
COMBINED HERITAGE, PLANNING & GREEN BELT STATEMENT FOR THE ERECTION OF
A SINGLE STOREY INFILL EXTENSION AT FIRST FLOOR LEVEL AT 'THE BUNGALOW',
AINSWORTH NURSING HOME, KNOWSLEY ROAD, AINSWORTH, BL2 5PT

PREPARED BY: ABL Planning & Development

DATE: JUNE 2023

REV: FINAL

1. INTRODUCTION

- 1.1 This combined planning, heritage & green belt statement has been prepared by ABL Planning & Development to support a householder planning application for:

“The erection of a single storey infill extension at first floor level”

- 1.2 To support the application, this statement has been sectioned into 7 parts:

1. Introduction
2. Site description
3. Application proposal
4. Relevant National and Local planning policy
5. Assessment
6. Conclusion
7. Appendices

- 1.3 This statement is to be read in conjunction with drawings and documents submitted as part of the planning application made by Sheils Design.

2. SITE DESCRIPTION

- 2.1 The application site (here in ‘the site’) is located within the grounds of the former Ainsworth nursing home site, circa 700m north of the village of Ainsworth. The complex includes the main nursing home buildings incorporating former bedrooms, offices and ancillary rooms in connection with the nursing home, together with an ancillary wash house, gatehouse and ‘The Bungalow’ within the site. The former nursing home site is steadily being re-developed with existing buildings within the grounds are gradually being converted and/ or extended to residential dwellings. In addition, new dwellings have been permitted within the grounds of the former nursing home.
- 2.2 The former nursing home site is now a ‘gated community’. The dwelling, known as ‘The Bungalow’, is akin to a one and a half storey contemporary within a gated residential community and comprises of a detached residential dwelling with associated hard and soft landscaping (garden areas). The former nursing home building is located to the north of the site. Open space is located to the east of the site whilst countryside is located to the south beyond which lies the settlement of Ainsworth. The unadopted access road into the site is located to the west of the site beyond which, lies a residential dwelling.
- 2.3 According to the Council’s interactive policy map, the application site is located within the Green Belt. The site is identified as being within the West Pennine Moors and within a special landscape character area. No other constraints are identified.

- 2.4 It is our understanding that the former nursing home building is on the Council's draft local list for buildings of special architectural or historic interest however, the list is not adopted and remains in draft.

2.1 PLANNING HISTORY

- 2.1.1 The planning history as available on the Council's website is as follows:

- 66467 – Variation of conditions following approval of 65626 – Amendment to approved plans with addition of a porch – approved 03.03.2021 (Appendix 1 – Officer Report and Decision)
- 65626 – Conversion of property to 1 no. residential building; increase to the roof height, two storey extension and associated parking and landscaping, change of use of land to residential dwelling – approved 23.09.2020 (Appendix 2 – Officer Report and Decision)

3. APPLICATION PROPOSAL

- 3.1 The applicant has carried out pre-application advice with the Council prior to submission of this application. A copy of the pre-application response is contained at Appendix 3. As a result of the pre-application advice received, this application is limited to the erection of an infill extension at first floor level only. Alterations to the roof design have been made to reflect officer comments.
- 3.2 This application is for the erection of a single storey infill extension at first floor level to an existing resident dwelling. The infill extension would allow for a reconfiguration of the first floor layout and would accommodate the master bedroom. The extensions would also provide en-suite facilities for bedroom no.2 (as shown on the submitted drawings).

4. RELEVANT PLANNING POLICY

- 4.1 At the time of writing, the adopted Development Plan comprises:-
- Bury Unitary Development Plan (1997)
- 4.2 There are additional documents that are material considerations which are:
- National Planning Policy Framework (NPPF) 2021
 - SPD 6 – Alterations and extensions to residential properties
 - SPD 8 – New buildings and associated development in the Green Belt
- 4.3 Whilst the Development Plan is to be read as a whole, the pertinent Policies to this proposal are:
- EN1/1 – Visual Amenity
 - EN1/2 – Townscape and Built Design
 - EN1/3 – Landscaping Provision
 - EN9/1 – Special Landscape Areas
 - OL1/2 – New Buildings in the Green Belt
 - OL7/2 – West Pennine Moors

- H2/3 – House Extensions and Alterations

- 4.4 The Council are preparing a New Local Plan and whilst weight may be given to relevant policies within the emerging plan, given the current status of the LP, the policies (Plan) should be afforded limited weight in the assessment of this application.
- 4.5 Section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004 places a statutory duty on local planning authorities to determine planning applications in accordance with the development plan unless material planning considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.

THE NATIONAL PLANNING POLICY FRAMEWORK (2021)

The Presumption in favour of sustainable development

- 4.6 The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives; economic, social and environmental which are interdependent and need to be pursued in mutually supportive ways.
- 4.7 At the heart of the Framework is the ‘presumption in favour of sustainable development’. Paragraph 11 of the Framework states:

“... For decision-taking this means:

- c) approving development where it accords with an up-to-date development plan without delay; or*
d) where there are no relevant development plan policies or where the policies which are most important for determining the application are out-of-date, granting permission unless:
i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or
ii. the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in this Framework taken as a whole”.

5. ASSESSMENT

5.1 GREEN BELT

- 5.1.1 The dwelling known as ‘The Bungalow’ is a residential dwellinghouse, borne out of a change of use / extension of a former bungalow which was used as separate worker accommodation in association with the nursing home.

⁷ The policies referred to are those sites in the framework (rather than those in development plans) relating to: habitats sites (and those listed in paragraph 180) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National park (or within the Broads Authority) or defined as a Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 67) and areas at risk of flooding or coastal change.

- 5.1.2 It is noted within the written pre-application response that Policy OL1/2 of the UDP - New Buildings in the Green Belt, has been cited in the assessment of the pre-application. Whilst the dwellinghouse is borne out of a change of use and extensions/alterations, it is now built and, has been occupied since 2022 as a single residential dwelling. The proposal is for an extension to the residential dwellinghouse and thus, it is not a new building.
- 5.1.3 It is noted within the pre-application response that the officer has requested that Very Special Circumstances (VSC's) for the infill extension is demonstrated however, for reasons as set out below, it is considered that the proposed development is not inappropriate development for which VSC's need to be demonstrated.
- 5.1.4 The application site is located within the Green Belt. Policy OL1/2 states that proposals for buildings (my emphasis) not falling into one of the above categories, ((a) to (d) in Policy OL1/2), is inappropriate development and is, by definition, harmful to the Green Belt. Any development proposal considered to be inappropriate development will only be permitted in very special circumstances.
- 5.1.5 Policy OL1/2 of the UDP sets out states that:
'The construction of new buildings inside the Green Belt is inappropriate development, unless it is for one or more of the following purposes:
• *limited extension, alteration or replacement of existing dwellings, provided that this would not result in disproportionate additions over and above the size of the original dwelling, or, in the case of a replacement of existing dwellings, the new dwelling is not materially larger than the one it replaces.'*
- 5.1.6 It is noted that the supporting text to the Policy states that 'the extension or alteration of dwellings in the Green Belt, see c) in Policy OL1/2, need not be inappropriate providing that any changes are not disproportionate additions over and above the size of the original building'. As set out in the High Court Judgement of Cherkley Campaign Limited and Mole Valley District Council and Longshot Cherkley Court Limited [2013] EWHC2582 (Admin), it was determined that the policy is what is contained in the box. The supporting text is an aid to the interpretation of the policy but is not itself policy.
- 5.1.7 There is clear conflict with the Development Plan between Policy OL1/2 and the supporting text to the Policy. It is noted that the supporting text refers to the NPPF which establishes at paragraph 149 that a Local Planning Authority should regard the construction of new buildings as inappropriate within the Green Belt. Exceptions to this as set out in paragraph 149c) include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- 5.1.8 There is no definition within the NPPF of what constitutes a disproportionate addition. Furthermore, within the Council's UDP, there is no definition of disproportionate additions.

- 5.1.9 The Councils Development Control Policy Guidance Note 8 – New Buildings and Associated Development in the Greenbelt (2007) provides guidance on development within the Green Belt.
- 5.1.10 The application property (The Bungalow) as set out earlier was borne out of a change of use. The description of development of the approved development for which planning permission was granted was *‘Conversion of property to no.1 residential building, increase to the roof height, two storey extension and associated parking, landscaping, change of use of land to residential garden’*. The officer’s report for this application sets out that the alterations to the building would amount to 30% additions.
- 5.1.11 A S73 application was then approved by the Council to allow a variation to the approved drawings which, included an addition of a porch. The officer’s report states that the porch amounted to an additional 2% volume increase to the dwelling.
- 5.1.12 It is noted that the pre-application response stated that *‘the property has already been extended by circa one third of the original building. The proposed extensions would therefore exceed policy guidance in the SPD8 of extending up to one third beyond that of the original building, and to quite a significant degree’*.
- 5.1.13 However, it is important to note that the notion of ‘the LPA allowing the increase in volume to be up to one third’ as only mentioned in paragraph 4.24 relates to replacement dwelling houses and, as established in paragraphs 5.1.1 and 5.1.10 ‘The Bungalow’ is not a replacement dwelling and is a dwellinghouse borne out of a conversion and associated alterations.
- 5.1.14 The guidance note does provide further detail in regard to residential extensions. Paragraph 4.25 states that *‘residential extensions should be proportionate to the size of the **original** dwelling and goes on to state that in general terms, the Council may allow an extension to be up to a third of the volume of the original dwelling’*.
- 5.1.15 Paragraph 4.25 of the guidance note says, *‘if an addition to an already converted building is required, the extension should be a subsidiary element of the original building. Extensions should be small scale, of a simple design and unobtrusive. Acceptable designs could include single storey, lean-to gable end or flank extensions’*.
- 5.1.16 As set out above, there is no definition within the UDP of what constitutes ‘materially larger’ or ‘disproportionate additions’ in relation to conversions and therefore, this site should be assessed on its own merit as acknowledged in SPD 6.
- 5.1.17 Supplementary Planning Document 6 (adopted January 2020) relates to alterations and extensions to residential properties. Within SPD6, it states that *‘proposals for domestic extensions in the Green Belt should not normally exceed a third of the volume of the original dwelling (my emphasis). However every application is assessed on its own merits. A statement of Very Special Circumstances will be required if the extension is considered to be materially larger than the original building’*. To a

reasonable reader, it is considered that in the context of the paragraph, original building is read as original dwelling.

Proposed Additions

5.1.18 Volume calculations are provided in Table 1 below for the proposed additions in relation to original building and the original dwelling as built. For the avoidance of doubt, these calculations are based on the drawings as follows:

- Existing Ground Floor Plan A.01.1.3
- Existing First Floor Plan A.01.1.4
- Existing Roof Plan A.01.1.5
- Existing South and East Elevations A.01.1.6
- Existing North and West Elevations A.01.1.7
- Proposed First Floor Plan A.01.2.1
- Proposed Roof Plan A.01.2.2
- Proposed South and East Elevations A.01.2.3

	Original Building (OB)	Original Dwelling As Built (OD)	Proposed Extension	% Change (Original Dwelling as Built and Proposed Extension)
Footprint(m ²)	91.82	108.9	0 (same as Original Dwelling)	0%
Volume (m ³)	390	504.9	549.6	8.8%
Ridge Height Max (m)	5.4	6.3	6.0	n/a
Eaves Height Max (m)	2.5	3.3	3.3	n/a

5.1.18 Based on the figures above, the proposed first floor infill extension would not result in a bigger footprint to the existing dwelling, not would it result in any greater height in the eaves or ridge of the existing dwelling. The first floor infill extension would result in an 8.8% increase to the volume of the existing dwellinghouse.

5.1.19 As set out in the Table 1 above, the addition of an infill extension to the dwelling would result in approximately 40% additions to the original building. Notwithstanding the applicant's position as set out above, the Local Planning Authorities position (as set out in the pre-application response) is that VSC's need to exist to demonstrate that the potential harm to the Green Belt is clearly outweighed by other considerations.

5.1.20 VSC's are not a particular thing of a benefit of a scheme, but the outcome of a balancing exercise that considers the harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal and whether that is outweighed by other considerations.

- 5.1.21 Very Special circumstances is a matter of judgement for the decision maker, not law. Notwithstanding this, in R (Basildon DC) v First Secretary of State and Temple [2004] EWH 2759 (admin), the High Court stated that:

'10. ...a number of factors, none of them 'very special', when considered in isolation may, when combined together, amount to very special circumstances. I agree. The claimant's approach does not accord with either logic or common sense. There is no reason why a number of factors ordinary in themselves cannot combine to create something very special. The claimant's approach flies in the face of the approach normally adopted to the determination of planning issues: to consider all relevant factors in the round. The weight to be given to any particular factor will be very much a matter of degree and planning judgment. To adopt the numerical approach above, whilst some factors may score nought, planning judgments are rarely so clear-cut or absolute, and seven times one seventh equals one.'

Visual and Spatial Impact

- 5.1.22 Paragraph 137 of the NPPF states that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristic of Green Belts are their openness and permanence. Paragraph 138 of the NPPF sets out 5 purposes of the Green Belt as follows:
- a) to check unrestricted sprawl of large built up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict land and other urban land
- 5.1.23 The application site is located within a gated community and within a semi-rural setting not a built up area. Owing to the 'gated setting', there is no opportunity for any 'merging' of development. The proposed infill extension would not result in any greater footprint to the existing dwelling and therefore, would not result in encroachment into the Countryside. The former nursing home site is not located within a town or a regeneration site and as such, criterion b, d and e are not applicable.
- 5.1.24 A key characteristics of Green Belt is openness. Openness of the Green Belt has a spacial aspect as well as visual aspect. In assessing the spatial aspect, the proposed extension would be constructed on the same footprint of the existing dwelling house. Visually, it is accepted that the introduction of an infill could alter views through the site when viewed from the unadopted road (Knowsley Road) or the public right of way (PROW) Ref: 31CC which is located approximately 105m to the east of the side elevation of the dwelling. The boundaries of the former nursing homes site comprises of a mix of fencing with mature trees. Views from the unadopted road are likely to minimal whilst views from the PROW may be glimpsed, however it is considered that owing to the siting and design of the extension as well as the intervening landscape features, there would not be any significant adverse impact on views across the site by the introduction of an infill extension from any public vantage points. In toto, visually and spatially, the proposed development would not harm the Green Belt owing to the siting and design of the infill extension.

Approvals in the Locality

5.1.25 The application site is surrounded by dwellings that have been substantially extended, replaced or permitted as 'infill' development; approved under the current adopted Development Plan. These schemes for which details are available on the Council's website are limited to the following addresses below.

- Ref: 68661 – The Gate House
- Ref: 66836 – The Haven
- Ref: 65412 – The Wash House

5.1.26 These approvals are a material consideration in the assessment of this application and contribute to VSC's in this case.

5.2 SITING, SCALE AND DESIGN

5.2.1 Paragraph 134 of the NPPF states that '*Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guides and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:*

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings'.

5.2.2 The first floor infill extension would be located on top of the existing flat roofed balcony. The extension would be designed with a gable on the east elevation, mirroring the gable on the existing dwellinghouse. The roof of the proposed extension would be set below the ridge of the original dwelling house and as such, would appear subservient. No.2 windows would be located in the east elevation. The southern elevation of the extension would contain no.3 windows of a roof light / velux combination.

5.2.3 The finishing materials of the extension are proposed to match the dwellinghouse. This could be secured by condition.

5.2.4 Owing to its siting, scale and design, the proposed development would not appear an incongruous addition or have an adverse impact on the character and appearance of the street scene. The proposed development would accord with Policy EN1/1 of the adopted UDP as well as guidance as set out in SPD6 and paragraph 134 of the NPPF.

5.3 RESIDENTIAL AMENITY

- 5.3.1 Owing to the siting of the proposed first floor infill extension, the proposed development would not not impact on any residential amenities by way of overbearing impact or loss of outlook, privacy or natural light.
- 5.3.2 It is accepted that there could be increased noise levels during construction however, any increase in noise levels would only be short term and would not warrant refusal of this application.
- 5.3.5 The proposed development would accord with Policy EN1/1 of the Bury UDP.

5.4 HERITAGE

- 5.4.1 The Bungalow is one of a collection of buildings located within the wider site of the former Ainsworth Nursing Home. The Council consider the former nursing home to be a Non – Designated Heritage Asset because of its architectural, historical and social significance and is included on a draft local list of Non Designated Heritage Assets. As the local list has not been through a process of public consultation, limited weight should be attached to the list. No building within the site is statutory Listed as set out earlier.
- 5.4.2 Section 16 of the National Planning Policy Framework (NPPF) sets out the national planning policy framework for the conservation and enhancement of the historic environment.
- 5.4.3 Paragraph 189 states that *‘heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations’*.
- 5.4.4 Paragraph 194 states that *‘In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance’*.
- 5.4.5 Paragraph 199 sets out that *‘the effect of an application on the significance of a non designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’*.
- 5.4.6 Buildings on the former nursing home site were constructed in the early 1900s for use as a smallpox isolation hospital. They replaced an earlier isolation hospital known as ‘Broomfield’, which was demolished when the current buildings were constructed. The buildings now on the site were designed, by architect Henry Lord of Messrs Thompson and Brierley of Bury, on behalf of the Bury and District Joint Hospital Board.

- 5.4.7 They are constructed in simple Renaissance style and built of a red stock brick with terracotta features. The new isolation hospital for the treatment of smallpox cases was brought into use around 1905 and continued in use until around 1982 when the hospital closed. The site was taken up by Ainsworth Nursing Home and this use continued until around 2018. Since then the buildings have remained vacant. Those which have not been renovated and/alterd and are now deteriorating.

Architectural Significance

- 5.4.8 The buildings are of some architectural interest as examples of public building of the early 1900's. The buildings are not architecturally outstanding but they are attractive buildings. They are relatively simple in design, being constructed of stock red brick with sparse ornamentation of terracotta features, including arched brick heads and detailing to the window and door openings. The high pitched slate roofs with terracotta ridge tiles, incorporating dormers and two storey projections give a distinctive character to the site.
- 5.4.9 The development proposals seek to improve the current appearance of The Bungalow, bring it in line with the character and quality of the other residential dwellings on the site.

Historical Significance

- 5.4.10 The Bungalow makes very little contribution to the historical connection in the local area and the addition of an infill extension to the dwelling will have little impact on the historical significance of the building.

Social Significance

- 5.4.11 Considered to be the main significance is the social history of the site and its role in the well-being of the community of the area. Smallpox was the most feared disease since The Plague and an estimated 300 million people died from smallpox in the 20th century alone. This virulent disease, which killed a third of those it infects, is known to have affected human beings for thousands of years. Patients who contracted the disease were isolated as it was highly contagious and mostly fatal.
- 5.4.12 For these reasons the isolation hospital would have played an important part in the social fabric of the community of the early 1900s and beyond, until vaccination became more established.
- 5.4.13 In terms of the impact of the proposals on the significance of the site, the building will continue to make a positive contribution to the integrity of the site in terms of its architectural, historic and social interest.
- 5.4.14 The proposals do not detract from the significance of the site and the enhancement in the appearance of the dwelling will secure its long term future to ensure that it does not fall into disrepair which would detract from the site and the preservation of the heritage asset.

- 5.4.15 In the absence of harm to the heritage asset it is concluded that the application may be approved, taking a proportionate approach. The existing dwelling represents only a small portion of the site, being an ancillary building to the former nursing home, the use of which has ceased. The dwelling has a sympathetic form, and the proposed extension to the dwelling will serve to enhance the setting of the other buildings in the site.
- 5.4.16 The extension will result in a dwelling that is more in keeping with the architecture style and detailing of the other more prominent buildings within the site. There will be no meaningful impact on the significance of the site as a non-designated heritage asset, in terms of its architectural, social or historic interest.
- 5.4.17 The proposed extension will have a positive benefit by and will enhance the overall appearance of the existing dwellinghouse.

5.5 PARKING

- 5.4.1 Vehicle Access to the site would remain unchanged. No alterations are proposed to the existing access. The proposed development would not impact on the current parking arrangements of which there is in-curtilage parking provision for a minimum of 2 cars.

5.6 ECOLOGY

- 5.5.1 The proposed development is unlikely to result in any adverse impacts on ecology. The applicant has no objection to providing a bird box as part of the development which would contribute in encouraging biodiversity on the site.

6. CONCLUSION

- 6.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 The site is located within the Green Belt and the proposed infill extension would amount to approximately 8.8% additions (volume) to the dwellinghouse. Based on this calculation, the proposed extension would be a relatively minor addition to the existing dwellinghouse and would not amount to inappropriate development within the Green Belt. Notwithstanding this, VSC's demonstrate that considerations exist which outweigh the harm to the Green Belt. By virtue of its siting and design, the proposed extension would not spatially or visually harm the Green Belt. Furthermore, the extensions would not appear an incongruous addition to the dwellinghouse or to the character of street scene. The proposed extension would not harm setting of the heritage asset; the former nursing home site.
- 6.3 The application site is served by an existing access and adequate parking provision is to be retained within the curtilage of the site. The development is unlikely to result in any ecological impacts and the development allows for an enhancement of biodiversity on the site.

- 6.4 The presumption in favour of sustainable development should be applied and it is requested that planning permission is granted without delay.

APPENDICES

NOTICE OF PLANNING PERMISSION

Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

To:

Mr Steve Shiels
Archiplan Design & Build Ltd
19 Lane Drive
Grotton
OL4 5QZ

On Behalf Of:

Mr Jordan Smith
The Bungalow
Knowsley Road
Ainsworth
Bolton
BL2 5PT

PART 1 - Particulars of Application

Application Number: 66467**Date of Registration:** 04/02/2021**Proposal:**

Variation of conditions following approval of 65626- Amendment to approved plans with the addition of a porch

Location:

The Bungalow, Ainsworth Nursing Home,
Knowsley Road, Ainsworth, Bolton, BL2 5PT

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

- 1 This decision relates to drawings numbered Location plan A.01.1.1 rev C; Site plan A.01.1.2 rev A; Ground floor proposed A.01.2.2 rev C; First floor proposed A.01.2.3 rev C; Proposed elevations A.01.2.4 rev B; Site section A.01.2.5 rev A; Site plan/Landscape A.01.2.6 Rev 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.
- 2 Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning

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

- 3 Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.
Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 4 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 carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been approved 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.
- 5 The development hereby approved shall be carried out in accordance with the landscaping scheme hereby approved for planning reference 65626, condition 6 (Revised landscaping plan received 14/12/20; Planting plan agreed under the TPO application; Bat and bird boxes to be incorporated into the scheme) and shall be implemented not later than 12 months from the date the building is first occupied or within the first available tree planting season,; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan..
- 6 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
- 7 The development hereby approved shall be carried out in accordance with the boundary treatment approved under condition 8 of planning reference 65626 (Revised landscaping plan received 14/12/20 and boundary fence shown set back into the site to align with site edging).
Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, OL1/4 - Conversion and Re-use of Buildings in the Green Belt of Bury Unitary Development Plan.
- 8 Prior to first occupation of the development hereby approved, a sprinkler system to meet the requirements of BS 9251:2014 shall be installed in the dwelling hereby

approved. The sprinkler system shall thereafter be maintained at all times.
Reason. In the interests of fire safety and to ensure the safe and satisfactory development of the site and for its future occupiers pursuant to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.

- 9 The car parking indicated on the approved plans shall be surfaced and made available for use prior to first occupation of the dwelling hereby approved and thereafter maintained available for use at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
- 10 The development hereby approved shall be carried out in accordance with the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. The drainage scheme shall be implemented prior to first occupation and thereafter maintained.
Reason. 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.
- 11 The external finishing materials for the development hereby approved shall be carried out in accordance with the approved plans and condition 12 of approved application 65626.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policies EN1/1 Visual Amenity, H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design, OL1/4 - Conversion and Re-use of Buildings in the Green Belt and SPD 8 and 9.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Applicant Plan Numbers:

Location plan A.01.1.1 rev C; Site plan A.01.1.2 rev A; Ground floor proposed A.01.2.2 rev C; First floor proposed A.01.2.3 rev C; Proposed elevations A.01.2.4 rev B; Site section A.01.2.5 rev A; Site plan/Landscape A.01.2.6 Rev A

NOTES TO APPLICANT

1. Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, this Section recommends applicants provide EV charging points for each residential unit. EV chargepoints shall be chosen for the Electric Vehicle Homecharge Scheme approved chargepoint model list.

2. INFORMATIVE - The Control of Noise Regulations 1975, Section 60. Control of Noise on Construction Sites

Works carried out in connection with the planning permission shall comply with the above regulations which require the following:

1. All works and ancillary operations which are audible at the boundary of the nearest house or noise receptor, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1400 on Saturdays and at no time on Sundays and Bank Holidays.

2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.

3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturer's instructions.

4. Any emergency deviation from the above (1 - 3) shall be notified to Bury Council without delay.

Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Noise Regulations 1975.

Please note that any construction takes place before 13 May 2021, would be subject to COVID-19 Extended Hours:

<https://www.gov.uk/government/publications/construction-working-hours-draft-guidance/draft-guidance-construction-site-hours-deemed-consent>

Department of Operations - Environment Section.
23 June 2020

3. Whilst the building to be refurbished and extended has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.
4. The applicant is reminded that under the Protection of Badgers Act 1992 it is an offence to intentionally or recklessly interfere with a badger sett. If a badger sett is found on or near the developments site work should cease immediately and a suitably experienced ecologist employed to advise on how best to proceed.
- 5.
6. Vehicular access for a fire appliance to within 45m of all points within the dwellings;

The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes;
If the access road is more than 20m long a turning circle, hammerhead, or other turning point for fire appliances will be required;
There should be a suitable fire hydrant within 165m of the furthest dwelling.

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', written in a cursive style.

5 of 5

.....
On behalf of the Council

Date of Decision: 30/03/2021

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 29/03/2021	Ref: 66467/FUL
Registration: 04/02/2021	LDFC:	Expiry Date: 01/04/2021
Site Visit: 27/02/2021	Site Notice: 27/02/2021	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Variation of conditions following approval of 65626- Amendment to approved plans with the addition of a porch

Location: The Bungalow, Ainsworth Nursing Home, Knowsley Road, Ainsworth, Bolton, BL2 5PT

Description

The site relates to a plot and building which forms part of the former Ainsworth Nursing Home. The site is accessed via a private lane which is formed from the top of Ainsworth Road. The whole site is located in the Green Belt, Special Landscape Area and West Pennine Moors and is on the Council's Draft local list as a Non-Designated Heritage Asset. The site is covered by a blanket TPO.

The nursing home site is rectangular in shape and the existing built development is generally focused centrally within the site, with the main internal access running north through the site which branches to the east to serve the main building and other buildings to the north.

By way of background, the site has been sold off as separate plots for residential development and approval has been granted for the conversion of 3 no. properties on the site.

This application relates to the approval of 1 no. plot, known as the Bungalow. This property is located at the entrance of the site adjacent to the southern boundary. The plot comprised a detached single storey bungalow which was constructed in the 1970's as manager's accommodation to serve the nursing home.

Approval has been granted for the conversion of the building to a single dwelling with proposed extensions and alterations comprising the increase to the roof height, and addition of a 2 storey extension with associated landscaping and parking (planing reference 65626). Permitted development rights were removed and therefore any further extensions or alterations would require a planning application.

The works to implement the planning permission have commenced.

This application seeks a variation of condition of the approved planning application ref 65626 for the addition of a porch.

The porch would be located on the main entrance and north elevation which faces internally into the site. The porch would project 1.2m from the front elevation and be 2.6m wide and 3.7m high. The porch would have a pitched roof and be constructed of the same brick material and roof slate as the approved dwelling.

Relevant Planning History

02424/E - Proposed two storey rear extension/porch to front elevation and increase ridge height to provide 4 bed home in the place of existing 3 bed bungalow - Enquiry completed 08/04/2020

65626 - Conversion of property to 1 no. residential building; increase to the roof height, two storey extension and associated parking and landscaping, change of use of land to residential garden - Approve with Conditions 23/09/2020

Publicity

Site notice posted 27/2/21

No responses received as a result of the publicity

Statutory/Non-Statutory Consultations

N/a

Pre-start Conditions -Not relevant

Unitary Development Plan and Policies

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.

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.

Housing Principle - Established in principle by approval of planning reference 65626.

Green Belt Principle - The principle of the proposed development for the residential development was assessed in line with para 145 c) for proportionate additions and g) for partial or complete re-development of previously developed land, which would not have a greater impact on the openness than existing, and para 146 d) for the re-use of buildings, provided they preserve openness.

SPD8 advises that extension should not be disproportionate to the existing dwelling and generally considers extensions up to a third of the volume of the original dwelling, and in consideration of individual merits.

The volume increase of the approved dwelling was 30% and there was an increase in height of 1.1m. The applicant also advanced a case and justification for the proposed development and the application was assessed as compliant with Green Belt planning policy principles.

This application for the addition of a porch would add an additional 2% volume (11.5 cubic metres) to the dwelling.

The porch would be located on the north side of the property and would not be visible outside the site. It would be a relatively minimal addition and the volume increase would not be significant and still within the third increase which is advised in policy guidance.

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

Heritage - The approved dwelling was assessed as acceptable and in compliance with the principles of the NPPF.

The addition of the porch would compliment the approach taken for the redevelopment of the property and given its size and position on the site it is considered that the proposed development would not cause harm to the significance of the building or the setting of the group as a whole and would comply with the principles of the NPPF.

Siting, design and appearance - The porch would be located on the north elevation and contained within the site boundary. It would not affect the arrangements around the dwelling or impact on the parking provision.

The porch would be a relatively small addition to the dwelling. It would be a modest design with a pitched roof to match the existing dwelling and the adjacent buildings and be constructed of brick elevations and a slate roof to match the existing.

As such, it is considered the proposed development would be acceptable and comply with UDP Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, EN1/2, OL1/2, OL1/4 and SPD 8 and 9.

Impact on residential amenity - Given the size, position and design of the porch, there would be no issues of overlooking or impacts on privacy or outlook of neighbouring properties.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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 This decision relates to drawings numbered Location plan A.01.1.1 rev C; Site plan A.01.1.2 rev A; Ground floor proposed A.01.2.2 rev C; First floor proposed A.01.2.3 rev C; Proposed elevations A.01.2.4 rev B; Site section A.01.2.5 rev A; Site plan/Landscape A.01.2.6 Rev 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.
- 2 Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 3 Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.
Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 4 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 carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been approved 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.

- 5 The development hereby approved shall be carried out in accordance with the landscaping scheme hereby approved for planning reference 65626, condition 6 (Revised landscaping plan received 14/12/20; Planting plan agreed under the TPO application; Bat and bird boxes to be incorporated into the scheme) and shall be implemented not later than 12 months from the date the building is first occupied or within the first available tree planting season,; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan..
- 6 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
- 7 The development hereby approved shall be carried out in accordance with the boundary treatment approved under condition 8 of planning reference 65626 (Revised landscaping plan received 14/12/20 and boundary fence shown set back into the site to align with site edging).
Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, OL1/4 - Conversion and Re-use of Buildings in the Green Belt of Bury Unitary Development Plan.
- 8 Prior to first occupation of the development hereby approved, a sprinkler system to meet the requirements of BS 9251:2014 shall be installed in the dwelling hereby approved. The sprinkler system shall thereafter be maintained at all times.
Reason. In the interests of fire safety and to ensure the safe and satisfactory development of the site and for its future occupiers pursuant to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.
- 9 The car parking indicated on the approved plans shall be surfaced and made available for use prior to first occupation of the dwelling hereby approved and thereafter maintained available for use at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
- 10 The development hereby approved shall be carried out in accordance with the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. The drainage scheme shall be implemented prior to first occupation and thereafter maintained.
Reason. 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.

- 11 The external finishing materials for the development hereby approved shall be carried out in accordance with the approved plans and condition 12 of approved application 65626.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policies EN1/1 Visual Amenity, H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design, OL1/4 - Conversion and Re-use of Buildings in the Green Belt and SPD 8 and 9.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	29/3/21	DM	29/03/21

APPENDIX 2

NOTICE OF PLANNING PERMISSION

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England)
Order 2015**

To:

Mr Shiels
ARCHIPLAN DESIGN & BUILD LTD
19 Lane Drive
Grotton
OL4 5QZ

On Behalf Of:

Mr Smith
The Bungalow
Knowsley Road
Ainsworth
Radcliffe
BL2 5PT

PART 1 - Particulars of Application**Application Number:** 65626**Date of Registration:** 07/07/2020**Proposal:**

Conversion of property to 1 no. residential building; increase to the roof height, two storey extension and associated parking and landscaping, change of use of land to residential garden

Location:

The Bungalow, Ainsworth Nursing Home, Knowsley Road, Ainsworth, Bolton, BL2 5PT

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

- 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 Location plan A.01.1.1 rev C; Site plan proposed A.01.2.1 rev A; Ground floor proposed A.01.2.2 rev A; First floor proposed A.01.2.3 rev B; Proposed elevations A.01.2.4 rev A; Site section A.01.2.5; 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 Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;

The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

- 4 Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.

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

- 5 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 carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed 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.

- 6 Within 2 months of the development hereby approved, a landscaping scheme shall be submitted to, and approved by the Local Planning Authority. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new development and one bird box on the retained mature tree. 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.

- 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 Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

- 8 Prior to the erection of any boundary treatment, details relating to the proposed boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development.

Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, OL1/4 - Conversion and Re-use of Buildings in the Green Belt of Bury Unitary Development Plan.

- 9 Prior to first occupation of the development hereby approved, a sprinkler system to meet the requirements of BS 9251:2014 shall be installed in the dwelling hereby approved. The sprinkler system shall thereafter be maintained at all times.
Reason. In the interests of fire safety and to ensure the safe and satisfactory development of the site and for its future occupiers pursuant to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.
- 10 The car parking indicated on the approved plans shall be surfaced and made available for use prior to first occupation of the dwelling hereby approved and thereafter maintained available for use at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
- 11 The development hereby approved shall be carried out in accordance with the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. The drainage scheme shall be implemented prior to first occupation and thereafter maintained.
Reason. 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.
- 12 Following groundworks and prior to the construction of any extension or the carrying out of any external alterations, details/samples of the materials to be used, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall be used for the construction and alterations 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 Policies EN1/1 Visual Amenity, H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design, OL1/4 - Conversion and Re-use of Buildings in the Green Belt and SPD 8 and 9.

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.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

NPPF	National Planning Policy Framework
H1/2	H1/2 - Further Housing Development
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
H2/4	H2/4 - Conversions
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN2/3	EN2/3 - Listed Buildings
EN3/1	EN3/1 - Impact of Development on Archaeological Sites
EN5/1	EN5/1 - New Development and Flood Risk
EN6	EN6 - Conservation of the Natural Environment
EN6/3	EN6/3 - Features of Ecological Value
EN9/1	EN9/1 - Special Landscape Areas
OL1/2	OL1/2 - New Buildings in the Green Belt
OL1/4	OL1/4 - Conversion and Re-use of Buildings in the Green Belt
OL7/2	OL7/2 - West Pennine Moors
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
SPD 9	Development Control Policy Guidance Note 9 - Conversion and Re-use of Buildings in the Green Belt
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
EN5/1	EN5/1 - New Development and Flood Risk

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Applicant Plan Numbers:

Location plan A.01.1.1 rev C; Site plan proposed A.01.2.1 rev A; Ground floor proposed A.01.2.2 rev A; First floor proposed A.01.2.3 rev B; Proposed elevations A.01.2.4 rev A; Site section A.01.2.5;

NOTES TO APPLICANT

- . Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, this Section recommends applicants provide EV charging points for each residential unit. EV chargepoints shall be chosen for the Electric Vehicle Homecharge Scheme approved chargepoint model list.
- . INFORMATIVE - The Control of Noise Regulations 1975, Section 60. Control of Noise on Construction Sites

Works carried out in connection with the planning permission shall comply with the above regulations which require the following:

1. All works and ancillary operations which are audible at the boundary of the nearest house or noise receptor, or at such other place as may be agreed with the

Council, shall be carried out only between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1400 on Saturdays and at no time on Sundays and Bank Holidays.

2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.

3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturer's instructions.

4. Any emergency deviation from the above (1 - 3) shall be notified to Bury Council without delay.

Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Noise Regulations 1975.

Please note that any construction takes place before 13 May 2021, would be subject to COVID-19 Extended Hours:

<https://www.gov.uk/government/publications/construction-working-hours-draft-guidance/draft-guidance-construction-site-hours-deemed-consent>

Department of Operations - Environment Section.
23 June 2020

. Whilst the building to be refurbished and extended has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

. The applicant is reminded that under the Protection of Badgers Act 1992 it is an offence to intentionally or recklessly interfere with a badger sett. If a badger sett is found on or near the developments site work should cease immediately and a suitably experienced ecologist employed to advise on how best to proceed.

. Vehicular access for a fire appliance to within 45m of all points within the dwellings; The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes; If the access road is more than 20m long a turning circle, hammerhead, or other turning point for fire appliances will be required; There should be a suitable fire hydrant within 165m of the furthest dwelling.

Signed:

A handwritten signature in black ink, appearing to read 'P. H. H.', written in a cursive style.

6 of 6

.....
On behalf of the Council

Date of Decision: 23/09/2020

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 22/09/2020	Ref: 65626/FUL
Registration: 07/07/2020	LDFC: 31/07/2020	Expiry Date: 01/09/2020
Site Visit: 24/07/2020	Site Notice: 24/07/2020	Press Date: 16/07/2020
Objections: 0	Con Area: N/A	Adv Type: ARW
Reason for Delay: N/A		EIA: NA
		Dec Level: COM
		Stat Class: MIDW

Proposal: Conversion of property to 1 no. residential building; increase to the roof height, two storey extension and associated parking and landscaping, change of use of land to residential garden

Location: The Bungalow, Ainsworth Nursing Home, Knowsley Road, Ainsworth, Bolton, BL2 5PT

Description

The site relates to a plot and building which forms part of the former Ainsworth Nursing Home. The site is accessed via a private lane which is formed from the top of Ainsworth Road. The whole site is located in the Green Belt, Special Landscape Area and West Pennine Moors and is on the Council's Draft local list as a Non-Designated Heritage Asset. The site is covered by a blanket TPO.

The site is located to the north of Ainsworth Village and is self-contained and remote from the rest of the village and nearby farm settlements and residential dwellings, having formally being an isolation hospital for infectious diseases, although it was predominantly maintained as a functioning hospital, and later used as a nursing home for the elderly up until the time it closed down.

The nursing home site is rectangular in shape and the existing built development is generally focused centrally within the site, with the main internal access running north through the site which branches to the east to serve the main building and other buildings to the north. The remaining land is grassed, treed or vegetated. Surrounding the site is a mix of low level fencing and trees beyond which and surrounding the site is open land and fields.

The nursing home has been developed and extended over a period of time with the main 2 storey building located centrally, added to by later single and 2 storey elements. There are also buildings which are detached from the main cluster, used previously as additional care facilities or staff accommodation.

By way of background, the site has now been sold off as separate plots and it is understood that the intention is for proposals to come forward by the individual purchasers for developing out each individual plot for residential purposes. It is also to be noted that there has been unlawful tree clearance and removal from the site prior to the plots being sold at auction.

This application involves one plot and a residential development.

The plot is located at the entrance to the site adjacent to the southern boundary and set within approximately 0.093 ha of land. The plot comprises a detached single storey bungalow constructed of red brick with upvc infill panels and a pitched roof. The bungalow

is relatively modest in size, with accommodation of 3 bedrooms, kitchen, lounge and bathroom. The main access is on the northern elevation which faces the internal part of the site.

The bungalow was originally constructed in the 1970's as manager's accommodation to serve the nursing home. However, the application states that following the closure of the nursing home, it has been in a private residential use. However, no planning permission or lawful development certificate has been granted for its use as a private dwelling and it is currently classed as ancillary accommodation to the nursing home.

The proposed development involves the conversion of the building to a single dwelling in order to regularise the planning permission in respect of its use for residential purposes.

It is also proposed to increase the roof height, extend the property with a 2 storey and provide associated landscaping and parking.

The proposed extension would be added to the southern elevation and project 1.72m with a first floor balcony on the eastern side. The roof would be raised to accommodate a first floor. The design would be one of a contemporary approach to incorporate dormer window and pitched roof detailing. Part of the ground floor of the east and south elevation would comprise full height glazing with a flat roof balcony above enclosed by a balustrade.

Materials would comprise brickwork up to first floor level, render above and slate roof.

Internally, accommodation would provide living spaces at ground floor and 4 bedrooms at first floor with en suite and bathroom facilities with the balcony accessed from the master bedroom.

The areas around the dwelling would be paved and a garden area provided to the east of the property. The remaining site area to the north of the dwelling would be used for parking.

The applicant also owns a slither of land in the field to the south directly adjacent to the site. This is not included within the red edge application site area. A 2m high timber fence would be erected to form the southern boundary of the site along the existing boundary line between the site and the field and would enclose the garden at the side. Three small trees would be removed.

Volume and height comparisons of the existing and proposed areas follows:

existing volume - 388.04 cubic m
proposed volume 504.92 cubic m
%age increase = 30%

existing height - 5.2m
proposed height 6.3
Increase - 1.1m

Relevant Planning History

02424/E - Proposed two storey rear extension/porch to front elevation and increase ridge height to provide 4 bed home in the place of existing 3 bed bungalow - Enquiry completed 08/04/2020
65412 - Conversion of wash house to 1 no. dwelling with single storey extensions and dormer to rear - Approved 22/6/20

Publicity

Letters sent on 9/7/20 to 41 properties on Knowsley Road, Church Street, Arthur Lane.
Site notice posted 24/7/20.

No responses received as a result of the publicity.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions.

Borough Engineer - Drainage Section - No response received.

Environmental Health - Contaminated Land - No objection subject to conditions and informatives.

Conservation Officer - No objection

Public Rights of Way Officer - No comments received.

Waste Management - No response received.

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

Greater Manchester Ecology Unit - No objection subject to conditions and informatives

Minerals and Waste Planning Unit (Urban Vision Partnership Ltd) - No response received.

Fire Protection Dept Bury Fire Station (BS 9999) - No objections - recommend residential sprinkler systems and advisories re fire safety.

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

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
EN3/1	Impact of Development on Archaeological Sites
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN9/1	Special Landscape Areas
OL1/2	New Buildings in the Green Belt
OL1/4	Conversion and Re-use of Buildings in the Green Belt
OL7/2	West Pennine Moors
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD 9	Conversion and Re-use of Buildings in the Green Belt
SPD11	Parking Standards in Bury
EN5/1	New Development and Flood Risk

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.

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.

Green Belt/Environment Policies -

Chapter 13 - Protecting Green Belt Land, Paragraphs 143 and 144 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 are:

- a) buildings for agriculture and forestry;
- b) provision of appropriate facilities for outdoor sport, recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green belt and do not conflict with the purpose of including land;
- c) the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs; and

g) limited infilling or partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: not have a greater impact on the openness of the green belt than the existing development: or not cause substantial harm to the openness of the Green Belt, where the development would re--use previously developed land and contribute to meeting identified affordable housing need within the area of the Local Planning Authority.

Paragraph 146 states that other certain forms of development are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. One of the exceptions to this is bullet point d) the re-use of buildings provided that the buildings are of permanent and substantial construction.

OL1/2 - UDP Policy OL1/2 - New Buildings in the Green Belt states that the construction of new buildings in the Green Belt is inappropriate development unless - for agriculture and forestry, essential facilities for outdoor sports and recreation, limited extension, alteration or replacement dwelling provided it would not result in disproportionate additions over and above the size of the original dwelling or not materially larger than the one it is to replace; limited infilling in existing villages as set out under Policy OL1/3.

UDP Policy OL1/4 - Conversion and Re-use of Buildings in the Green Belt is not inappropriate development and would be permitted provided that:

- it would not have a materially greater impact than the present use on openness;
- any extensions of re-used buildings and any associated uses of land surrounding the building do not conflict with the openness of the green belt;
- the buildings would be capable of conversion without major or complete reconstruction;
- form, bulk and design would be in keeping with the surroundings;
- suitable access and traffic can be accommodated;
- necessary services can be provided;
- no damage to habitats or protected species.

UDP Policy OL7/2 - West Pennine Moors ensures the important character of the area is protected and focuses not only on the control of development but measures to enhance the environment.

SPD8 - New Buildings and Associated Development in the Green Belt and SPD9 - Conversion of Buildings in the Green Belt and provides additional advice and guidance, particularly with reference to siting, design, materials, scale and form of a development.

UDP Policy EN1/1 - Visual Amenity - Development should not be permitted where proposals would have a detrimental effect on the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Area or the river valleys. The wider consideration of the effect on visual amenity is necessary in sensitive areas to ensure that developments are not inappropriate by reason of their siting, materials or design.

UDP Policy EN9/1 - Area of Special Landscape seeks to strictly control development and is required to be sympathetic to its surroundings in terms of visual impact. High standards of design, siting and landscaping will be expected and unduly obtrusive development will not be permitted in such areas.

Principle - The application proposes the conversion of and extension to a building which is located on a previously developed and historically established site.

National Planning Policy states that there are some exceptions which would allow for

development in the Green Belt. In this respect, para 145 c) for proportionate additions and g) for partial or complete re-development of previously developed land, which would not have a greater impact on the openness than existing, and para 146 d) for the re-use of buildings, provided they preserve openness, are relevant.

The property is a red brick build of a permanent and substantial construction and up until recently has been inhabited as a private dwelling. It is evident that the building is capable of conversion without major re-structural works or any significant re-build.

In terms of extensions to the building, proposed works comprise a 2 storey extension and increase the roof height to accommodate a 1st floor.

The volume increase would be 30% and height increase 1.1m.

SPD8 advises that additions should not be disproportionate to the existing dwelling, and in general terms, may consider extensions up to a third of the volume of the original dwelling. However, each proposal is considered on its own merits.

According to case law in the Court of Appeal judgement *Turner v Secretary of State* 2016 at para 14, "The concept of openness of the green belt is not narrowly limited to volumetric approach..... (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspects which the Green belt presents."

Whilst within the guide of the third percentage increase, the applicant has also submitted a case to justify the extensions and the increase in height, which includes its setting within the site, perception from long range views and screening to this part of the site.

Whilst located at the entrance to the site and visible from the south and public vantage points, the building is set against the backdrop of larger 2 storey buildings which are located within the site. Whilst the roof extension would increase the height of the property by 1.1m, views of the build are long range, and with the proposed boundary fencing and tree planting which would form the southern boundary of the site, it is considered that the increase in height would not be perceptible from outside the site.

Given the context of the site and relationship to the surrounding area, its status as previously developed land, together with the scale, form and size of the proposed development which would be within the volumetric guidance of a third increase, it is considered that there would not be a detrimental impact on the openness or the special character of the Green Belt.

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

Housing - Policies

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

UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development takes into consideration factors relating to the height and roof type of adjacent buildings, the impact of developments on residential amenity, the density and character of the surrounding area and the position and proximity of neighbouring properties. Regard is also given to parking provision and access, landscaping and protection of trees/hedgerows and external areas.

Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties

provides useful guidance in terms of acceptable aspect standards between dwellings and design criteria.

Housing - Principle -

The property was originally constructed in the 1970's as manager's accommodation, and since the closure of the nursing home was used as a private residential use. However, there has been no formal planning permission granted for the use of the property from ancillary accommodation to a private dwelling.

The proposed building is located on a brownfield site, close to the village of Ainsworth. It lies within an existing complex of buildings formerly used as a nursing home and therefore residential in character to some degree. There is existing infrastructure in place to facilitate the development and considered that the proposal to convert the building would not conflict with the character of the surrounding area or land uses.

As such, it is considered that the proposed development would be acceptable in principle and would comply with H1/2 and the principles of the NPPF.

Heritage

Paragraph 197 of the NPPF requires - "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

Paragraph 189 of the NPPF requires that:

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

Ainsworth Nursing Home is considered to be A Non-Designated Heritage Asset. It was built around the turn of 19th century. It was purpose built as a smallpox isolation hospital and later became a nursing home remaining in that use until 1986. The wash house is part of the group asset that is the former nursing home. The former nursing home is a good example of civic/hospital architecture of that period and is largely intact and unaltered and it also possesses other heritage values.

The submitted heritage statement satisfactorily identifies and describes the significance the building as having architectural, historical and associative/communal heritage values relating to its use as an isolation hospital and latterly as a nursing home.

The proposed design and materials for the proposed conversion of the bungalow takes an architecture lead from the existing group of buildings. As such the proposal would harmonise with the existing group and would represent an improvement on the existing 1970s bungalow. It would also improve the setting of the NHDA in removing an incongruous feature.

The conversion of the building into a 3 bed single dwelling would bring the building back into a viable and sustainable use compatible with its conservation, so complying with paragraph 192 of the NPPF.

As such, it is considered that the proposed development would not cause harm to the significance of the building or the setting of the group as a whole and would comply with the principles of the NPPF.

Layout - The plot is 0.093ha in size with the building located to the front of the site adjacent to the existing main entrance.

As the development would comprise conversion with extension, the footprint and position of the existing building within the plot would not change. The main alterations would relate to the external layout of the areas proposed for parking and amenity space.

It is proposed to orientate the build with the main entrance or 'front' of the dwelling located on the north elevation facing internally into the site. The frontage would be paved to provide a driveway and parking for 3 cars. The land to the east would comprise a patio and garden area. Whilst this piece of land is fairly extensive it already forms the existing curtilage for the property and with the removal of p.d rights which would ensure that no built development could take place without consent, utilising this area as amenity space is considered to be acceptable.

It is proposed to erect a 2m high timber boarded fence along the north, south and western boundary. Whilst it is understood that the occupiers would expect a certain degree of privacy into their garden and property, a 2m high solid boundary fence, particularly along the southern boundary which is highly visible to views, may not be the most appropriate solution for a site which is within the Green Belt and where openness is characteristic of such special areas. The submitted 'visual' plans show that a hedge would be provided along parts of the boundary which would soften the appearance of the boundary fence, the site and the dwelling but this is not detailed on the proposed plans. To ensure appropriate boundary treatment would be erected to the site, it is therefore considered reasonable to include a condition requiring details to be submitted.

Permission was granted for the removal of 3 trees and replacement trees required to be planted. However, there are still trees within the plot which should be retained. As these are covered by the site's blanket TPO an application for removal would be required in any event, and as such a condition to ensure their retention would not be necessary.

Access to the site would be as existing and via the private lane which is formed at the head of Knowsley Road and would lead directly to the site.

It is considered that the proposed layout would not fundamentally alter from the existing arrangement and would not affect the wider site or any future development which may come forward. As such, the proposed layout is considered to be acceptable and would comply with UDP Policies H2/1, H2/2, EN1/2, OL1/4 and SPD8 and 9.

Scale, design and appearance - The existing property is a detached single storey bungalow. Built after the original nursing home, it is a newer addition to the site and whilst it forms part of the historic character of the site, it is a relatively average and ordinary 1970's building with no particular architectural merits.

The design strategy has been to take design cues from the existing main buildings so as to better reflect and harmonise with the character and appearance of the surrounding heritage buildings. The additional roof space would incorporate dormers and gable feature projections taking reference from the surrounding original features and window openings of similar size and style to similarly reflect the appearance of other buildings on the site. As the building is located at the forefront of the site, it would be one of the more visible built forms from public views and this approach to design is considered to be reflective of the character of the site.

In respect of materials, the build would predominantly use a facing red brick, in keeping

with the rest of the site. Whilst there would be elements of render with the south/east corner fully formed by a large glazed opening and balcony above, these would add a modern interpretation and interest to the building.

In terms of the scale of the development, whilst there would be additions to the build and an increase in height, the design of the extensions would be sensitively incorporated within the fabric of the build so as not to result in an overly dominant built form in relation to the other buildings within the site, and the wider context of the character of the area in general.

As such, it is considered that the proposed alterations and extensions would be acceptable and in keeping with the traditional character of the building and the site itself and would comply with UDP Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, EN1/2, OL1/2, OL1/4 and SPD 8 and 9.

Impact on residential amenity - The site is in a rural and countryside location and at almost 700m away from the main centre of Ainsworth Village, the nearest properties being the cottages to the site access lane approx 200m away to the south and as such there would not be an issue of overlooking or privacy.

With regards to any impacts from overlooking or privacy issues within the site, the nearest building is the main 2 storey nursing home facility, directly to the north.

Although the main building has not in itself yet come forward for development as a private residential dwelling, as this building forms one of the plots which has been sold off for re-development, it is anticipated that a similar application for conversion and or extensions will likely be a submission in the future.

There is a distance of 15.5m between the 2 buildings. Whilst it is proposed to increase the height and insert windows in the north elevation which would face the existing nursing home, the proposed windows would be slimline secondary type windows where views out would be more limited. There would be an intervening boundary fence to the site and there is also an access road which separates the 2 buildings and provides a sense of separation and space. As aspect standards are already sub-standard, it is considered that any impacts on the opposite property from the proposed development would not be significant or adverse to future occupiers.

In terms of likely traffic generation, the proposed development would be of such a relatively small scale, that it is considered there would not be significant traffic levels to the site. Taking a wider view, and should the other plots come forward for re-development, given the scale of the site and numbers of potential plots available for development, it is considered that there would not be significant levels of traffic generation created, particularly when compared to the traffic which could be generated by a nursing home from employees, visitors and medical/support.

As such, it is considered that there would not be a detrimental impact on residential amenity and the development would comply with UDP Policies H2/1, H2/2 and EN1/2.

Highways -

Access - The existing access to the site is from the head of Ainsworth Road. It is an unadopted single wide, but well-maintained and surfaced lane. This is the only access into the site and would be utilised by not just this plot but by other plots which may come forward for development in the future.

For a development of a single plot, the standard of the access is considered to be acceptable for the amount of traffic which would be generated, and that given the number of plots which could come forward in the future, which is likely to be no more than 6 or 7, the existing access would be of a standard to suitably serve the whole of the site. (If a future development were to be larger scale, the access may need to be considered).

As the site is in a remote location and given there is only one access to the site, GMF&RS have been consulted on the application.

The Fire Service are of the opinion that given the proposed site layout would create a cul-de-sac in excess of 250 metres in length the single point of entry to the proposed development would be unsatisfactory as any obstruction along the single access road could prevent emergency vehicles from entering the estate and restrict access to the dwelling, increasing attendance time and posing a risk to public life.

A site layout which is considered unacceptable on the grounds of accessibility for fire appliances may become acceptable if the buildings are equipped with sprinkler systems which are strongly recommended for buildings that are more than 250 meters from an access road. Residential sprinkler systems are therefore recommended by GMFRS for this development as they allow for a longer response time to emergency situations and may be deemed suitable to overcome the site deficiencies of the proposal.

In addition, GMF&RS advise the proposal should meet the recognised Approved Document requirements for Fire Service access:

- Vehicular access for a fire appliance to within 45m of all points within the dwellings
- The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes
- If the access road is more than 20m long a turning circle, hammerhead, or other turning point for fire appliances will be required
- There should be a suitable fire hydrant within 165m of the furthest dwelling.

With suitable conditions, it is considered that the proposed development and access arrangements would be acceptable and comply with UDP Policies H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.

Parking - For a 4 bed property in a low access area, SPD11 advises that 3 spaces are provided. The application proposes to provide 3 parking spaces within the curtilage of the property which would be located to the north side of the property and directly from the internal driveway.

As such the proposed development would suitably comply with the parking standard guidance and in accordance with UDP Policies HT2/4 and SPD11.

Public Right of Way - The PRow Officer has not made comments on this application. However, in relation to a previous application which was recently granted approval on the site (ref 65412 approved 22/6/20), comments were made as follows:

The section of access road from the end of the adopted section of Knowsley Road through to the boundary gates is recorded as a public footpath. This section of footpath forms part of an application received under the Wildlife and Countryside Act 1981 which claims that the route should have the status of a bridleway - adding access for the public on horse and cycle. This matter is currently being investigated, but will take several months to reach a conclusion. The PRow Officer had no objection and given the character, scale and nature of this development, it would be reasonable to consider these as relevant comments to this application and as such there would be no objections.

Trees - The wider site is covered by a blanket TPO and treed and vegetated with a number of mature and valuable trees, particularly around the periphery. Consent was granted in July 2020 for the removal of 3 trees and a scheme for the planting of 3 replacement trees was a condition of this approval (Ref - LP/TPO/0729).

It is considered that with the retention of the existing trees and the proposed replacement

planting, the scheme would provide satisfactory mitigation for ecological and arboricultural enhancement.

Ecology

GMEU have been consulted on the application.

Summary - No significant ecological constraints are present. Issues associated with bats, badgers, nesting birds and ecological enhancements can be dealt with via condition and or informative.

Bats - The building has been assessed and surveyed by two bat consultants, though only the full report for one has been enclosed. No bats are reported to have been found by either consultant during both assessments and both emergence surveys which occurred during the peak activity season. GMEU have no reason to doubt these findings. As individual bats can turn up on occasion in unexpected locations and one of the survey recorded high levels of activity on the site, GMEU recommend an informative to advise the applicant of the habitat regulations should a bat/bats be found.

Badgers - Badgers are reported to be present in the wider landscape. GMEU therefore recommend an informative is applied to any permission to advise the applicant of their responsibilities under the Protection of Badgers Act 1992.

Nesting Birds - No evidence of nesting birds was recorded on site. Three small trees are however proposed for removal, potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. A condition to restrict vegetation clearance is recommended.

Contributing to and Enhancing the Natural Environment - Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development proposed to remove three small trees, two native and one ornamental. GMEU therefore recommend mitigation through replacement native trees and provision of one bird box on the retained mature tree. The details can be conditioned.

Air quality - Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, this Section recommends a condition be placed on any grant of permission that the applicant shall provide EV charging points for each residential unit. EV chargepoints shall be chosen for the Electric Vehicle Homecharge Scheme approved chargepoint model list.

Given the scale and location, it is considered it would be appropriate to advise the applicant in an informative note of this preferred provision.

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 Location plan A.01.1.1 rev C; Site plan proposed A.01.2.1 rev A; Ground floor proposed A.01.2.2 rev A; First floor proposed A.01.2.3 rev B; Proposed elevations A.01.2.4 rev A; Site section A.01.2.5; 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 Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 4 Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.
Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 5 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 carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed 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.
- 6 Within 2 months of the development hereby approved, a landscaping scheme shall be submitted to, and approved by the Local Planning Authority. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new development and one bird box on the retained mature tree. 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.

- 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 Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

- 8 Prior to the erection of any boundary treatment, details relating to the proposed boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development.

Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, OL1/4 - Conversion and Re-use of Buildings in the Green Belt of Bury Unitary Development Plan.

- 9 Prior to first occupation of the development hereby approved, a sprinkler system to meet the requirements of BS 9251:2014 shall be installed in the dwelling hereby approved. The sprinkler system shall thereafter be maintained at all times.

Reason. In the interests of fire safety and to ensure the safe and satisfactory development of the site and for its future occupiers pursuant to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.

- 10 The car parking indicated on the approved plans shall be surfaced and made available for use prior to first occupation of the dwelling hereby approved and thereafter maintained available for use at all times.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 11 The development hereby approved shall be carried out in accordance with the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. The drainage scheme shall be implemented prior to first occupation and thereafter maintained.

Reason. 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.

- 12 Following groundworks and prior to the construction of any extension or the carrying out of any external alterations, details/samples of the materials to be used, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall be used for the construction and alterations of the development.

Reason. No material samples have been submitted and are required in the interests

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of visual amenity and to ensure a satisfactory development pursuant to UDP Policies EN1/1 Visual Amenity, H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design, OL1/4 - Conversion and Re-use of Buildings in the Green Belt and SPD 8 and 9.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	22/9/20	DM	23/09/2020

APPENDIX 3

Our Ref: 02825E
Your Ref:
Date: 20 March 2023
Please ask for: Jennie Townsend
Direct Line: 0161 253-5320
Fax: 0161 253 7373
E-Mail: j.l.townsend@bury.gov.uk

Jordan Smith
The Bungalow
Knowsley View
Ainsworth
Bolton
BL2 5PT

Dear Sir/Madam

Proposal: Single storey side extension; Convert balcony to internal
bedroom
Location: The Bungalow, Knowsley View, Ainsworth, Bolton, BL2 5PT

I am writing following receipt of your enquiry on 10 February 2023 in connection with the above proposal and to provide the Council's view of the issues discussed.

The details within this note are provided as a guidance note in the event of a formal application being submitted.

Should you wish to discuss any of the issues contained within this note, then please contact the above case officer.

Yours faithfully

Jennie Townsend
Senior Planning Officer

Accompanying/Supporting Information

To accompany any application for planning permission, the following documents, in the first instance, should be submitted in line with both national and Local Validation Procedures. Failure to do so would mean that any application without these would not be validated.

Red edge location plan
Existing and proposed elevations
Existing and proposed floor plans
Existing and proposed site plan
Comparative volume and floor area calculations
Planning Statement

Planning Policies

In the consideration of the proposals, the following policies are relevant to the scheme and would be taken into consideration should any application be formally submitted:

NPPF	National Planning Policy Framework
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN9/1	Special Landscape Areas
OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt

The pre-application seeks advice for a single storey side extension and a part 1st floor extension to replace a balcony area to the existing dwelling.

The site is located in the Green Belt, Special Landscape Area and West Pennine Moors and the dwelling forms part of the former Ainsworth Nursing Home which is on the Council's draft local list as a Non-Designated Heritage Asset.

Permission has been granted for the conversion of the property to 1 no. residential building; increase to the roof height, two storey extension and associated parking and landscaping, change of use of land to residential garden (ref 65626).

A variation of condition application was subsequently granted for the addition of a porch (ref 66467).

Permitted development rights have been removed for the property.

Assessment

Paragraph 149 considers the construction of new buildings as inappropriate development in the Green Belt. One of the exceptions to this is exception c) *for the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building*

OL1/2 - UDP Policy OL1/2 - New Buildings in the Green Belt states that the construction of new buildings in the Green Belt is inappropriate development unless it is for one of the purposes listed, which includes c) *for limited extension, alteration or replacement dwelling provided it would not result in disproportionate additions over and above the size of the original dwelling*.

SPD8 advises that additions should not be disproportionate to the existing dwelling and in

general terms, may consider extensions up to a third of the volume of the original dwelling. However, each proposal is considered on its own merits.

SPD8 goes on to state that if an addition to a converted building is proposed, the extension should be a subsidiary element of the original building.

Extensions should be small scale, of a simple design and unobtrusive.

The property has already been extended by circa one third of the original building. The proposed extensions would therefore exceed policy guidance in SPD8 of extending up to one third beyond that of the original building, and to quite a significant degree.

Very Special Circumstances would therefore be required.

Volume comparisons of the original build, the house 'as built' now and volume with proposed extensions should be submitted in the event of a planning application.

The property is located within a Non-Designated Heritage Asset site and we would need to consider the proposals within the context of its setting.

Proposed 1st floor extension

It is proposed to add an extension to the first floor of the south east corner of the dwelling. There is currently a balcony on this part of the building and this provides a degree of relief and space to the building, where views through parts of the site are maintained. The proposed extension as shown would add some amount of mass and scale to the existing form.

If there is a possibility of adding something to this area it would depend on how much would be added and what the impacts would be, and in this respect you would be encouraged to investigate whether there would be any other design solutions which would have a lesser mass and scale than the current pre-app proposals, which could involve a re-design of the roof form for example.

Any application would need to address the impacts contextually and visually, how the build would be viewed from different directions and how any impacts could be mitigated. This should include a justification in terms of the additional volume which would be added above that of the original building.

Proposed single storey side extension.

Firstly, SPD6 for alterations and extensions to residential properties states that single storey side extensions should not normally occupy half of the available width of the side area and normally leave a minimum of 2m from the road to the extension. The proposal would fail on both these criteria.

Secondly, on approaching the site there is a degree of separation and space from any built development and the siting of a permanent built form would be out of keeping and overbearing on the approach to and within the site.

It is noted that there is an attempt to incorporate similar roof lines to that of other properties within the site but in doing so the combination of the slopes of the existing roof forms and proposed single storey roof style appears confused and do not reflect the design and proportions of the existing dwelling.

In light of the above, you would be discouraged pursuing the side extension as it would not be supported. In view of this, one option which could be explored is the reconfiguration of the internal layout.