

DELEGATED REPORT

Report by Claire Booth	Date of report: 16/06/2023	Ref: 69078/FUL
Registration: 18/04/2023	LDFC: 19/05/2023	Expiry Date: 16/06/2023
Site Visit: 27/04/2023	Site Notice: N/A	Press Date: N/A
10:30:00		
Objections: 7	Con Area: N/A	Adv Type: PI
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIOT

Proposal: Erection of an agricultural building and proposed access track

Location: Land on South side of Bolton Road, between Glencott and 1-3 Oak Cottages, opposite nos. 74 - 82 Bolton Road, Hawkshaw, BL8 4HZ

Description

The application relates to an area of agricultural land that is located on the south side of Bolton Road, Tottington.

To the north of the application site are the traditional red brick terraced dwellings which exist between Hawkshaw, approximately 1200m to the west, and the Hare & Hounds Public House, Holcombe Brook, approximately 840m to the East. Specifically the application site is sited opposite nos. 76 to 82 (even) Bolton Road, a short terrace row containing four no. dwellings

To the east of the field in which the application site is, a detached dwelling called 'Glencot', and to the west of the application site exists a group of cottages, nos. 1 to 5 (odd) Old Oak Cottages. The agricultural land the proposal is located upon extends southwards towards Tottington.

The application is on a parcel of land allocated as Green Belt, a Special Landscape Area, and the West Pennine Moors countryside area within the adopted Unitary Development Plan (UDP).

Permission is sought for the erection of a portal framed agricultural building, an access track from Bolton Road, and for an area of hardstanding surrounding the building.

The proposed building is sought to be located approximately 6m from the roadside boundary of the field with Bolton Road, and would run parallel with Bolton Road. The hardstanding proposed around the building would be sited within 3m of the boundary of the field. The proposed building would be orientated in an east to west direction and run parallel with the dwellings opposite the site.

The proposed building would have approximate dimensions of 18.3m(l) x 12.2m(w). The eaves would measure approximately 5.5m with the ridge height proposed at approximately 7.1m. The building proposes a portal frame steel structure with concrete panels to the base of the walls with steel profile sheeting above, coloured green, to the walls and roof. Hard surfacing is proposed to extend approximately 3m from each side of the building.

An access track from the existing field gate on Bolton Road, positioned opposite the gap between the two terraces opposite, would extend down the field on the western side of the proposed building to a roller shutter door located on its west facing elevation, a distance of approximately 22m.

The proposed building would be sited between two mature native field trees which border the boundary of the site with Bolton Road and which would flank the proposed building. The proposed track and area of hardstanding would encroach into the Root Protection Area (RPA) of each of these trees.

Relevant Planning History

Application Site

No planning history for the application site itself.

Relevant planning history for the farm - 'Holhouse Farm'

52376 - Conservatory to front of farmhouse - Approve with Conditions, 22/04/2010

52539 - Prior notification of proposed farm equipment and machinery shed - Prior Approval Required and Granted Prior Approval, 25/05/2010

55302 - Single storey agricultural building to east elevation (retrospective); external alterations to two existing buildings on north elevation (part retrospective). Approve with Conditions 10/08/2012

Publicity

The proposal has been advertised by formal Press Notice in the Bury Times, and by Site Notice erected on the adopted highway adjacent to the application site. 19 neighbouring properties have also been consulted by letter.

9 letters of objection, a petition containing 14 names, addresses and signatures, have been received, and 1 letter of support.

The following objections have been raised:

- Location
 - Farm buildings should be close by the Farm. The proposed building must be around half mile away from the actual farm.
- Green Belt
 - Allowing such a building to be erected on green belt land sets a dangerous precedent for future larger developments.
 - Detrimental effect on openness.
 - Proposal would add to the ribbon development on Bolton Road.
 - Eyesore on the Green Belt.
- Visual Amenity harm
 - Visually intrusive development/ unduly obtrusive.
 - Building too large and not in keeping with the surrounding area.
 - Appearance of a factory unit with profile steel sheet cladding and a grey fibre cement roof which will bleach with age and be very visually intrusive.
 - Building not designed to minimise its visual impact.
 - The design is not typical of the local area and the visual impact on the local area will be significant.
 - Harmful to landscape character.
 - Asserts a full Landscape Visual Assessment needs to be produced because of the visual harm that would occur.
 - Clearly visible from Bolton Road and the adjacent farmland and footpaths.
 - Building is not sympathetic to the local area and does not use locally compatible materials the standard of design is poor and there is no mitigating landscaping
 - Impact on visual amenity will be significant.
 - Detrimental effect on visual amenity and Special Landscape Area.
- Harm to Residential Amenity

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- Loss of sunlight to residents opposite the application site due to location, height and massing of building directly in front of houses.
 - Residents opposite would have no outlook other than a solid green wall and corrugated roof.
 - Building too high - loss of amenity.
 - It would create mess to the roads and properties.
- Highway Safety
 - Access location close to blind bend.
 - Entrance/exit situated on a blind bend of an already notorious accident black spot and the size of the machinery coming and going, i.e. tractor, trailer and load, will make problems worse.
 - The entrance to the proposed site of the building is on a highway at a point where there have been accidents in the past, some with fatalities due to a virtual blind bend in the road.
 - In 2006 a fatal road accident happened at this exact spot when 2 motorcyclist hit a vehicle exiting the residents parking area, directly opposite, killing one and seriously injuring the other. This was due to poor visibility of access point when travelling East bound due to the blind bend.
 - Traffic approach the long straight after the blind bend at speed - would conflict with large, long, slow moving farm machinery pulling out on to the road.
 - Slow moving agricultural vehicles, often with long trailers, would undoubtedly increase the risk of fatalities happening again and so make it unsafe for other road users.
 - Slow, large agricultural vehicles stopping on the highway whilst gates are opened to allow access present a significant danger.
 - Vehicles coming round the bend even at 40 would struggle to avoid a collision with the machinery and at greater speed impossible.
 - Intensification of the use on the site would lead to extra traffic in a 40 mph area.
 - The existing access is not safe and its proposed intensification of use would make this worse.
 - Proposal would cause a major traffic hazard with an increased risk of serious accidents to Road users and pedestrians.
 - It would create mess to the roads, harmful to highway safety.
 - Drainage and Flood Risk
 - The run off from a roof such as this needs to be dealt with - sustainable drainage is mentioned but no mention is made of where storm water will drain to.
 - The works proposed to the track will increase water run off.
 - Already drainage problems to houses adjacent to field which might be made worse.
 - Crime and Design
 - Agricultural machinery theft is big business and on the rise, this might bring crime to the area. Local houses might be a target from thieves looking for keys as they may believe it is owned by one them due to the proximity.
 - The position of the building doesn't make sense as it is far away from the farm house and there are fields nearer the farm which would be more suitable and secure.
 - Plenty of field space nearer to Holhouse farm which would be more suitable for a building making it more secure for farmer to keep an eye on farm equipment and livestock etc.
 - Other Matters
 - A more suitable, safer, environmentally friendly solution could be found closer to the applicant's home address.
 - With the amount of acreage owned by applicant another more suitable SAFE site must be available and one which would not have such a detrimental affect to residents.

- With climate change and extreme weather events becoming more frequent, i.e. hotter, drier summers, there is a serious risk of fire, which may endanger properties and lives.
 - There hasn't been a building there for some time and no trace remains.
 - There is a fire risk if storing chemicals as well as chemical leak's potentially contaminating land and getting into the watercourse.
 - Harful developments such as this should not be permitted
- Non-planning considerations
 - Devaluation of properties affected.

1 letter of support has been submitted advising farming is tough enough and stating any help in assisting a local long term farmer should be welcome and stating the field gate is already used at various times with farm machinery, asserting therefore that the proposal would cause no more harm.

Statutory/Non-Statutory Consultations

Environmental Health - Contaminated Land- No objections.

Traffic Section - Raises objections due to the access and intestification in use of the access being unsafe, the car parking and servicing arrangments being sub-standard and due to the proposal not providing suitable accomodation for vehicles to enter and leave the site in a forward gear.

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

United Utilities - Raises objections due to public sewer being built over, but recommends a planning condition being imposed which would ensure the public sewer would be protected.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

OL1	Green Belt
OL1/2	New Buildings in the Green Belt
OL5/2	Development in River Valleys
EN7/4	Groundwater Protection
EN9/1	Special Landscape Areas
EN1/1	Visual Amenity
OL4/5	Agricultural Development
EN5/1	New Development and Flood Risk
EN8	Woodland and Trees
OL7/2	West Pennine Moors
HT2	Highway Network
HT2/4	Car Parking and New Development
SPD3	DC Policy Guidance Note 3: Planning Out Crime
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide

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 Development

The sites location in the Green Belt

The application site is on a parcel of land within the boroughs adopted Green Belt. Agricultural Buildings are one of the exceptions acceptable in the Green Belt, as defined by paragraph 145 of the NPPF.

Policy OL1/2 of the UDP is in line with the policy of the NPPF and states that new buildings in the green belt are inappropriate unless for one of four purposes; one of the purposes being agricultural and agriculture and forestry. SPD8 states that new buildings for agriculture are appropriate within the Green Belt.

In the light of the NPPF and UDP policies, the principle of the agricultural building with the associated access track is considered to be acceptable in Green Belt terms.

Supporting rural businesses

Paragraph 83 of the NPPF states planning policies and decisions should, amongst other factors, enable the development and diversification of agricultural and other land-based rural businesses.

In light of the above, the proposal is therefore acceptable in principle.

Whilst the proposed development may have a positive impact upon the local economy if it enables the applicant to increase production and produce more livestock which can be sold on at local markets, this would have to be assessed against other factors such as the impact on the green belt, visual amenity, residential amenity and highway safety.

Siting, Design and Visual Impact

UDP Policy OL4/5 concerns itself with Agricultural Development seeks to ensure that buildings or structures which require permission should be sited and designed in such a manner to minimise their visual impact on the landscape having regard to height, materials, landform and landscaping; relate well to existing farm buildings; not have an unacceptable impact on the amenity of any neighbouring dwellings.

In the first instance, the proposed building would fail to accord with UDP Policy OL4/5 due to it not being sited in close proximity to the existing farmstead - Holhouse Farm, Holhouse Lane, Tottington, which is located approximately 140m to the south-east of the application site, as the land slopes southwards. The proposed development would therefore appear as an isolated development from the main farmstead.

In terms of the visual impact of the proposals, the application site is within a Special Landscape Area (UDP Policy EN9/1), the West Pennine Moors (UDP Policy OL7/2), thus the proposals will also be assessed against these policies, as well as UDP Policy EN1/1 (Visual Amenity). Proposals therefore need to not harm landscape character or visual amenity with policies EN9/1 and OL7/2 requiring sympathetic development and for all development to be of a high standard of design & Unduly obtrusive development would not be permitted in such areas. UDP Policies EN1/1 and EN1/2 also concern themselves with the effect of proposals on visual amenity and the impacts on a surrounding area.

Within the Greater Manchester Landscape Character and Sensitivity Assessment (2018) the site is also assessed as an area of landscape of moderate high landscape value and as being highly sensitive to commercial development such as this.

The application site is in an open field on the south side of Bolton Road, Hawkshaw, closely located to the boundary of the site with the main road. From the North, the application site slopes gently downwards towards development accessed off Tottington Road but appears as a long open field, this field and its roadside field trees contribute significantly to the visual amenity of this locality.

In views from the south, from the surrounding Public Rights of Way (PROW) network, the open land on which the proposed building would be sited on the northern boundary, adjacent to Bolton Road. It extends from development accessed from Tottington Road, uphill to the moors beyond the traditional two traditional brick terraces present on Bolton Road, and is primarily open as the land extends from the lowland to the uplands of the Moor and is seen as effectively a continuous swathe of open land up to the Moor.

The application site is therefore widely visible from both short and long range views from all directions; the main road and surrounding highways and PROWs. No parts of the field are divided by any fences, gates or hedges and the field is devoid of any other structures, agricultural related or otherwise.

The proposed building, by virtue of its design, siting, height, scale and massing, would be

seen as a visually prominent and discordant development on this open piece of land, and would detract significantly from the character of the landscape and the visual amenity of this locality.

The proposed siting and visual impact of the building would clearly contravene the UDP landscape policies, by the introduction of building in an isolated location, completely divorced from the main farmstead, which would be highly visible and conspicuous within the field, and which would harm the open aspect and wide uninterrupted views of the Special Landscape Area visible from the public realm. This would be intrinsically harmful to the special qualities and openness of the landscape, allocated as Green Belt.

Furthermore, given the siting of the proposed agricultural building within the open field, a 22m vehicular access route from Bolton Road to the building is proposed together with a hardstanding area extending 3m from the edge of the building on all sides.

The landscape is characteristically open and the extent of access track, the hardstanding and proposed building would introduce an unnatural and urban feature which would result in the erosion and encroachment of the countryside and Green Belt to a significantly harmful degree.

In terms of design and appearance of the proposed building, it would be 20m x 12m x 4.89m and constructed of pre cast concrete panels up to 2m high with the remainder of the upper wall comprising Yorkshire timber boarding. The roof would be constructed of a corrugated mineral fibre.

The building would have a rectangular form with a pitched roof and sliding timber opening doors on the north and south elevations for access purposes.

In appearance and design and scale, the building would characteristically appear similar to that of other agricultural type builds commonly used which are located on farmsteads in rural areas. However, due to the isolated position within the field and scale and height (approximately 5.5m to eaves level and 7.1m to the ridge of the building), the appearance, size and design of the building would present a highly visual and imposing building and therefore considered to be harmful to the visual amenity of the area. Partly built of concrete and corrugated fibre, the materials and building would appear stark, severe and alien to the area.

It is therefore considered the proposed development would be seriously detrimental to the special landscape character and openness of the area and contrary to policies OL1/2, OL4/5, EN9/1, SPD8 and the principles of the NPPF. The proposed siting of the building would clearly contravene these policies, by the introduction of building in an isolated location which would be highly visible and conspicuous within the field, and which would harm the open aspect and wide uninterrupted views of the West Pennine Moors area, and the Special Landscape Area which would be intrinsically harmful to the special qualities of the landscape the application site is set.

For all the reasons above, It is therefore considered the proposed development would be seriously detrimental to the special landscape character and openness of the area and contrary to policies OL1/2, OL4/5, EN9/1 of the Bury Unitary Development Plan, SPD8 and the principles of the NPPF.

Trees

UDP Policy EN8 – Woodlands and Trees supports the retention of trees, woods, copses and hedgerows, natural regeneration, and new and replacement planting.

Two mature native roadside trees would flank the proposed development. One tree is located at the access gate on its side closest to the blind bend. The other tree would flank the north-west corner of the building.

The Proposed Site Plan illustrates these trees and marks on their Root Protection Areas. In accordance with BS5836: Trees in relation to design, demolition and construction, the root protection areas will not be significantly compromised and therefore provided root protection measures were installed as part of any development, and hand digging took place in the root protection areas, these trees would not be adversely affected by this development. It is a concern that the canopy of the trees may conflict with vehicles entering and leaving the site. Whilst this may occur already, combined with the trees root protection area being proposed to be partially covered, it would be wholly reasonable to secure an additional tree be planted on the site. It would also be reasonable, in the interests of visual amenity and biodiversity, to impose a condition, that should either of the trees flanking the development die, or become dangerous, and need to be felled, these trees should be replaced on a 2 for 1 basis. This could be secured by planning conditions.

Impact on nearby residential occupiers

UDP Policy OL4/5 - Agricultural Development seeks to ensure that buildings or structures which require permission should be sited and designed in such a manner to not have an unacceptable impact on the amenity of any neighbouring dwellings.

Neighbouring dwellings exist to the north, east and west of the application site.

The proposed building would be located directly opposite Nos.. 76 - 82 (even) Bolton Road, a group of 4 traditional red brick terraces that are raised up slightly from the application site. The proposed access track would be located directly opposite no. 74 Bolton Road, the western end of the second block of terraces located opposite the site.

Residential amenity has a significant and valuable impact on the way in which people use their homes. The health and well-being of residents is often directly related to the level of residential amenity occupants can enjoy. It is a duty of the planning system to support sustainable development. Sustainable development incorporates a social role which seeks to secure well designed, strong, vibrant and healthy communities.

Outlook is important as a dwelling without an outlook is an undesirable place to live. The planning system has been established to work in the public interest and therefore it does not afford protection to a specific private view. However, it is reasonable for development to secure high quality and healthy living conditions for occupants by ensuring an acceptable outlook.

Occupiers of the properties opposite the application site on Bolton Road enjoy an open outlook, interrupted only by passing vehicles travelling along Bolton Road.

The proposed building itself would be positioned approximately 23m to the south of the existing properties front elevations of the dwellings directly opposite them, separated only by Bolton Road and the 6m area of field, 3m of which would be the hardstanding apron around the building. The proposed building, by virtue of its height (approximately 5.5m to eaves and 7.1m to the ridge), bulk, massing and siting would be a blight to the amenity of occupiers of the dwellings on Bolton Road, partially obscuring their current outlook and given the building would be located to the south of these neighbouring occupiers would result in significant overshadowing of the front of their properties and habitable rooms. For these reasons, the proposals are considered to have a detrimental impact on the amenity of these neighbouring occupiers, contrary to UDP Policy OL4/5.

'Overbearing' is a term used to describe a dominating impact of development on its surroundings or on a nearby property. Whether a proposed development is considered to be overbearing will differ on a case-by-case basis, and the assessment is dependent on a number of factors. Overbearing impacts can be caused by:

- the physical 'presence' of a building - its scale and mass;
- an oppressive feeling as a result of the development;

- an intrusive feeling as a result of the development.

Due to the height, bulk, and its scale and massing, along with its siting directly in front of nos. 78 - 82 Bolton Road, to the south of these occupiers, the building would have an overbearing and oppressive impact on these nearest residents and cause overshadowing of their front habitable room windows, to the detriment of the amenity residents currently enjoy, contrary to UDP Policy OL4/5.

Highway Safety

The application site would utilise the existing field gate located on the A676 Bolton Road for access. The access arrangements to the site are not proposed to be changed other than to be hard surfaced.

The A676 Bolton Road is a primary route subject to a speed limit of 40mph, where the prevailing speed of traffic is relatively high. The existing/ proposed access is located in close proximity to a series of bends in the roads. Visibility of the access is therefore poor when travelling towards the site from the East. The site access is located directly opposite an existing junction, which forms the unadopted access point to a parking area for occupiers of Nos. 44 - 82 (even) Bolton Road.

The Highway Authority have been consulted on the proposals and raise strong objections to the proposal and substantiates the concerns/ objections received from nearby residents, and raises concerns about the safety of the existing/ proposed access and the proposed intensification use of the access.

The proposals, including the nature of vehicles using the access, i.e. farm machinery and any associated trailers, often large, and by their nature slow moving, particularly when carrying large hay bales, haylage or silage, would result in conditions detrimental to highway safety given vehicles travel along the road at speed and visibly to and from the access due to the bends in the road and the access being located on a blind bend, would lead to conditions harmful to highway safety.

The intensification of use of an existing, sub-standard field access, onto a high speed classified road in a hazardous position, adjacent to the bend in Bolton Road and directly opposite the existing unadopted access between Nos. 74 & 76 Bolton Road also causes the Highway Authority concern as they consider this would be detrimental to road safety and maintaining the free flow of traffic.

Furthermore, the Highway Authority also consider the proposal would also result in the intensification of use of an existing access onto a high speed classified road that is also sub-standard in terms of its width and visibility, which would result in conditions detrimental to road safety/ highway safety, and maintaining the free flow of traffic.

Whilst an access track is proposed leading to the roller shutter door proposed on the west elevation, the width of the hard standing apron around the building and the track itself is only 3m in width. The proposal also does not provide suitable accommodation for vehicles to enter and leave the site in a forward gear, and therefore is detrimental to road safety and maintaining the free flow of traffic, the proposed car parking and servicing arrangements are completely sub-standard, which is likely to lead to vehicles parking and carrying out manoeuvres on the adjacent high speed classified road in a hazardous position adjacent to the bend in Bolton Road and directly opposite the existing unadopted access between Nos. 74 & 76 Bolton Road, to the detriment of the free flow of traffic and road safety/ highway safety.

Moreover, farm machinery/ vehicles would also continue to stop on the highway, close to the blind bend on this fairly high speed road, to undo the access gate. Whilst an access gate is not shown on the submitted Site Plan shown on the submitted drawing, neither is the current field gate shown on the existing field gate, therefore, it is reasonable to suspect

that a gate would still secure this site. This further illustrates the proposal would lead to conditions detrimental to highway safety.

Overall, the proposed development would lead to the intensification of use of an existing unsafe access, and for all of the reasons referred to above would lead to conditions seriously detrimental to highway safety, contrary to Policies HT2 and HT2/4 of the Bury Unitary Development Plan.

In 2006 a fatal road accident happened directly outside the site, when 2 motorcyclist hit a vehicle exiting the residents parking area, directly opposite, killing one and seriously injuring the other. This was due to poor visibility of access point when travelling East bound due to the blind bend. This further demonstrates the unsafe location of this access and further justifies refusal of the application on highway safety grounds.

Utilities, Drainage and Flood Risk

Paragraph 167 of the NPPF (2021) states that Local Planning Authorities should ensure flood risk is not increased elsewhere (i.e. outside areas at risk of flooding) and only consider development appropriate in areas at risk of flooding where proposals are informed by a site-specific flood risk assessment.

UDP Policy EN5/1 concerns itself with new development and flood risk and states the Council will not permit new development, including the raising of land, and the intensification of development, where such development would be at risk from flooding, or would be likely to increase the risk of flooding elsewhere, or affect river flood defences.

The application site is located in Flood Zone 1 which is identified as being an area which has the lowest risk of flooding.

United Utilities confirm that the proposal is not acceptable to them as the proposal stands as proposed 'features', assumingly United Utilities assets, appear to be located on the land, or in close proximity to the land, relating to a combined sewer. Until such time as the applicant has resolved all concerns regarding the proximity of proposed development to the asset(s), United Utilities advise they object to the proposal. Whilst they have said this, they consider a condition could be imposed to overcome their concern by requiring the applicants, prior to commencement of any development to submit a sustainable foul and surface water scheme to be submitted and approved by the Local Planning Authority, in conjunction with United Utilities. United Utilities advise their objection would need to be addressed as part of such a scheme and the applicant would need to pay for all 'build-over' costs. Such a condition could therefore be imposed and would ensure that the proposals would have an acceptable impact on public utilities, drainage and flood risk,

In terms of flood risk, the site is located in a low flood risk area. The minor dip in the field where the building is proposed to be sited is known to fill with some water at times or heavy or continuous rainfall. The condition proposed by United Utilities however, would ensure that all existing and resultant surface water would be properly dealt with and thus the proposal would not result in conditions any worse than existing. The proposal is therefore acceptable on flood risk grounds, in accordance with Policy EN5/1 and the National Planning Policy Framework.

Crime and Design

Both the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) set out guidance in creating safe and accessible communities, with the NPPF recommending that local planning authorities ensure their policies and decisions aim to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience.

PPG 3: 'Planning Out Crime in New Developments reflects the national requirement to consider crime prevention as part of the planning system, in accordance with the

requirements of Section 17 of the Crime and Disorder Act.

Concerns about the building being vulnerable to crime have been raised with the objections received.

Crime rates are continually rising, including for agricultural development. A sensible and practical level of security, which will not adversely affect the efficiency of a business, is essential for a successful and profitable business. The National Secured by Design advice note for Commercial Development, which a building of this nature would come under, states majority of criminal incidents in commercial development relate to property crime.

The applicant has failed to consider the vulnerability of this building, isolated from the main farmstead, where the farmer occupies and has control over their own access, to crime. Whilst some may not see a hay crop as overly valuable, it is still very much in demand for both agricultural and horsicultural uses, so it would not be automatically immune from being a target for theft. The applicant has failed to consider the proposals vulnerability to crime and disorder, or the impact such crime would have on the surrounding community, contrary to the requirements of the NPPF and PPG. The proposal is also recommended for refusal on this ground.

Conclusion

For all of the reasons outlined, the proposal would have harmful effects on visual amenity and the landscape character of the area, on residents adjacent to the site, and on highway safety. The proposals also fail to take account of the proposals vulnerability to crime, or the impact such crime would have on the well-being of the community bordering three sides of the field in which the building would be sited. For these reasons it is therefore recommended that the proposal be refused.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed development by virtue of its siting, design, scale, massing and appearance would be harmful to the landscape qualities of the area being located in an isolated and remote position which would be visually prominent, incongruous and obtrusive incursion to the West Pennine Moors countryside area, the Special Landscape Area and the street scene, to the detriment of landscape character and visual amenity, contrary to Bury Unitary Development Plan Policies EN9/1 - Special Landscape Areas, OL7/2 - West Pennine Moors, OL4/5 - Agricultural Development, EN1/1 - Visual Amenity, and the principles of the NPPF.
- 2 The proposed development by virtue of its siting, scale, design, massing and appearance would result in a large and imposing building within close proximity to residential properties which would cause overshadowing of habitable rooms, and which would feel overbearing and oppressive to the occupants of nos. 76 - 82 Bolton Road and would result in an undue sense of enclosure to the detriment of residential amenity, with potential unacceptable noise and disturbance from activities undertaken within and around the agricultural building also considered to be detrimental to the amenity of properties bordering the site. The proposed development is therefore considered contrary to Bury Unitary Development Plan Policy OL4/5 - Agricultural Development, and the principles of the National Planning Policy Framework.
- 3 The proposal would result in the intensification of use of an existing, sub-standard field maintenance access onto a high speed classified road in a hazardous position

adjacent to the bend in Bolton Road and directly opposite the existing unadopted access between No.'s 74 & 76 Bolton Road, which would be detrimental to road safety and maintaining the free flow of traffic, contrary to Policies HT2 - Highway Network and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 4 The proposal would result in the intensification of use of an existing access onto a high speed classified road that is sub-standard in terms of width and visibility, which would be detrimental to road safety and maintaining the free flow of traffic, contrary to Policies HT2 - Highway Network and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
- 5 The proposed car parking, manoeuvring and servicing arrangements shown on the submitted plans are sub-standard, vehicles parking and carrying out manoeuvres on the adjacent high speed classified road in a hazardous position adjacent to the bend in Bolton Road by not being able to clear the highway sufficiently when entering/ leaving the site, and directly opposite the existing unadopted access between Nos. 74 and 76 Bolton Road, to the detriment of the free flow of traffic and road safety, and more hard standing being required urbanising the countryside further, contrary to Policies HT2 - Highway Network, HT2/4 - Car Parking and New Development, EN9/1 - Special Landscape Areas, OL7/2 - West Pennine Moors and EN1/1 - Visual Amenity of the Bury Unitary Development Plan.
- 6 The proposal does not provide suitable accommodation for vehicles to enter and leave the site in a forward gear, and therefore is detrimental to road safety and maintaining the free flow of traffic, contrary to Policies HT2 - Highway Network and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
- 7 Insufficient information has been submitted to demonstrate that the building would be safeguarded from crime and disorder, and would create a safe environment where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience, contrary to the requirements of PPG 3: 'Planning out Crime in New Development', the National Planning Policy Framework and Planning Practice Guidance.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB - 16/06/23		DM 16/06/23	