

DELEGATED REPORT

Report by Helen Pressley	Date of report: 17/12/2025	Ref: 72649/NON
Registration: 11/12/2025	LDfC:	Expiry Date: 08/01/2026
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Non-material amendment following grant of planning permission 71872 (Demolition and replacement of existing agricultural building):
Confirmation of increased eaves height from 3.0 metres to 3.5 metres, and increased ridge height from 4.7 metres to 5.2 metres.

Location: Land to the west of Barrack Fold Farm, Arthur Lane, Ainsworth, Bolton, BL2 5PS

Description

Planning permission has been granted for the demolition of the existing agricultural building and for the construction of a new agricultural building, largely within the footprint of the existing building. The proposed building would be 12.18 long, 14.65m wide and would reach an overall height of 4.7m (with a eaves height of 3 metres).

Non-material amendment following grant of planning permission 71872 (Demolition and replacement of existing agricultural building):
Confirmation of increased eaves height from 3.0 metres to 3.5 metres, and increased ridge height from 4.7 metres to 5.2 metres.

Relevant Planning History

53188 - Conversion of an existing barn into a single dwelling; Detached garage at Barrack Fold Farm, Arthur Lane, Ainsworth. Approved with conditions - 17 November 2010.

53450 - Demolition of two storey side extension (east & west); Renovation and conservation of the building fabric; Erection of two storey extension to rear; Two storey extension to side (west) & single storey extension to side (east) at Barrack Fold Farm, Arthur Lane, Ainsworth. Approved with conditions - 7 February 2011

53451 - Listed Building Consent for demolition of two storey side extensions (east & west); Renovation & conservation of the building fabric; Erection of two storey extension to rear; Two storey extension to side (west) & single storey extension to side (east) at Barrack Fold Farm, Arthur Lane, Ainsworth. Approved with conditions - 7 February 2011

54216 - Non-material amendment following grant of planning permission 53450 to form independent stud partition with dry lining to cover original fireplace in kitchen area at Barrack Fold Farm, Arthur Lane, Radcliffe. Approved with conditions - 16 August 2011.

56565 - Listed building consent for conversion of existing barn into a single dwelling and construction of a detached garage at Barrack Fold Farm, Arthur Lane, Ainsworth. Approved with conditions - 25 September 2013

69436 - Prior approval for the change of use from agricultural building to dwellinghouse at Barrack Fold Farm, Arthur Lane, Ainsworth. Prior approval required and granted - 3 May 2023.

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69803 - Listed building consent for conversion of existing barn to 4 no. dwellings and replacement of existing stables with 1 no. dwelling at Barrack Fold Farm, Arthur Lane, Ainsworth. Received - 26 June 2023.

69812 - Conversion of existing barn to 4 no. dwellings and replacement of existing stables with 1 no. dwelling at Barrack Fold Farm, Knowsley Road, Ainsworth. Received - 26 June 2023.

69945 - Variation of condition 2 (approved plans) on 53450: to refer to replacement proposed site plan showing amended siting of detached garage (Drawing ref 23/1301/201) - Approve with Conditions 19/10/2023

Publicity

N/A

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Development Plan and Policies

EN1/2	Townscape and Built Design
EN2/3	Listed Buildings
EN6/3	Features of Ecological Value
RT3/4	Recreational Routes
OL1/2	New Buildings in the Green Belt
OL4/5	Agricultural Development
OL5/2	Development in River Valleys
OL7/2	West Pennine Moors
JP-P1	Sustainable Places
JP-G1	Landscape Character
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-C2	Digital Connectivity
JP-S2	Carbon and Energy
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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.

Principle (Green Belt)

The proposal would fall under exception a of paragraph 154 providing a building for agricultural and would therefore be acceptable in principle.

Visual Amenity

The increase in eaves and ridge height by 500mm would not amend the overall style and design of the proposed agricultural building. Materials would remain as previously approved as would the number of openings within the proposed south elevation.

Residential Amenity

The impact of the siting of the proposed barn in relation to Unit 6 - a proposed dwelling was assessed within the original application. As with the approved scheme the overall height of the proposed building, whilst taller than the existing building would not be considered to be two storey in height. Given that the dwelling was approved, with a direct relationship to an existing single storey agricultural building and that any future occupiers would be aware of this relationship it is considered that the increase in height of 500mm would not warrant refusal of this scheme.

The proposed amendments would not impact adversely on the design of the proposed development or the amenity of the neighbouring users. Therefore, the proposal would still be in accordance with the overall principles in terms of the approved application 71872 and the policies against which this was approved. As such, the application is a non-material amendment.

Recommendation: Approve

Conditions and Reasons:

- 1 The proposed amendments would not impact adversely on the design of the proposed development or the amenity of the neighbouring users. Therefore, the proposal would still be in accordance with the overall principles in terms of the approved application 71872 and the policies against which this was approved. As such, the application is a non-material amendment.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	17/12/2025	DM	17/12/25