainage Section - No response received.

Environmental Health - Contaminated Land - No comments to make

Conservation Officer - No objection.

Public Rights of Way Officer - No PROW issues

Pre-start Conditions - Applicant/Agent has agreed with pre-start conditions

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EC4/1	Small Businesses
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN9/1	Special Landscape Areas
OL1	Green Belt
OL1/2	New Buildings in the Green Belt
OL4/7	Development Involving Horses
OL7/2	West Pennine Moors
HT5	Accessibility For Those With Special Needs
HT5/1	Access For Those with Special Needs
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD10	Planning for Equestrian Development
EN7/2	Noise Pollution

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.

Green Belt Policies and principles

Paragraphs 143 and 144 of the NPPF state that inappropriate development in the Green Belt is by definition, harmful and should not be approved except in Very Special Circumstances (VSC). Planning Authorities should ensure that substantial weight is given to any harm in the Green Belt. VSC will not exist unless the potential harm to the Green Belt

by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 145 considers the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this include b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation etc as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

UDP Policy OL1/2 - New Buildings in the Green Belt states that the construction of new buildings is inappropriate development unless it meets one of the listed exceptions, which includes b) essential facilities for outdoor sport and recreation which preserve the openness of the Green Belt. Examples of such facilities include small changing rooms or unobtrusive spectator accommodation or small stables.

UDP Policy OL4/7 - Development Involving Horses states that the keeping of horses for recreational purposes or as part of commercially based equestrian activities will be considered acceptable where it would not have an adverse effect on the appearance of the rural areas. In particular, high standards of design, construction and maintenance will be expected as part of any development proposals.

UDP Policy EN9/1 - Special Landscape Areas states that development in such areas will be strictly controlled and required to be sympathetic to its surroundings in terms of visual impact. High standards of design, siting and landscaping will be expected. Unduly obtrusive development will not be permitted in such areas.

SPD 8 - New Buildings and Associated Development in the Green Belt states that essential facilities for sport and outdoor recreation can be viewed as being an appropriate use in the Green Belt

SPD 10 - Planning for Equestrian Development - Whilst mainly concerned with stables and riding arenas, SPD 10 also provides guidance on storage areas and other forms of equestrian-related development, advising that they should be sympathetic to their surrounding area in terms of siting, appearance and future maintenance of the Green Belt and other sensitive open land areas, and ensuring that the environmental quality and amenity is not harmed by inappropriate equestrian development. New buildings should be sited close to boundaries or adjacent to existing buildings and well designed with mono pitch or sloping roofs and of timber construction.

The proposed development would provide an ancillary building in association with an existing recreation facility. The welfare unit would be 9.75m in length, 3m wide and 3.5m at the highest point. It would be sited directly in front of the existing outdoor arena, close to and viewed against the backdrop of existing stables and the indoor arena. It is therefore considered that the proposed siting of the unit would preserve the openness of the Green Belt and would not conflict with the purposes of including land in it.

The proposed building would be 'free standing' and there would be limited ground works required to re-locate the building. For all intents and purposes, it could be removed from the site at any time and therefore not a build which would permanently harm the openness of the Green Belt.

It is therefore considered that the proposed building would be appropriate development in the Green Belt to provide a facility in connection with the existing riding centre. The proposed development would continue to preserve the openness of the Green Belt and would therefore comply with point b) of para 145 of the NPPF and would therefore be acceptable.

Heritage and Conservation principles

Paragraph 189 of the NPPF states that in determining applications, LPA's should require an

applicant to describe the significance of any heritage assets affected, including any contribution to their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 190 states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

In paragraph 192, LPA's should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control policies only support proposals where it can be demonstrated that development would preserve or enhance the special character of the area. Proposals will encourage measures to retain, replace and restore features of historical and architectural interest, remove dereliction and bring unused land or buildings back into beneficial use, have regard to the special character of the surrounding area and in the case of re-use of buildings or introduction of new uses, the impact of the proposal on the character or appearance of the area and the fabric of the existing building.

In view of para 189 of the NPPF, the applicant has been asked to provide a Heritage Assessment of the development which has been submitted as an addendum to the Planning Statement.

The Holcombe Conservation Area Appraisal summarises the special characteristics of the Conservation Area, identifying Moor Road as a key feature of the area and which is described as a main focus of historic development and an old packhorse route. The Appraisal also refers to the riding stables as being included within the Conservation Area with views of the site are both close to and from wider vantage points.

The re-siting of the welfare unit back away from its exposed position would place it in the context of the existing stable buildings. With the proposed timber board cladding and mono-pitched felt roof it would essentially have the appearance of a stable building within a group of others. The use of the building would be consistent and appropriate to the context of the site and would provide a facility of benefit to both staff, visitors and users of the riding school, enabling the facility to continue to contribute a valuable facility for the local and wider communities, and in compliance with para 192 of the NPPF.

The physical size and scale of the development would be relatively small scale within the context of the wider Conservation Area and the site itself and in considering the proposed relocation of the building and visual conversion, it is considered there would be no harm caused to that part of the conservation area and as such would preserve its character and appearance.

In terms of its proximity to Listed Buildings, those nearest are Holcombe Emmanuel Church over 140m away to the east and Higher House 65m to the south, with a number of Non Designated Heritage Assets (NDHA) located to the north, east and south. The development would not be viewed within the setting or proximity of any of these Heritage Assets. It would be a significant distance away and separated by intervening landforms and other properties. It is therefore considered the development would not have a detrimental effect on the historical character or importance of the Listed Buildings or

NDHA's.

It is therefore considered that the proposed development would continue to preserve the special character of the heritage assets of Holcombe and would comply with the principles of the NPPF and UDP Policies EN2/1, EN2/2 and EN2/3.

Siting and visual impact - The unit currently sits in a prominent and highly visible location when viewed not only from both directions and approaches along Moor Road which runs along the eastern perimeter of the site but also from the west where the land is at a much higher level on Holcombe Hill.

It is proposed to re-locate the unit in front of the outdoor arena and close to the stables and tack room within the stable yard. The land on which it would be sited is on a slight rise and banking. It is proposed to excavate and re-grade the land to form an area level with the existing concrete hardstanding yard on which the unit would stand.

Once moved, the unit would have a much lesser visual impact when viewed directly from the eastern part of Moor Road which is at a significantly lower level and screened by vegetation, and when viewed approached from further away along Moor Road to the north and south, views of the unit would be far less perceptible.

To the west and the land which is much higher on Holcombe Hill, the unit would be a more visible feature. However, for the most part, it would be the roof and front elevation only which would be seen and given its setting and proximity to the other built forms on site, together with the proposals to re clad and re-roof the build (see section below), it would be viewed as a simple, modest and appropriate addition to the riding school.

It is therefore considered that the proposed siting would not have a detrimental, negative or damaging impact on views and visual amenity of the area and would comply with UDP Policies OL1/2, OL4/7, EN9/1, SPD8 and SPD10 and the principles of the NPPF.

Size, design and appearance - The existing building is currently a green metal shipping type container, and of a somewhat incongruous and discordant feature within the landscape and more so due to its prominent siting. OL4/7 - Development Involving Horses and SPD's 8 and 10 clearly state that development should not have an adverse impact on the appearance of rural areas and in particular, high standards of design would be expected. Green Belt, Special Landscape and Conservation policies stress the importance of sensitive development and again with high expectations of siting, design and appearance.

The application has been revised from the original submission and it is now proposed to entirely clad the unit in a timber boarding, adding a grey felt mono pitched roof and overhang to the frontage. The facility would appear as a timber shed or stable and one which is commonly found and seen in such rural and countryside settings.

The unit is 9.75m long, 3m wide and 3.5m maximum height and of a similar size and scale to a stables or storage type building which would be typically associated within a riding stables. Located within the site and nestled close to the other equestrian facilities, it is considered that the unit would not be an incongruous addition or incompatible with the existing buildings and therefore considered acceptable.

It is therefore considered that the proposed works to the externality of the unit would sensitively acknowledge and sit comfortably within the setting of the riding arena and within its locality. A suitably worded condition would be recommended to ensure that the works to re-locate and overclad the exterior of the building would be carried out within a given time. It is considered that due to the technical and practical matters involved of moving and re-cladding, 90 days is considered a reasonable and achievable timescale for completion, to which the applicant has agreed.

It is therefore considered that the proposed development would therefore comply with UDP

Policies OL1/2, OL4/7, EN9/1, SPD8, SPD10 and the principles of the NPPF.

Impact on residential amenity - The nearest residential properties are those to the north, at Higher Barn Farm approximately 85m away and Higher House and Higher House cottage 65m to the south. To the east, the Emmanuel Primary School is located 50m away and at a lower level to the riding school and beyond are houses in Holcombe Village which front onto Helmsore Road.

The building would be sited within the riding school and screened from views from the north by the existing structures and from the south by the intervening landform and landscaping. These houses are also a significant distance away from the site and it is considered that their amenity would not be detrimentally affected by the development.

From the east, the difference in levels and topography of the land, the steep gradient of the embankment and landscaping would also substantially screen the unit from this area of the village and it is considered that impact on views and outlook would be relatively insignificant.

The building would be used as a welfare facility to provide for the existing staff, parents, carers and visitors and as such would not generate any more trips or activity to the site than already exists, and therefore would be negligible in terms of any additional noise and disturbance created within, from or to the site.

It is therefore considered that the proposed development would not have a detrimental impact on residential amenity and would comply with UDP Policies EN1/1, EN1/2 and EN7/2 and OL4/7.

Response to objectors -

- The LPA is required to assist an applicant where it can remedy unauthorised works and this includes the ability to submit applications retrospectively and dealing with them (article 35(2) TCP (General Development Management Procedure)(England) Order 2015. " The Planning Act 1990 makes it clear in s179 that "it shall be a defence [for the perpetrator] to show that he did everything he could be expected to secure compliance" - this can include discussions, actions and including the submission of an application under s73A (retrospective - ie planning permission for development already carried out). The applicant has been responsive in this respect and discussions have been on-going up to this time of presenting the application before the Planning Committee.
- It is considered a simple refusal of the planning application would not have assisted in any positive recourse or solutions. The LPA has worked with the applicant to progress proposals which would provide the best and most positive solution to the situation.
- The NPPF states, at Para 38, that LPA's should approach decisions on proposed development in a positive and creative way.....and work proactively with applicants to secure developments that will improve economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible.'
- This application is not in connection with any proposals for the redevelopment of the site for any other purposes.
- All issues with regards to the siting and appearance of the build and impacts on the Green Belt, Conservation Area and Listed Buildings have been covered in the above report.
- With regards to the other 2 containers referred to. One is used as a secure tack room. The applicant states that this container was brought on several months ago to replace an existing. Notwithstanding this, the replacement container requires planning permission and this is being investigated. The other a smaller container type which appears to be a more recent addition. Again, the applicant will be advised to apply for a planning consent for its retention or remove it, if it has not been removed already.
- In terms of the safety of the embankment, the applicant has refuted that the siting of the container has resulted in earth and stone slippage from the embankment and onto

Moor Road. Close inspection and photographs submitted show that part of the container has been positioned on concrete blocks on the upper part of the embankment to form a sturdy base. There does not appear to be any harm caused to the safety of the embankment and therefore it would not be reasonable to require the applicant to carry out a full survey or strengthening works. What would be reasonable, would be to include a condition that a scheme for the landscaping of the area be submitted for approval, that once the container is moved.

- In relation to application reference 48135 in 2007, this current application is judged on its own merits.
- The floodlights are not part of the current application and subject to an enforcement matter. The applicant has, however, clarified that lamps have been attached to existing structures and no new poles or lighting have been erected.

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/ 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.

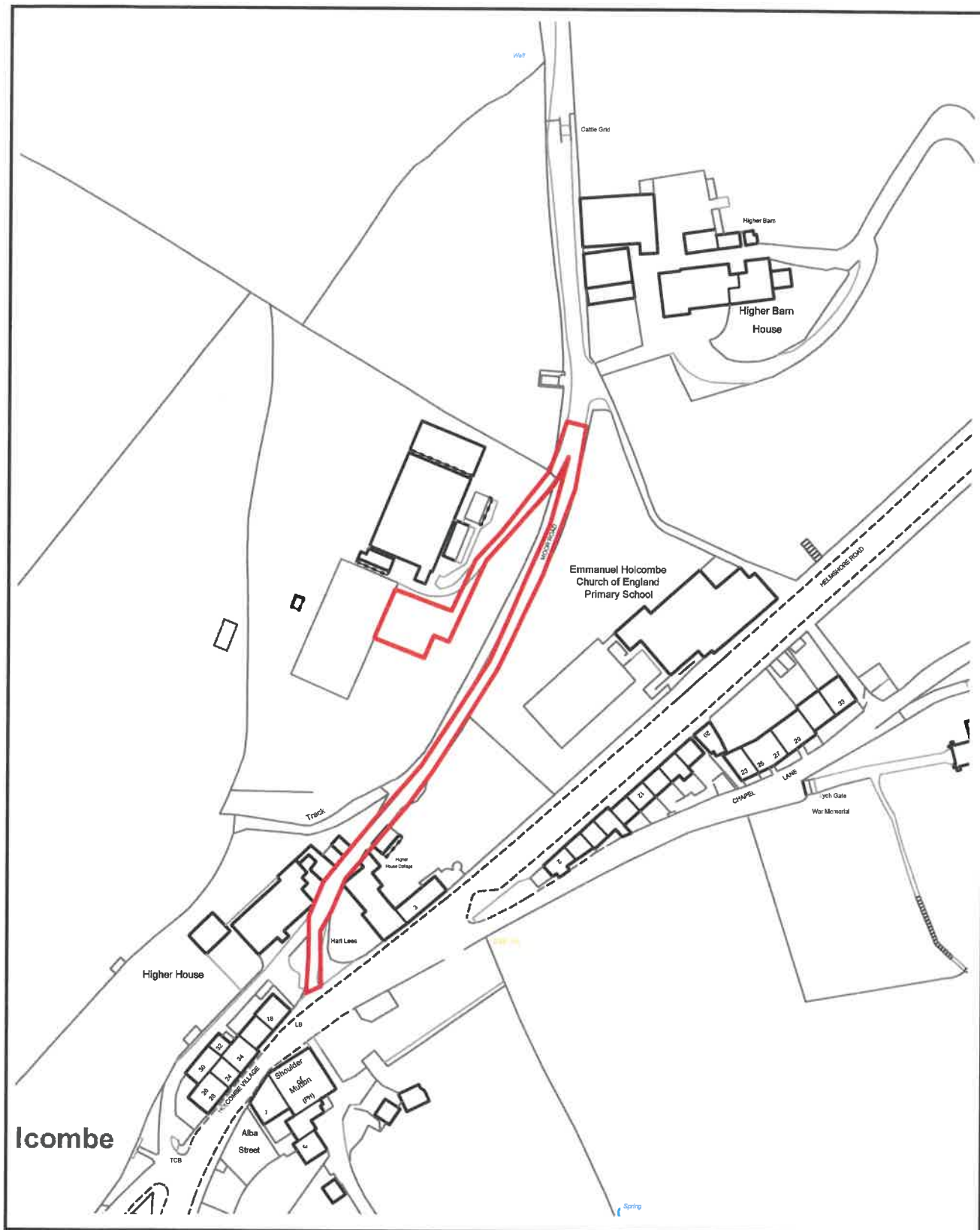
2. This decision relates to drawings - Site location plan 10910 01 D; Proposed site plan (red edge) 10910 L04 A; Proposed site plan 10910 L05 A; Proposed plan and elevations 10910 E02 B and the development shall not be carried out except in accordance with the drawings hereby approved.

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.
 - The welfare unit shall be relocated to the approved siting as shown on plan number 10910 L04 Rev A within 60 days of the date of this permission.
 - The recladding to the welfare unit as shown on plan number 10910 E02 Rev B shall be carried out within 30 days of being relocated and thereafter maintained as such.
 - A scheme relating to the landscape (hard and soft) reinstatement of the former site and timetable for implementation shall be provided within 28 days of the relocation of the welfare unit and be carried out in accordance with the approved details and timetable.

Reason. In the interests of visual amenity and to ensure preservation of the special character of the area pursuant to Policies OL1/2 – New Buildings in the Green Belt, OL4/7 - Development Involving Horses, EN9/1 - Special Landscape Areas, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the Bury Unitary Development Plan and the principles of the NPPF.

For further information on the application please contact **Jennie Townsend** on **0161 253-5320**



PLANNING APPLICATION LOCATION PLAN

APP. NO 64955

**ADDRESS: Margaret Haes Riding Centre, Moor Road
Ramsbottom**

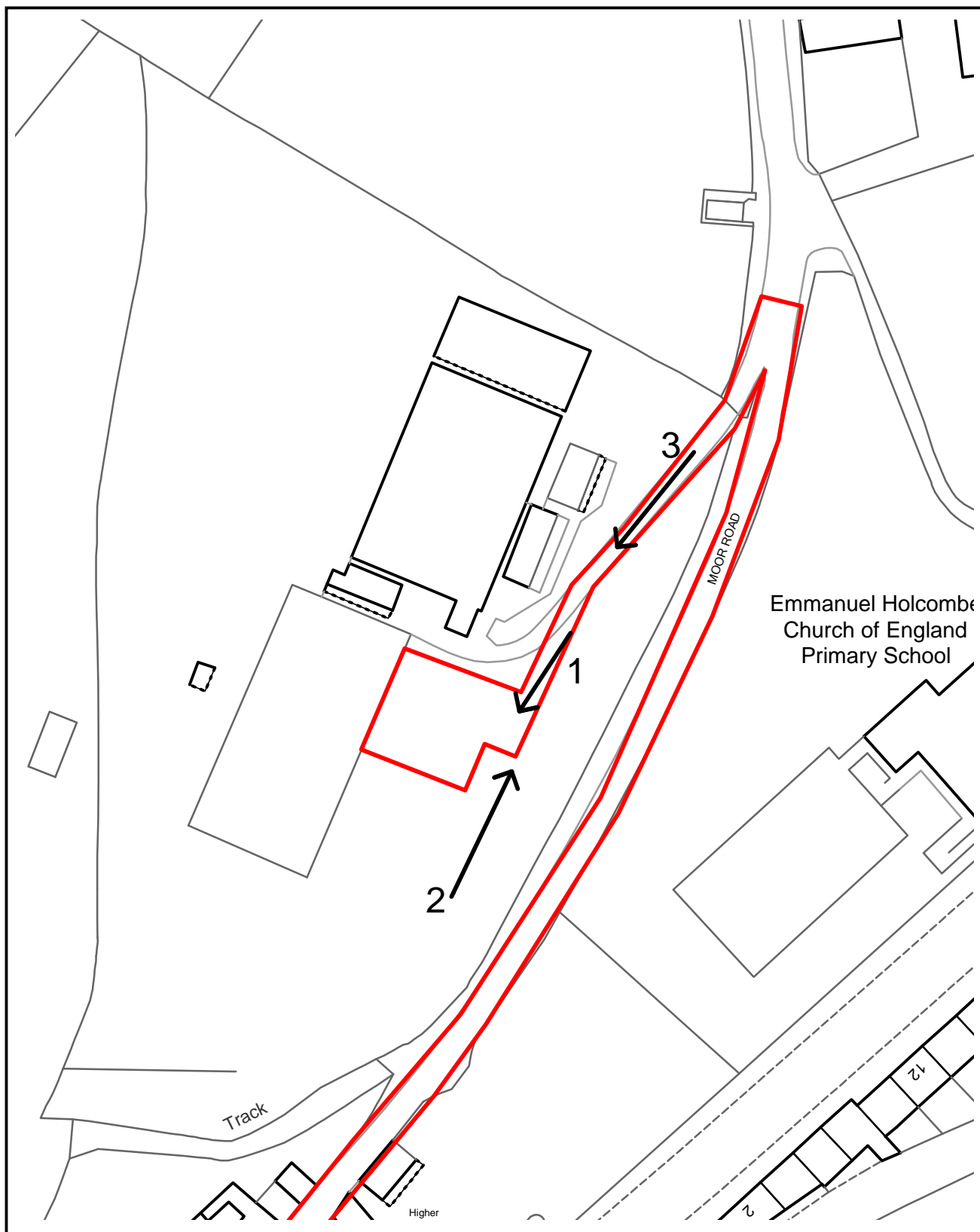
Planning, Environmental and Regulatory Services

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Bury
COUNCIL

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64955

**ADDRESS: Margaret Haes Riding Centre, Moor Road
Ramsbottom**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64955

Photo 1



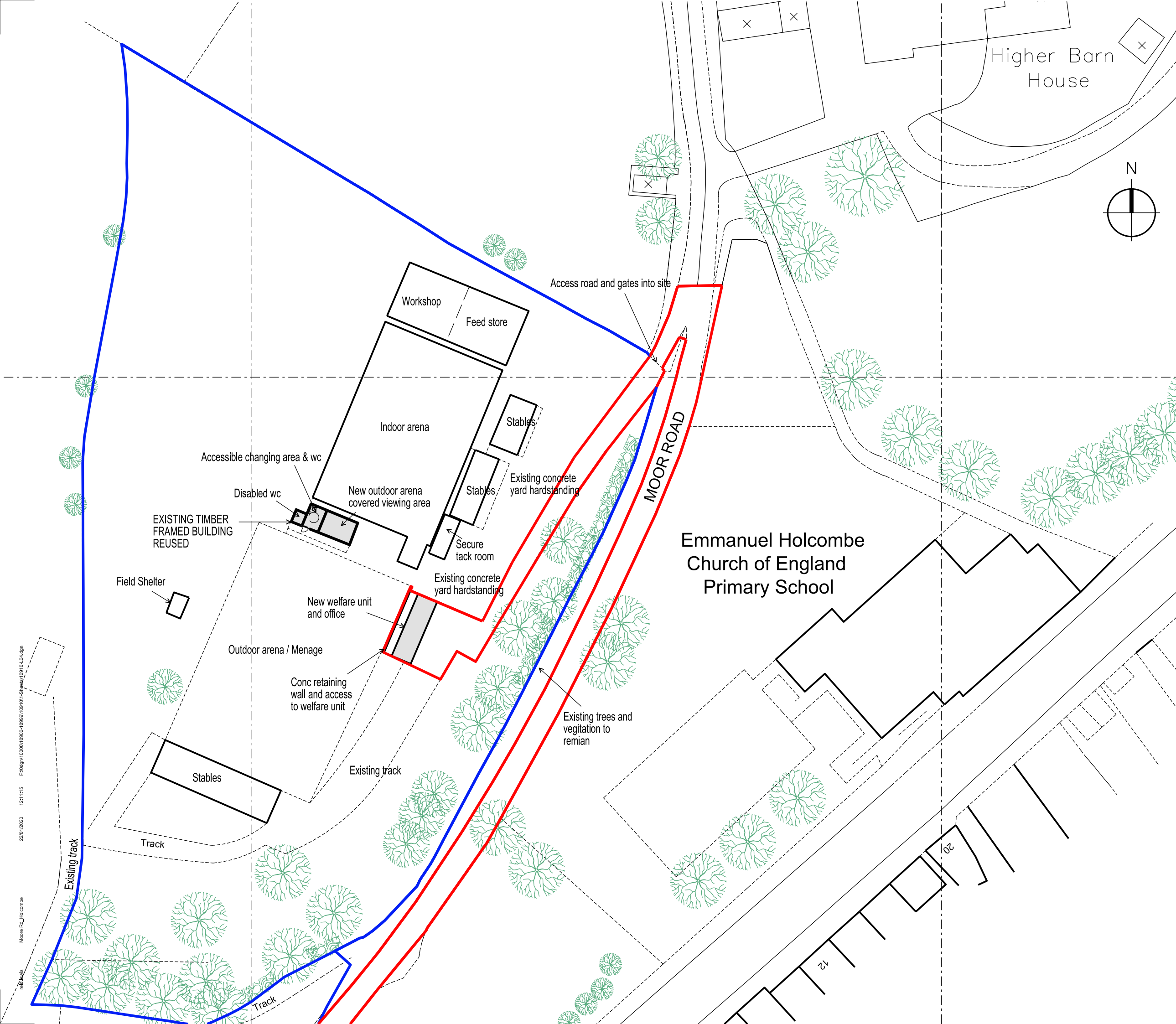
Photo 2



64955

Photo 3





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SITE SPECIFIC HAZARDS

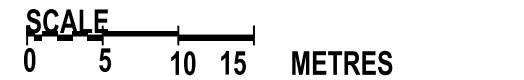
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NOTES

- ASSUMED SITE BOUNDARY
- OTHER LAND IN THE OWNERSHIP OF THE CLIENT



REV.A	22.01.20	UPDATED TO CLEINT COMMENTS	RSL
REV.	DATE	NOTES	INIT.

CLIENT / PROJECT
JEREMY BUCKLEY
HOLCOMBE RIDING SCHOOL
MOOR ROAD, HOLCOMBE

DRAWING TITLE
PROPOSED SITE PLAN

STATUS
PLANNING

DATE	DRAWN	SCALE @ A3
21.01.20	RSL	1:500

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
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DRAWING NO.		
10910	L04	A

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix: Colour	C

THE RATCLIFFE GROVES PARTNERSHIP

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www.rgp.uk.com

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19 BEDFORD ROW
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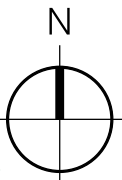


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SITE SPECIFIC HAZARDS

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CDM REGULATIONS 2015 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING:

SCALE



ACCESS ROAD AND GATES INTO SITE

MOOR ROAD

WORKSHOP

FEED STORE

INDOOR ARENA

STABLES

STABLES

EXISTING CONCRETE YARD HARDSTANDING

NEW ACCESSIBLE CHANGING AREA & WC

DISABLED WC

NEW OUTDOOR ARENA COVERED VIEWING AREA

EXISTING TIMBER FRAMED BUILDING TO BE REUSED AND ALTERED TO PROVIDE UPDATED FACILITIES AS SHOWN

EXTSING TREES AND VEGETATION TO REMAIN

SECURE TACK ROOM

STABLES OFFICE

EXISTING CONCRETE YARD HARDSTANDING

VOLUNTEERS / INSTRUCTORS WELFARE AND DRYING FACILITIES

ACCESS PATH

OUTDOOR ARENA

REV.A	22.01.19	UPDATED TO CLEINT COMMENTS	RSL
REV.	DATE	NOTES	INIT.

CLIENT / PROJECT
JEREMY BUCKLEY
HOLCOMBE RIDING SCHOOL
MOOR ROAD, HOLCOMBE
DRAWING TITLE
PROPOSED SITE PLAN

STATUS
PLANNING

DATE	DRAWN	SCALE @ A2
21.01.20	RSL	1:200

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
10910			L05	A

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix: Colour	C

THE RATCLIFFE GROVES PARTNERSHIP
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SITE SPECIFIC HAZARDS

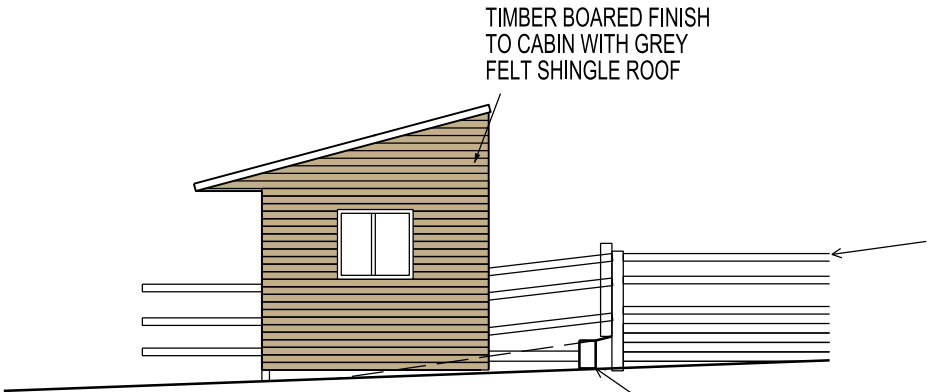
IN ACCORDANCE WITH THE REQUIREMENTS OF THE CDM REGULATIONS 2015 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING:

ALL WINDOWS TO BE SHUTTURED FOR SECURITY



FRONT ELEVATION (TO MENAGE)

STEPS AND RAMP

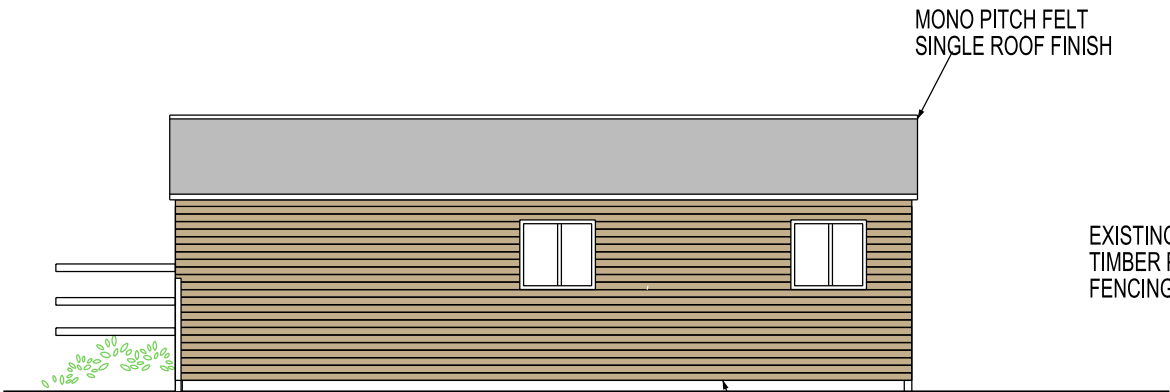


SIDE ELEVATION

TIMBER BOARDED FINISH TO CABIN WITH GREY FELT SHINGLE ROOF

EXISTING MENAGE WITH TIMBER POST AND RAIL FENCING

215MM CONC BLOCK RETAINING WALL TO ALLOW GROUD LEVELS TO BE LOWERED ADJACENT MENAGE WITH STEPPED ACCESS



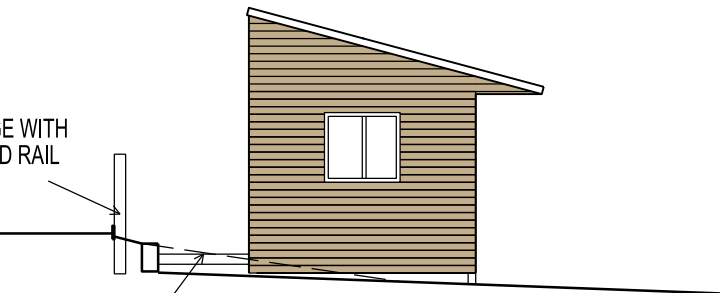
REAR ELEVATION (TO MOOR RD)

MONO PITCH FELT SINGLE ROOF FINISH

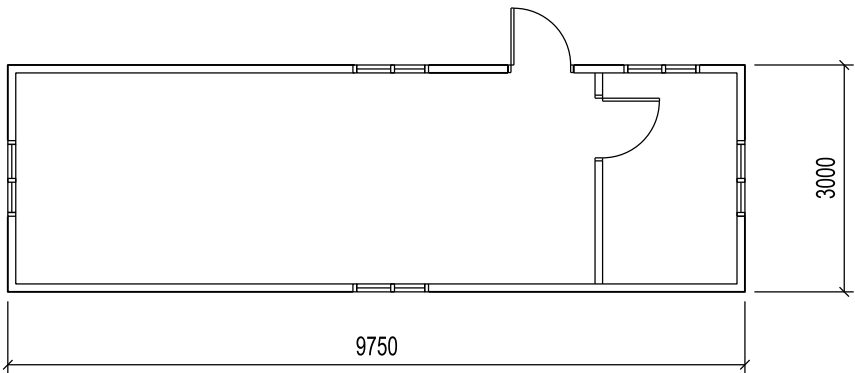
TIMBER BOARDED FINISH TO CABIN WITH GREY FELT SHINGLE ROOF

EXISTING MENAGE WITH TIMBER POST AND RAIL FENCING

DOTTED LIN EINDICATES EXISTING GROUND LEVEL



SIDE ELEVATION



GA PLAN

REV.B 27.01.20 MONOPITCH ROOF EXTENDED RSL
REV.A 25.01.20 MONOPITCH ROOF ADDED RSL

REV. DATE NOTES INIT.

CLIENT / PROJECT
JEREMY BUCKLEY
HOLCOMBE RIDING SCHOOL
MOOR ROAD, HOLCOMBE
DRAWING TITLE
PROPOSED PLAN AND ELEVATIONS

STATUS
PLANNING

DATE 081019 DRAWN RSL SCALE @ A3 1:100

PROJECT UNIT CI / SFB TYPE & REVISION
NUMBER / BLOCK CODE NUMBER LETTER

DRAWING NO. 10910 E02 B

Site Location Plans L GA Plans P Elevations E
Sections S Details D Prefix Colour C

THE RATCLIFFE GROVES PARTNERSHIP
MANCHESTER
105 MANCHESTER ROAD
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Ward: Radcliffe - North

Item 03

Applicant: Mr Mark Jagger

Location: Land at Junction of Arthur Lane/Bury Old Road, Ainsworth, Bury

Proposal: Demolition, conversion and extension of existing livestock buildings to create 1 no. single storey dwelling with enclosed garden and parking

Application Ref: 64967/Full

Target Date: 30/01/2020

Recommendation: Approve with Conditions

Description

The application site comprises a plot of land (557sqm) in the north west corner of a field on the east side of Arthur Lane, close to the junction with Bury Old Road. The site, to the west of Ainsworth Village is within open land in the Green Belt. The site is also within West Pennine Moors and a Special Landscape Area but lies outside the conservation area.

The group of three buildings in a rectangular formation comprise:

- A former 1940's single storey aluminium alloy 'prefabricated' house on a concrete slab foundation with a footprint measuring 65.7sqm. The elevations are made up of the original aluminium panels with a more recent metal roof. Whilst the majority of the structure appears to be sound, there are a number of timber roof trusses missing.
- To the rear of the prefab building is a mono-pitched timber framed structure with profiled metal clad wall and roof and a footprint of 88.8sqm.
- The third building is a concrete framed structure with concrete infill panels and a profiled cement sheet roof with a footprint of 35.7sqm. This was probably used originally as a garage but with the other structures, is used as a shelter for horses and livestock and related feed storage.

The buildings sit close to the field's northern boundary. Immediately to the north, the boundary has mature trees and hedging with a field beyond. There is a boundary hedge along the Arthur Lane frontage.

The proposed development involves the conversion and extensions either side of the central prefabricated building and demolition of the other buildings to the side and rear.

The proposed extensions on either side of the converted 'prefab' would comprise single storey mono-pitched, timber clad structures. Each would extend out to the side by 3.4m and run back 12.2m to form a U-shaped building with an enclosed garden on the north side.

Access would be taken from the existing access on Arthur Lane and visibility splays would require a short section of hedging to be cut back either side of the access point. There would be parking for two cars provided on hardstanding immediately to the south of the building. The proposed curtilage includes the building, enclosed garden, parking and driveway.

Relevant Planning History

Pre-application Enquiry 02313/E Residential Conversion - August 2019

Publicity

The following neighbours were notified and site notice posted 12/12/2019.
Nos.41 and 43 Bury Old Road, Craigside. Belmont House and Sunny Bank, Arthur Lane.

Objections received from the Ainsworth Community Association and the occupier of Craigside, to the north of the site and Nos. 39 and 41 Delph Lane, raising the following issues:

- This is not a suitable building for conversion as it will require complete demolition.
- Increasing vehicles entering and existing the site.
- Any garden should have agricultural appearance and should be discouraged.
- The proposal would have significant impact on the openness of the Green Belt and on the visual amenity and is therefore inappropriate for conversion.
- Visual impact is from Craigside and Belmont House, also on Delph Lane the Hey Club Row Cottages (ie. "Ainsworth Conservation Area"), would suffer significant visual impact.
- The footpath is frequented by the public walkers who invariable pause to enjoy the view across the fields behind Hey Club Row.
- Clearly, to demolish the low height stable sheds and build residential property along with car parking, garden, wheelie bins etc., (i.e. this proposal) would ruin this view.
- Increased traffic congestion in and around the access.
- There are flooding issues, impacting Arthur Lane .
- This proposal will open the flood gates for further development on the site opening up our lovely rural area to urban sprawl .
- The wildlife would be impacted.

Support has been received from the occupier of 41 Bury Old Road, stating that the proposed plans would bring a redundant and run down site that has been an eyesore for many years back into use.

The objectors have been notified of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - No objection subject to a drainage condition. .

Environmental Health - No objection.

The Coal Authority - No objection subject to condition. .

Pre-start Conditions - Applicant/Agent has agreed with pre-start conditions

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/1	Visual Amenity
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/5	Waste Water Management
EN9/1	Special Landscape Areas
OL1/4	Conversion and Re-use of Buildings in the Green Belt
HT2/4	Car Parking and New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD 9	Conversion and Re-use of Buildings in the Green Belt
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework
OL7/2	West Pennine Moors
SPD8	DC Policy Guidance Note 8 - 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.

Main Policies and Guidance - As the site is within the Green Belt the proposals need to be assessed against the NPPF and UDP Policies and guidance OL1/2 New Buildings within the Green Belt, OL1/4 Conversion and re-use of buildings within the Green Belt, EN9/1 Special Landscape Areas and West Pennine Moors OL7/2.

Government guidance within chapter 5 of the National Planning Policy Framework (NPPF) is supportive of new housing in appropriate locations and where it does not have an adverse impact on the streetscape, neighbour amenity or other issues such as traffic, flooding. Small, windfall sites, it states, can make an important contribution to meeting the housing requirements of an area.

Paragraph 79 states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) for an essential agricultural worker
- b) secures a heritage asset
- c) the re-use of redundant or disused buildings and enhance its setting.
- d) sub-division of existing dwellings
- e) a design of exceptional quality

Paragraph 145 of the National Planning Policy Framework (NPPF) indicates that construction of new buildings in the Green Belt are inappropriate unless they fall into certain categories, including the redevelopment of Previously Developed Land (PDL) where the development does not have a greater impact on the openness of the Green Belt than the existing development.

Paragraph 146 states that the re-use of buildings within the Green belt would not be inappropriate development providing that they are of permanent and substantial construction.

Unitary Development Plan Policy H1/2 states that all new residential development should make a positive contribution to the surrounding area and should have regard to the heights and roof types of adjacent buildings, the position and proximity of neighbouring dwellings and the density and character of the surrounding area.

Policy OL1/4 states that the conversion and re-use of buildings within the Green Belt will be permitted providing that the proposal would not have a materially greater impact than the present use upon the openness of the Green Belt.

OL7/2 West Pennine Moors considers that proposals should consider relevant matters including landscape character, ecology and historic features.

Policy EN1/1 Visual amenity states that development will not be permitted where proposals would not have a detrimental effect on the visual amenity both within, or viewed from areas of environmental interest such as Green Belt, Special Landscape Areas or River Valleys.

EN9/1 states that any development should be strictly controlled and required to be sympathetic to its surroundings. High standards of design are expected and unduly unobtrusive design will not be permitted.

Supplementary Planning Document 8 New Development in the Green Belt offers detailed

guidance and advised on new buildings in the Green Belt.

Principle - As the site is within the Green Belt, the assessment is based around Paragraphs 79, 145 and 146 of the NPPF and UDP Green Belt policies.

As the proposal would be on previously developed land and involves the conversion of an existing building with a reduction in overall volume, it is considered to be acceptable in principle and in accordance with the provisions of Paragraphs 79, 145 and 146 of the NPPF.

A structural report has been submitted with the application, which confirms that the aluminium prefabricated building is capable of conversion. The issues of form, bulk and design, access and traffic will be discussed later in the report. The proposed use would not have a materially greater impact upon the openness of the Green Belt and as such, would be in accordance with Policies H1/2 and OL1/4 of the Bury Unitary Development Plan and the NPPF.

Design, Massing and Layout - The proposed development would utilise the existing prefabricated building and would not stray significantly beyond the existing footprint of the current group of three buildings. The proposed extensions on either side would be single storey mono-pitched structures with timber cladding and would maintain the character and appearance of the original structure with reference to its current livestock use. In respect to volume, the proposed development would represent a reduction in volume from 520 cubic metres to 443 cubic metres. The development therefore would not have a detrimental impact on the openness of the Green Belt.

The bespoke design and timber clad finish to the extensions give the new build a more temporary/agricultural appearance with the distinctive mono-pitched roofs visually 'breaking up' the massing whilst maintaining a single simple form with minimal openings. The proposed design and materials are considered appropriate and in keeping with the site and surroundings and would not be a prominent feature within the landscape.

The proposed residential curtilage would be relatively tightly drawn around the new building and new native hedge planting on either side of the site and at the top of the drive, together with existing boundary planting, would help screen and soften the building when viewed from the public arena. Along Arthur Lane, only a small section of boundary hedging either side of the access would need to be cut back to accommodate visibility splays.

It is considered appropriate to remove 'permitted development' rights in the interests of visual amenity and to maintain the openness of the Green Belt.

The siting, design and massing of the proposed development, with a modest curtilage and native screen hedging, would reflect the scale of the existing buildings whilst maintaining the openness of the Green Belt and the character of the surrounding area. It would therefore comply with the NPPF and UDP Policies EN1/1 Visual Amenity, EN9/1 Special Landscape Areas, OL1/4 Conversion and Re-use of Buildings in the Green Belt, OL7/2 West Pennine Moors and guidance documents SPD8, SPD9 and SPD10.

Impact upon residential amenity - Given the siting of the proposed dwelling in relation to the nearest neighbour, a single storey dwelling that has been converted stable block, on the site to the north west, there are no residential amenity issues arising from the proposal.

Impact from Conservation Area and Public Rights of Way - There are no public rights of way in the immediate vicinity. The closest are Footpaths 19CC, to the south of Bury Old Road, and 43CC, running up Delph Lane and linking onto Arthur Lane along a path about 110m to the north of the site. The boundary of the Ainsworth Conservation Area lies over a 100m to the east, on Delph Lane. Given the nature and scale of development, the proposal would have no significant impact on the conservation area or the views from the Public Rights of Way.

Ecology - The existing hedging along Arthur Lane and across the rear of the site would be retained although it would be cut back on either side of the access to secure the required visibility splays. The additional native hedge and shrub planting around the building and hardstanding would improve the setting of the new dwelling, increase screening and improve the ecology of the site. A condition requiring the submission of a landscaping scheme would be attached to any approval to secure this.

The existing buildings have negligible potential for roosting bats and there is no foreseeable impact from the development on bats although it is reasonable to attach an appropriate informative should evidence of bats be found.

The proposed development would not cause harm to the local ecology or any protected species. The proposal would therefore be acceptable and would be in accordance with the NPPF and Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Parking and Highway issues - The proposed development would utilise the existing access point onto Arthur Lane and appropriate levels of visibility would be provided. Appropriate parking for two vehicles and turning facilities would be provided within the site and the proposed traffic generated would be negligible compared to the existing stable use. The Traffic Section has no objection to the proposal which would comply with the maximum parking standards and the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Servicing - Bins would be stored at the rear of the parking area and screened by new hedging and collection would be from Arthur Lane.

Drainage and Flood Risk- In past years there has been a drainage problem in the area that has led to localised flooding. The main cause of this was the blockage of a culvert under Arthur Lane. Works to this culvert were undertaken recently and the situation has improved significantly. With a condition requiring a suitable drainage scheme to be submitted, the proposal is considered to be acceptable and complies with the NPPF and UDP Policy with regard to drainage.

Response to objectors

The issues raised by the Ainsworth Community Association and the objector at Craigside, further to the north, have been addressed in the report above.

Recommendation: Approve with Conditions

Conditions/ 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 19-50-01, 09-A, 10-A and 04-A 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. Details/Samples of the materials to be used in the external elevations and areas external hardstanding and driveway 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. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.

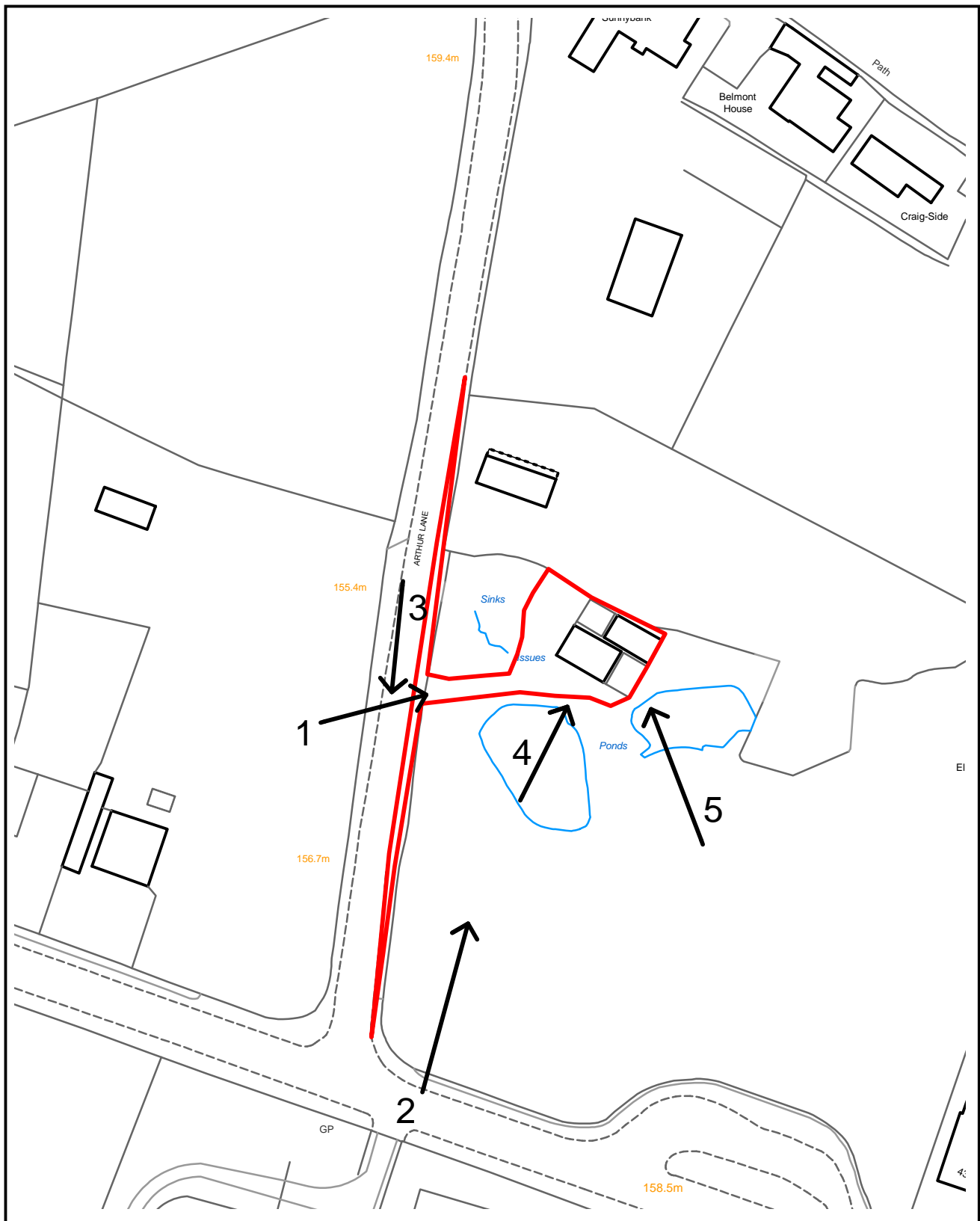
4. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to E of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application. Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
5. The footway visibility splays indicated on the approved plans shall be implemented before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
6. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall provide the following:
- A dilapidation survey of the footway that abuts and crossing that serves the site to in the event that subsequent remedial works are required following construction of the development and as a result statutory undertakers connections to the dwelling;
 - Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials;
 - Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations
- The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.
Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/1 Visual Amenity and HT6/2 - Pedestrian/Vehicular Conflict.
7. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the extension hereby approved being brought into use.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
8. Prior to commencement of development, a hedge planting scheme shall be submitted to, and approved by the Local Planning Authority. The approved scheme shall thereafter be implemented not later than 6 months from the date the building is first occupied or within the first available planting season, and any hedge removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to the NPPF and UDP Policies EN1/1 Visual Amenity and

EN1/9 Landscaping.

9. All trees on the north boundary of the site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to UDP Policy EN1/1 Visual Amenity and EN8/2 Woodland and Tree Planting.
10. No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.
Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

For further information on the application please contact **Tom Beirne** on **0161 253 5361**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64967

ADDRESS: Land at Junction of Arthur Lane/Bury Old Road
Ainsworth



Bury
COUNCIL

Planning, Environmental and Regulatory Services

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64967

Photo 1



Photo 2



64967

Photo 3



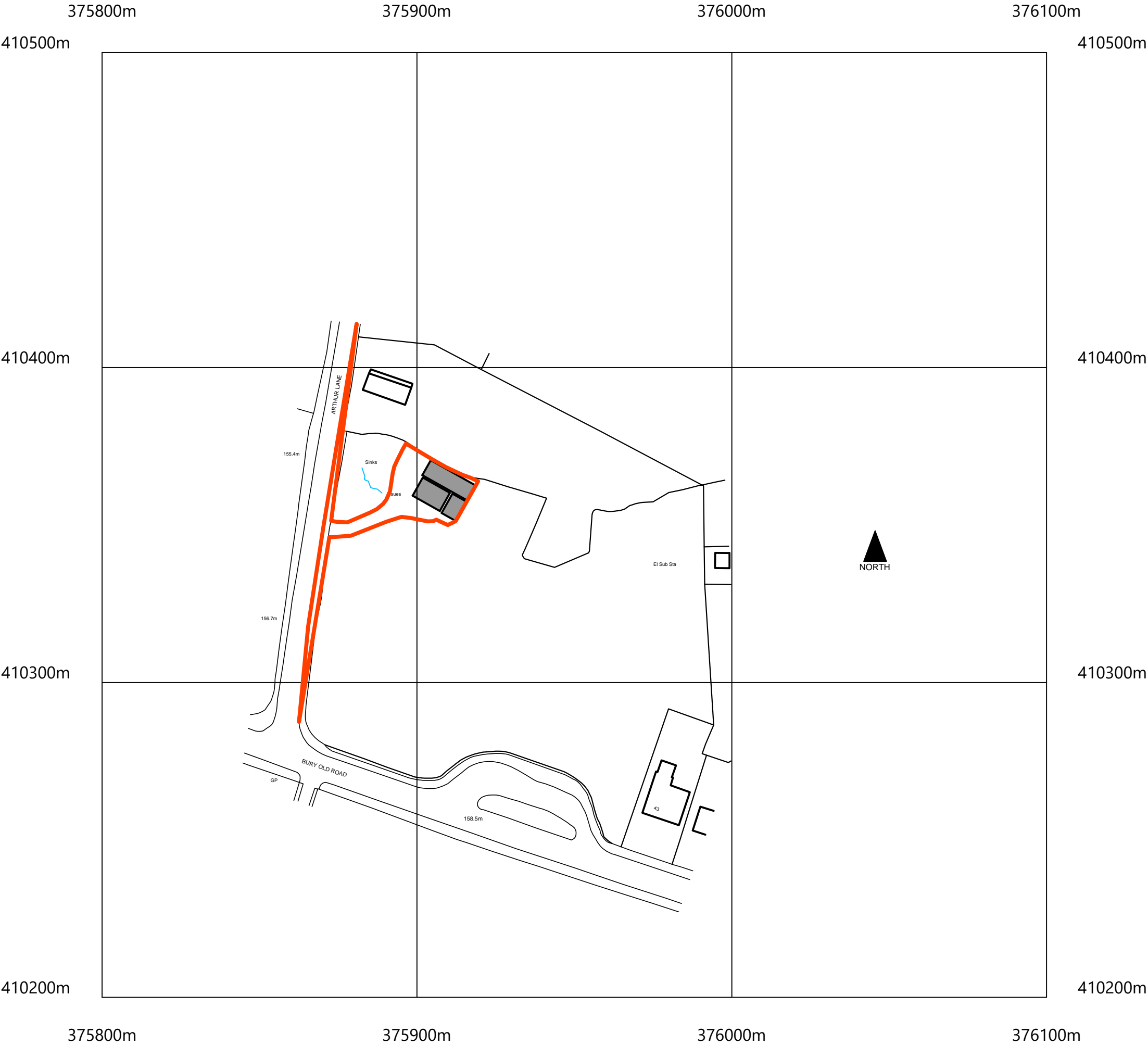
Photo 4



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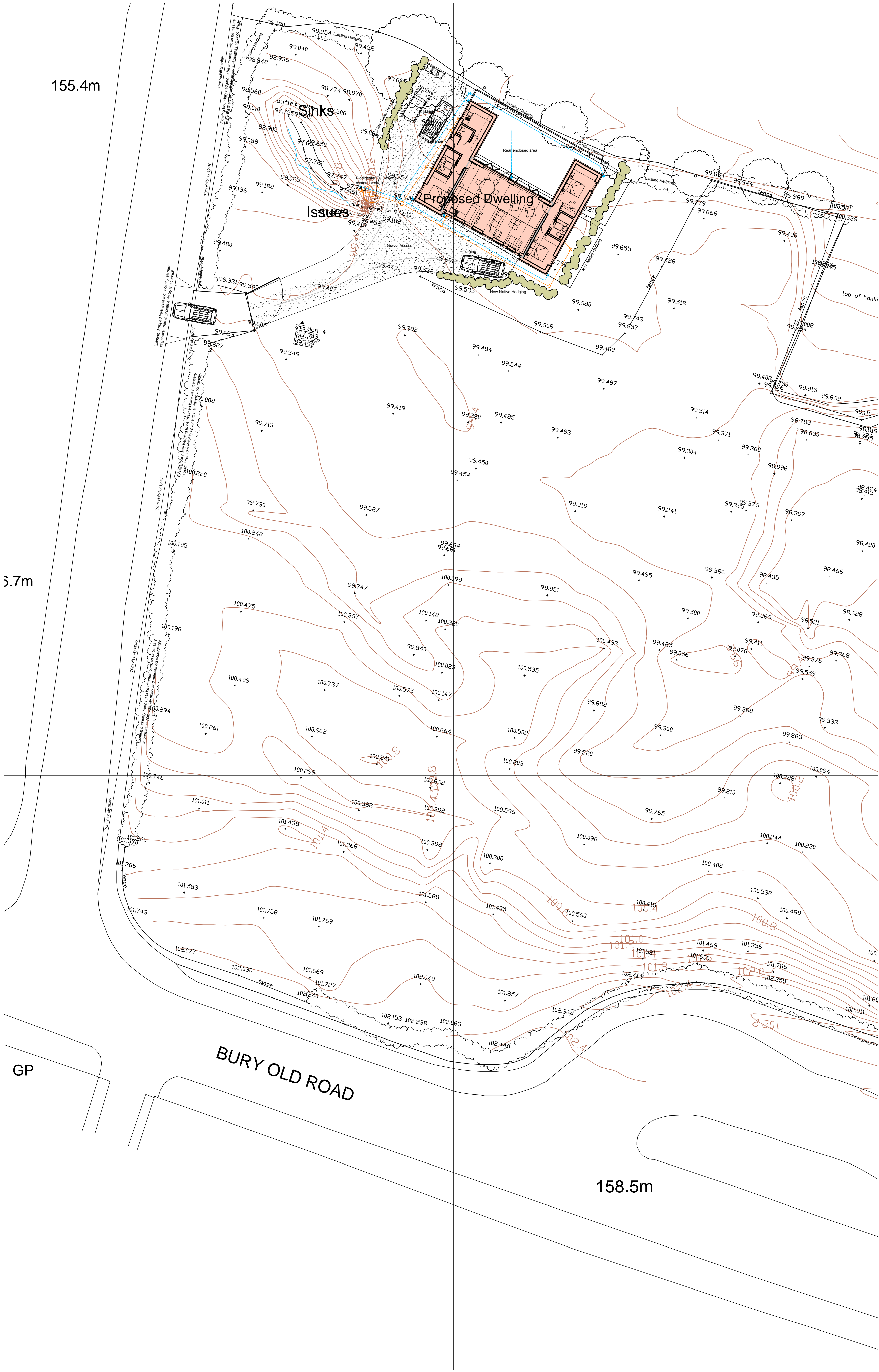
Photo 5





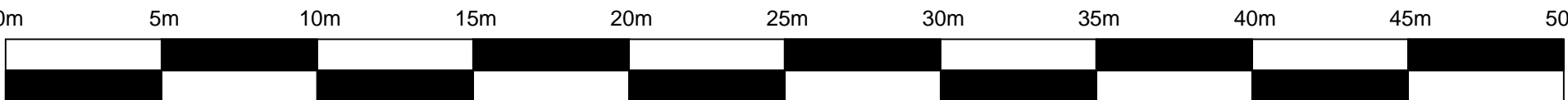
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 - This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.
- | REV. | AMENDMENTS | DATE |
|-------|--|----------|
| Rev A | Red Line Boundary amended to include visibility splays | 20-01-27 |

Project	PART DEMOLITION & PART RE-USE OF EXISTING BUILDINGS TO FORM NEW DWELLING ON LAND AT ARTHUR LANE, AINSWORTH
Drawing	LOCATION PLAN
Client	MR M. JAGGER
Dwn. By	NP
Scale	1:1250 @ A3
Drg. No.	19-50-01-A
Drg. Size	A3
Date	AUGUST 2019



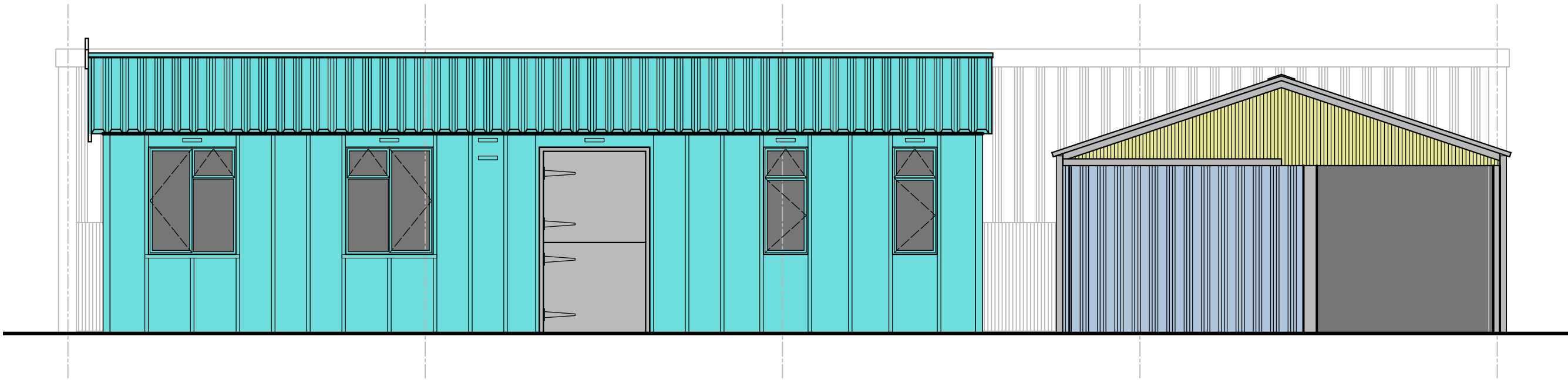
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REV.	AMENDMENTS	DATE
Rev A	Foul & Surface water drainage indicated	19-11-20
Rev B	Existing Dropped kerb indicated and note regarding hedging to be trimmed back to maintain visibility splay	20-01-27

Proposed Block Plan @ 1:200



Project	PART DEMOLITION & PART RE-USE OF EXISTING BUILDINGS TO TO FORM NEW DWELLING ON LAND AT ARTHUR LANE, AINSWORTH	
Drawing	PROPOSED BLOCK PLAN	
Client	MR M. JAGGER	
Dwn. By	NP	
Scale	1:200 @ A1	
Drg. No.	19-50-09-B	
Drg. Size	A1	
Date	AUGUST 2019	

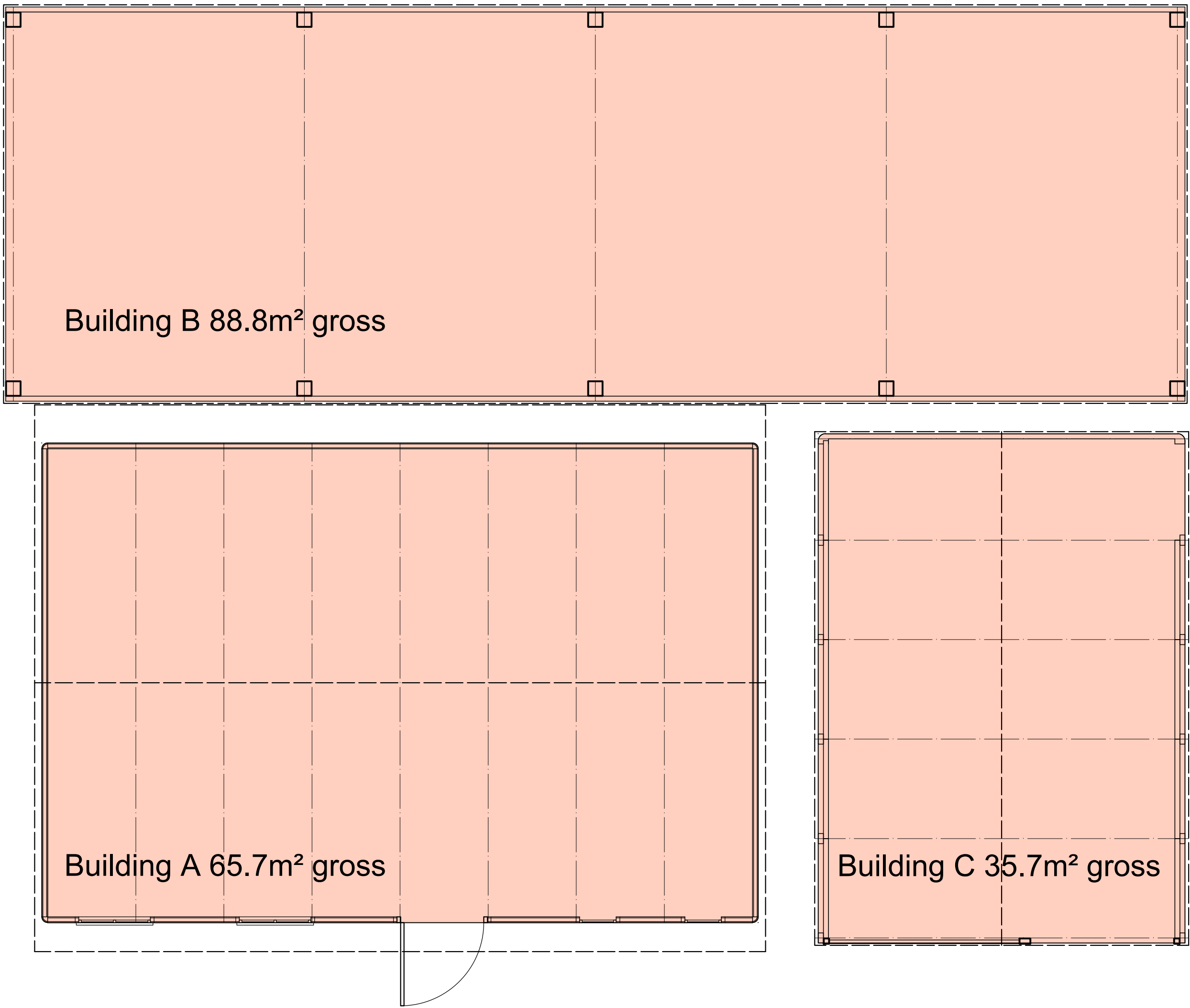
Buildings A, B & C - Existing Elevations @1:50



Building A & C - Existing South Elevation with Building B in the background

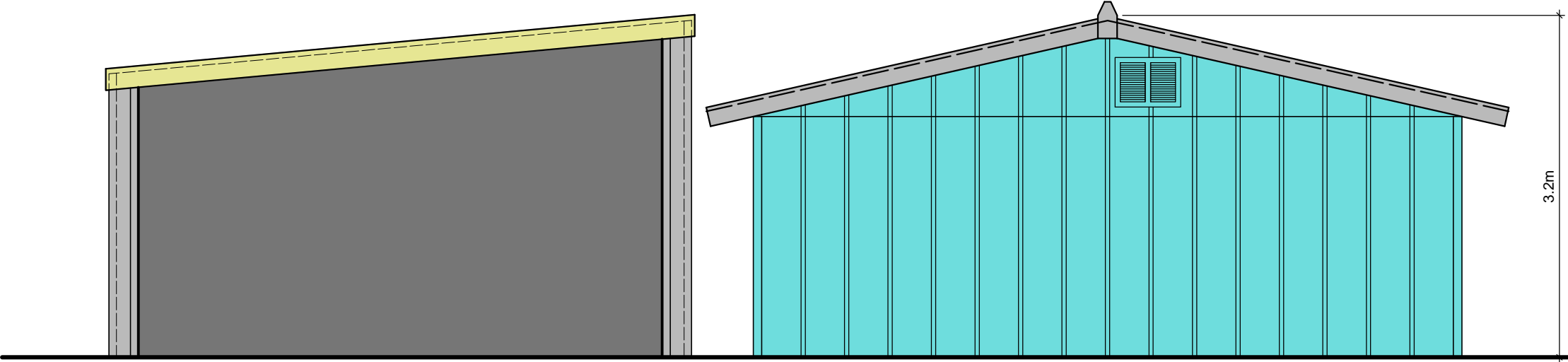
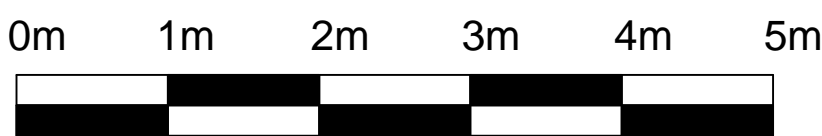


Building C & B - Existing West Elevation

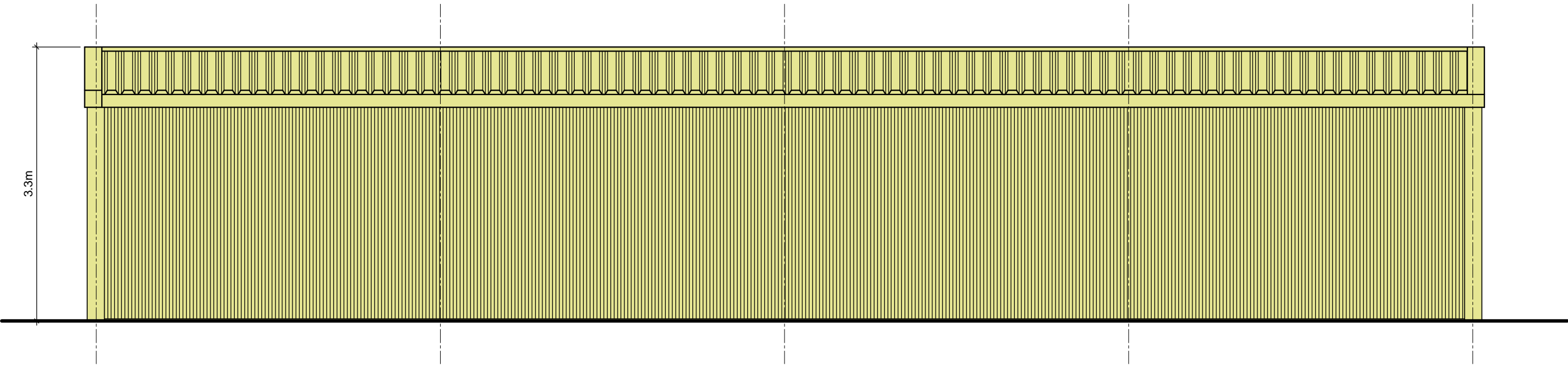


Total gross area 190m²

Plan layout of Existing Buildings @ 1:50



Building B & A - Existing East Elevation



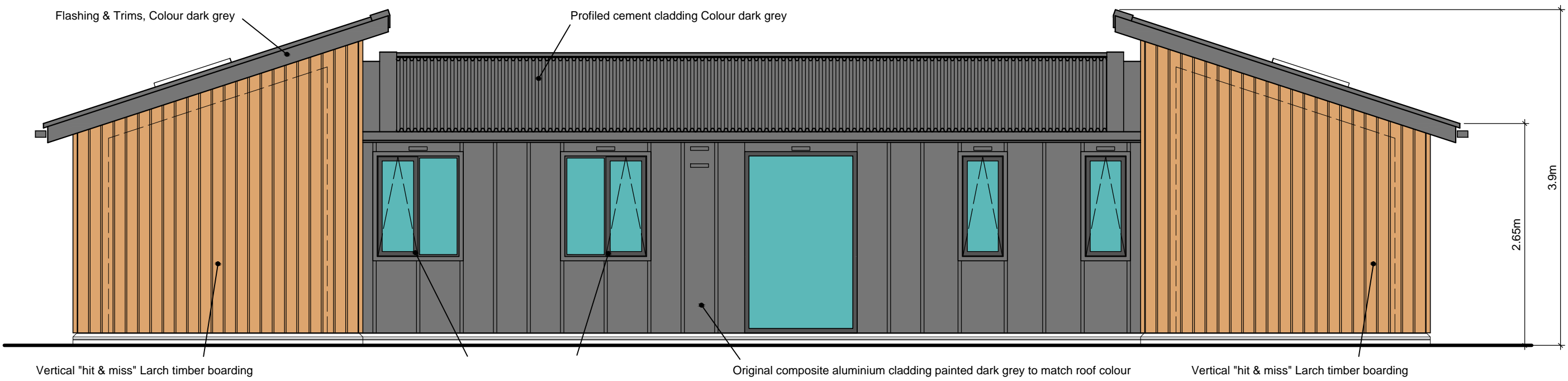
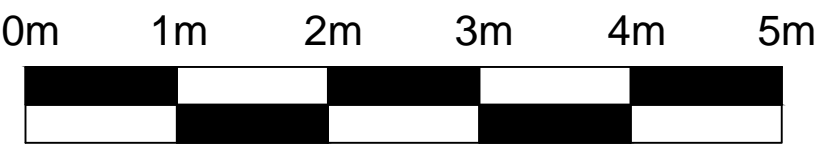
Building B - Existing North Elevation

Building Volumes
Building A 180m³
Building B 259m³
Building C 81m³
Total volume of A, B & C = 520m³

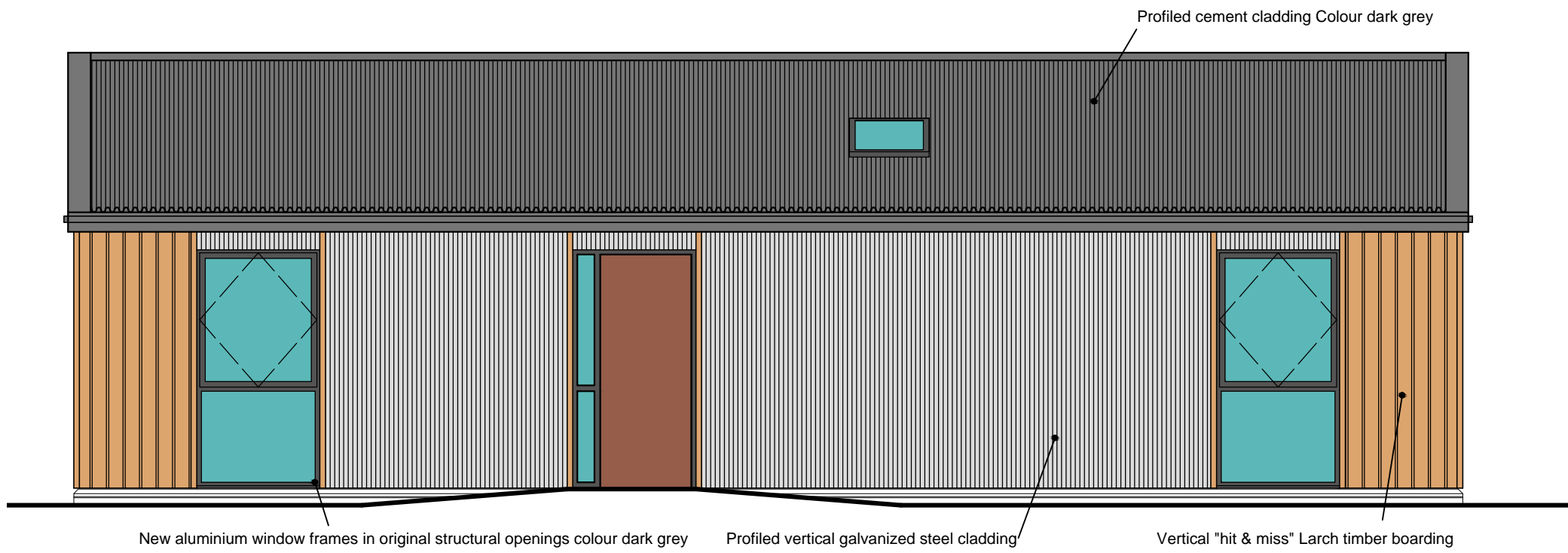
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REV.	AMENDMENTS	DATE
Rev A	Dimensions added to elevations	19-10-09

Project	PART DEMOLITION & PART RE-USE OF EXISTING BUILDINGS TO FORM NEW DWELLING ON LAND AT ARTHUR LANE, AINSWORTH		
Drawing	EXISTING BUILDINGS A,B & C PLANS AND ELEVATIONS		
Client	MR M. JAGGER		
Dwn. By	NP		
Scale	1:50 & 1:100 @ A1		
Drg. No.	19-50-04-A		
Drg. Size	A1		
Date	AUGUST 2019		

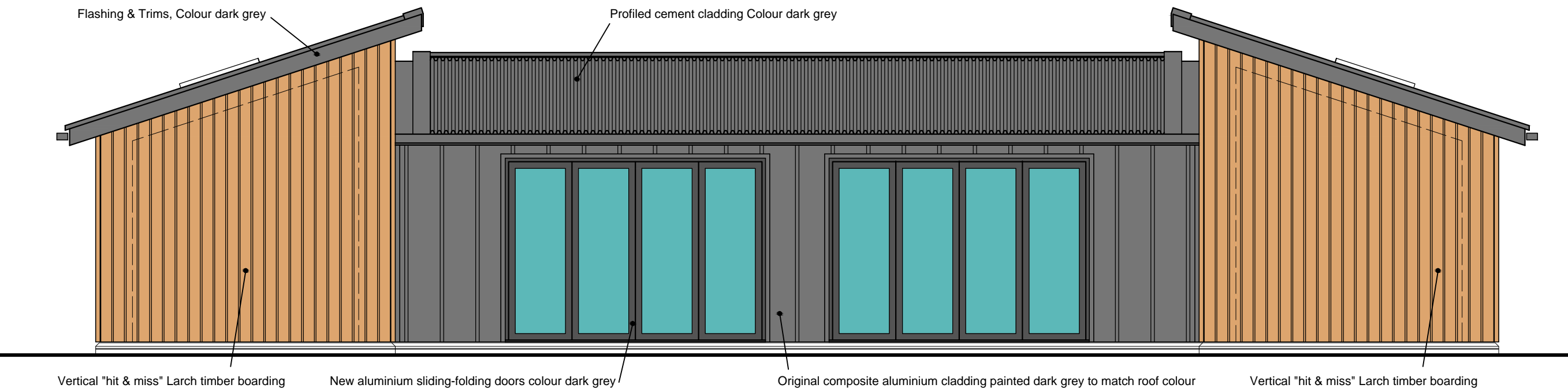
Proposed Elevations @1:50



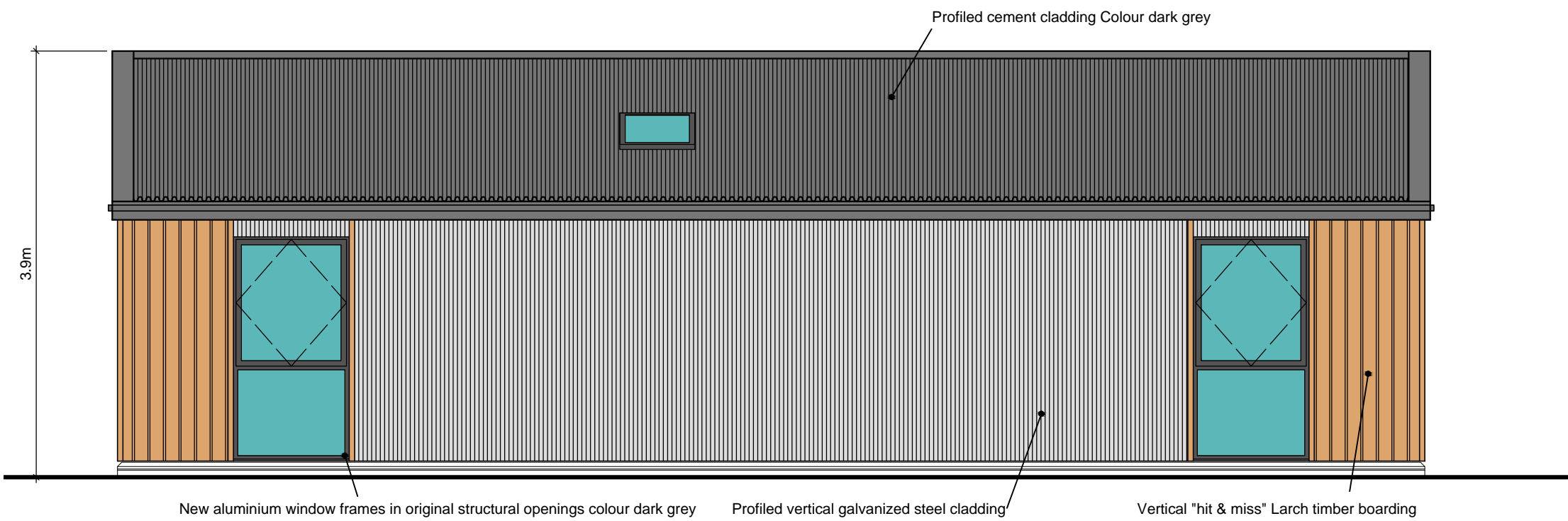
Proposed South Elevation



Proposed West Elevation



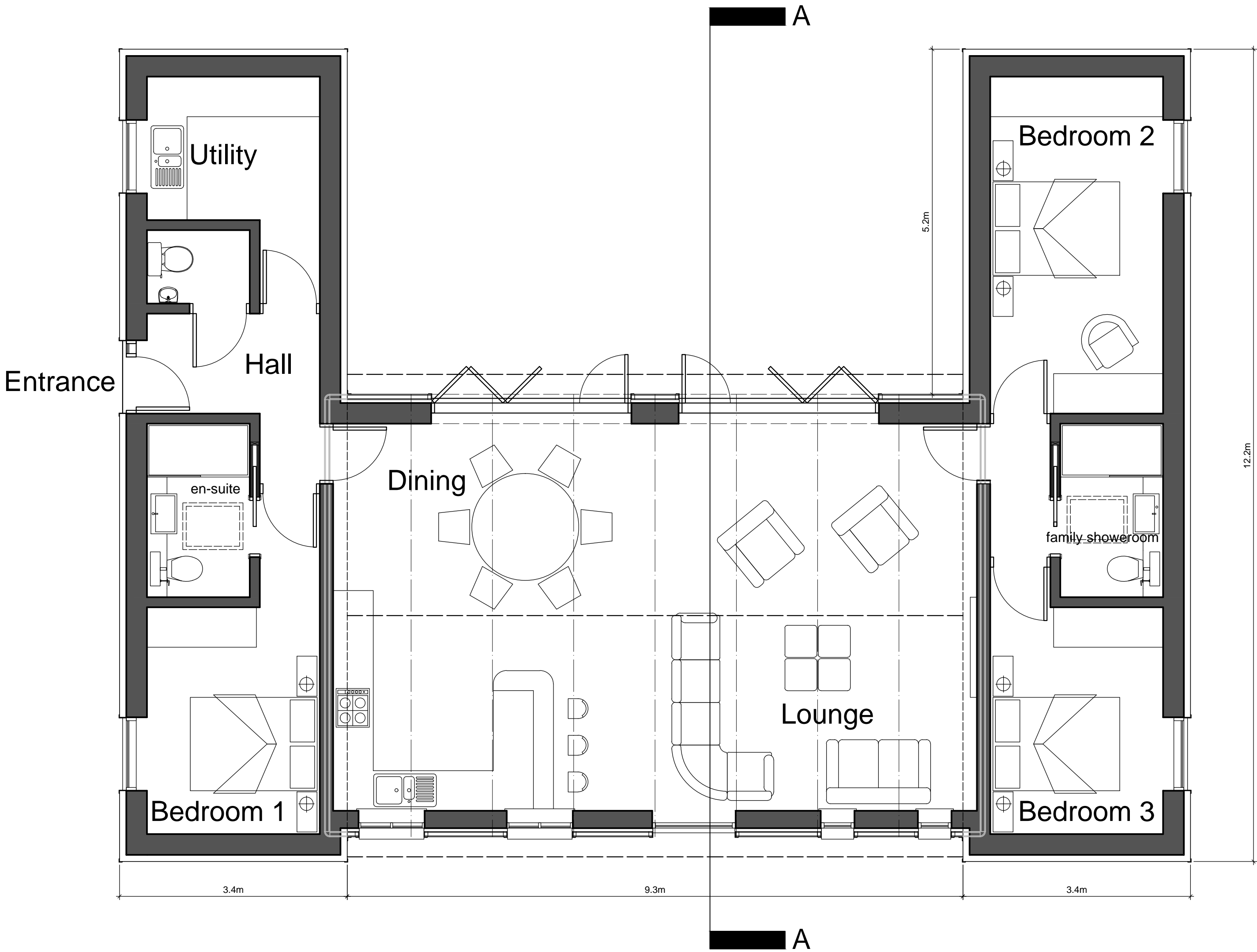
Proposed North Elevation



Proposed East Elevation



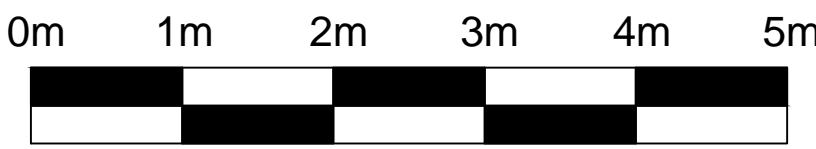
Proposed Section AA



Total gross area 144m²

New Dwelling volume calculation = 443m³

Proposed Building Plan @ 1:50



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REV.	AMENDMENTS	DATE
Rev A	Drawing prepared for meeting	19-11-26

Project	PART DEMOLITION & PART RE-USE OF EXISTING BUILDINGS TO FORM NEW DWELLING ON LAND AT ARTHUR LANE, AINSWORTH
Drawing	PROPOSED BUILDING PLANS AND ELEVATIONS
Client	MR M. JAGGER
Dwn. By	NP
Scale	1:50 & 1:100 @ A1
Drg. No.	19-50-10-A
Drg. Size	A1
Date	AUGUST 2019