

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 01

Applicant: Mr & Mrs M Unsworth

Location: Land to the south of Moorbottom Road, Holcombe, Bury, BL8 4NS

Proposal: Erection of agricultural storage building, retention of field shelter, pig arc and replacement gate & gate post

Application Ref: 64786/Full

Target Date: 27/01/2020

Recommendation: Approve with Conditions

The application was postponed from the March and April 2020 Planning Control Committee Meetings. In response to the emergency Government instructions on Covid-19.

The application was deferred at the May 2020 and June 2020 Planning Control Committee meeting to carry out a site visit.

Description

The application site relates to a field which is used for the grazing of animals and is located on a parcel of land which is located in the Green Belt, Special Landscape Area and West Pennine Moors and is within the Holcombe Conservation Area.

The field comprises approximately 4 acres of land in a triangular form which is set on a hillside and forms the lower part of the hill which is locally known as Holcombe Hill, with Peel Monument, a Grade II Listed Building at the summit.

The access to the field is taken from the northern most corner of the field which forms the meeting of three roads, Moorbottom Road, Holcombe Old Road and Cross Lane. Holcombe Old Road runs along the eastern boundary of the field and is at a much lower level to the site. The road comprises a cobbled surface and is used by walkers and residents who live along this stretch, and where there is a row of stone built terrace cottages.

Moorbottom Road forms the western boundary and the highest part of the field and is separated by a dry stone wall. It is an unmade track used by walkers although there are some properties located along this stretch.

Cross Lane leads from the village centre along which are residential dwellings, some of a Listed status or are Non-Designated Heritage Assets (NDHA's).

The applicant currently keeps sheep and alpacas on the field and are seeking to extend the herd of Alpacas with two breeders. Also on the field is a small pig arc and shed located at the lower end of the field towards the southern boundary which are used to provide some shelter for the herd, albeit very limited. These structures do not have planning permission. The applicant also has some machinery and equipment which are needed to facilitate the keeping of the animals, as well as foodstuffs, but nowhere in which to store these, resulting in them being kept in various remote locations open to inclement weather and theft.

The application proposes the erection of an agricultural building together with the retention and relocation of the shed and pig arc. In addition, a galvanised steel gate has also been erected to the field access to the north. It is now proposed to replace this with a timber gate.

Application details

Proposed - Agricultural building - Constructed of timber boarding and barn style door with a grey sheeted monopitch roof and overhang to the frontage. The build would be 12.2m long, 6.1m wide and height between 3-4m (floor area of 74.4 sqm).

The build would be positioned against the western boundary and the stone wall, approximately half way across the field boundary. The building would provide secure and weather tight storage for equipment, machinery and foodstuffs and when needed, for animal welfare purposes during the lambing season.

Pig arc - Constructed of wooden panelled ends and a corrugated tin surround and measures 3m long, 2.5m wide and 1.2m high. Used as an animal shelter in inclement weather.

Shed - A timber boarded shed with a corrugated roof and dimensions of 3.6m long, 2.4m wide and 2.1m high. Used as an animal shelter in inclement weather.

Access gate - Located at the field access to the north. It is proposed to replace the steel gate with a timber 5 bar gate.

It is proposed to perform a minor cut and fill operation so that the agricultural building, pig arc and shed would be set into the ground and levels changed to the rear and supported by the erection of a retaining wall to be formed around this area. In front of the structures, approximately 10m further down the field to the east, it is proposed to create a minor bund or earth mound which would be formed to follow the natural contours of the field and which would partly screen the structures from some views.

The application seeks full planning permission for the erection of the agricultural building and for the re-siting and retention of the pig arc, timber shed and gate.

Relevant Planning History

02312/E - Agricultural Building

Publicity

14 letters sent on 9/12/2019 to properties at Hill End Farm, Moorbottom Road, 83-109 Holcombe Old Road and 50, 52 Cross Lane.

Site notice posted 18/12/2019.

Site notice posted 24/4/2020

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

6 letters of objection received from Hey House Cottage, Branch Road, 1 Lumb Carr Road, c/o 296 Holcombe Old Road, 103 Holcombe Old Road (x2), Higher Barn Farm, 155 Lumb Carr Road.

The following issues were raised:

- The proposed application is not in keeping with the Holcombe Conservation Area and does not enhance the natural beauty and character of the area. An eyesore in full view of Holcombe Village.
- This area of land used to consist of one large field where sheep grazed. There were no buildings and access was via a large wooden gate. It was a pleasing area of green. The field has now been split into three with iron gates in between, the wooden gate has been replaced with an iron gate, and the entrance widened necessitating the part demolition of the ancient stone walls either side. There are now dustbins clearly visible in the middle of the field. The area looks unkempt, even industrial, and there are considerable areas of mud resulting in the alpacas in particular looking as if they have had a mud bath.
- The proposed new building will be visible from both Moorbottom Rd and Holcombe Old

Rd and the roof lights within the building will be clearly visible at night and from Holcombe Hill.

- Negative impacts from other approval granted (not specified by the objector).
- Previously a simple pasture, such sheds, including a small wind turbine (I), are annoyingly sited in the centre of the field.
- Considerable unauthorised development has already taken place in the field bounded by Moorbottom Road and Holcombe Old Road which used to be open grass land grazed by sheep
- This is of considerable size and will be located adjacent to Moorbottom Road. This will ultimately need excavation of the bank that rises steeply to Moorbottom Road and will scar the landscape. The storage building will be clearly visible from the surrounding area and will be yet another wooden structure at the foot of Holcombe Hill. The huge barn at Hill End next door was erected 9 years ago despite considerable local opposition and has remained largely empty and unused and is a blight on the previously open landscape. The intended purpose of the new development is to breed alpacas and to store farm machinery. This amounts to agricultural development of a small field on an industrial scale. This seems to be wholly at odds with what a Conservation Area is for.
- The planning application is essentially for a new extensive farm business on a previously completely undeveloped small field at the centre of Holcombe Conservation Area. How can this possibly enhance the landscape character and nature conservation value of the countryside?
- The 'openness' of the landscape is already seriously compromised with a number of intrusive fences which are not drawn on the applicant's plan.
- The 'pig arc' is simply ludicrous, dominating the field centre with its shiny roof.
- The barn building may damage the safety of the wall
- It must be envisaged that the development would not function effectively medium to long term without the requirements for a track and surfacing
- The applicant is looking to expand a farming business - not appropriate to this site
- Needs to be demonstrated that the development complies with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas Act) 190.
- The development would fall in direct line with the first open view for visitors of the front of the hill and the Tower.
- The builds are not of high design standard
- The agricultural building would blot out part of the dry stone wall which is characteristic to the area.
- Steep slopes are characteristic of the area - the development would detract from that
- The red edge does not include all the land needed..
- The blue edge has been drawn to include land not in the applicants ownership
- application form states there are no waste arrangements
- Elevations of the building show a central ridge but the side elevations are mono pitch
- Conflicts with UDP policies and the NPPF.
- Does not preserve or enhance the Conservation Area and is harmful to the setting of Listed Buildings.
- Surely it would make better business sense to establish this kind of business within a small holding where land is less expensive and in an area that does not have these constraints.
- Though this is an application for agricultural buildings and this seems innocent in itself to house some beautiful animals and to help with storage of agricultural equipment, the utilities installed and the long term intention should be considered by the committee.

Comments by applicant to objections raised - 8/1/20 :

- The Heritage Asset is the Conservation Area.
- Within the Holcombe Conservation Area Appraisal, there is an acknowledgement that agriculture is the main economic activity in the local area. The proposal therefore accords with the main economic activity in the locality and we are of the opinion that there will be no impact.
- 'The character of the Conservation Area largely relies upon the existing pattern of land uses, while recognizing that the nature of the use of agricultural land may need to adapt to ensure economic viability, exemplified by the number of stables within the

Conservation Area.'

- The Heritage Statement refers to the need to adapt through the use of stables which would have a larger impact on the Conservation Area than the proposed agricultural building, as a result the proposed agricultural building will have no impact on the heritage asset.
- The Bridleway will not be affected. Due to the use of Cut and Fill, the roofline of the building will be below the wall along Moorbottom Road, and will not impede the view from the Bridleway.
- The building is not shown as having a dual pitched roof on the drawings. The Western Elevation on the proposed elevation plan is still showing a monopitch roof as described, giving a visual representation of the roof lights in order to maximise natural light within the building.
- It is of the opinion that the proposal is in keeping with other gates located in the conservation area and will therefore have no impact upon it as a result.

Representation received from c/o Dawes Bank, Holcombe in response to the applicants statement:

- The Heritage Asset is also the Listed Holcombe Tower - overlooked by the applicant
- This proposal does not have 18th or 19th C character
- The application submission singularly fails to demonstrate "no impact". In fact, quite the opposite
- This application goes considerably beyond a stable and by its own admission is about setting up a base for the entire farm business holding - not merely a field shelter for livestock which could be effected very readily by a potentially modest two or three-sided roofed shelter in say a corner position.
- The proposal includes a 12m x 6m x 4m high building - cut into an engineered shelf in the rising ground. Why would a stables have a larger impact? There is no logic to the presented conclusion that the application has zero impact - this doesn't make sense...
- The submitted drawing has at its centre a roof plan specifically annotated with the words 'ridgeline' along the centre - it is this which is causing the ambiguity clearly indicating a dual pitched roof. If this is not intended this needs to be corrected.
- A timber gate, kept to original size, is an important way of keeping the humble heritage character. Why for example is the now widened gate width actually necessary? Additionally, the development at this gateway has already gone beyond mere replacement of a gate but involves a cut away level with setts stockpiled in readiness for laying a domestic style driveway surface - as opposed to humble field entrance -and electricity and telecommunications ducting laid in.
- Clearly substantially more information could be provided re cut-and-fill dimensions and the gateway - and how the entrance to the 12m shed on steeply sloping ground outside the doorway would be made practical and serviceable could be provided. However, I don't see that any further detail would overcome the profound in-principle objection to this scheme.

17 letters of support received from Nos 11,21 (x2) Cliff Mount, 9 Burrswood Avenue, Unit 3 Fernhill Street, 35 Lathom street, 75 Manchester road, 38 Haslam Street, 17 Rupert Street (x2), 15 Bridgewater Close, 39 Valley Mill lane, 78 Church Street, 8 Lepp Street, 35 Lathom Street, 28 Whitehead Crescent, 9 Bond Street, Springside Cottages.

The following issues of support were raised:

- The owners are trying to make an agricultural business work in a Conservation Area. I fully agree with the conclusions in the Design and Access Statement that the buildings are critical and necessary to effectively run an agricultural business and even more importantly for the safe welfare of the animals, especially with lambing season coming up.
- The buildings and structures in the photos are sympathetic in design and are in keeping with existing structures, also in the Conservation Area and on adjoining properties.
- The planned building is in keeping with the surroundings and will add to the rural character of the area. Not only that, but it will enable the keeping of livestock that will enhance the experience of visitors and walkers around Holcombe. The planned building

- will not block any views or cause disruption to local residents.
- Regularly walk this area and children love to see the animals
- Aware of the difficulties to manage animals with the level of rainfall in the area
- Evident the owners care for their animals and welfare
- disappointed in those who are trying to obstruct this going ahead, this structure is for the benefit of the animals i think they need to remember this.
- What makes people think that they are running a business from this land. The applicant's are purely hobby farmers.
- If anything the area would be enhanced.

Revised plans received to relocate the pig shelter and field shelter, details of cut and fill works and formation of a bund, elevation of agricultural building amended. Those who were originally notified of the application and any additional objectors were notified of the revisions by letter on 24/2/20.

One letter of objection and one comment received from No 296 Holcombe Old Road with the following issues:

- Whilst understanding the consolidation of buildings, the necessary excavation has been dramatically enlarge to achieve it. This is a very engineered approach - a technical solution but not good design.
- Details of the retaining structure work would be needed.
- The main building is less about providing weather shelter but more about establishing a whole farm operational base - wholly unreasonable to have expectations of a complete farm unit.
- Inevitable need for an access track and hardstanding surface to the entrance. Needs to be shown on the plans. Otherwise will be an enforcement nightmare.
- Should the red edge include the access track? Expect highways to be consulted.
- Service connections to the build bearing in mind the TPO's.
- Access works to the entrance gateway - still more setts are accumulating.
- Confirm this will be site visited by Committee.
- The field is grossly over stocked - am advised this is a field for 8 sheep only.
- Has Natural England been consulted as previously?
- The revised location plan does not fairly or accurately represent the spread of the development. The buildings are set further into the field and the bund is so much further out it is not even fully in the red edge.
- Can I presume that you will ask the applicant to revise the location plan and confirm the scale of the section plans as these are not actually marked with a scale.

Further letter of objection received on 10/3/20 from c/o Dawes Bank, Holcombe. Issues raised are:

- According to the Land Registry, the applicant has paid a significant amount of money for the land which suggests a potential level of intent which seem to go beyond any farming endeavour proportionate to the small area of relatively poor agricultural land they have purchased. Total area of land owned by the applicant is 1.4ha or 3.5 acres.
- In account of the cross section profiles and topographical drawings C/3956 1/1 and 1/2, the drawings show significant land engineering work to create a levelled area of c. 270 sqm, involves excavating 390 sqm of substrata.
- An exposed vertical face of 3m by 26m long would result and require a retaining wall. No details are given of a newly formed yard which would be required.
- The bund would cut into the openness of the Green Belt
- The works required would significantly affect the Green Belt and go beyond what would be appropriate and necessary.
- The agricultural justification by the applicant does not give a reasonable assessment for the scale of development involved.
- Lack of clarity for the purpose of keeping Alpacas.
- Large engineered excavation and bund would be completely out of place with the topography and land form for the location which would be at odds with the Conservation Area and would not enhance the character of appearance.
- The site falls centrally in line with key views of the Listed Holcombe Tower causing

harm to the heritage significance.

- Statutory duty of the LPA under Section 66 of the planning (Listed Building and Conservation areas) Act 1990 to consider impacts on historic interest and heritage assets. There is no convincing justification for the development.
- There is no identified public benefit for the development.
- Impacts and harm would be caused to the setting of Hill End farm - a NDHA.
- The development does not represent sustainable development.
- Conclusion - There are no public benefits from this proposal; any economic contribution would be negligible as would any contribution to national agricultural production. The disbenefits of this proposal are by contrast specific and several and in each case are significant and demonstrable – adversely affecting Green Belt and Heritage, including two designated heritage assets and one non-designated; there is also a case that even without the heritage designations these proposals are unduly harmful to landscape and nor do they represent good design. The scheme is contrary to the Borough's planning policies in each of these respects.

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

Statutory/Non-Statutory Consultations

Borough Engineer - Drainage Section - No response received.

Environmental Health - Contaminated Land - No comments to make

Public Rights of Way Officer - No objection

Conservation Officer - No objection.

United Utilities (Water and waste) - No response received.

Natural England - Confirmed they would be satisfied with a condition for the submission of a drainage scheme. Condition 9 for the submission of a drainage scheme has been recommended.

Historic England - No objection

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

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
EN5/1	New Development and Flood Risk
EN8/1	Tree Preservation Orders
EN9/1	Special Landscape Areas
OL1	Green Belt
OL1/2	New Buildings in the Green Belt
OL4/5	Agricultural Development
OL7/2	West Pennine Moors
EN5/1	New Development and Flood Risk
EN7/3	Water Pollution
EN7/5	Waste Water Management
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.

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 regards the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include bullet point a) for buildings for agriculture and forestry.

Paragraph 146 states that certain other forms of development are also not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land in it. One such development is point b) engineering operations.

UDP Policy OL4/5 - Agricultural development requires buildings or structures to be sited in a manner as to minimise their visual impact on the landscape with regard to height, materials, landform and landscaping, should relate well to existing farm buildings and not have an unacceptable impact on amenity.

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.

SPD8 provides more detailed advice on new buildings in the Green Belt and in particular with regards to the siting, position, scale, materials and form of a development.

The application seeks the erection of an agricultural building and retention of the two existing field shelters for the purposes of housing the applicant's feedstuff and agricultural equipment in association with the keeping and grazing of sheep and alpacas.

The Appeal Decision at Twine Valley Farm, ref APP/T4210/W/16/3151468 for development of agricultural building for housing livestock, found that the NPPF sets no limits on the scale of agricultural buildings or requires evidence of its necessity. It is also stated that unlike some other development types stated in Paragraphs 89 and 90 of the NPPF, the effects of agricultural buildings on the openness or purposes of the Green Belt are not relevant to a consideration of whether or not they are inappropriate.

As it is one of the exceptions given in paragraph 89 it does not therefore have a harmful effect on the openness or purposes of the Green Belt. In this regard also the scheme would not conflict with OL1/2 of the Bury Unitary Development Plan.

Within the context of the current NPPF, the proposed development would constitute appropriate development in the Green Belt and would comply with the principles of bullet point a) of chapter 145 of the NPPF and with Bury UDP Policy OL1/2.

The cut and fill works would comprise an engineering operation. The proposed works would enable the agricultural buildings to sit within the landform and in doing so would soften the visual impact to ensure that openness and the character of the Green Belt would be preserved, and as described in detail in the 'Siting, design and visual impact' section below. The proposed works would not conflict with the purposes of including land within it. As such, it is considered that the proposed development would comply with point b) of Paragraph 146 of the NPPF.

The proposed bund is also considered as an engineering operation under para 146 b). The bund would be formed from earth and grass excavated from the cut and fill works and envisaged to be sculpted and moulded to emulate the gentle undulating and rolling form of the existing field. It is not intended for the bund to appear 'manufactured' or artificial within the field, or require

such significant engineering operations which would be adversely detrimental to the character or appearance of the Green Belt.

It is therefore considered that the proposed development would not impact on the openness of the Green belt and would not conflict with the purposes of including land within it, and as such considered to comply with para 146 b).

Heritage and Conservation Policies and Principles

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires LPA's *in the exercise of their planning functions to have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in the exercise of their planning functions to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

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.

Paragraphs 193 - 194 states that when considering the impact of a proposed development on a heritage asset, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm should require clear and convincing justification.

Paragraph 195 states that where a proposed development will lead to substantial harm to a designated heritage asset, LPA's should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve public benefits. Paragraph 196 states that where a development will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control seeks to preserve or enhance the special character or appearance of the area. In considering proposals, regard will be given to factors including the nature of the development in terms of its design and appearance and relationship to the visual qualities of the area.

EN2/3 - Listed Buildings - Actively seeks to safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features.

Conservation Area

In this case, the heritage asset is the Holcombe Conservation Area. The Holcombe

Conservation Area Appraisal describes the area as rural in character with settlements comprising a series of scattered hamlets. Key characteristics are identified as steeply sloping land forms and dispersed groupings of agricultural and residential buildings, dating from the 18th and 19th centuries, reflecting the predominance of agriculture as the main economic activity. The proposed site is a triangular piece of land which forms part of the eastern slope of Holcombe Hill. This part of the conservation area derives its significance from the open sloping rural landscape.

In accordance with paragraph 189 of the NPPF, the applicant is required to describe the significance of any heritage assets affected. The submitted heritage assessment adequately describes the significance of the conservation area and the impact of the proposal on that significance.

Turning to Paragraph 195 of the NPPF, and assessment of the degree of harm caused, or otherwise, in terms of the siting of the development, the proposed agricultural building would be sited against a dry stone boundary wall, behind which is a line of trees and the side of the hill which slopes steeply up to Holcombe Tower.

S336 of the TCPA 1990 provides the definition of agriculture to include the following - 'agriculture includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly. The land subject to this application is being used for an agricultural purpose, used by animals in connection with an agricultural purpose and is within Green Belt. By definition the use of the land is considered appropriate (Paragraph 145 a) of the NPPF) and is not at question. As this is the case, the applicant is not required to demonstrate need for the use of the land.

It follows that the use of land for the purpose described animals will require welfare facilities and shelter in some shape or form. Understanding the Conservation Area allocation and its value, there is a required need to balance public benefits of a proposal as set out within para 196 of the NPPF.

In appearance, the agricultural build would be a simple timber construction with a mono pitch roof and which is of a type which is commonly found in such rural settings. Likewise, the existing timber shed and low level small curved pig arc (subject to re-painting a less strident colour) are also considered characteristic to the rural setting. Following advice from the LPA, the applicant has also agreed to replace the steel gate (which was erected without planning consent) with a 5 bar timber gate. Details are to be secured by condition.

The cut and fill exercise to reduce visibility and the formation of the earth mound would further mitigate visual impacts. The pig arc and shed, re-located from the centre of the field next to the agricultural building, would sit below the wall, lessening the sprawl of built development.

It is considered that the proposed development would not represent substantial harm or total loss of the significance of the conservation area within the terms of paragraph 195 of the NPPF as the development would not relate to the whole of the conservation area or its total loss. The pig arc and field shelter are ephemeral and reversible and as such summarily considered not to justify refusal. As such, it is considered that the development would represent less than substantial harm to the significance of the conservation area.

Paragraph 194 of the NPPF requires that any harm, (concluded above as being less than substantial), should require clear and convincing justification. In occupying the land for the accepted purposes of agriculture, the livestock consisting of breeding sheep do require housing for husbandry purposes especially at lambing time as well as other animals that may be kept there. This is clearly evidenced in a letter from a specialist animal and equine veterinary surgeon/practice. As such, in Conservation principles, this would represent clear and convincing justification for the proposal, including the use of the land for agricultural purposes in any event, and would comply with paragraph 194 of the NPPF.

Therefore, it is a requirement of paragraphs 194 and 195 of the NPPF to assess the amount of harm, if any will be caused to the significance of the heritage asset or its setting. Total loss of significance would represent more than substantial harm and should be refused unless exceptional or wholly exceptional justification can be put forward. As the proposal does not represent total loss of significance, it represents less than substantial harm (Para 196 of the NPPF). That harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. This assessment has been carried out in the above report and concluded that while there is harm there is less than substantial harm given the merits of this particular case which would justify in allowing the proposal. In carrying out the statutory duty in Section 72 (to pay **special attention** to the desirability of preserving or enhancing the character or appearance of that area by attaching considerable importance and weight to that desirability) the appropriate assessment has been made and conclusion reached.

Consideration should now be given to Paragraph 196 of the NPPF and in weighing the development against the public benefits.

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as stated in the NPPF and is for each application to consider. Clearly in this instance, the siting of structures for welfare purposes has to be balanced against the Conservation Area principles and tests, and public interest can also include the perception of land, visual amenity, history, views or outlook and setting, to name a few. Therefore in accepting the principle of animals being in this location, there is a need to accept that welfare of those animals must also weigh in that balance. Therefore the location and appearance of the chattels, structures and other features required must form part of that balance.

The current location of existing structures are sited in the middle of the field. This location is open, public and visible to many from many vantage points. The application shows that the structures would be relocated to the northerly side of the field, within a minor cut into the embankment and with the creation of a bund in front of them.

The relocation in balance and consideration of public benefit would mean that the total collection of the structures would be retained to a small enveloped area of less than 300sqm at the edge of the field, where visibility of this structures would be oblique and slight from Moorbottom Road and screened and largely shielded from view from Holcombe Old Road. Thereby in a public benefit consideration, the proposed location would be far less sensitive.

The development represents limited economic development, which should be encouraged and where development is appropriately managed in a conservation area, this can preserve the character and appearance of the conservation area, ensuring that in the planning balance, impact is neutral and provides a public benefit in conservation terms. This recognises that planning policy and law is there to facilitate the management of change and not to bar it. By managing change to heritage assets appropriately, the aims to conserve significance and future is in the public benefit.

The use of conditions as set out within the NPPG where they pass the tests of usage, can ensure that development can take place in an appropriate way and can maintain relationships in sensitive areas for many reasons, including visual amenity. The recommendation includes the use of conditions that would control and mitigate for visual impacts of the development and restrict further development by the removal of permitted development rights (condition 7) and can also be used to reinstate the unlawful works to the gate and widened entrance. The condition 6 relates to the gate requiring it to be reinstated to a timber 5 bar gate and to reinstate the original width of the opening using matching construction methods and materials to the field boundary wall.

With the mitigation proposed, it is considered the development would not interrupt sensitive views across this part of the rural landscape and as such its effect on the character and appearance of the conservation area would be neutral in the planning balance. It is considered that in this case, the proposed development would be appropriately and acceptably be managed

and impacts on the character of the conservation area would not be significant and therefore would be in accordance with Paragraph 196 of the NPPF.

Setting of Listed Buildings - Holcombe Tower

Holcombe Tower is only partly visible from Holcombe Old Road. Whilst some of the proposed development would be visible from Holcombe Old Road, the topography of the landscape and intervening forms are such that views of the Tower would not be interrupted. The existing views from the various footpaths to the Tower would also not be hindered by the proposal and as such the way in which the setting of the Tower is experienced in its approach via the various footpaths would not be affected.

As such it is considered that the setting of the Tower would not be affected by the siting of the development and would comply with UDP Policies and the principles of the NPPF.

Setting of Hill End Farm - Non-Designated Heritage Asset (NDHA)

The proposed siting of the buildings when viewed from the various footpaths would not interrupt views of Hill End Farm and as such the way in which the setting of Hill End Farm would be experienced in its approach from the footpaths would not be affected. From Holcombe Old Road, the proposed development would not obstruct or interrupt views of the Farm. As such, it is considered its setting would be preserved.

Conclusion on Conservation/Listed Building issues

Conservation policies recognise that change takes place and seeks to guide the way changes are made so that the traditional character of the area is preserved. Given the above, it is considered that the proposals seen alongside the use of planning conditions would preserve the character of the Holcombe Conservation Area and protect the setting of the Listed Building and would therefore comply with paragraphs 189, 190, 193, 194, 195 and 196 of the NPPF and EN2/1, EN2/2 and EN2/3 of the adopted UDP and satisfy the obligations of Section 66 and Section 72 of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990.

Siting, design and visual impact

Proposed agricultural building and retention of shed and pig arc

As concluded above, the erection of a building for the purposes of agriculture is not inappropriate development in the Green Belt according to paragraph 145 of the NPPF.

However, the development would need to be assessed against UDP Policies OL4/5 and EN9/1 which requires agricultural buildings to be sited in a sympathetic manner so as to minimise visual impact on the landscape with regards to height, materials, landforms and landscaping. High standards of design would be expected and unduly obtrusive development will not be permitted in such Special Landscape Areas.

The natural character of rural areas includes the use of land for agricultural purposes. It is not unreasonable that buildings or structures are sought to accompany such uses which as a matter of principle is confirmed by the NPPF as acceptable. The original siting of these structures was for them to be in the middle of the field. For all the reasons above (Heritage and landscape importance) their relocation has been negotiated.

The agricultural building would be sited at the top of the field and set against a dry stone boundary wall which is approximately 1.5m in height. Beyond that is a line of trees behind which the landscape slopes very steeply up towards Holcombe Hill and the Tower. The proposed agricultural building would have a mono pitched roof with the highest elevation at 4m facing open views from Holcombe Old Road. It would be a simple and uncomplicated build, constructed of a close timber boarding with a grey fibre sheeting. Sited next to it would be the pig arc with a height of 1.2m of a curved tin form which has been painted green. Whilst a low level structure and not particularly obtrusive in itself, the colour does appear to jarr against the backdrop of the earth and field and it would therefore be recommended a darker green or some such equivalent be applied to the outer part to blend within the landform. This could be sought by condition.

The field shelter at a height of 2.1m is also of basic design and constructed of timber. Both these would be re-located from the centre of the field.

The design and materials are what would be expected to be used for such type of buildings, would be ephemeral in both construction and character and which are not uncommon to rural and open field locations, and those areas which are used for the grazing of animals.

In terms of siting, a number of options have been explored, and the applicant has taken the approach to set the buildings into the sloping land in a cut and fill engineering operation. The agricultural building would be viewed against the dry stone wall and the two other structures would be lower. This would result in the structures nestling within the landform and when viewed against the boundary wall, tree line and steeper slope to Holcombe hill, views and visual impacts from the immediate and surrounding areas would not be significantly interrupted or disturbed.

In addition, it is proposed to form a bund approximately 10m to the east of the buildings. This would be moulded and shaped into the land to emulate the topography of the field and which would obscure much of the structures from views, particularly those from the east.

There is sufficient information submitted with the application to understand how the cut and fill operations and subsequent siting of the buildings and the bund would be viewed from all directions, but further detail would be needed as to how it would be made to 'bed in' with the existing land formation. It is therefore considered reasonable to include a condition that further details of this are submitted for approval to secure this.

Turning to consideration of views from the west, from the public path, views of the buildings would be limited by the dry stone wall which forms the boundary and only the upper part of the agricultural building would be visible, with the pig arc and shed much lesser so. Higher up Holcombe Hill, there would be a view of the buildings, but set against the wall and relatively small in size and scale comparative to the surrounding land, only the top of the builds would be noticeable. When viewed from above, the treatment to form the roof of a dark grey fibre sheeting and the re-painting of the pig arc would significantly minimise visual impacts.

From the north and the south, the structures would be partially seen 'side on,' and set within the ground with the land sculpted to naturally mould within the topography, views of the buildings would be limited.

It is therefore considered that the proposed siting and position of the buildings in this location would not have a significantly detrimental impact on the character and openness of the Green belt or the Special Landscape area. The builds would be sensitively sited as opposed to their central location in the middle of the field so as to minimise visual impact from both short and long range views and the design and materials appropriate for the location and uses.

As such, it is considered that the proposed development would be acceptable and comply with UDP Policies OL1/2, OL4/5, EN9/1, SPD8 and the principles of the NPPF.

Retention of gate

The replacement gate which forms the entrance to the site, is a modern 5 bar galvanised steel gate. It is located on a prominent corner position and set and attached between two historic stone pillars. The gate as currently presented, is a striking and visually prominent addition in what is a typically rural setting and appears to be a discordant feature in this prime location.

It is therefore considered that a traditional 5 bar timber gate would be more appropriate and in keeping within this rural setting and more so given its position at the centre of the meeting of 3 well traversed paths/roads. The requirement to replace the gate would be covered by a suitable condition. The condition would also include the requirement to re-instate the original width of the opening of the field boundary wall.

As such, it is considered that the proposed development would be acceptable and comply with UDP Policies OL1/2, OL4/5, EN9/1, SPD8 and the principles of the NPPF.

Impact on residential amenity - The nearest properties are those to the north of the site on Cross Lane, the terraced cottages on Holcombe Old Road to the east and Hill End Farm to the south off Moorbottom Road.

Cross Lane - The closest properties would be Nos 50-52 which are set directly to the north of the site over 130m away from the structures. The orientation of the houses are such that there would be no direct views and as such the builds would not be visible to residents.

Holcombe Old Road - These houses are set at a lower level to the field and the existing shed and pig arc are visible from these houses and on the approaches along Moorbottom Road. Relocating these structures and erecting the agricultural building higher up the field would move the development further away from these houses, to approximately 100m away. The cut and fill works and the position of the bund would screen much of the buildings from their views.

The pig arc and shed would be relatively small in size and scale and it is not uncommon to see such structures within rural settings. Whilst the proposed agricultural building would be a larger building, it is similarly the case that such timber 'shed' type builds are also commonplace in rural and agricultural settings.

It is therefore considered that the proposed development would not detrimentally impact on the amenity or views from these properties.

Moorbottom Road - The nearest house would be Hill End Farm which would be just over 85m from the site. Views of the buildings from this property would be partly obscured by the boundary wall and as the agricultural building would be cut into the land, only the upper part of the structure would be perceptible. The pig arc and shed would not be visible, as they would be lower in height and set within the cut of the land. It is therefore considered that impact on this property would not be significantly damaging.

In consideration of the distance between the proposed buildings and the surrounding residential properties, together with siting the structures within the landform, formation of a bund and external treatment of the buildings, it is considered that impact on the amenity of local residents would not be compromised or detrimentally affected by the proposed development.

Access - There is an existing access into the field via the gated entrance at the meeting of Cross Lane, Moorbottom Road and Holcombe Old Road. Apart from the replacement gate, assessed above, there would be no changes to how the field of the structures would be accessed.

There would be no impacts on publicly accessible routes and footpaths close to or around the site and the Public Rights of Way Officer has raised no objection.

Natural England (NE) - Natural England had initially raised concerns about the proximity of the West Pennine Moors SSSI to the proposed site and how surface water and animal waste would be controlled so as not to affect this area.

The site is in proximity to, but not part of the SSSI, being separated by Moorbottom Road and the dry stone boundary wall. The site is at a lower level to the SSSI and slopes downwards away from the SSSI from west to east.

The field is already being used for the purposes of grazing and agriculture and the proposed agricultural building would predominantly be used for storage purposes. The concerns by NE can be addressed by conditions, for the submission of a drainage scheme and treatment for animal waste to be submitted for approval.

Natural England have confirmed they would be satisfied with a condition for the submission of a drainage scheme and this has been included at condition 9.

Condition 10, for the submission of a construction management plan would ensure the construction of the development would not impact on the SSSI.

Response to objectors

- Given the cut and fill operation and the significant rise in gradient of Holcombe Hill, the proposed structures would not be viewed against the backdrop of Holcombe Hill or the Grade II Listed Holcombe Tower to adversely impact on the setting of the Listed Building.
- The site is an open field and can be used for the grazing of animals without the need for planning permission.
- Chattels can be erected without the need for planning permission.
- Conditions would be recommended to seek further details of how the land would be formed around the proposed cut and fill works and the proposed bund.
- Permitted Development Rights would be removed to restrict any further developments on the site.
- The site/proposals do not fall within the requirement to consult with Natural England.
- Issues relating to openness, impacts on Heritage assets and the Conservation area, landscape, siting, design, materials and appearance have been considered in the above report.

Update and responses to the representations received to the application since the deferment of the 24th March 2020 and 21st April 2020 Planning Committee Meeting.

Publicity

Further letter of objection received from c/o Dawes Bank, Holcombe which raises the following issues:

- There seems to be at least 3 solid grounds for refusal based on - the engineering operation in the Green Belt, Heritage and design.
- A Conservation Area assessment should not treat a proposal just like any other but should reach a higher plane.
- Critical of the applicant's heritage assessment - a fundamental misunderstanding of what constitutes the Holcombe Conservation Area and what comprises its heritage significance.
- The Conservation officer's comments are incomplete and in places contradictory.
- Incomplete in its application of the NPPF and the advice should not be exclusively relied on.

Objection received from 1 Lumb Carr Road which raises the following issues:

- The Conservation Area Appraisal 2010 states that the Council will resist all proposals to develop open spaces within the Conservation area with building.
- Already this field is compromised by both the hut sited in the field centre and number of fences and openings.
- Good to know that the buildings are recommended to be re-sited and grouped and the gate is to be replaced by one more appropriate.
- Still have reservations to the proximity near to the wall and impact on views from and to the Conservation Area.
- To view this simply as an agricultural matter could be misplaced. Alpacas are not part of the UK food chain, - are they personal pets or is the wool marketed - there is no economic benefit to the public purse.
- Retrospective applications put the LPA on the back foot.
- Locals already see the alpacas being harnessed and trained for 'walking on the lead' - a feature of other alpaca petting stations for children.
- Should these concerns as to the true nature of this project be valid, there is no obvious sensible infrastructure to support visitors which could be numerous. Cross Road is not suitable for extensive parking.
- Make no mistake - if approved this business could totally change the character of this central area of Holcombe and be a huge trouble to the community.
- Important note - NO HOLCOMBE RESIDENTS' SUPPORT
- Looking more closely at the Conservation Officer's scrutiny, as a long term resident of Holcombe, I disagree with various points.
- I can see no substantial benefit to the public, nor does the questionable economic value

outweigh the Conservation mandate of enhancement. The large barn and the unpleasant bizarre bund would very much impact on views from Holcombe Old Road, and will be noticeable from Moorbottom Road as an ugly structure with no historical precedent in the area.

- The character of the previous open pasture will be substantially changed for the worse. Clearly the original development done without permission, was judged to be in total breach of the Conservation regs.
- Recently there has been an attempt to lay an electrical service to this proposed new small holding. The Community was amazed at a Highways Order to close Cross lane for electrical works, only to discover these were for the business proposed.
- Personally concerned over possible lighting being claimed for 'security' when no flood lighting is needed. In my view conditions need to be applied strictly to exclude such and protect the heritage landscape.
- Either these eccentric animals are suitable for such a pasture without extra non vernacular structures to blight the landscape or if not surely, major spoiling of the latter is not justified just to indulge a personal whim. Mains Water supply for hygiene of any visitors is also key; is this service to hand as salmonella is a known risk, especially for children ?
- Photos provided of floodlights at Daril Uloom
- Recommendation of approval is most disappointing; , depressing given the Conservation Area regs.
- There is no condition recommended for either protection for the nearby residents to prevent the applicant starting a Visitor Centre or condition to limit lighting of this new building to the interior and not flood lighting.
- Troubled by the significant earth bund - This will change the topography of the field markedly. Whereas the Conservation Appraisal emphasised the natural open rolling nature of the fields was part and parcel of the medieval field patterns, and should be retained. Such bunds are generally for flood defence use in civil engineering - but here I can see no sensible reason for this construction, nor can I source any explanation in the documents submitted. I am suspicious that this is merely being used to enable the applicant to 'hide' all the earth due to the large scale excavation for the barn foundations, rather than remove it from the site, an expensive exercise, and leave the natural terrain unspoiled.
- Recommend the Conservation Officer to revisit the initial judgement - 'Saxon works' are simply no part of a previously beautiful open pasture.

Objection received from No 145 Holcombe Old Road which raises the following issues:

- The development in respect of which the application has, belatedly, been made has already been substantially effected without permission. From a positive point of view this has demonstrated the effect of the development on the landscape in the Holcombe Conservation area. Inspection reveals that the effect has been completely adverse and has created and will, if permitted, have a continuing detrimental effect on this very important conservation area.
- Previously, the land was a beautiful meadow grazed by sheep which, as sheep do, cropped the grass perfectly and without damage to the underlying terrain. Now there are random and unsightly buildings, churned up land and an incomplete and unnecessary car parking bay created at the junction of Cross Lane and Moorbottom Road .This conservation area is a favourite walking area in the Borough and is also the main point of access to Holcombe Hill , Holcombe Moor and the National Trust Estate. The view for walkers is now appalling.

Objection from 155 Lumb Carr Road which raises the following:

- Further to my previous objection, since the applicant has made alterations to the application. I still stand by the reason that this development is not in line with the appraisal of the Holcombe conservation area 2010 and neither with Article 4. It is at present ruining a meadowland and aspect of the Greenbelt area. The council will uphold the article 4 for residents but should bear this in mind when considering this drastic change.

Objection from Higher Barn Farm which raises the following:

- Yet another Trojan horse in our midst ! 41 ft building that supposedly will be hidden from view by placing an earth bund 30 meters in front of it our very own Holcombe Hobbit Land.. supported entirely by people whom don't live in the village. One wonders why ?

Objection from

103 Holcombe Old Road which raises the following

- The application now involves excavation works. As I said in my original objection this application is completely at odds with The Conservation Area Appraisal (2010) and the Bury Unitary Plan. In addition, successful lambing has now occurred in the field without the need for an enormous shed.

Objection from 109 Holcombe Old Road which raises the following

- Completely at odds with the Conservation Area Appraisal and Bury UDP.
- The revised plans will not make the view any more appealing; what was an idyllic view will be forever an eyesore. Being an avid animal lover myself I have noted the animals have lived outside quite happily during their placement. I do not feel that there is a requirement for such an imposing structure to be validated.

Objection from 115 Holcombe Old Road which raises the following

- I live on the Old Road . We all love animals but comments in favour do not take account of the scale of disruption to Holcombe Hill which is (see the addresses) used by people from all over Bury.
- This new plan will butcher a small and pretty field on the lower slopes in a Conservation Area
- It seems Bury is allowing this area to become a site of working farms not an area of beauty & calm used and loved by many. This cannot be right.

Comment received from Home Meadow Barn, Lumb Carr road:

- No objection to field shelter, pig shelter, fencing and gate. However, I do question the size of the agricultural building at 12.9 metres (over 42 feet) and 6.09 metres (almost 20 feet) wide. It is not justified for the size of the pasture which is relatively small at around 4 acres . To have a building with the potential to store a quad bike, trailer , hurdles, chain harrow, 6 deep straw/hay bales, hard feed etc is huge bearing in mind the small number of animals. In recent years, the Council has been extremely strict as to limiting the size of outbuildings in Holcombe area. Being in a conservation area any urbanisation is an issue.
- The location of shelters and storage in one location on an edge of the pasture seems a better solution than spread around the site.
- The land owners have a right to enjoy the land, animals and I am sure the present owners are careful custodians of our countryside. However, the size of storage seems to large.

Additional objection received from c/o Dawes Bank with the following issues:

- Have a personal interest in the area of Holcombe from family history to growing up. It is right and important that any planning decision affecting the Conservation Area and Green belt deserves to be carefully and properly assessed.
- Green belt - perplexed by the conclusions in the report - the extent of excavation and size of development cannot be considered anything other than intrusive and encroachment.
- Conservation Area - (i) the apparent contradiction of finding the effects both harmful and neutral; (ii) the assertion that because you can see beyond and around the development it therefore somehow does not adversely impact on the overall character and setting; (iii) the assertion that the scheme brings public benefits because it incorporates measures to mitigate the adverse impacts - there are no public benefits.
- The report's finding - erroneous in my view - of no harm to the Listed Building setting of Holcombe Tower and similarly Hill End (non-designated heritage asset) and consequently the absence of any balanced weighting of this harm as would be required by the NPPF.
- A mis-representation in the report of the degree to which the Moorbottom wall would mask the development - the wall is stated as 1.5m high but in fact is at or less than c.0.5m high along much or all of the length of the development site.
- Why has Natural England not been consulted as the Government website indicates that it should be owing to being adjacent to the West Pennine Moors SSSI?
- What PD rights could be removed and how beneficial could this be, given that the planning site area red edge is limited and does not include the whole field?
- Given the very specific and precise details now submitted regarding the excavation and bund, what additional information is sought by condition 3? Does this not reveal that the

- submitted scheme is actually not found acceptable?
- The planning balance - duty to find solutions versus duty to balance harm - Ultimately, not all applications can or should be approved - there are no public benefits and the development would adversely affect the Green Belt and heritage, are harmful and represent poor design. The scheme is contrary to policies in all respects.
- These grounds of objection are fully defensible at appeal.
- Failure to take reasonable steps to ensure that the statutory site notice publicity took place for the required 21 days despite advising at the time that a replacement notice would be displayed.
- Statutory requirement to consult with Historic England on site area above 1,000m² affecting Conservation Area character and appearance - has this been undertaken?
- Refusal of the LPA to divulge the pre-application advice for public scrutiny.

Objection received from No 12 Helmsore Road:

- I firstly must point out that I am totally against this - as it is the start of a process in which the owner of the land has bought it strategically in order to at some point apply to build a house on the land - having livestock is the start.
- We must preserve our green belt and especially when it is a SSSI and conservation area. There is no need to erect any further structures in or around the site as there weren't any there previously. The sheep only need a temporary structure when they are lambing.

Objection received from No 103 Holcombe Road

- As this large development lies in the Conservation area it is critical that a site visit takes place so that the Committee can see the effect the application will have. The present lockdown will prevent this and a virtual site visit would not work. There is no reason the application cannot be delayed until we are out of lockdown.
- There would appear to be no animal welfare issues as successful lambing has already taken place in the field.
- Site notices were placed adjacent the site around Christmas but these disappeared quickly. This was brought to the attention of the case officer then. Planning notices for a revised application were again displayed adjacent to the field on the morning of Friday 24th April and these had disappeared by 5.30pm. This means that there has been no adequate public display of planning notices. Another reason to delay the May Committee Meeting for this application. Further signs need to be displayed and left in place.
- One of the Ward Councillors will not be able to attend the meeting due to the pandemic and we therefore have no Councillors to speak for us.
- The application is contentious with no local support on the Planning website.
- There are procedural problems which need to be addressed. The best way to achieve these would be to delay the Committee Meeting for this application until there is a physical site visit, adequate display of site notices and a Councillor voice to speak.

Response to additional objections

- 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.
- 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.
- That the objectors do not agree with the Conservation officer response is not a reason to refuse the application. Views on matters can be different.
- Natural England were consulted on 24/4/20
- A further site notice was posted 24/4/20. the application has been advertised in the press, letters have been sent to nearby neighbouring properties and site notices have been posted on two separate occasions. The requirements of publicising the application have therefore

been fulfilled.

- Due to the current Covid-19 situation, the government has introduced new legislation that enables local authorities to resume, as far as possible, their usual business, using both flexibility and modern technology. This includes holding 'virtual' Planning Committee Meetings and carrying out 'virtual' site visits.
- Representations by Ward Councillors on behalf of local residents can still be made through submission of a written response.
- Historic England have been consulted and have no comments to make on the application proposals.

Further objection received from c/o Dawes Bank, Holcombe on 14th May 2020.

Very concerned about aspects of the LPA's Conservation and Heritage Assessment in the report and has led to me independently commissioning the views of a Heritage Conservation specialist, Kathryn Sather and Associates (KSA) (report dated April 2020)

The KSA Report states two issues - the applicant's inadequate understanding of the significance of the Heritage Assets and their setting; the incomplete and inadequate assessment of the impact of the proposals on the Holcombe heritage assets.

KSA have assessed each element of the proposed new development using the ICOMOS Heritage Impact Assessment Methodology.

The KSA Report can be summarised as follows:

- KSA states that the applicant's Heritage Statement identifies only two heritage assets (Peel Tower and Holcombe Conservation Area) but is deficient in discussion of their setting and significance. Other listed buildings and NDHA in the vicinity are not mentioned.
- The applicant's later submission shows their understanding of the Conservation Area remains partial and selective.
- Removal of pig arc and field shelter from current location - Would constitute a slight visual change which is characterised as a minor change. Therefore the significance of impact is slight, would constitute an improvement to the setting and views so would have a slight beneficial impact.
- Cut and fill engineering works - It is not clear the bund would screen the building from all viewpoints (the oblique angles). Neither the applicant or LPA make reference to introducing this artificial feature into the open slope. The engineering works would result in a visual change to a few key historic aspects of the landscape character - namely a minor change - which would have a slight adverse impact.
- New agricultural building - Problematic in terms of scale and materials which are not characteristic of the area. This element is assessed as having a slight adverse impact.
- Relocation of the field shelter and pig arc - Due to the excavation, they will have reduced visibility from Moorbottom Road. Constitute a slight adverse impact.
- Gate - Already conditioned to be timber rather than steel. But no reference is made to a condition to re-instate the opening width or the stone walls.
- The ICOMOS methodology summarises the impact of the elements as follows - relocation of the pig arc and field shelter would have a slight beneficial impact on the character and appearance of the Conservation area and setting of Peel Monument. All other elements would have a slight adverse impact on the heritage assets.
- The main heritage considerations whether the proposed works would preserve or enhance the character or appearance of the Holcombe Village Conservation area or cause harm to the setting of Peel Monument.

Conclusion of the KSA Report:

- The Applicant's Heritage Statement does not adequately describe the significance of the Conservation Area and the impact of the proposals. It is partial and selective in its approach to the point that it is misleading.
- The LPA fails to draw attention that the field shelter and pig arc were erected without permission - hence retrospective consent.

- Does not identify the need to 'make good' the widening works carried out to the gateway and wall.
- The proposed works will have a slight adverse impact on the character and appearance of the Conservation Area - the proposal is for a new group of buildings in a location where there were previously none and in materials and grouping not in character of the Conservation area.
- No reference has been made to the impact of introducing the bund.
- Regarding views within the Conservation Area and setting of Peel Monument - the proposed development will be experienced by walkers along Holcombe Old Road and affect views from Lumb Carr Road.
- Para 193 of the NPPF states that 'great weight should be given to the asset's conservation, irrespective of whether the potential harm is substantial or less than substantial'. To justify approval of a proposal of less than substantial harm, the case for public benefit needs to be clear and convincing - para 194. The LPA's report maintains it constitutes limited economic development, managed in such a way that impact would be neutral - this is not the case.
- 'Minimal impact' is adverse impact, and therefore harmful.
- The KSA report concludes that the proposal will cause less than substantial harm to the setting of Peel Monument and the character of the Conservation Area and should not be permitted. In addition, enforcement action should be taken to restore the widened opening to its earlier appearance.

In response to this objection and the KSA Report, the Officer Report has been updated above.

Update and responses to the representations received to the application since the deferment of the May Planning Committee meeting.

Publicity

Objections received following the deferment at the May Planning Committee meeting.

Objections received from Higher House, Holcombe, 3, 93, 95 Helmshore Road, 12 Mitchell Street, Tower View, Higher House Cottage, 1 Lumb Carr Road, The Byre Hey House Mews, 5 Cross Lane, 302 Lumb Carr Road, The Croft, Meadow Heys, Hey House Cottage, 31-33 Chapel Lane, Rainbow Cottage, -

- Regularly walk around this area and I have not seen any notices.
- It is an affront to the Green belt and will have a detrimental, negative and damaging impact on views and the visual amenity of the area.
- Strikes me as odd why the Council and its officers would go against the sound advice from the Heritage Consultants instructed by the objectors.
- They highlight the PERMANENT and devastating impact this development would have.
- The same Heritage Consultants have previously advised Bury MBC in the past regarding conservation and protection of this area which has helped from the current policy.
- Invite the Councillors to reject the application.
- Further to the application of the Alpaca Farm in Holcombe I am absolutely amazed this can be allowed when residents of the Village, myself being one for many, many years have jump through hoops to have any refurbishment done to our homes unless keeping with the heritage of Holcombe.
- First of all I was appalled when the lovely wooden gate to the field (which is now the Alpaca field) was ripped off, tossed aside and replaced with an ugly metal one. I had been told I could only replace my gate with wooden yet this is directly where everybody walks past to climb Holcombe Hill – an absolute eyesore. Yet Bury Council did nothing. The field now houses more animals than I think the field should and there seems to be not enough grass and just looking more and more tired with every week. Another eyesore.
- Holcombe Village was a beautiful tourist spot for the Borough of Bury (and still could be) but gradually it is becoming the total opposite, wheelie bins everywhere – planning permission being granted without the long term effect being taken into consideration. Once again I ask that you oppose this destruction of Holcombe Village.
- Given the fact this is part of a conservation area, granting planning permission must be seen

as a complete contradiction to the conservation mandate of enhancement. The erection of a barn and 'bund will be hugely intrusive on what was once a pleasant, traditional pasture. Previous grazing did not necessitate the erection of sheds or a wind turbine.

- This building would damage the appearance of this area. My family and I visit the hill and cannot see how this would be a good thing.
- Conservation Area and any buildings will spoil the environment and possibly lead to change of use.
- I was in conversation with an agricultural knowledgeable person on Cross Lane this morning. He instigated talk on the Alpaca Filed development nearby, as to his view that the field was over stocked, contra to the agricultural regs for animal welfare. He was amazed to hear of the application in train. Clearly another consequence of the lack of public notification - due to the removal of your notices within hours of their installation. He went in to say that he intends to check out the livestock regs per acre, to object too, if he could discover in time. He also remarked that the grass was almost bare and that no water was laid on for the stock so the owner has to cart in this service for his animals which does seem out of order
- Hence I believe BMBC has legal duty to check out the regs on agricultural compliance to safeguard Health and Safety of animals before releasing approval for this, perhaps misguided, venture.
- The wind turbine is particularly regrettable to a Community who fought against and won against development of the huge wind farm opposite.
- The outbuilding proposed on a 4 acre piece of land with a small flock of lambs and alpacas is excessive at over 12.2mx6.1mx4m= 297.7sqm. (Note: The average 4 bed-detached house in the UK stands at between 149-200sqm);
- The mound of earth being suggested to disguise the huge outbuilding will not obscure our view of the building from our garden, which stands at a higher elevation than Holcombe Old Road (+2m);
- The proposed outbuildings and the ugly wedge of earth will be visible from the other 3 elevations of the site, which includes Moorbottom road (a popular walking path for residents & visitors) and the view from the Peel Tower Monument itself;
- If the application has to include a huge excavation of a pretty meadow to disguise it from public view then does this not confirm that the outbuilding is totally at odds/not complaint with conservation policies.
- I invite the officers to view the site from our garden.
- We are concerned that, given it's size, there would be a future opportunity to apply for change of use to convert it into a dwelling which is clearly against the intention of the protection of the conservation area.
- The scale of the earthworks involved are mind boggling for the middle of a conservation area and completely inappropriate.
- The works will be a blight on the environs and approach to Peel Tower, a cherished recreation destination for thousands of walkers.
- It will be reminiscent of Offa's dyke and future generations of archaeologists will puzzle as to its purpose.
- There can be little doubt that the applicant has a long term plan for the site, this is clearly a Trojan Alpaca designed to be the first move to breach the walls of rural Holcombe.
- There are many fields in less prominent locations which would be far more suitable for this operation. However I do concede that should areas would not as attractive for the possible future uses of the site envisaged by the applicant.
- Not aware of it until I saw it in the Bury Times - disgraceful suggestion to vandalise Bury's most significant beauty spot.
- The numbers of grazing sheep and animals is determined by agricultural regulations.
- Since the applicant now has 9 ewes, 5 alpacas, plus numerous lambs, clearly this is almost twice the previous grazing level. Water is not sufficiently available for these animals - and again the applicant brings in water routinely. The current position is possibly unsustainable, and the animals are at risk of suffering, if moorland water levels diminish, and no mains supply is to hand.
- Very large pile of animal dung now accumulated in the bottom half of the field.
- I urge Bury Council to check out compliance to these agricultural regulations prior to the meeting, and consider the risk that, by their officers encouraging the Members of the Committee to approve, they lay themselves and the Members open to possible prosecution.

Ignorance is no excuse in law for all parties.

- Building disproportionately large of the field.
- Better location would be a smaller building at the entrance and so the field is not damaged by delivery vehicles for feed etc.
- preferable to remove the large mound of earth.
- If approval granted its use should be restricted relating to storage for managing livestock.
- The Council notices were removed by persons unknown, within hours of being posted, but those who removed them, must have had a vested interest in so doing, to prevent passers by from being made aware of the proposed action.
- The Holcombe countryside is one thing that attracts so many visitors from our urban areas, indeed, the one thing that the owners said most attracted them to buy the field in the first place ! This is an area of green belt and conservation, which needs to be protected and enhanced, not destroyed.
- Brought to my attention just now is
- "On the planning portal the this applicant has applied before for a dwelling house and barn where he was breeding the alpacas too. The first one was Radcliffe and the second one was Ringley road, so u may be right re future intentions but funny how it was declined in past albeit it was for something different"
- This seems to reinforce my previous objections as to his possible future intentions.
- The proposed application will significantly disrupt the nature and appearance of a highly valued part of the borough's conservation area which sits within the Green Belt and is also a SSSI. The erection of the barn and earth works is proposed adjacent to an ancient stone wall, putting it at risk of permanent damage, and the visual impact of what is proposed will significantly undermine the amenity value of the area, which is enormous and enjoyed by local residents and visitors alike from further afield. Holcombe Hill and Peel Tower have an iconic value across Bury and it is very important to conserve this, consistent with the status of the area as a designated conservation area, and not seek to introduce buildings and changes to the landscape which will detract from the area's appeal and its value for so many.
- I wish to object to this application on the grounds that it does not enhance the conservation area in any way and on the face of it appears to be another example of development via the backdoor.
- If this is a business enterprise as is claimed, as far as I am can see it is a business which does not advertise its services or products.
- Furthermore, the siting of the buildings appear to be in an area which commands the best view of the surrounding area... which not only makes such buildings more visible to visitors and residents of the area but clearly makes the potential of conversion to residential dwellings more attractive.
- Officers and elected members should search previous applications regarding "Alpaca Farms" to see that applications for dwellings are often included or follow soon after.
- Finally works on this scale will irreversibly destroy an area in the centre of Holcombe village and the conservation area as a whole.

Response to objections

- Issues regarding the visual impact, Conservation area assessment and impact on vires have been covered in the main Officer report.
- To clarify, condition 6 requires the removal of the steel gate and replacement with a wooden gate.
- The reference to animal welfare and compliance to safeguard Health and Safety of animals is facilitated under separate planning legislations and not a material planning consideration.
- The wind turbine does not form part of the planning application.
- The area of the proposed structure is calculated as the length x width - 12.2m x 6.1m sqm = 74.42. Volume is calculated as length x width x height - 12.2m x 6.1m x 4m = 297.68 cubic m.
- Any change of use would require a planning consent.

Update and responses to the representations received to the application since the deferment of the June Planning Committee meeting.

Publicity

Objections received following the deferment at the May Planning Committee meeting

No 103 Holcombe Old Road,

- A professional heritage assessment of this planning proposal was commissioned from Kathryn Sather Associates - the same heritage conservation consultants employed by Bury to produce the Holcombe Conservation Area Appraisal as endorsed and accepted by the Planning Control Committee in 2011.
- This recent assessment concludes that the planning proposal will cause 'harm to the setting of the Peel Monument and to the character and appearance of the Conservation Area and should not be permitted'

1 Lumb Carr Road

- With regard to the real site visit now pending I wish to request that the Committee members view the messy Field Buildings in existence plus the new Barn proposed site from both Holcombe Old Road and Moorbottom Road to gather the overall impact on both significant Public Rights of Way in Holcombe, used routinely by both walkers and tourists.
- Without protection the poor terrain would be damaged.
- Not sufficient available land for the number of animals - inadequate animal husbandry
- Need to check out compliance with agricultural regulations
- Legitimately worry that development of a full scale farm base if allowed would create a further case for on-site accommodation

Leeside

- This property lies at the junction of 2 ancient routes, and the first edition of ordnance survey maps shows a criss crossing of public footpaths on the property
- It also lies within the historic Tottington Lower End and Royal Manor of Tottington.
- Recent archaeological excavations within 2 KM have found evidence of Anglo Saxon and Medieval occupation, and the ancient paths may have a connection with the transportation of goods from the area, particularly with Monk Bretton Priory with which it has a documented connection dating to 1172.
- As a condition, a magnetometry survey should be undertaken and subsequent archaeological excavation. I assume this application has been referred to the county archaeologist.

Support received from 21 Cliff Mount

- Unfounded accusations are being made in the objections
- Stick to the facts - the application is for a small barn, gate and pig arc. The metal gate is to be reverted back to timber despite a metal gate not 10 metres away. The pig arc is movable. I would suggest both these inclusions are unnecessary in the first place. Leaving the small barn which is of the right size to use for animal husbandry.
- Somehow this application and the one at the Riding School needs yet more site visits and scrutiny, despite both being recommended for approval.

Response to objections

- There are no historic environment records for the application site. As such, an informative will be included that if any archaeological remains are found, the applicant is advised to contact Greater Manchester Archaeological Unit and the LPA.
- Any further development would require planning permission.
- Agricultural husbandry and welfare are not material planning considerations and are regulated under separate environmental regulations.

To clarify, a total of 49 representations have been received.
31 objections, 17 in support , 1 comment

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. Within 28 days of the development hereby approved, a scheme for the implementation of the development, including a timetable of works, shall be submitted to and approved by the Local Planning Authority. The approved scheme only shall be implemented thereafter.
Reason. In the interests of visual amenity and to protect the setting of the Holcombe Conservation Area pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual Amenity, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control, EN9/1 - Special Landscape Areas and OL4/5 - Agricultural Development.
3. Notwithstanding the provisions of the approved plans, no development shall commence unless and until full details of the proposed cut and fill works and the height and form of the bund, including a methodology, together with details of the appearance of any exposed structures, grading and resulting topography of the land on all sides of the cut and fill works and the bund has been submitted to and approved by the Local Planning Authority. The approved details only shall be implemented and approved land form and topography only shall be retained as approved.
Reason. In the interests of visual and residential amenity and to preserve the setting of the Holcombe Conservation Area, Area of Special Landscape and the character of the Green Belt pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual Amenity, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control, EN9/1 - Special Landscape Areas, OL1/2 - New Buildings in the Green Belt and OL4/5 - Agricultural Development.
4. Within 28 days of the development hereby approved, the pig arc shall be coloured matt black and thereafter maintained in that colour.
Reason. In the interests of visual amenity and to preserve the openness of the Green Belt and protect the special character of the area pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual Amenity, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control, EN9/1 - Special Landscape Areas, OL1/2 - New Buildings in the Green Belt and OL4/5 - Agricultural Development.
5. The agricultural building hereby approved shall be constructed of a timber boarded material with a dark grey sheet roof and thereafter maintained.
Reason. In the interests of visual amenity and to preserve the openness of the Green Belt and protect the special character of the area pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual Amenity, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control, EN9/1 - Special Landscape Areas, OL1/2 - New Buildings in the Green Belt and OL4/5 - Agricultural Development.

6. Within 28 days of the development hereby approved, a timber gate to replace the existing 5 bar steel galvanised gate to the north access of the field, as shown located on approved plan 'Proposed Location Plan Version 3', together with details of works to re-instate the original width opening to the field boundary wall shall be submitted to the Local Planning Authority for approval. Within 56 days of the approval of the details, the approved timber gate only shall be used to replace the existing gate, and the works carried out to re-instate the opening, and to be thereafter retained as approved.
Reason. In the interests of visual amenity and protect the special character of the area pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual Amenity, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and EN9/1 - Special Landscape Areas.
7. 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 Class B of Part 6 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To safeguard and protect the visual amenity and special character of the area to ensure that future inappropriate development does not occur pursuant to policies of the Unitary Development Plan listed.
8. This decision relates to drawings numbered Proposed Location plan V3; Proposed agricultural building C3956-1-1A; section plan C3956-1/2A; Volume results plan and topographical plan C3956-1/1-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.
9. Within 28 days of the development hereby approved, details of a drainage scheme and the treatment for animal waste shall be submitted to and approved by the Local Planning Authority. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented on first use of the development hereby approved and thereafter maintained.
Reason. To ensure there would be no adverse impact from pollutants from the development and the site on the natural habitat of the area in accordance with chapter 15 - Conserving and enhancing the natural environment of the NPPF.
10. Prior to any works commencing on site, details of a Construction Management Plan' shall be submitted to and approved by the Local Planning Authority and shall confirm/provide the following:
- Type of vehicle movements;
 - Access points to the site;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - 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 carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dirt and 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 construction periods. The areas identified shall not be used for any other purposes other than the access/turning/parking of vehicles and storage of 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

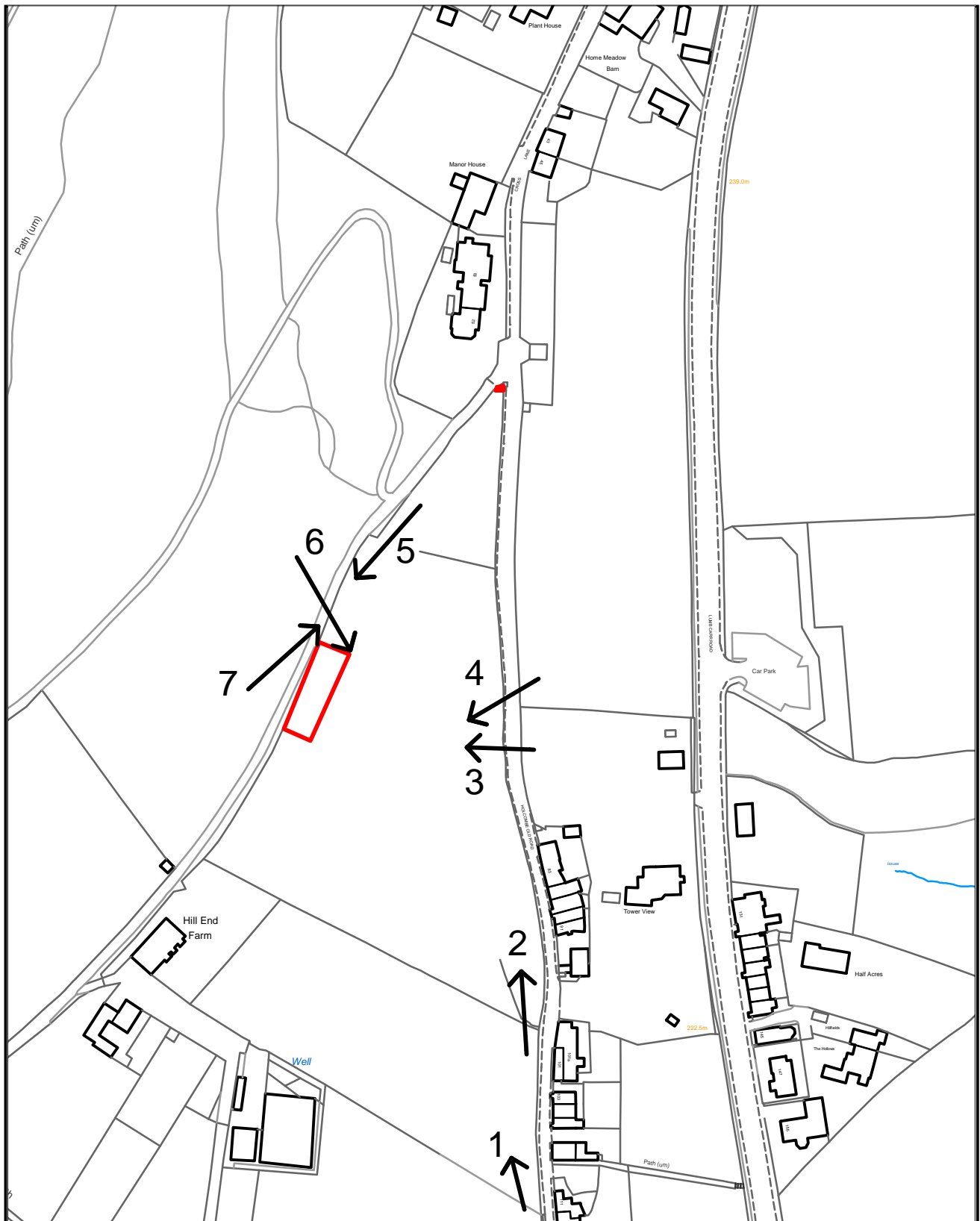
area and ensure adequate access and parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual Amenity, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control, EN9/1 - Special Landscape Areas and OL4/5 - Agricultural Development.

11. Should the land cease to be used for the agricultural purposes or the structures hereby approved cease to be required or used, the approved structures shall be removed from site and the land re-instated to its former state, and within 3 months of it ceasing operation.

Reason: In the interests of the visual amenity pursuant to Policies EN1/1 - Visual Amenity, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control, EN9/1 - Special Landscape Areas and OL4/5 - Agricultural Development.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64786

**ADDRESS: Land to the south of Moorbottom Road
Holcombe**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64786

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

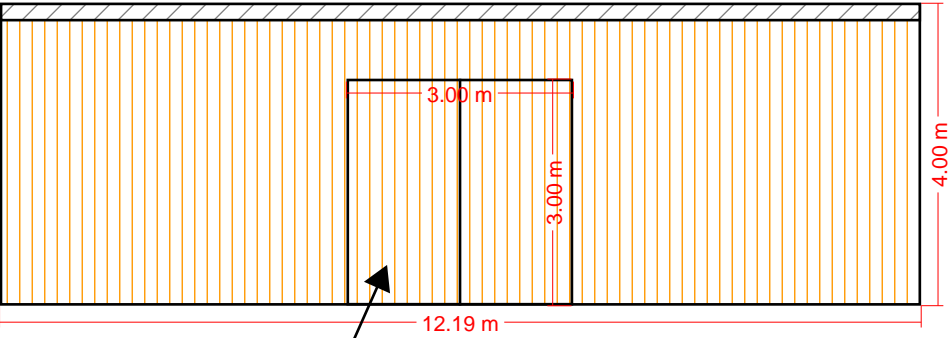


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Photo 8

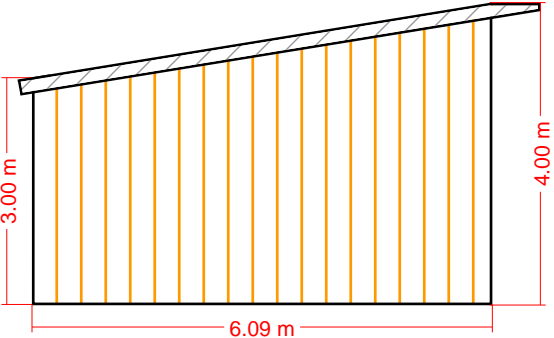


Eastern Elevation

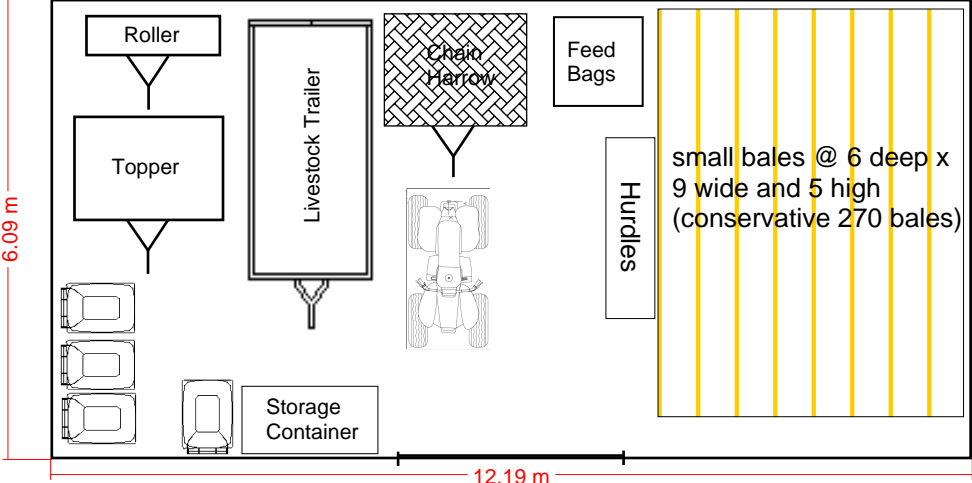


Timber Barn Door

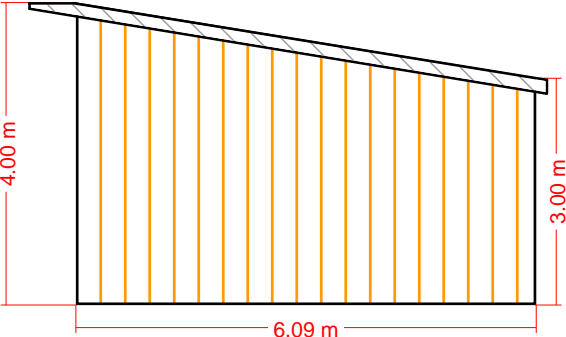
Southern Elevation



Roof Plan

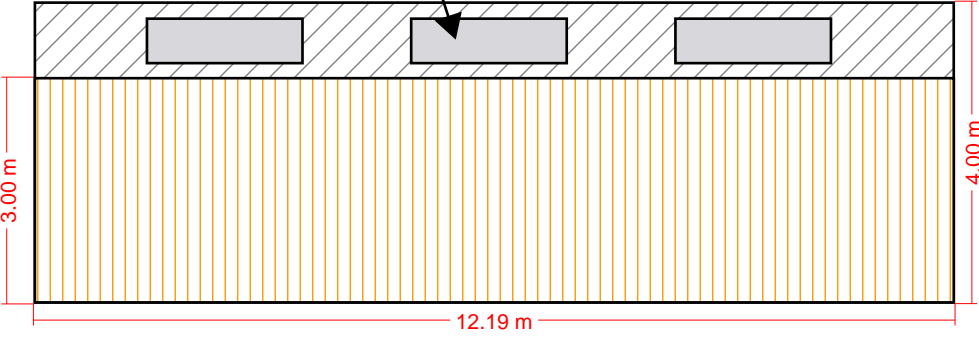


Northern Elevation



GRP Rooflights

Western Elevation



Do Not Scale From This Drawing

Notes:

THIS DRAWING IS STRICTLY FOR THE PURPOSE OF ASSISTING THE PLANNING AUTHORITY TO MAKE A DECISION ON THE PROPOSED DEVELOPMENT. THE PLANNING DECISION NOTICE SHOULD BE CONSIDERED AS BEING THE DEFINITIVE DOCUMENT WITH REGARD TO THE DIMENSIONS OF THE BUILDING. UNDER NO CIRCUMSTANCES SHOULD THIS DRAWING BE USED AS DEFINITIVE AND ALL CRITICAL MEASUREMENTS MUST BE CHECKED ON SITE.

SPEC:

Structure: Timber Framed

Side elevations: tanalised timber close boarding.

Roof details: Natural Grey fibre Cement Sheetting with GRP Rooflights.

0.6m overhang to front elevation

15deg roof pitch complete with crown ridge, barge flashings and foam ridge fillers. All eaves to have trimline box gutters complete with PVC fall pipes.

Client:

Mr. & Mrs. M. Unsworth

Drawing Title:

Proposed Agricultural Building

Project Address:

Land off Moorbottom Road, Holcombe, Bury

DRG No.

C3956-1-1A

Scale

1:100 @ A3

Drawn

TW

Checked

MU JU

Approved

TW



p wilson & company
chartered surveyors

UKLANDand
FARMS.co.uk

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Date

18.02.2020

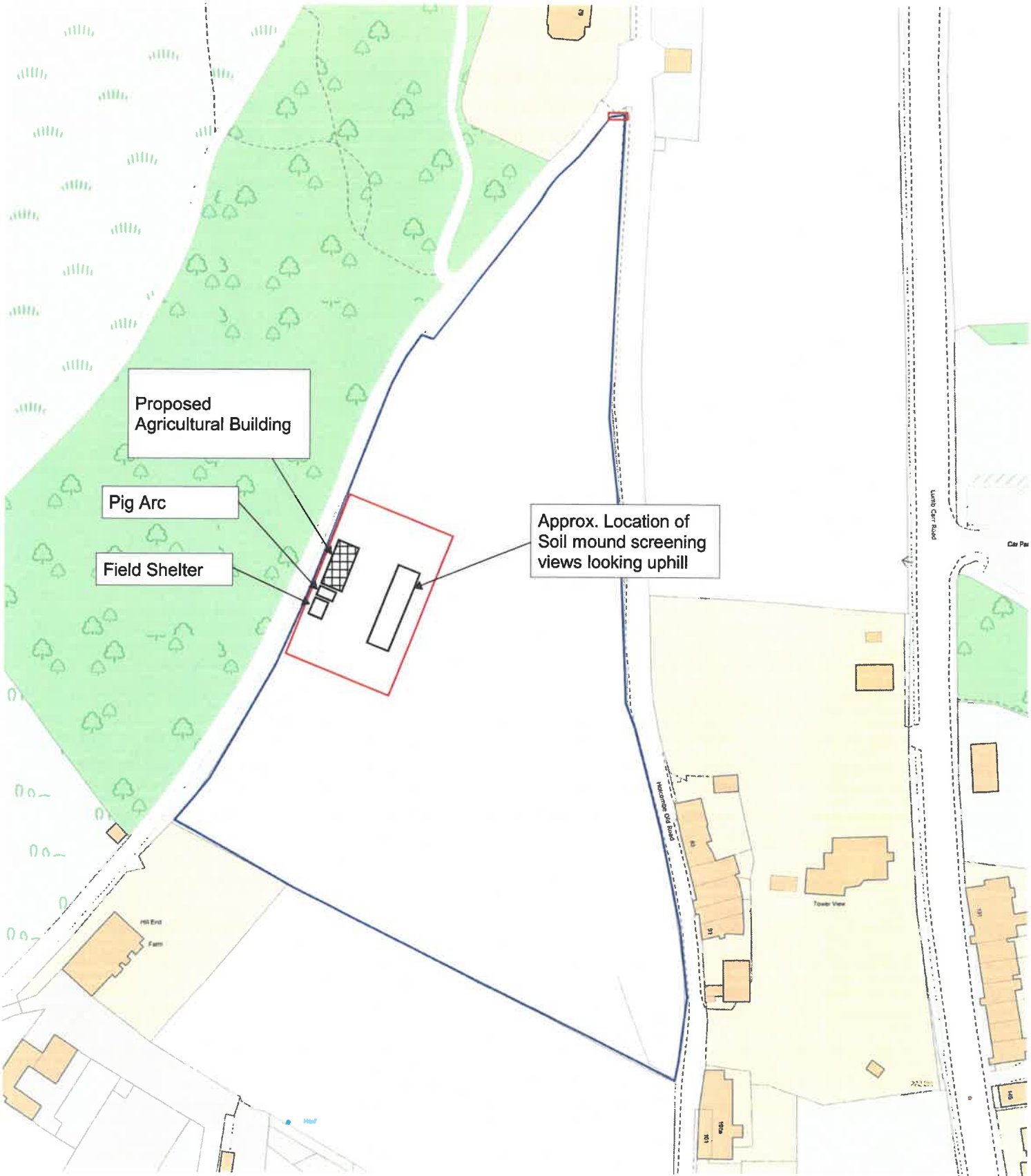
www.pwcsurveyors.co.uk

01772 882277

Revision

C

Proposed Location Plan V3



Fill 329.5m³

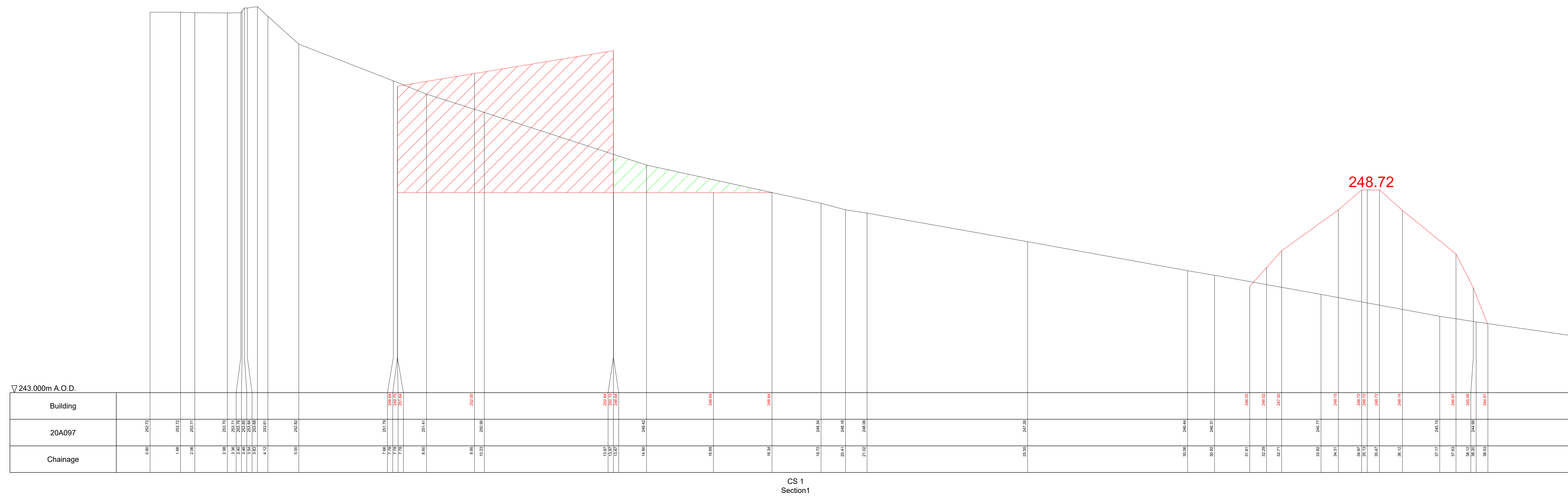
Balance Cut 59.4m³

would be required

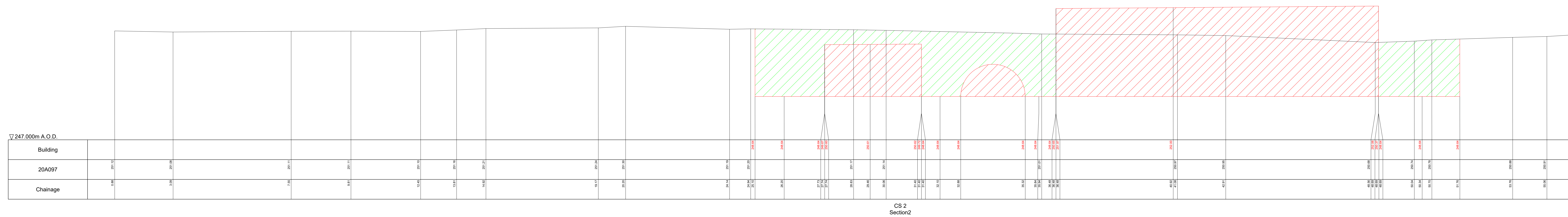


SECTION 2

PLAN No. C3956-1/1-A



AREAS HATCHED GREEN/RED TO BE CUT



PLAN No. C3956-1/2-A