

DELEGATED REPORT

Report by Helen Leach	Date of report: 08/06/2026	Ref: 72324/FUL
Registration: 18/08/2025	LDFC: 01/06/2026	Expiry Date: 13/10/2025
Site Visit: 15/09/2025	Site Notice: 15/09/2025	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Variation of condition 2 (approved plans) on planning permission 70626: Amended floor plans and elevations to include a second floor to the previously approved dwelling

Location: Land at 7 Arthur Lane, Ainsworth, Bolton, BL2 5PW

Description

The site lies to the west of Arthur Lane and is located within the Green Belt and is semi rural in character. The site contains 3 buildings. One is a stables building with 2 outbuildings, which are in a dilapidated condition. All the buildings have been constructed from blockwork. The site is accessed via an existing access from No. 7 Arthur Lane and a separate access from Arthur Lane directly.

There is riding arena to the west of the buildings, which is located outside of the application site. There are open fields to the south with residential properties beyond. There are fields to the north and east.

Planning permission was granted for the demolition of stables and 2 outbuildings and the erection of a dwelling. The proposed dwelling would be single storey and would be located centrally within the plot. A new access would be created to the north of the proposed dwelling and would be used to serve the proposed dwelling and a proposed agricultural building (application 70641).

The proposed development involves the variation of the approved plans condition to include additional living accommodation in the roofspace and the addition of 4 dormers. Two dormers would be located on the front elevation and two on the rear elevation. The proposed dwelling would be constructed from natural stone with a slate roof and the dormers would have dark grey composite cladding. The access and driveway would be unchanged from the previously approved plans.

Relevant Planning History

70142 - Conversion, extension and alteration of stable block to form 1 no. dwelling and demolition of associated outbuildings at land at 7 Arthur Lane, Ainsworth. Withdrawn - 16 June 2023.

70626 - Demolition of existing stables/outbuildings and erection of 1 no. dwelling at land at 7 Arthur Lane, Ainsworth. Approved with conditions - 13 June 2025.

70641 - Erection of an agricultural building at land between 7 & 37 Arthur Lane, Ainsworth. Approved with conditions - 13 June 2025.

Adjacent site

38337 - Two storey extension at side with conservatory at rear at 7 Arthur Lane, Ainsworth. Approved with conditions - 23 October 2001.

54601 - Formation of horse exercise arena/manege at land at 7 Arthur Lane, Ainsworth.
Approved with conditions - 8 December 2011.

Publicity

The neighbouring properties were notified by means of a letter on 10 September 2025 and site notices were posted on 15 September 2025.
There has been no response.

The neighbouring properties were notified of revised plans on 15 May 2026.
There has been no response.

Statutory/Non-Statutory Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to relating to access improvements, construction traffic management plan, turning facilities, car parking and refuse storage arrangements.

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

Development Plan and Policies

H1/2	Further Housing Development
H1/2	Further Housing Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
OL1/2	New Buildings in the Green Belt
HT2/3	Improvements to Other Roads
HT2/4	Car Parking and New Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G7	Trees and Woodland
JP-G9	The Green Belt
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Principle - Green Belt - The application site falls within the Green Belt as designated by PpE policy JP-G9.

Paragraph 154 of the NPPF makes it clear that development in the Green Belt is inappropriate unless certain exceptions apply. Criterion g) refers to limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

The site is previously developed land, as it formally comprised stables, shelters and storage buildings for a number of years and the proposal therefore falls within exception g). As such, it is considered that the principle of the developing the site is acceptable, provided it does not cause substantial harm to the openness of the Green Belt.

Comparative to the previous structures on the site which extended further westwards in the plot, the proposed dwelling would be sited within well-defined boundaries and the built form would be restricted to the eastern area of the site in a relatively central position with a modest footprint of 16% within the overall plot size and a decrease in total footprint area of

30% when compared to the former structures on site.

The proposed dwelling would not encroach forward of the building line for No. 7 Arthur Lane nor beyond the rear garden boundary. The proposed footprint for the proposed dwelling would be the same as the previously approved dwelling. There would be a different in the height of 3 metres and a volume increase of 159 cubic metres. The proposed increase in volume when compared to the previously approved plans would be relatively minor. Views and openness to either side of the dwelling would be retained. As such, the proposed development would relate and integrate well within the existing built form.

Paragraph 154 g) requires development to not cause substantial harm to the Green Belt. In this case, given the proposed dwelling would the same footprint as the previously approved dwelling and 3 metres higher, gaps would be maintained through the site, the footprint of the dwelling would be contained within a small area of the plot and encroach no further into the Green Belt than the neighbouring properties and would add ecological value to the site, the proposed development is considered to be acceptable and comply with the principles of the NPPF.

Principle - Residential - The principle of residential development has been established with the grant of planning consent in June 2025.

Design and layout

Density - NPPF paragraph 130 seeks to ensure the efficient use of land, and to avoid homes being built at low densities.

PfE Policy JP-H4 requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design. Policy JP-H4 sets out minimum densities that should be considered and the site falls in an area where a minimum density of 35 dwellings per hectare should be had regard to.

The net site area (excluding the shared access) is around 0.11 hectares, which would indicate that 1 dwelling equates to a density of 9 dwellings per hectare.

PfE Policy JP-H4 states that lower densities may be acceptable where they can be clearly justified by:

- Local housing market issues, such as a demonstrable need for a particular type of housing that cannot be delivered at a higher density; or
- Site-specific issues, such as the design context and any potential impact on the wider landscape or townscape including heritage assets and green infrastructure.

There are not considered to be any local housing market issues that would justify a lower density in this case.

In relation to site-specific issues, the site is within the Green Belt. The proposed layout, scale and massing has had regard to the existing building lines of the neighbouring properties, the character of the area and the need to consider the impact on the openness of the Green Belt. The development also needs to incorporate sufficient space to enable vehicles to turn within the site and exit in forward gear, thereby reducing the area available for built development.

Whilst the proposed development is below the density set out in policy JP-H4, it is considered that the proposed density would be acceptable in view of the site's Green Belt location, the character of the area and the requirement to accommodate sufficient turning space for vehicles.

Space standards - The proposed dwelling would be a 4 bedroom, 8 person dwelling and would have a overall floorspace of 206 square metres, which would exceed the 124 square

metres required by the space standards. The proposed double bedrooms would have floorspace that exceeds 7.5 square metres and would all be 2.15 metres or more in width. Revised plans have been received, which show storage located in the garage, which would be acceptable. Therefore, the proposed development would comply with the national space standards and would be in accordance with Policy H2/1 and H2/2 of the Bury Unitary Development Plan.

Design - The proposed development would involve the addition of a first floor through the use of dormers with rooms in the roofspace. The proposed dwelling would be constructed from stone with a slate roof and the dormers would have dark grey composite cladding, which would be appropriate in the area. On the front elevation, the proposed dormers would line up with the three vertical windows at ground floor level and the rooflights would align with the front door, which would be acceptable. The proposed dormers would be appropriate in terms of size and would not occupy a disproportionate amount of the roofspace. The use of the dormers, headers, cills and quoin details would add to the visual interest. There would be a small patio at the rear and the remainder of the site would be grassed. The houses surrounding the site are of differing styles, character and heights and as such, the proposed development would not be a prominent feature in the streetscene. Therefore, the proposed development would be in accordance with Policies H2/1, H2/2 and EN1/2 of the Bury Unitary Development Plan.

Impact upon surrounding area - The proposed dwelling would have a large garden at the front and rear, which would provide a suitable level of private amenity space. There would be space in the side or rear garden for bin storage. A timber post and rail fence would be erected around the perimeter of the site, which would be acceptable. Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards between residential properties and would be relevant in this case.

There would be over 12 metres from the rear elevation of the proposed dwelling to the garden boundary, which would be in excess of 7 metre aspect standard.

The nearest residential property would be 7 Arthur Lane and would be over 38 metres away. The only windows on the gable elevation facing No. 7 Arthur Lane would be secondary windows to the lounge. In any case, given the distance involved, the proposed development would not have a significant adverse impact upon the amenity of No. 7 Arthur Lane.

Therefore, the proposed development would not have a significant adverse impact upon the neighbouring properties and would be in accordance with Policy EN1/2 of the adopted Unitary Development Plan.

Highways issues - The proposed development would close the existing access, which serves the stables and would create a new access on the inside of the bend onto Arthur Lane. This access would serve the proposed dwelling and an agricultural building (application reference 70641) and would have much better visibility. A hedgerow would be planted to block the existing access. A driveway would be provided from the proposed access and turning facilities would be provided at the front of the proposed dwelling. This access is the same as the previously approved scheme.

The Traffic Section has no objections, subject to the inclusion of conditions relating to access improvements, construction traffic management plan, turning facilities, car parking and refuse storage arrangements.

Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary

Development Plan and Policies JP-C5 and JP-C6 of the Places for Everyone Joint Development Plan.

Parking - SPD11 states that in a low access area the parking standards for a 4 bed dwelling would be 3 spaces per unit.

The proposed development would provide 3 spaces on land to the side of the dwelling. As such, the proposed development would comply with the maximum parking standards and would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

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

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

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered GS.270324.B2, GS-11-05-26-A, GS-11-05-26-B2, GS-11-05-26-C3, GS.080626.A, 3189-001 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.
- 3 Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design
- 4 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:
With consideration to human health, controlled waters and the wider environment, the following documents shall be completed to characterise potential risk to sensitive receptors and submitted to the Local Planning Authority for approval:
 - I. Preliminary Risk Assessment (PRA). Submission of this document is the minimum requirement.
 - II. Generic Quantitative Risk Assessment (GQRA). Submission of this document only if PRA requires it.

III. Detailed Quantitative Risk Assessment (DQRA). Submission of this document if GQRA requires it.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 5 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:

In accordance with the findings of site characterisation and risk assessment as previously approved, documents from the following shall be submitted to the Local Planning Authority for approval:

- I. Remedial Options Appraisal.
- II. Remediation Strategy.
- III. Verification Plan.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 6 The development hereby permitted within any approved phase shall not be occupied/brought into use until the works relating to land contamination detailed below are fully completed:

Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.

A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 7 Prior to occupation/first use the applicant shall provide:
one electric vehicle (EV) charging point (minimum 7kW*) per unit (dwelling with dedicated parking).

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted.

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

- 8 No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been submitted to and approved in writing by the Local Planning Authority.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 9 A landscaping scheme, which shall include 7 new trees and an enhanced area of grassland, shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new

development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

- 10 Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways and unadopted shared access to the Local Planning Authority:
1. Formation of the proposed new access onto Arthur Lane to a scope and specification to be agreed, incorporating the visibility splays at the junction shown in accordance with the standards in Manual for Streets and removal of a sufficient section of the existing hedge to achieve the visibility splays required;
 2. Proposed new access and hardstanding in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adjacent adopted highway;
 3. Reinstatement of the redundant vehicular access onto Arthur Lane to a scope and specification to be agreed, incorporating the planting of a replacement hedge to a specification to be agreed with the Local Planning Authority clear of the adopted highway and the required visibility splay to the right on egress at the junction of the proposed new access with Arthur Lane;
 4. Reinstatement of the redundant agricultural access onto the unadopted access to the north of the site to a scope and specification to be agreed with the Local Planning Authority, incorporating appropriate boundary treatment and any associated works within the 'agricultural land' indicated;

The highway works subsequently approved shall be implemented to an agreed programme and to the satisfaction of the Local Planning Authority before the dwelling hereby approved is first occupied.

Reason. To ensure good highway design and the intervisibility of the users of the site and the adjacent highways in the interests of road safety and to maintain the integrity of the adopted highway pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

- 11 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:
1. Photographic dilapidation survey of the adopted and unadopted highways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development, replacement of all boundary features and as a result of statutory undertakers connections to the site;
 2. Access route for all construction vehicles to the site from the Key Route Network;
 3. Access point/arrangements for construction traffic and all temporary works required to facilitate access for construction vehicles;
 4. If proposed, details of site hoarding/gate positions, incorporating the provision of

- adequate levels of visibility at any junction;
5. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Arthur Lane;
 6. Confirmation of hours of operation, delivery & construction vehicle sizes that can be accommodated within the curtilage of the site and number of vehicle movements;
 7. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site to ensure that they can enter and leave in a forward gear and/or measures to control/manage delivery vehicle manoeuvres;
 8. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
 9. Measures to ensure that all mud and other loose materials are not spread onto the adjacent highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

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

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 12 The turning facilities indicated on the approved plans shall be provided before the areas of the development to which they relate are brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development
- 13 The car parking facilities indicated on the approved plans shall be surfaced, and made available for use/implemented prior to first occupation of the dwelling hereby approved and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
- 14 The refuse storage and access arrangements to be provided within the curtilage of the site for the new dwelling shall be made available for use to the satisfaction of the Local Planning Authority prior to first occupation of the dwelling hereby approved and thereafter maintained at all times.
Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development

- 15 No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

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

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 08/06/2026			