

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 11/12/2020	Ref: 66085/FUL
Registration: 16/10/2020	LDfC: 19/11/2020	Expiry Date: 11/12/2020
Site Visit: 13/11/2020	Site Notice: 13/11/2020	Press Date: 19/11/2020
Objections: 0	Con Area: N/A	Adv Type: ARW
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: COUS

Proposal: Change of use of barn to form dwelling including single storey, two storey and roof extensions; External alterations include hardstanding area, new pond and landscaping

Location: Higher Ash, 12 Hawkshaw Lane, Tottington, Bury, BL8 4LD

Description

The application relates to a site which currently accommodates a farmhouse dwelling and associated barn which is located in the Green Belt, Special Landscape Area and West Pennine Moors and in an area characterised by open land and fields. It is accessed off Hawkshaw Lane which leads from the village of Hawkshaw just over half a mile away. The nearest residential properties are Withins Farm to the north and Hawkshaw Hall to the west.

Within the site area itself, the existing dwellinghouse Higher Ash Farm is situated to the north of the barn at a slightly higher level, with the front elevation facing the barn. The buildings are separated by a driveway which leads to the dwelling and which also forms part of the barn's yard area. The garden to Higher Ash is located to the eastern side of this house.

The application relates to the barn, a large stone build which is set in the southern part of the site with the footprint forming a 'T' shape and the 2 linear lengths of build running north/south and east/west. The build is of a typical barn appearance with random openings and a slate roof.

The building is set close to a raised area of land along the western elevation and there is an informal stoned/loose gravel access on the southern side which appears to have been cut out from the field. There is an area of land to the east bounded by trees, part of which is the garden to Higher Ash Farm.

Two PRoW cut through the site and run between the barn and Higher Ash in a west to easterly direction and also crosses the site directly adjacent to the western elevation of the barn in a north southerly direction. The barn and dwellinghouse are accessed from Hawkshaw Lane to the west.

The barn and Higher Ash Farm are on the Council's Draft Local List as Non-Designated Heritage Assets.

The application seeks the conversion of the barn to a 4 bed dwelling and includes a single storey, 2 storey and roof extensions, external alterations to the building, formation of a hardstanding area, associated domestic garden and landscaping.

The development proposes the following:

- South elevation - Single storey flat roof extension, dormer extension at first floor, full height glazed window openings 2 rooflights.

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- East elevation - Single storey extension with a pitched roof, replacement windows at ground and first floors, 6 rooflights.
- West elevation - Full height glazed door/window feature new opening, 2 rooflights.
- North elevation - 2 storey glazed extension, 1st floor/roof window opening.
- Raising the main roof 300mm
- Infill zinc roof link
- Formation of a domestic garden to the east
- Formation of a driveway and parking area to the south.
- 5 bar timber gate to the entrance of the site.

The new window openings would have aluminium frames and some with stone surrounds. Part of the northern wing of the barn would be re-rendered with quoin detailing.

Volume and footprint areas of the existing and proposed have been provided and are as follows:

Existing footprint - 254.4.sqm

Proposed footprint - 305.9 sqm

% age increase = 20.2%

Existing volume - 1290 cu m

Proposed volume - 1558.2 cu m

% age increase = 20.77%

Relevant Planning History

01551/E - Proposed conversion of barn to one dwelling - Enquiry completed 14/08/2014

59866 - Conversion of barn to one dwelling including roof extension - Approve with Conditions 28/04/2016

65676 - Conversion of existing barn to dwelling with roof/first floor extensions and single storey extensions and landscaping to external areas

- Withdrawn - Invalid 07/10/2020

Publicity

Letters sent on 28/10/20 and 2/11/20 to Hawkshaw Hall, Bridgehall, Withins Farm, The Barn on Hawkshaw lane.

Site notice posted 13/11/20

press advert 19/11/20

No representations received as a result of the publicity.

Statutory/Non-Statutory Consultations

Conservation Officer - Objects on the impacts on the historic character of the barn.

Borough Engineer - Drainage Section - No response received.

United Utilities (Water and waste) - No response received

Traffic Section - No objection.

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

Greater Manchester Fire - Recommend the installation of sprinkler system due to excess of cul de sac length

Pre-start Conditions - Not relevant.

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

EN1/1 Visual Amenity

EN1/2 Townscape and Built Design

EN9/1	Special Landscape Areas
OL1	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
SPD 9	Conversion and Re-use of Buildings in the Green Belt
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
OL1/2	New Buildings in the Green Belt

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 - 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

Whilst located in a rural and remote area, there are other farmsteads and residential properties located in the surrounding area of a similar residential character.

The site is also accessed via a lane used by these properties and which leads to the village of Hawkshaw.

There is existing infrastructure in place to facilitate the development and therefore considered that the proposal to convert the building would not conflict with the character of the surrounding area or land uses, and considered to comply with H1/2 and the principles of the NPPF.

Policies H2/1 and H2/2 consider factors including layout and relationship to the quality and character of the surrounding environment, which are considered in more detail below.

Policies - Green Belt/Environment

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 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.

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.

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. .

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.

SPD9 - Conversion and Re-use of Buildings in the Green Belt provides further advice on conversion and extensions. Regard will be had to factors including the retention of the original character and appearance, contribution to the aesthetic value of the building, its capability of conversion and potential impact on the openness of the Green Belt. Extensions should be proportionate to the size of the original dwelling and up to one third of the volume of the original dwelling.

SPD9 accepts that a certain amount of alteration work may be necessary to accommodate modern living conditions in converted properties, but in principle most buildings should be preserved in their original form and their character retained.

Principle of proposed conversion - Paragraph 146 of the NPPF finds the re-use of buildings to be appropriate provided that they are of substantial construction and preserve openness. A Structural Assessment has been submitted with the application. This survey was carried out in 2015. (The same Structural Survey was submitted for the previous application, reference 59866 for the conversion of the barn to residential which was approved in 2016).

At Section 4 the report concludes that the barn appears to largely be structurally sound, the stonework wall are fairly substantial and of reasonable alignment and suitable for conversion following remedial work being undertaken although a large percentage of the roof would need to be replaced.

Whilst it would be expected that given the passage of time which has occurred between the commissioning of the structural report and now, it would be expected that a more up to date survey should be carried out. However, as a stone build, and following a site visit, it could be reasonable to assume that the building would be capable of conversion without major restructuring or re-building works.

Paragraph 145 c) states that extensions or alterations or extensions should not result in disproportionate additions over and above the size of the original building.

SPD8 states that extensions should be proportionate to the size of the original dwelling and in general terms, up to one third of the original dwelling may be allowed. However, each proposal is considered on its own merits and it is not to say that something larger or smaller would not be supported or be appropriate in certain situations.

The proposal would involve extensions to the building which would result in an additional 20.77% increase in volume, which would be within the one third typically advised in SPD8.

Acceptability of the design and appearance and impact on the Green Belt is assessed and is considered below.

Design and appearance - Green Belt impact

The existing barn is stone built with a part rendered east facade and modest randomly positioned window or door openings which are typically characteristic to a barn building. The development proposes a number of alterations to each facade of the building, discussed in turn below.

In considering new additions and openings to facilitate and allow for a habitable use, the approach should be one sympathetic and appropriate to a location of a sensitive and special landscape character. Additions and alterations are not just about the scale of build added, although this is a fundamental consideration, but also how the design and appearance would affect the character of the building and the character of the Green Belt.

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."

SPD9 contains detailed guidance on conversions in the Green Belt. The key objective of any conversion scheme in the Green Belt should be to facilitate the new use whilst retaining the original character and identity of the building. Attempting to change the appearance of the building to something distinctly different from the building's original design and character will normally be unacceptable. Where the principle of conversion is accepted, it is essential that the integrity of the building remain as unaltered as possible.

SPD9 also has guidance on new openings and states that any new window and door openings should be designed to match existing openings in terms of height, proportion and sill and lintel details, adding that unsympathetic openings that do not reflect the character and design of the original building are unlikely to be acceptable. The retention of existing window and door patterns with minimum, if any, additions, is often crucial to the success of a proposal, and should be encouraged, with conversions carried out with as little intervention as possible.

Taking each element of the proposed development in turn, impacts on the character of the barn and the Green Belt and Special Landscape Area are considered and assessed below.

South elevation - It is proposed to add a single storey flat roof extension, dormer at first floor, full height glazed windows and 2 roof lights.

The south elevation is the most prominent, being open to wider and more public views from outside the site. The proposed single storey extension would infill and project from the middle section of the elevation. With a flat roof and full height glazed patio type door openings, the extension would be akin to an urban development and one found on a modern property and not one characteristic of a barn type build. It would therefore add a domestic and discordant feature to this elevation. The domesticity of the proposed elevation would also be re-inforced by the addition of the dormer which is proposed and which would extend from the back wall cutting through the south elevation into the roof plane. This intervention would form a strident feature on the elevation, obtrusive and alien, paying little reference to the character of the barn, its surroundings and context.

The proposed full height glazed opening on the gable end of the elevation would replace 2 separate openings in this wall which are set one directly over the other in a symmetrical configuration. Introducing such an expansive area of glazing particular when viewed together with the other proposed alterations on this elevation would add to the unsympathetic interventions on this facade. Further re-inforced by 2 large rooflights, it is considered that the proposed works to the south elevation would be out of keeping and add unacceptable perceptions of domesticity and urbanisation, detrimental to the character and openness of the Green Belt.

East elevation - Development on this elevation would comprise a single storey pitched roof extension, replacement of the garage doors on the northern wing with 4 windows and 4 roof lights.

The single storey extension would be a relatively small addition to this elevation. It would be a stone built construction with a pitched roof and be of a scale and design which is considered to be an appropriate addition.

The northern wing on this elevation appears to be a later addition to the main barn and comprises 2 large openings which historically would have likely been used by farm vehicles, now used as storage and garage. This facade would be replaced by 4 windows with 4 lights in the roof plane. The proposed works would remove reference to the existing openings and whether these were originally formed or at a later date they would still have formed part of the barn's history and its character. The number of proposed openings would not only be excessive but the insertions too regularly and equally positioned within the facade which is considered harmful to this elevation by introducing a domestic character which would be unsympathetic to the character of the building and in turn, the character of the Green Belt.

Part of the flat roof single storey extension and the roof line of the dormer (located on the west elevation) would also be visible on the east elevation. Whilst this elevation would face the land within the ownership of the applicant and would not be visible to public views, the essence of Green Belt is its character and the preservation of this character, and introducing strident and incongruous additions, regardless of whether they are visible or not, adversely alters the character of the barn and the Green Belt.

West elevation - The land directly to the west of the barn is formed above the ground level of the barn. There is stone boundary wall which separates this land from the west elevation.

The west facade is set close to the embankment of land and this elevation is largely screened from views by this land and a tree planting. The works proposed to this elevation would comprise a new full height glazed 'barn door' and window feature. A large full height glazed opening would be formed in this elevation to provide the entrance. Whilst this elevation is partly screened by land and by the embankment and trees, and as stated above, it is the impact on the character of the building and character of the Green Belt which is integral and important and not necessarily whether development is visible from outside a site or views from public areas. It is therefore considered that the proposed size and design of the opening would, and cumulatively, would have a detrimental impact on the special character of the barn and Green Belt.

North elevation - This elevation faces Higher Ash Farm. It is proposed to insert a full height glazed conservatory extension which would extend through the elevation and cut through the eaves into part of the roof plane, as well as adding a window to the upper floor which would similarly cut through this elevation into the roof. Whilst not adding a significant amount of floorspace and volume, the extension itself and the placement of the openings and the intrusion into the building would introduce discordant alien features which are not features found on a barn building. Regardless of whether the elevation would be visible from open and public views, it is considered that the design of the proposed extension would be jarring and unsympathetic to the character of the barn and the Green Belt.

Roof - The scheme proposes to replace and raise the roof by 300mm. The original roof form and shape would be retained and finished in a natural slate material. The structural report from 2015 identified that parts of the roof were in poor condition and would need to be replaced. This is understandable for an old building and generally replacement of parts of the roof or repairs would not be uncommon or unexpected. The 300mm height increase would be relatively minimal and considered would not be perceptible comparative to the

existing ridge line, especially from long range views. As the form and shape of the existing roofline would be retained, the increase by 300mm is considered acceptable.

Works to the roof also comprise a zinc link infill. The link infill would be visible on the south and north elevation. Adding a roof link may not necessarily in itself cause harm to the character of the barn, but as a grey zinc material, a feature would be added which would appear as a disjointed connection by taking the eye away from the traditional roofline, and therefore appear to be out of keeping and totally uncharacteristic of a barn building.

If a more ephemeral or 'lightweight touch', such as a glazed link were adopted, this would not only define and separate the 'old from the new' but would not draw the eye away from the historic form or shape of the barn roof.

In terms of the additional rooflights, singularly, taking each elevation separately, the proposed number of roof lights may not be considered harmful. However, the 2 roof lights on the south elevation are relatively large, and cumulatively with the proposed openings on this elevation, and particularly when viewed collectively with the excessive numbers of openings, and the proposed dormer in particular which cuts through the eaves line, the impacts on the character of the barn are considered to be harmful and would introduce discordant, jarring and domestic features to the building.

Instead of employing a sensitive approach to developing out a scheme to preserve and retain the character of the barn, it is considered the approach taken would add features and excessive openings which would be alien to the character of a barn. The existing openings are minimal and the introduction of the number of openings, together with the sizes and their positions within the elevations would introduce domestic and suburban features. Contrary to the statement made in the applicant's supporting document, it is considered that the number of new windows and doors openings would not be minimised, and the retention of the existing fenestration pattern would not be largely maintained. The proposed development would therefore be contrary to SPD9.

A conversion development for this site could be supported where there is little or minimal interference to the existing facade as far as possible. In this case, the interventions would be significant. It is considered that rather than paying reference to the character of the building, its surroundings and context, the proposed external treatment of the building would be excessive and the unsympathetic interventions would detract from the Green Belt and what is also a Special Landscape Area.

Paragraph 143 and 144 of the NPPF states that where development in the Green Belt is considered to be inappropriate, Very Special Circumstances will be required which would outweigh harm resulting from a development.

As such, it is considered that the additional harm caused to the openness of the character of the Green Belt through the unsympathetic extensions and openings and design of the elevations would not comply with Paragraph 146 d) of the Green Belt and would therefore be inappropriate development. Very Special Circumstances would therefore be required which have not been put forward or presented by the applicant.

The development would be contrary to the principles of the NPPF and contrary to Bury Unitary Development Plan Policies EN9/1, OL1/2, OL1/4 and SPD 8 and 9.

Layout

The existing access off Hawkshaw Lane would be shared with the farm dwelling and a separate gated entrance, driveway and parking area would be formed to the south west and south of the barn which would have a cobbled driveway.

The proposed development would be located within a newly defined curtilage, separate to that of Higher Ash Farm. The proposed curtilage would run close to the north elevation of

the barn, separating it from the turning and parking area used by the existing house. The proposed garden area would utilise the land to the east, extending some 25m from the eastern boundary of the barn to the end of the proposed garden area and covering approximately 600 m².

Extending the boundary of the site for residential purposes would result in a significant extension and encroachment into the Green Belt and consequently change the character of the Green Belt and the Special Landscape Area from one of openness to one of a formalised and domestic character. Impact on the character and openness of the Green Belt is not just about impact on appearance, but importantly is about preserving encroachment into the countryside and Green Belt so that it is not 'nibbled away' by domestic developments.

The proposal to extend the residential curtilage of the property would not fulfill any of the categories where development is considered acceptable and would introduced a suburban character to the open landscape in this area. The proposal would contravene two of the five purposes of including land in the Green Belt, namely to check the unrestricted sprawl of large built up areas and to assist in safeguarding the countryside from encroachment. Furthermore, subsequent additions such as the siting of structures and associated garden equipment of the sort that are commonplace in domestic gardens, would introduce urban elements and cause additional harm to the character and openness of the Green Belt.

The main entrance to the dwelling would be located on the west elevation which faces the raised banking but there would be an adequate gap to facilitate the entrance. A flagged path would be laid around the perimeter of the barn for access around the site. This element of the layout is considered acceptable.

It is therefore considered that the proposed development would have a detrimental impact on the character and openness of the Green Belt by virtue of its domestic character and encroachment of open land and would be contrary to the principles of the NPPF, UDP Policies EN1/1, EN9/1, OL1/2, OL1/4 and SPD9.

For the avoidance of doubt, the analysis of the proposed layout has been assessed on the site plan ref JP-PROP-12 rev D which was submitted with the application. During the application process and following assessment of the proposals, the applicant was advised that there were fundamental issues with the proposed development which made the scheme unsupportable and this included the extent of the proposed domestic curtilage. The applicant was advised by the LPA to enter into pre-application discussions. The applicant did not want to engage with the LPA, but submitted a revised site plan which showed a reduced garden curtilage but was not prepared to enter into discussions regarding all other elements of the scheme.

Whilst the revised plan may overcome the reason for refusal due to excessive garden, the LPA considered there was too much wrong with the development as a whole and was not accepting a 'drip fed' approach which may or may not address the issues raised, without pre-application engagement.

The applicant was advised the revised plan would not be accepted and the application would be determined on the originally submitted scheme.

Paragraphs 39 and 40 of the NPPF states that early engagement has significant potential to improve efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community. Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre application services they offer. They should also encourage, where

beneficial, applicant's to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.

The submission of an application should not be a constantly moving target and as there were a number of issues on which the LPA deemed the proposed development as unacceptable, to address only one issue - the extent of the domestic curtilage - was not accepted by the LPA, when open discussions and pre-application advice could have resolved the issues identified to deem an application as supportable.

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".

The barn and Higher Ash Farm are both Non - Designated Heritage Assets.

The submitted heritage statement and statement of significance satisfactorily identifies the buildings' heritage value as a Non-Designated Heritage Asset (NDHA) in its age and in its typology as an agricultural building.

As such the buildings' significance lies in its legibility as an agricultural building and therefore its evidential value as to past human activity, in this case agriculture.

Change to the external appearance of the building would therefore potentially represent the most sensitivity to the legibility of the building. Whilst it is accepted the building has been much altered over time it still retains that legibility as an agricultural building together with its evidential value which is at the core of its heritage significance.

The proposed alterations and extensions to the barn have the potential to reduce the legibility of the building and in so doing reducing its heritage significance. Whilst not suggesting the proposed extensions to the building should be a pastiche, there should be some level of historicism in order to retain legibility of the building. As such the flat roofed extensions would not be acceptable as they would represent an incongruous architectural feature on the building reducing its significance. In the same way the proposed flat roofed extensions directly impact upon the significance of the NDHA (paragraph 197 of the NPPF), so do the proposed large full length window openings, which also lack a degree of historicism, representing an incongruous architectural feature on the building reducing its significance. The proposed roof link also represents an incongruous architectural feature further reducing the legibility of the building. As such these aspects of the scheme would cause an unacceptable loss of significance and therefore cannot be supported.

The proposed development would therefore be contrary to the principles of the NPPF.

Impact on residential amenity - The nearest property is Higher Ash Farm - the adjacent dwelling. Whilst the applicant is the owner of this property, ownership of one or both of the buildings could change at any time in the future.

The proposed development would therefore need to be assessed in terms of any impacts on the amenity of either occupier which may arise as result of the conversion.

SPD6 advises on aspect standards and is concerned with issues of overlooking or privacy impacts.

There would be a distance of 20m between the habitable room window proposed to the 1st floor north elevation of the barn and the front elevation of Higher Ash Farm and as such separation distances would be acceptable.

From this same window, there would be a distance of 2.3m to the boundary of the site. SPD6 advises a separation of 7m from a habitable room window to a boundary of a site and as such this would be well below accepted standards. However, it could be argued in this case that the intervening land, whilst in the ownership and curtilage of a neighbouring domestic property, serves only as the access and parking area to the dwelling and as such their privacy would not be compromised in terms of impacts on living conditions.

Separation distances and aspect standards are policy compliant to all other areas of the proposed development.

Highways

Access to the site would be from Hawkshaw Lane and the access shared with Higher Ash Farm. As a 4 bed residential development, it is considered that there would not be a significant or adverse impact from domestic traffic using the access comparative to the existing barn use and as such is considered acceptable. It is considered that there would be sufficient turning area and parking within the site to facilitate the development.

The Highway Team have raised no objection subject to conditions.

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.

The applicant has confirmed they are agreeable to the installation of sprinklers and this could be included as a condition.

Public Right of Way - There are two public footpaths which cross directly through the site. The PRow officer is satisfied that the proposed development would not disrupt the route or use of the footpaths and have raised no objection to the proposed development.

Ecology

Summary

The building is utilised as a bat roost, a license will be required from Natural England. Other ecological issues include nesting birds and general biodiversity enhancement of the site.

Bats

As for the previous application 59866 a small common pipistrelle bat roost was located in the building to be converted. A license will be required from Natural England. Given the species, the most common species of bat, the low numbers involved and the mitigation proposals GMEU are satisfied that the favourable conservation status of this species will not be impacted upon by the development and that NE will issue a license. GMEU recommend a condition is applied to any permission -

The conversion works are likely to cause harm to common pipistrelle bats as identified in the Dawn and Dusk Survey June 2020 by Tyrer Ecological Consultants Ltd and shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead: or
- b) a statement in writing from the relevant licensing body or LPA to the effect that it does not consider that the specified development or works will require a license

Nesting Birds

No evidence of Barn owl was previously recorded. No mention of nesting birds is noted in the updated bat report. Buildings such as this provided potential bird nesting habitat for species such as swallow and house sparrow. A hedgerow is also located along the southern boundary of the site which may or may not be impacted upon by the development.

An informative is advised to remind the applicant that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

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 site appears to be predominantly hardstanding, some of which will be replaced with tree planting and garden. A new pond is also proposed. The overall impact of the development is therefore likely to be positive in terms of the natural environment. GMEU recommend that any tree planting or planting of the pond utilises native species only given the rural location. Pond plants such as nuttall's waterweed, Canadian waterweed and curly waterweed are listed under schedule 9 part 2 of the Wildlife and Countryside Act 1981 (as amended) and should not be introduced to the new pond. The landscape details can be conditioned.

Recommendation: Refuse

Conditions and Reasons:

- 1 With regard to the window openings, the proposed development, by virtue of the number, position, size and design of the fenestration interventions, are considered to be excessive, discordant and unsympathetic to the character and historic character of the barn and cumulatively would cause significant harm to the special character of the Green Belt and Area of Special Landscape. The proposed development would therefore be contrary to Bury UDP Policies EN1/1 - Visual Amenity, EN9/1 - Special Landscape Areas, OL1/4 - Conversion and Re-Use of Buildings in the Green Belt, SPD9 - Conversion of Buildings in the Green Belt and the principles of the NPPF.
- 2 With the exception of the boot room, the proposed extensions and the design and appearance of the roof dormer on the southerly elevation of the barn and the choice

of materials for the roof link would, by reason of size, position and design, introduce discordant, alien and unsympathetic features which would be seriously detrimental to the character and historic character of the barn and the special character of the Green Belt and Special Landscape Area and therefore contrary to Bury Unitary Development Plan Policies EN1/1 - Visual Amenity, EN9/1 - Special Landscape Areas, OL1/2 - New Buildings in the Green Belt and , SPD8 - New Buildings and Associated Development in the Green Belt, SPD9 - Conversion of Buildings in the Green Belt and the principles of the NPPF.

- 3 The proposed garden and amenity area, by virtue of the size and extent and resulting encroachment into the Green Belt would have a significantly detrimental impact on the openness of the Green Belt would introduce a suburban character to the open landscape of the area and result in unacceptable levels of domestication and which would be inappropriate development. The proposed development would therefore be contrary to Bury Unitary Development Plan Policies EN1/1 - Visual Amenity, EN9/1 - Area of Special Landscape, H2/2 - The Layout of New Residential Development, OL1/4 - Conversion and Re-Use of Buildings in the Green Belt, SPD9 and the principles of the NPPF.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	11/12/20	DM	11/12/20