

DELEGATED REPORT

Report by Dean Clapworthy	Date of report: 03/08/2022	Ref: 68311/FUL
Registration: 16/05/2022	LDfC: 06/06/2022	Expiry Date: 11/07/2022
Site Visit: 27/05/2022	Site Notice: 27/05/2022	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: PI
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIOT

Proposal: Elevated extension to golf professionals shop to provide golf practice room

Location: Bury Golf Club Unsworth Hall, Manchester Road, Bury, BL9 9TJ

Description

The proposal relates to a site adjacent to the clubhouse and associated buildings at Bury Golf Club. The site relates to an area presently occupied by two large tanks between two brick outbuildings. The cluster of buildings and associated car park are screened from views outside of the immediate locality by rising land that is densely covered with trees. The clubhouse and immediately adjacent outbuilding are non-designated heritage assets (NDHA) and the site falls within the Greater Manchester Green Belt, in a river valley and wildlife link and corridor.

The proposal is for an elevated extension to golf professionals shop to provide a golf practice room.

It would be a flat roof building to be elevated (on steel posts) above a retained water tank (one of the tanks would be removed to provide an under storey storage area). The building would be clad in vertical tanalised timber with a profiled sheet roof. It would have a (raised) footprint of 11.5m x 12.1m (at the widest) and a maximum height of 8.7m above ground level (the actual building would be around 4.4m high, floor to ceiling). There would be an enclosing wall underneath the south side at a maximum height of 3.75m. There would be an enclosed internal link off the north elevation into the rear of the adjacent golf shop.

Relevant Planning History

No relevant history.

Publicity

Advertised by site notice. No representation received

Statutory/Non-Statutory Consultations

Conservation Officer: No objection

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
OL1/2	New Buildings in the Green Belt
OL5/2	Development in River Valleys
EN6/4	Wildlife Links and Corridors
RT3/2	Additional Provision for Recreation in the Countryside

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.

ASSESSMENT

Principle of the development (Green Belt)

Paragraph 149 of the National Planning Policy Framework (NPPF) sets out the

The Bury Unitary Development Plan contains relevant development policies (Policy OL1/2), but the National Planning Policy Framework (NPPF) includes superseding and the most up to date policies concerning Green Belt.

Section 13 of the NPPF relates to Green Belt.

Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Thereafter, paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, with an exception being for, amongst others, (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor 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 purposes of including land within it.

The proposal relates to the existing golf club and therefore constitutes an exception. Thereafter, the proposed development should preserve the openness of the Green Belt. As described above, the site falls within the existing cluster of buildings that are positioned in an area that is surrounded by rising land and thick tree cover. This area of the Green Belt is therefore characterised by the cluster of buildings and the associated hardstanding of the car park. The proposed building would only be perceived in this context and not from outside the immediate area of the buildings and car park. From the higher land to the north and east of the site (upon the golf course), the building would not be perceptible due to the difference in levels and the enclosing arrangement of the existing buildings. There are no public rights of way in the vicinity of the site.

Therefore, given the context and characteristics of the site and immediate surroundings, it is considered that the proposed buildings would preserve the openness of the Green Belt at this location.

River Valley and Wildlife Corridor

Given that the proposal would relate to previously developed land within the existing cluster of buildings at the site, the proposal would not have any unacceptable impacts on either area of interest.

Heritage impacts

The site and proposed development is located immediately adjacent to NDHA's (those being the clubhouse and former barn now used for storage). However, the Conservation Officer has not raised an objection to the proposal.

Design

Whilst the proposal would deliver a flat roofed elevated building with largely blank elevations, it would have a simple form and the natural timber cladding would be recessive. As described in previous sections, the location and position of the building would render the building unobtrusive in the wider setting and it would only be perceived in the immediate context of the car park and surroundings buildings.

CONCLUSION

The proposed development would enhance a sports facility in the Green Belt without harm to the openness or the setting of the NDHA. The development has also been assessed as not having any unacceptable impacts upon visual amenity.

Given the above, the proposal would be compliant with the above stated UDP policies and the NPPF. Therefore, in accordance with the Section 38(6) of the Planning and Compulsory Purchase Act, the proposal merits approval.

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

DELEGATED REPORT

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 Location Plan (Dwg no. Sheet 11), Proposed Site Plan (Dwg no. Sheet 2), Proposed Ground Floor Plan (Dwg no. Sheet 6), Proposed First Floor Plan (Dwg no. Sheet 7), Proposed Elevations C & D (Dwg no. Sheet 10), Proposed Elevation B (Dwg no. Sheet 9), Proposed Elevation A (Dwg no. Sheet 8) and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall be as detailed within the approved application particulars.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/1 and OL5/2 of the Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
DSC	03/08/2022		