



Mrs. H. Leach (Development Management)
Bury Council
3 Knowsley Place
Duke Street
Bury
BL9 0EJ

Our Ref: MJ/RG/G315/L001

Date: 1 July 2023

Dear Helen

APPLICATION REF: 69509

ABBOTTS HALL, WOODHEY ROAD, HOLCOMBE BROOK, BL0 9RD

**APPLICATION SEEKING PRIOR APPROVAL FOR CHANGE OF USE OF
AGRICULTURAL BUILDING TO FORM 3 CLASS C3 DWELLINGS**

Further to the above application and your request for a Bat report, please find two related reports enclosed, which conclude that bats are absent from the building.

Whilst writing, I would wish to comment briefly on certain comments made by objectors.

Having read comments of local residents to both this application and our client's separate S73 application (relating to the removal of the agricultural occupancy condition), it appears the die is cast in framing the applicant as something of a pantomime villain :

“dishonest exercise in planning abuse”

“persistent abuse and misleading of the planning guidelines”

“blatant disregard over many years”

“serious green belt PLANNING ABUSE”

“planning FRAUD”

“This is just a trick to get round planning rules.”



“serious green belt planning abuse and planning fraud”

Yet amongst those sneering and arguably libellous comments (certain of which seem to be suspiciously duplicated) there is little substance and a clear and obvious lack of understanding of the planning process. The Class Q regime was introduced by the Government to facilitate the quick and smooth processing of Permitted Development applications to convert agricultural buildings into homes. Subject to satisfying a set of discrete criteria (all of which we suggest have been adequately met in this case), then the principle of change of use cannot be questioned. The Applicant’s legitimate use of this legislation is hardly *“fraud”, “abuse” or “misleading”*.

Certain objectors raise questions about the use of the building. The lawful use of this building is unquestionably agricultural, as established by two planning permissions. Evidence has been submitted in respect of its agricultural use, and not one objector has presented any robust or reliable evidence to contradict this. Instead, a series of sweeping and largely unsubstantiated assertions are made.

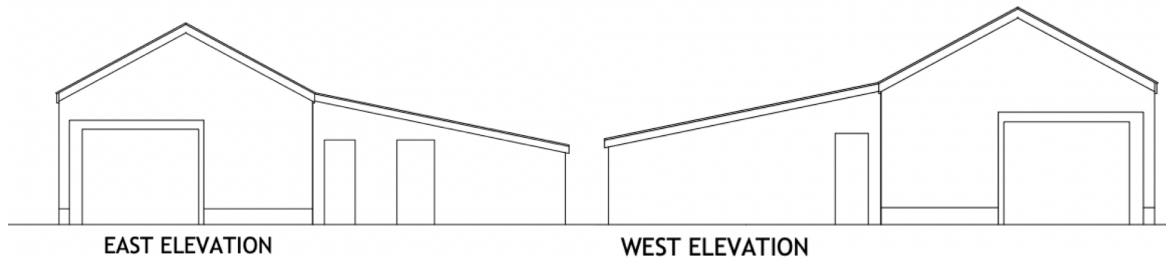
The letter from ‘Caroline Tamworth Planning’ is similarly flimsy. It contains little substance, but rather a series of lightweight assertions with no robust back up. In part it is plainly incorrect. For example, where in the Class Q legislation is it stated that *“it is expected that external changes should be minimal with existing openings used where possible and the number of new openings minimised ...”*? This might be *“expected”* by Caroline Tamworth Planning, but it was not an *‘expectation’* of Government officials who drafted the legislation. The legislation in fact states that *“building operations reasonably required”* are appropriate.

Whilst caution should be exercised when comparing planning cases, we note that the author of that letter is not averse to the alteration of agricultural buildings by introducing large zones of glazing and contemporary alterations. This is evident – by way of example – in Caroline Tamworth Planning’s successful recent handling of a Class Q application at Laburnum Cottage, Chadderton, Oldham (Oldham MBC ref: PRA2D/346115/21). The extracts on the following page are from the drawings submitted by Caroline Tamworth Planning, and we wonder if the author of the letter considers those large 2 storey planes of glazing to be *‘minimal’*?



Laburnum Cottage Class Q application as supported by Caroline Tamworth Planning :

EXISTING ELEVATIONS@1:100



PROPOSED ELEVATIONS @1:100



Irrespective of the above, the extent of change in the case of our client's application – which fundamentally relates to inserting windows in order to provide good levels of natural light to the homes – is, we suggest, *“reasonably required”*, and the LPA has of course already confirmed in its pre-application feedback that:

“The proposed development would retain the existing materials and large windows would be created to ensure sufficient light within the proposed units. The existing openings on the eastern elevation would be utilised and similar openings would be created on the western elevation. The design of the proposed development is considered to be appropriate and would not be a prominent feature in the streetscene.”

The same letter (from Caroline Tamworth Planning) questions the use of the building for aquaponics, and in doing so appears – somewhat inconceivably - to question the gentleman who established that same business and who has already confirmed in his recent correspondence to the LPA that the building was used as such. How would Caroline Tamworth Planning or her clients possibly know otherwise? The gentleman in question has already confirmed this, and our client is grateful for his assistance in that regard. Furthermore, your Enforcement colleagues have of course witnessed the aquaponics use of the building.



There appears (by some parties) to be a concern about traffic, but those comments appear to ignore the fact that, if the building continues to be used for either (or both) agricultural / aquaponics use, that will generate traffic (by staff, visitors, customers, operational machinery / vehicles and deliveries / pick ups), and it could reasonably be anticipated that such traffic could be significant in terms of both the amount of movements and the size of vehicles. We are not aware of any objections to the application by either the Council's highways officer or PROW officer.

We hope this letter and the enclosed *Preliminary Bat Roost Assessment* and subsequent *Bat Activity Survey Results Report* are of assistance.

Yours sincerely
for Roman Summer Associates Ltd

A handwritten signature in black ink, reading "Richard Gee".

Richard Gee
Director