



Planning Manager
Bury Council
3 Knowsley Place
Duke Street
Bury
BL9 0EJ

Our Ref: RG/G267L001
Date: 16 October 2020

Dear Sir

HIGHER ASH BARN, HAWKSHAW LANE, HAWSHAW, BURY, BL8 4LD
**PROPOSED CHANGE OF USE / CONVERSION OF BARN TO FORM ONE DWELLING,
WITH ASSOCIATED SINGLE STOREY, 2 STOREY AND ROOF EXTENSIONS, EXTERNAL
ALTERATIONS (INCLUDING NEW / REPLACEMENT DOORS AND WINDOWS),
EXTERNAL WORKS ASSOCIATED WITH ACCESS / PARKING / HARDSTANDING AREAS,
NEW POND AND HARD / SOFT LANDSCAPING**

We are instructed by *Mr. & Mrs. J. Packun* to submit this full planning application that promotes the conversion of an agricultural barn to a dwelling, and associated extensions and external alterations (new / replacement doors and windows) and hard and soft landscaping (including a new pond).

The proposal comprises the following new build elements :

1. A single storey contemporary flat-roofed extension with dormer extension at first floor on the south façade.
2. A small single storey extension on the east façade.
3. Raising of the main roof by circa 300mm to create sufficient internal space / headroom.
4. The erection of a zinc finish standing seam recessed roof link between the slate roofs.
5. The insertion of a new stone-framed barn door / window feature to the west façade.
6. Replacement of the pair of barn doors with a conservatory glazed extension to the north façade.
7. Insertion, replacement and adjustment of windows, doors and rooflights to provide sufficient internal light and aspect.
8. Repairs and extension of the existing access to form an entrance drive and parking / manoeuvring area to the front (south) and surfacing in stone cobbles.
9. Erection of security entrance gate.



10. Surface treatments to create an external dining area and to enable safe and convenient access into and around the new dwelling.
11. The digging of a wildlife / attenuation pond on land to the south of the proposed house.
12. The provision of a subterranean sewage treatment plant.

Permitted development rights are in place to enable the change of use of the agricultural building to a dwelling and associated external alterations. However, those rights do not allow for extensions, and hence the submission of this planning application.

The proposed extensions represent a circa 20% increase in both built footprint and volume, as below :

	Footprint [GEA]	Built Volume
Existing	254.4 sqm	1290.2 cu m
Proposed	305.9 sqm	1558.2 cu m
% increase	20.2%	20.77%

All works and alterations have had regard to the building's inclusion on the Council's draft Local List, and have been informed by the advice of Graeme Ives Heritage (refer to separate Heritage Assessment). Good quality, matching and mainly traditional materials will be employed, and heritage features of note will be preserved (inside and out).

Planning permission has previously been granted for the conversion of the barn to a house, including its roof extension, under application 59866. We understand that that consent was implemented, albeit that is of little direct relevance to this new application, aside from the fact that it confirmed the acceptability of the principle of reusing the barn as a house and certain works to the roof (including its extension).

POLICY CONSIDERATIONS

The Development Plan

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.

For the purposes of this application, the Development Plan is the Bury UDP (adopted August 1997).

An extract from the online UDP Policies Map is reproduced on the following page.

The site is located within both the *Green Belt* and a *Special Landscape Area* (see extract from UDP Policies Map below). It is not located in or close to any Conservation Area and there are no listed



structures close by. That said, in recognition of the age of the property and its inclusion on Bury's draft 'local list', our client has commissioned Graeme Ives Heritage to prepare a Heritage Assessment to inform the project and to support this application.

Extract from the online UDP Policies Map :



UDP Policy OL1 (Green Belt) seeks to maintain the Green Belt, ensuring that it fulfils the following strategic purposes:

- a. to check the unrestricted sprawl of large built-up areas;
- b. to prevent neighbouring towns from merging into one another;
- c. to assist in safeguarding the countryside from further encroachment;
- d. to preserve the setting and special character of historic towns;
- e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The proposed alterations and modest extension of the barn will not result in harm to any of these purposes, and as such we maintain that there is no conflict with Policy OL1, as below :

- ✓ No '*unrestricted sprawl*' will arise.
- ✓ There will be no merging of towns.
- ✓ There will be no encroachment into the countryside.
- ✓ There will be no harm to the setting of any town.
- ✓ There are no implications for urban regeneration elsewhere.



Policy OL1/2 relates to ‘New Buildings in the Green Belt’ and advises that the construction of new buildings inside the Green Belt is inappropriate development, unless it is for, *inter alia* :

‘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’

It is noted that the policy refers solely to ‘existing dwellings’, but it is important to recognise that this wording is out of kilter with NPPF §145 which confirms that the following are appropriate in the Green Belt :

*‘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’*

§145 makes no distinction in respect of the type or use of ‘**a building**’, and for that reason Policy OL1/2 is out of date and weight must instead be placed on the provisions of the more recent NPPF.

UDP Policy OL1/4 relates to the ‘Conversion and Re-use of Buildings in the Green Belt’, and confirms that this is not inappropriate development and will be permitted providing that:

- ✓ it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;
- ✓ any extension of re-used buildings, and any associated uses of land surrounding the building do not conflict with the openness of the Green Belt and the purposes of including land in it (e.g. because they involve extensive external storage, or extensive hardstanding, car parking, gardens, boundary walling or fencing);
- ✓ the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction;
- ✓ the form, bulk and general design of the buildings are in keeping with their surroundings;
- ✓ suitable access and likely traffic generation can be accommodated without creating a traffic hazard or the need for major road improvements or lengthy new routes;
- ✓ all the necessary services can be provided without extensive works;
- ✓ it can be established by the applicant, to the satisfaction of the local planning authority, whether or not the building contains any protected species, such as bats or barn owls. Where it is shown such species are present, measures to prevent damage to habitats will be required.

There is no conflict with this policy because :

- ✓ The proposed extent of extension is very modest, at circa 20% of the existing built volume, to be delivered in a series of small extensions as opposed to one larger extension. That said, the proposal will not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it.
- ✓ No part of the proposal will conflict with the openness of the Green Belt and the purposes of including land in it. There will be no external storage, and the new hardstandings and parking areas are modest and discrete, and in large part replace existing hardstanding and access / parking areas. New fencing and gates have been kept to a bare minimum and will resemble traditional rural / agricultural features).



- ✓ The building is clearly of permanent and substantial construction, and is readily capable of conversion without major or complete reconstruction.
- ✓ The form, bulk and general design of the modest extensions will be in keeping with their surroundings, and will be largely imperceptible from nearly every public vantage point. After the conversion, the building will continue to offer the appearance of a barn. While it will have been converted into a house, the barn typology will remain very apparent. It will continue to form part of a farmstead alongside the farmhouse. As such, the Green Belt and countryside will continue to be characterised by an area of dispersed farmsteads. That overall appearance will be unaffected by this proposal.
- ✓ The existing site access will be utilised, and the extent of traffic (serving one family home) will be very low and will not cause any traffic hazards or the need for major road improvements.
- ✓ All necessary services can be provided without extensive works. Indeed, the barn is already connected to electric and water supplies.
- ✓ The submitted ecological report confirms that the building does not contain any protected species and there will be no damage to habitats.

UDP Policy H2/3 – Extensions and Alterations states that applications will be considered with regard to the following factors:

- a) the size, height, shape, design and external appearance of the proposal;
- b) the character of the property in question and the surrounding area;
- c) the amenity of adjacent properties; and
- d) visibility for pedestrians, cyclists and drivers of motor vehicles.

For reasons set out earlier, the amount of extension is modest and has been designed to reflect and respect the qualities and character of the agricultural building, shaped by the heritage input of Mr. Ives. There will be no harm to character or the amenity of the one proximate house.

Policy EN9/1 (Special Landscape Areas) states that any development will be strictly controlled and required to be sympathetic to its surroundings in terms of its visual impact. High standards of design, siting and landscaping will be expected, and ‘*unduly obtrusive*’ development will not be permitted in such areas.

We contend that the proposal is consistent with this policy. The modest extensions will be discretely located (not at all ‘*unduly obtrusive*’) and well designed, using quality natural materials to complement the existing building. The extensions will be barely visible / perceptible from the public domain.

In these terms, the proposal will have nothing more than a neutral impact on the *Special Landscape Area*, and is in turn in accordance with Policy EN9/1.



For the same reasons, the proposal is consistent with *Policy EN1/1 (Visual Amenity)*, which states that development will not be permitted which would have a detrimental effect on the visual amenity (both within, or viewed from) of areas of environmental interest, including the Green Belt and Special Landscape Areas.

We defer to the comments of Mr. Ives in his Heritage Assessment in respect of compliance with the heritage policies of the Development Plan, and concur to him that no heritage harm will arise. Indeed quite the reverse, because the building will be sensitively restored and efficiently used, thereby sustaining its longevity and future maintenance. There is therefore no conflict with heritage-related policies.

In view of the above assessment, the Applicant contends that the proposal is in accordance with the development plan when considered in overall terms, and – furthermore - there are no material considerations that suggest that Section 38(6) ought not to be applied.

Other Local Policy Considerations

For reasons set out above, there is no conflict with the Council's *Development Control Policy Guidance Note 9 'Conversion and Re-use of Buildings in the Green Belt'* (2007). This was prepared in the context of the former PPG3 'Green Belt', but that was replaced over 8 years ago by the NPPF. As such, policy requirements set out in the Note that do not reflect the Framework must be considered to be out of date and carry no weight.

Notwithstanding that, much of the Note is broadly consistent with Green Belt policy as set out in the Framework.

§ 4.3 of the Note suggests that proposals for conversions will normally only be considered for existing buildings which are considered to possess quality architectural or historical merits or contribute to the character of an area. In this case, this is a fine traditional barn of some character, which appears on the Council's draft Local List.

§ 5.6 accepts that a certain amount of alteration work will be necessary to accommodate modern living and working conditions. However, it states that this work must be balanced with the need to retain important features which give the building its distinctive identity, and that any alterations should not have a materially greater impact on the openness of the Green Belt. In this case, great care (guided by Mr. Ives as heritage consultant) has been taken to work closely with the building, retain important features (inside and out), and preserve its distinctive identity and appearance. As noted earlier, no material harm will arise from the fairly modest extension works.

§ 5.7 seeks to prevent excessive additional openings which could harm the character of the building or area. In this case, new openings have been kept to a modest level, to allow the correct amount of light and outlook in order to provide comfortable living. The simplicity of the building will be retained [§5.8] by keeping new openings to a minimum and retaining / re-using most of the existing openings.



§5.9 states that buildings should be large enough for conversion without the need for substantial and alien new extensions, and notes that many buildings in the Green Belt have a functional simplicity which is part of their appeal. The building is ample to create a quality home, and the amount of extension is modest and only where necessary in order to create ideal living spaces.

§ 5.10 states that, if additions to the building are unavoidable, extensions should be a subsidiary element of the original building which can be achieved by keeping the extension small scale, simple and unobtrusive. There is no conflict with this Note requirement.

§ 5.11 states that extensions should be proportionate to the size of the original dwelling, excluding any previous extensions carried out under permitted development rights or with planning permission. In general terms, it is suggested that the Council may allow an extension to be up to a third of the volume (33%) of the original dwelling. In this case, the extensions will equate to an increase of only 20% of the original building.

§ 6.1 confirms that, where the principle of conversion is accepted, it is essential that the historic and architectural integrity of the building remains as unaltered as possible so that the special qualities of the building are respected and its character preserved. In this case, the project has been directed / orchestrated from the outset by Mr. Ives (former Principal Inspector and Leader of Historic England's North West Development Management Team) to ensure that the historic integrity of the building (inside and out) is preserved.

There is no conflict with § 6.5 of the Note, in that :

- ✓ The proposed extensions will be built of similar materials and in a style to match the existing building;
- ✓ The number of new window and door openings has been minimised, and the retention of the existing window and door pattern has been largely maintained.
- ✓ New window and door openings have been designed to match existing openings in terms of height, proportion and sill and lintel details.
- ✓ All materials and colours will match the existing ones and there will be no bright colours.

Internally, the existing roof timbers are to be overwhelmingly retained as attractive features, and a concerted attempt has been made to retain original spaces and volumes [§6.10 and 6.11].

In terms of landscaping, this too has been kept very simple and to a minimum. Existing original surfacing materials will be retained and repaired where necessary. All new areas of surfacing will match and use appropriate traditional materials. There will be very little in terms of new 'enclosure', and the proposed entrance gate will mimic a traditional agricultural gate and does not in fact require planning permission [§6.16 and 6.17 and 6.18].

§7.3 states that applications must be accompanied by the report of a qualified structural engineer demonstrating that the building is physically capable of adaptation with minor, re-building of the existing structure. Such a report is submitted with the application.

Having regard to the above assessment, we conclude that there is no conflict with Development Control Policy Guidance Note 9.



Consideration of National Policy

The NPPF is an important material consideration. Fundamentally, it promotes sustainable development. It seeks to '*significantly boost*' housing supply, and recognises how important small and medium sized sites are in delivering this.

The application is consistent with the NPPF. It will make efficient use of a characterful rural building (on Bury's draft Local List), sustaining it for the future, and will create good quality family accommodation.

The development will help to deliver one of the central housing objectives set out in the NPPF, which confirms that a key aim of the Government is to ensure that everybody has the opportunity of living in a decent home, which they can afford, in a community where they want to live.

The NPPF promotes good design, and suggests this is fundamental to the creation of sustainable, mixed communities. It encourages developers to make effective use of land and existing infrastructure (such as unused buildings). In this case, we suggest that the design quality is excellent and respectful of the site, its historic character and value, its setting and its rural / agricultural context. The existing building will remain intact, but with modest extensions and internal works to provide appropriate insulation, and minimal window / door penetrations to create good quality living space with ample natural light and outlook. The building's appearance and character will remain simple, functional and agricultural.

While we accept that the NPPF makes it clear that agricultural land should not be classed as 'brownfield' land, the fact of the matter is that this is an existing building constructed on land that is developed. This is clearly not a site that can sensibly be classed as 'virgin' or undeveloped land.

NPPF paragraph 68 notes that small windfall sites – such as this - can make an important contribution to meeting the housing requirement of an area, and are often built out relatively quickly. To promote the development of a good mix of sites, NPPF encourages local planning authorities to :

'support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.'

The application site is of course a windfall site, and while we would accept that the site does not form part of a 'settlement' *per se*, it is nevertheless associated with the settlement of Hawkshaw and we invite the LPA to **"support"** and attach the **"great weight"** to that factor as advocated in the NPPF.

This application addresses all of these key policy aims and objectives: good quality and sensitive / respectful design; respect for heritage, setting and context; creating a quality new family home for local people; making efficient use of an unused developed site (albeit we acknowledge that NPPF tells us that a large agricultural building cannot be treated as PDL); helping to build the community in a sustainable, balanced fashion, and assisting (in a small way) in '*boosting significantly*' Bury's housing supply on a windfall site.

Mr. Ives has dealt with the Framework's (and UDP's) policies in respect of built heritage, and we agree with his conclusion that the condition of the barn is slowly deteriorating and the building would



benefit from a comprehensive programme of repairs as part of the proposed conversion. The proposed development will conserve and enhance the significance of the heritage asset and therefore is consistent with the relevant policies of the NPPF. The proposal will also retain the character and distinctiveness of the farmstead, and are therefore consistent with UDP Policy EN2.

Concluding Comments

Green Belt policy allows for both the alteration, extension and the reuse of existing buildings. This application proposes all three.

The building is inarguably of permanent and substantial construction, and is structurally sound.

Its conversion does not require any demolition, and the amount of extension is only circa 20% of the existing built volume (well below the 33% proxy set out in the Council's supplementary guidance note).

The proposed alterations are modest and sympathetic to the building's history and character, and responsive to the rural / agricultural context.

Door and window penetrations will be minimal, crisp and clean, using traditional rustic materials.

The proposed changes will preserve the site's / building's present functional and workmanlike character, and will be in keeping with its landscape setting, and the character and appearance of the surrounding countryside.

This is a windfall proposal. The Council relies (to an extent) on windfall sites to achieve its housing target, and the NPPF encourages local planning authorities to '*support the development of windfall sites*'. The new home will contribute – in a small way – to '*boosting significantly*' housing supply.

While there will inevitably be an element of domestication of the immediate curtilage, this will be very modest in extent, and we suggest will not materially harm the openness of the Green Belt or rural character.

We have concluded that the proposal is in accordance with the development plan, the NPPF and the Council's supplementary guidance, and we accordingly commend the proposal to the LPA.

Application Content

The application comprises :

- Application form and certificate
- This covering letter / statement
- Structural Report (Sleater Watson)
- Heritage Assessment (Graeme Ives Heritage)
- Sustainable Drainage Strategy (EPG)



- Drainage Layout drawing ref: D01 S1
- Dusk & Dawn Survey Results (June 2020) (Tyrer Ecological)
- The following drawings
 - JP-PRO-14 A – Location Plan
 - JP-EX-01 A – Existing Site Plan
 - JP-EX-02 – Existing Ground Floor Plan
 - JP-EX-03 – Existing First Floor Plan
 - JP-EX-04 – Existing Elevations 1 of 2
 - JP-EX-05 – Existing Elevations 2 of 2
 - JP-PROP-12 B – Proposed Site Plan
 - JP-PROP-06 B – Proposed Ground Floor Plan
 - JP-PROP-07 B – Proposed First Floor Plan
 - JP-PROP-13 A – Proposed Elevations 1 of 2
 - JP-PROP-09 B – Proposed Elevations 2 of 2
 - JP-PROP-010 A – Proposed Sections 1 of 2
 - JP-PROP-011 A – Proposed Sections 2 of 2

We trust that the above comments are helpful and that the application will be supported, but please do not hesitate to contact Richard Gee at the above offices if anything else is required.

If you require anything else at this stage, please do not hesitate to contact Richard Gee at the above offices.

Yours faithfully
for Roman Summer Associates Ltd

Richard Gee
Director