

**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 03

**Applicant:** Margaret Haes Riding Centre

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

**Proposal:** Retention of welfare unit with associated landscaping to form welfare and security accommodation  
(Temporary consent for 5 years)

**Application Ref:** 64955/Full

**Target Date:** 27/01/2020

**Recommendation:** Approve with Conditions

**The application was deferred at the February 2020 Planning Control Committee meeting to carry out a site visit.**

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

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

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

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

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

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

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

The riding school specialises in offering lessons and activities for those with special needs as well as the able-bodied, and of all ages. The applicant states that the development is required to provide an ancillary resource in association with the riding school for a small administrative office and to enable better and secured welfare facilities for staff, visitors and users of the riding facility. The building would also enable natural surveillance over the entrance to the site which is particularly important and crucial to the well-being of the children and other vulnerable users who attend the school.

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

#### **Relevant Planning History**

47759 - Erection of building to include new loose boxes, equipment store and disabled wc's  
- Withdrawn by Applicant 01/05/2007  
48135 - New loose boxes plus w.c. for the disabled - approve with conditions 27/06/2007  
19/0292 - Enforcement case - Storage containers

#### **Publicity**

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

Site notice posted 18/12/2019

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

15 Letters of objection received in total.

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

The issues raised were:

- Object to the size, industrial appearance and position on the edge of the lane - very visually prominent.
- Conflicts with the landscape and question whether it is in keeping with conservation regulations.
- Possibility of the relocation of the unit with appropriate screening of the unit at the very least?
- Not ideal construction in an SSSI and Conservation Area and does not enhance the character of the area.
- Large amounts of earth and other materials have been added on top of a very steep bank that is only supported by a dry stone wall - parts of the wall have already fallen down as a result and any slippage in the ground would result in more wall and possibly the bank falling onto Moor Road which is the only access to my property and other farms. Dangerous location.
- Works should be carried out to ensure the bank is properly supported and earth/sand/hardcore would not wash down the bank and into the drainage ditch below, which would result in further silting up of a drainage system already causing problems.

- Disappointed the applicant has not consulted the Holcombe Society of which he is a member.
- Looking at the plans the location of trees has been changed on a photograph which does not show true representation at all of the situation. All in all this is something which should not have been placed in this area and need to be removed and a relevant aesthetically pleasing natural material construction be put forward.
- Contravenes the special Article 4 Conservation Area character
- One side appears to have some artificial foliage attached, but the sides remain ugly and out of keeping with the rural aspect.
- I bought a house in a conservation for a reason and not to look out on an industrial unit that is totally incongruous with the natural environment. I am very concerned the charitable nature is only a ruse to secure residential accommodation and either way this should not be allowed to go forward. Our countryside needs protecting as well as the integrity of applications.
- Bury Council should send out a very strong message to the owner of the land, that you simply cannot put any unsightly units on your land, whatever the use.
- There are no contracts for the riding schools attached to the deeds - this is an obvious exit plan for the owner - your ability to grant permission paves the way for it to change to a residential development.
- My main concern is the underpinning legality of the application which I would strongly recommend that the Planning Officers investigate with legal specialists if need be. I do not believe that BMBC can permit an application if there is any doubt that the applicant is neither the owner nor the tenant in question.
- I strongly recommend that any Planning Permission granted is strictly tied to the Riding School as tenants ( with the caveat of course that this is proven) and cannot roll on to benefit change of the use of the land to say an urban development.
- Visually ghastly
- The location of the container is incorrectly depicted on the plan.
- Inconsistent with the claim for needing security as it is so distant from the access slope.
- The recently constructed floodlights cannot be justified.
- It is in full view of houses and the iconic Peel Tower.
- Would be better as custom built next to the original stables.
- What is the other new block specified on the plans but not referred to in the application?
- Are water mains available for the facility?
- An inaccuracy of the application is the access track up a slope from Moor Road to the Riding School on the agents plan which suggest this is all the long term property of the Riding School under the terms of the lease.
- Strongly recommend a site visit by Councillors and officers
- Describing the site as 'brown field' is false. It is in a conservation area, is green belt and borders National Trust Land. It also adjoins a main route used weekly by hundreds of walkers going to Bury's true iconic Peel Tower.
- Policy is incorrectly stated in the application
- Am sure everyone would like the centre to have secure facilities but the location of the container is not appropriate.
- The landscaping is a concern as the banking to the boundary with Moor Road is already compromised.
- If permission is to be granted it should be temporary to allow for long term more suitable plans.
- Does not preserve the openness of the Green Belt would conflict with the NPPF and therefore very special circumstances would be needed.
- Heritage - Grade II Listed Higher House and Holcombe Church - considered to harm the setting.
- If approved a condition should be attached to require its removal in the event it is no longer needed.
- As a separate matter, apparent/potential planning breached at the overall site should be investigated.
- Concerns are compounded by the fact that the agent for this application has a track record of large scale development and no record of working with charitable organisations (see their website).

- I would have no objections if such were built in a safe and sympathetic manor in keeping with the surroundings.
- Should take into account the line of sight judgement as on other applications

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

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

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

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

- Insufficient time for representations to be made
- the original plan and elevations bear no resemblance at all to the actual shipping container which had been placed on the site and therefore it is highly unlikely in my submission that the new proposal will bear any resemblance to the drawings.
- The new proposed siting of the shipping container is also still within the line of sight from Helmsshore Road, it was a pre-condition for a previous application (48135) that no structure should be visible.
- Should be a new application as the changes are material.
- Refer the committee to aerial photo which shows the concrete has been extended to a large area.
- It appears that the Council have been providing advice as to how the applicant can be amended.
- Floodlights have also been installed on the site which also should be considered by the council, no permission or consultation has been sought by the applicant for this.
- Strongly urge the committee to visit the site in order to appreciate the extent of the changes which have been made, and the council should bear in mind all the time that the applicant only has made this retrospective application in response to a visit by an enforcement officer.
- Failure to address the concern this is a permanent application for a non permanent need. The appropriate application should be for a temporary structure.
- Bury MBC has a duty to protect and preserve the Green Belt and conservation nature of this area.

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

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

**Traffic Section** - No objection or comments to make

**Borough Engineer - Drainage Section** - No response received.

**Environmental Health - Contaminated Land** - No comments to make

**Conservation Officer** - No objection.

**Public Rights of Way Officer** - No PROW issues

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

#### **Unitary Development Plan and Policies**

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

#### **Issues and Analysis**

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are

considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

### **Green Belt Policies and principles**

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

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

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

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

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

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

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

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

The proposed building would be 'free standing' and there would be limited ground works required to re-locate the building and being constructed of a metal material, for all intents

and purposes, the make-up of the structure is more of temporary type build.

It could be removed from the site at any time and therefore not a build which would permanently harm the openness of the Green Belt. Given the sensitivities of the location of the site, it is therefore considered that a grant for a temporary consent for a period of 5 years would be a reasonable approach and a condition to this effect would be recommended.

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

#### **Heritage and Conservation principles**

Paragraph 189 of the NPPF states that in determining applications, LPA's should require an applicant to describe the significance of any heritage assets affected, including any contribution to their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

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

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

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

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

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

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

The re-siting of the welfare unit back away from its exposed position would place it in the context of the existing stable buildings. With the proposed timber board cladding and mono-pitched felt roof it would essentially have the appearance of a stable building within a group of others. The use of the building would be consistent and appropriate to the

context of the site and would provide a facility of benefit to both staff, visitors and users of the riding school, enabling the facility to continue to contribute a valuable facility for the local and wider communities, and in compliance with para 192 of the NPPF.

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

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

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

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

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

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

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

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

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

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



which is commonly found and seen in such rural and countryside settings.

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

However, it is acknowledged that for all intents and purposes, the build is a metal container type and one which is not permanently fixed by foundation works within the ground. It is therefore considered to be a more temporary solution to other builds which are located within the Riding School site. As such, a temporary consent for 5 years would be a considered and balanced approach and this would be recommended by condition, to which the applicant has agreed.

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

It is therefore considered that the proposed development would therefore comply with UDP Policies OL1/2, OL4/7, EN9/1, SPD8, SPD10 and the principles of the NPPF.

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

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

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

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

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

#### **Response to objectors -**

- The LPA is required to assist an applicant where it can remedy unauthorised works and this includes the ability to submit applications retrospectively and dealing with them (article 35(2) TCP (General Development Management Procedure)(England) Order 2015. "The Planning Act 1990 makes it clear in s179 that "it shall be a defence [for the perpetrator] to show that he did everything he could be expected to secure compliance" - this can include discussions, actions and including the submission of an application under s73A (retrospective - ie planning permission for development already

carried out). The applicant has been responsive in this respect and discussions have been on-going up to this time of presenting the application before the Planning Committee.

- It is considered a simple refusal of the planning application would not have assisted in any positive recourse or solutions. The LPA has worked with the applicant to progress proposals which would provide the best and most positive solution to the situation.
- The NPPF states, at Para 38, that LPA's should approach decisions on proposed development in a positive and creative way.....and work proactively with applicants to secure developments that will improve economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible.'
- This application is not in connection with any proposals for the redevelopment of the site for any other purposes.
- All issues with regards to the siting and appearance of the build and impacts on the Green Belt, Conservation Area and Listed Buildings have been covered in the above report.
- With regards to the other 2 containers referred to. One is used as a secure tack room. The applicant states that this container was brought on several months ago to replace an existing. Notwithstanding this, the replacement container requires planning permission and this is being investigated. The other a smaller container type which appears to be a more recent addition. Again, the applicant will be advised to apply for a planning consent for its retention or remove it, if it has not been removed already.
- In terms of the safety of the embankment, the applicant has refuted that the siting of the container has resulted in earth and stone slippage from the embankment and onto Moor Road. Close inspection and photographs submitted show that part of the container has been positioned on concrete blocks on the upper part of the embankment to form a sturdy base. There does not appear to be any harm caused to the safety of the embankment and therefore it would not be reasonable to require the applicant to carry out a full survey or strengthening works. What would be reasonable, would be to include a condition that a scheme for the landscaping of the area be submitted for approval, that once the container is moved.
- In relation to application reference 48135 in 2007, this current application is judged on its own merits.
- The floodlights are not part of the current application and subject to an enforcement matter. The applicant has, however, clarified that lamps have been attached to existing structures and no new poles or lighting have been erected.

#### **Update to the application since the deferment of the 24th March 2020 Planning Committee Meeting.**

#### **Publicity**

Letter of support received from No 9 Astley Hall Drive with the following comments:

- The riding centre is a fantastic asset to the community as whole.
- My disabled daughter has been going to the centre for nearly 20 years with Jigsaw, another great community organisation.
- Over the last few years the facilities have slowly been improving with the work of the charity that runs the centre and the welfare unit is much needed, especially in inclement weather, which is not unknown in Holcombe!
- The centre have taken note of the comments of the local residents and re-sited the unit so it has limited visibility and will clad it so it looks like a stable.
- The development such is supported by local and national policy, particularly NPPF Policy 145 b) on Green Belt, which has an exception allowing buildings for recreational purposes and policy 96 promoting facilities for sport and recreation.
- The application has my wholehearted support, given the invaluable experiences they deliver to the disabled community and its compliance with policy.

Objection received from No 1 Lumb Carr Road with the following comments -

- Troubled that in the Supplementary information feb 2020 LPA meeting the case officer

recommends - "Permission is hereby granted for a limited period only, namely for a period expiring 5 years from the date of this decision notice.....unless a valid application is received by the LPA for its retention."

- To me this leaves the door open for future retention, and does not seem to completely exclude such, as I have been advised by officers was their intention. Their statement that ' A Shipping Container is always a Shipping Container' , which they claim to always be a temporary construction and never a true building seems at variance with the wording of this condition (Item 02). I strongly urge hence that the lack of opportunity to 'roll on' timber clad or not timber clad' over the 5 year restriction is tightly specified. And this clause removed to emphasise the regulated terminal time limit of this ugly artefact.

### **Response**

The condition has been amended to read:

Permission is hereby granted for a limited period only, namely for a period expiring 5 years from the date of this decision notice, and the building and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued at the end of the said period and the land reinstated to its former condition.

### **Update to the application since the deferment of the May 2020 Planning Committee Meeting.**

#### **Publicity**

Comment from Higher House, Moor Road:

- When this application was first raised it was decided that a site meeting would be conducted before a decision on planning was made. We are now living with Covid 19 restrictions and whilst I appreciate that the business of council must go on I question why THIS application has to go forward at this time. Particularly when a physical site inspection cannot now take place. There is no urgency as this structure has already been on site for at least 9 months.
- I firmly believe that a site inspection would enable the councillors to see whether what has been introduced on the site is really necessary and appropriate for the needs of the disabled riders. It would also give the committee the opportunity to speak directly to staff and volunteers within MHRS to ascertain if this structure is really needed and wanted by the charity, rather than simply to rely on the view and wishes of the landowner.

### **Response**

The application was deferred from the May 2020 Committee meeting to carry out a site visit prior to the June Planning Committee meeting.

### **Update following the deferment of the application at the June 2020 Planning Committee meeting.**

#### **Publicity**

Objection received from 1 Lumb Carr Road -

- Trying to convince us that a Shipping Container is an appropriate Welfare Unit, pretending it is urgently needed , when it has not been used for a year now, breaching Green Belt and Conservation Regs, attempts to suggest it is like a stable, though not accessible for horses - and now the danger of risking a string of ponies with disabled riders and carers/pedestrians in disarray in a new confined space of narrowed exit (horses hate) to fall on a new hard concrete surface already laid without permission..... Remote sanitation facilities though designated as an eating area.
- Parallel the attempt to convince that a security unit is essential - when to my knowledge there are no records of any thefts or intruders.
- Disrespectful to both the Community and the Disabled ; the latter it should be specially safeguarding.
- Far better to have a decent design incorporated within the footprint of the existing buildings, within easy reach of washrooms and toilets, and enabling Social Distancing

appropriately.

- With regard to the real site visit now pending I wish to request that the Committee members view the Shipping Container from Helmsore Road itself to understand the strong objection of residents. Further I would request the Members actually walk up Moor Road so they appreciate the impact on this tourist path, and also on the School playground just below.
- Also that though deciduous trees partially mask this eyesore, for at least 6 months of the year these will not be in foliage.

Response to objections - a site visit will be carried out by the Planning Committee prior to the meeting. All other issues raised have been covered in the main officer report

#### **Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015**

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

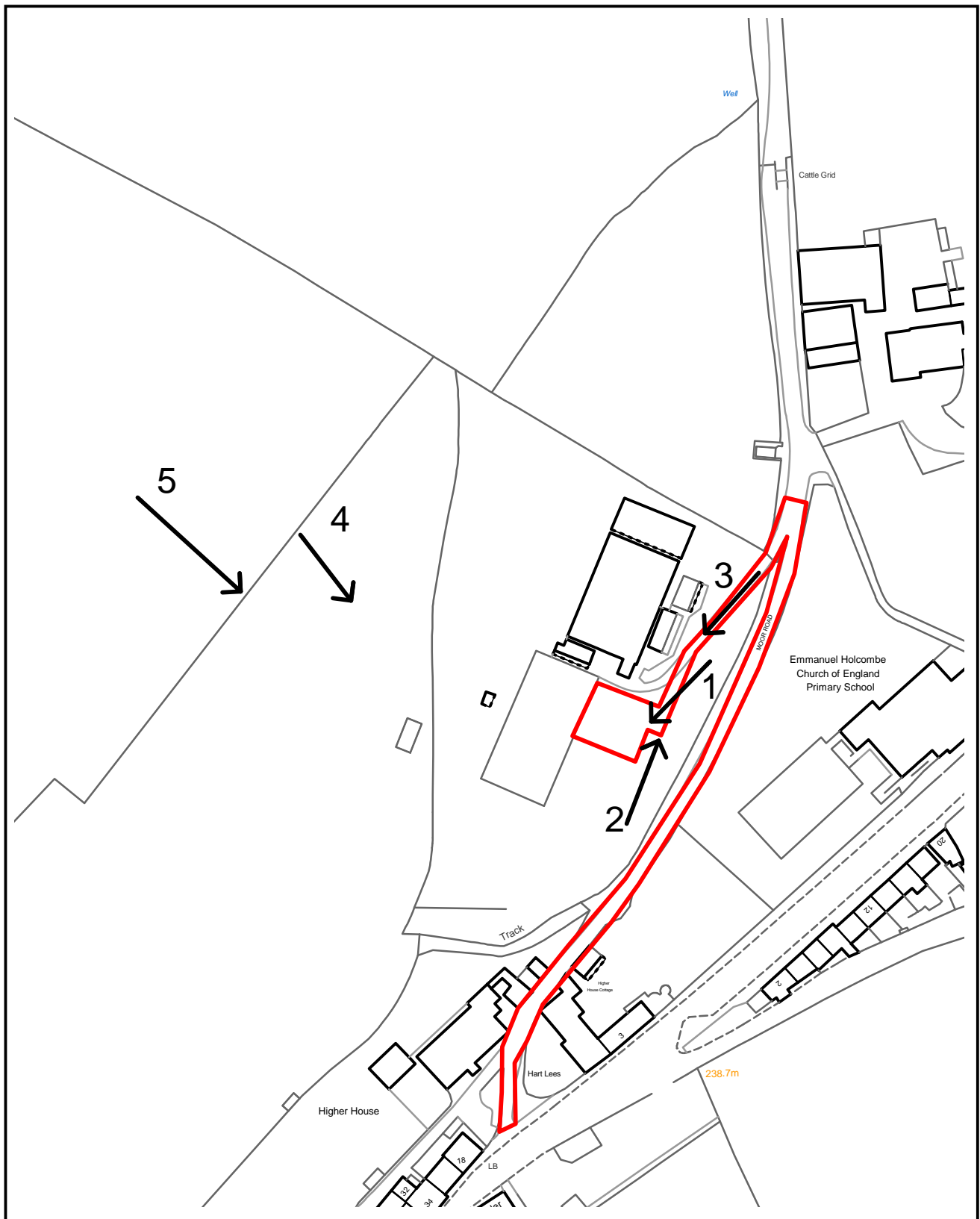
#### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings - Site location plan 10910 01 D; Proposed site plan (red edge) 10910 L04 A; Proposed site plan 10910 L05 A; Proposed plan and elevations 10910 E02 B and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3.
  - The welfare unit shall be relocated to the approved siting as shown on plan number 10910 L04 Rev A within 60 days of the date of this permission.
  - The recladding to the welfare unit as shown on plan number 10910 E02 Rev B shall be carried out within 30 days of being relocated and thereafter maintained as such.
  - A scheme relating to the landscape (hard and soft) reinstatement of the former site and timetable for implementation shall be provided within 28 days of the relocation of the welfare unit and be carried out in accordance with the approved details and timetable.Reason. In the interests of visual amenity and to ensure preservation of the special character of the area pursuant to Policies OL1/2 – New Buildings in the Green Belt, OL4/7 - Development Involving Horses, EN9/1 - Special Landscape Areas, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the Bury Unitary Development Plan and the principles of the NPPF.
4. Permission is hereby granted for a limited period only, namely for a period expiring 5 years from the date of this decision notice, and the building and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued at the end of the said period and the land reinstated to its former condition.

Reason. In view of the temporary nature of the building hereby approved and having regard to the particular nature of the site and surroundings pursuant to Policies OL1/2 – New Buildings in the Green Belt, OL4/7 - Development Involving Horses, EN9/1 - Special Landscape Areas, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the Bury Unitary Development Plan and the principles of the NPPF.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 64955**

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

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

64955

Photo 1



Photo 2





64955

Photo 3



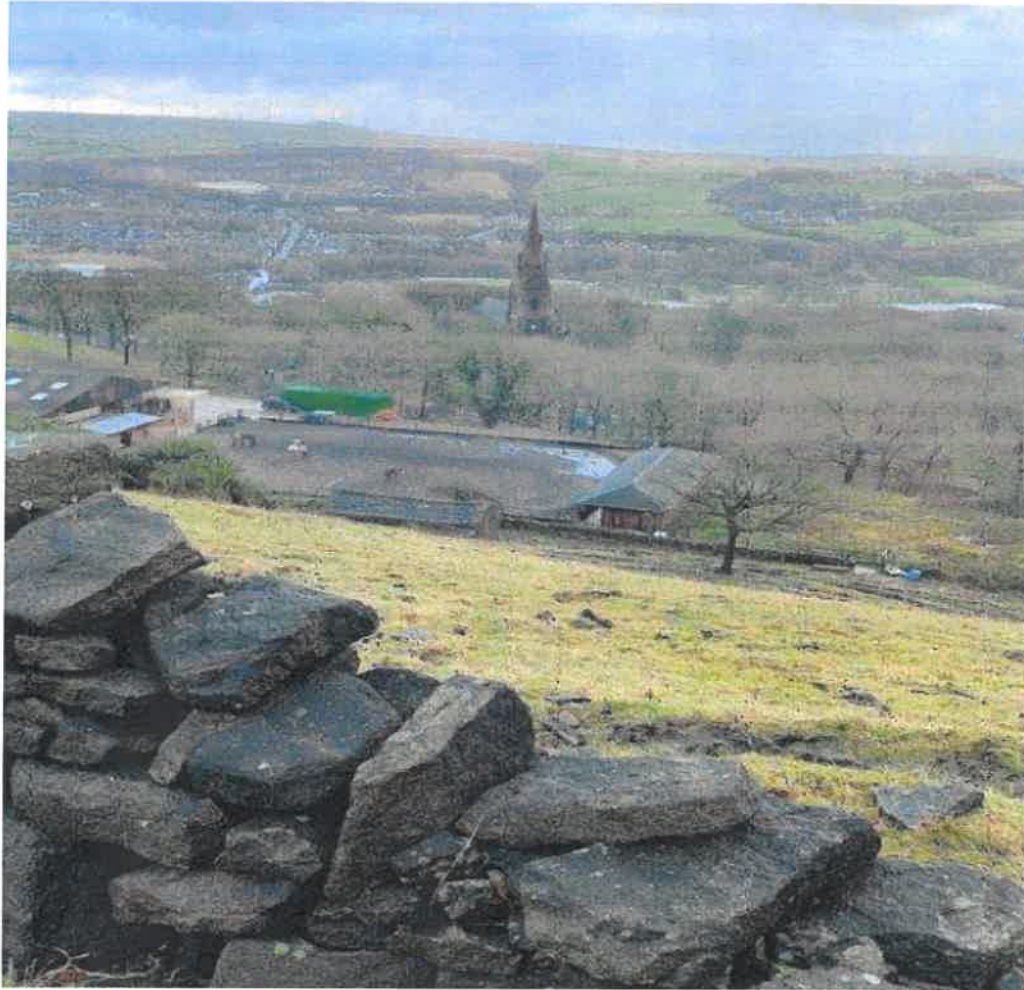
Photo 4

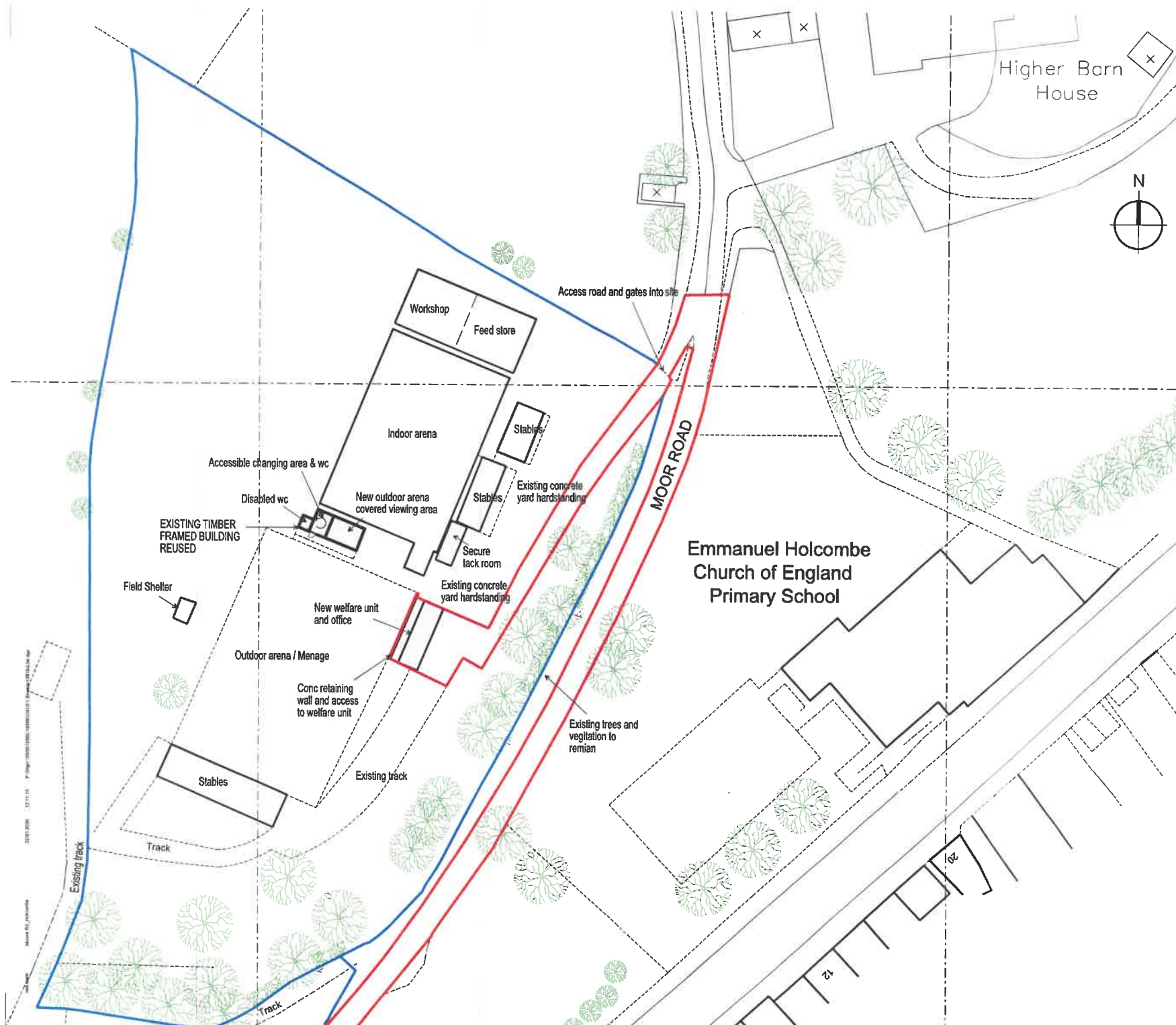




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Photo 5





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**SITE SPECIFIC HAZARDS**

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

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**NOTES**

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

**SCALE**  
0 5 10 15 METRES

REV. A 22.01.20 UPDATED TO CLIENT COMMENTS RSL

REV. DATE NOTES INIT.

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

STATUS **PLANNING**

DATE **21.01.20** DRAWN **RSL** SCALE @ A3 **1:500**

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

DRAWING NO. **10910** **L04** **A**

Site Location Plans	L	GA Plans	P	Elevations	B
Sections	S	Details	D	Profile Colour	C

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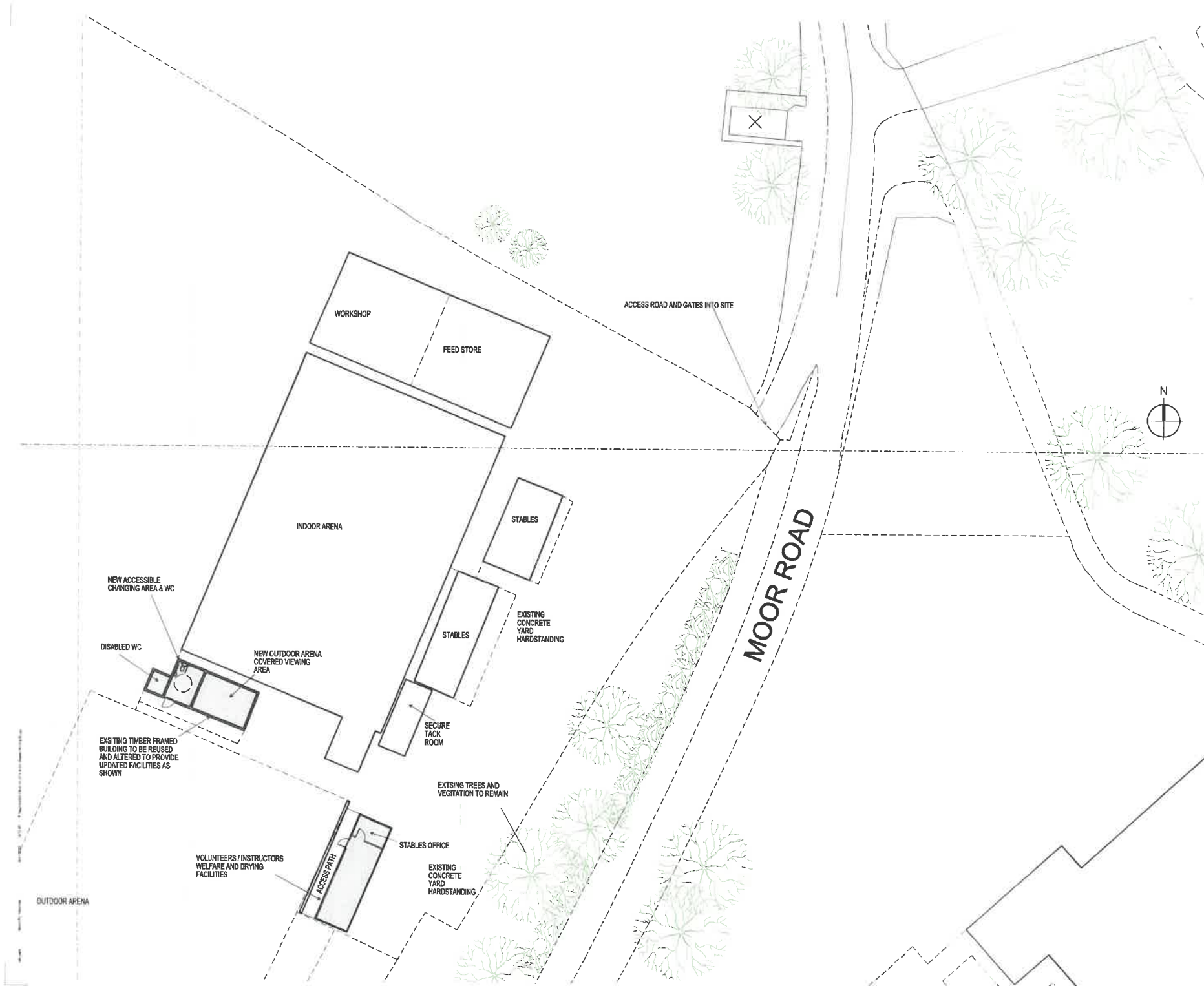


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#### SITE SPECIFIC HAZARDS

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONTEMPORARY BUILDING ACT 2008, THE FOLLOWING SIGNIFICANT RISKS, HAZARDS, HAVE NOT BEEN IDENTIFIED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING.

#### SCALE



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

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

STATUS			
PLANNING			
DATE	DRAWN	SCALE	1:200
21.01.20	RSL		
PROJECT NUMBER	UNIT / BLOCK	CH / SP / CORE	TYPE / NUMBER
10910			L05 A
DRIVER NO.	DATE	DATE	DATE
10910			

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