

Proposed Dwelling

Land at Arthur Lane, Ainsworth BL2 5PN

PLANNING STATEMENT

Introduction

I have been asked to prepare a planning statement to support a planning application for a new dwelling to be created by converting, part demolishing and extending existing livestock buildings. My statement is to be read in conjunction with statements from the applicant, Mark Jagger, and his agent, Nigel Peel.

I submitted a pre application enquiry (number 02313/E) earlier this year which was answered by a detailed response from Tom Beirne summarising policies of the old, but still current, Unitary Development Plan and government guidance in the National Planning Policy Framework. The primary issue is whether or not the development is acceptable as appropriate development in the Green Belt or, alternatively, that very special circumstances can be proved.

His conclusion was that “insufficient information has been submitted to give a solid steer” on a route forward but pointed out that conversion to a dwelling may be acceptable if an existing building is of substantial construction and capable of conversion without significant rebuilding. A small extension may be possible. Where there are a number of structures it may be useful to consider removal of some to counterbalance the impact of on any conversion/extension of any retained structure. Any domestic curtilage would need to be limited in size.

The applicant and his agent have taken account of these comments and further discussions with Mr Beirne have taken place resulting in the drawing up of the current scheme. It is proposed to retain and refurbish one of the buildings on the site and to demolish the other two. Timber clad extensions would be added to each end of the retained building. The submitted plans show clearly what is proposed and the agent’s design and access explains how this solution has come about.

Planning History

03/40511 – Planning permission granted for “infill and reshaping of land to improve drainage and allow better grazing for livestock”. The permission has been implemented but unfortunately the culvert under Arthur Lane has been blocked for many years, causing significant flooding and preventing the applicant from carrying out improvements to the buildings which would have made them capable of conversion to a dwelling. The culvert was replaced by the Council last year.

Recent planning permissions for new dwellings in the immediate vicinity have set a precedent for allowing the current proposal.

- 52826 – Planning permission granted (20/10/2010) for conversion of swimming pool to dwelling at Sunnybank to the north of the site.
- 58134 – Planning permission granted on appeal for conversion to dwelling and extension of stable just beyond the northern boundary of the site.
- 60784 – Planning permission granted (25/1/2017) for conversion to dwelling and extension of stable on the opposite side of Arthur Lane at the rear of 41 Bury Old Road.
- 63221 – Planning permission granted (21/11/2018) for conversion and extension of the same building with a subterranean extension.
- 61734 – Planning permission granted (1/9/2017) for conversion of a large storage building to a dwelling with a front porch adjacent to 41 Bury Old Road.
- 63246 – Planning permission granted (8/11/2018) for demolition of the storage building and replacement with a new bungalow.

Permissions have also been granted for various new buildings and extensions at Arthur Lane Nurseries and at 39 Bury Old Road.

Planning Policy

Planning policies are contained in the old Bury Unitary Development Plan. Current planning guidance is provided by the National Planning Policy Framework which was produced in its revised form in February 2019.

The UDP was adopted as long ago as 1997. It defines the boundaries of the Bury Green Belt. The site is within the Green Belt as is the surrounding land where permission has been granted for new dwellings as set out above.

POLICY OL1/2 – New Buildings in the Green Belt states that the construction of new buildings on the Green Belt is “inappropriate development” with limited exceptions. “Very Special Circumstances” need to be demonstrated to justify inappropriate development.

POLICY OL1/4 – Conversion and Use of Buildings in the Green Belt states that conversion and reuse of buildings is not “inappropriate” and will be permitted providing that:

- a) 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 within it.
- b) 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 within it (e.g. because they involve extensive external storage, or extensive hardstanding, car parking, gardens, boundary walling or fencing).
- c) The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction.
- d) The form, bulk and general design of the buildings are in keeping with their surroundings
- e) 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.
- f) All the necessary services can be provided without extensive works.
- g) 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 that such species are present, measures to prevent damage to habitats will be required.

POLICY OL7/2 – West Pennine Moors states that the Council will control development to reduce any possible detrimental effects on the important character of the area.

POLICY EN9/1 - Special Landscape Areas states that any development will be required to be sympathetic to its surroundings in terms of its visual impact.

Other relevant policies include H1/2 – Further Housing Development, EN1/1 – Visual amenity and HT2/4 – Car Parking and New Development.

The NATIONAL PLANNING POLICY FRAMEWORK encourages the grant of planning permission for sustainable development which is in accordance with the development plan. The importance of pre application discussion and good design is identified

Paragraph 79 of the NPPF

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) The development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) The development would re-use redundant or disused buildings and enhance its immediate setting;
- d) The development would involve the subdivision of an existing residential dwelling; or
- e) The design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Paragraph 145 of the NPPF is similar to UDP policy OL1/4 and new development continues to be inappropriate in the Green Belt with limited exceptions which are:

- a) Buildings for agriculture and forestry.
- b) Facilities for outdoor sport/recreation (in connection with an existing use or change of use), cemeteries and allotments.
- c) 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
- d) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
- e) Limited infilling in villages (unlike the UDP not “named villages”).
- f) Limited affordable housing.
- g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would:
- h) Not have a greater impact on the openness of the Green Belt than the existing development; or
- i) Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

The NPPF emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. There is particular emphasis to identify a rolling five year supply of deliverable housing land. Bury’s Strategic Housing Land Availability Assessment sets out the latest housing supply position. This indicates that the Council is unable to demonstrate a five year supply of deliverable housing and this needs to be treated as a material factor when determining the planning application.

The conversion of agricultural buildings to dwellings is permitted development under Part Q of the Town and Country Planning General Development Order, whether or not in the Green Belt, subject to the prior approval of the local planning authority. In this instance, the buildings are not wholly in agricultural use. In addition, recent case law has suggested that significant alterations to buildings may not be acceptable as permitted development. It has therefore been decided to apply for full planning permission for conversion of the substantial building on the site with new elements to replace the buildings to be removed.

Justification

In my opinion, the proposal is appropriate development and will not be harmful to the Green Belt either in principle or in the detail.

- The existing buildings have been used as stables and for agricultural purposes. The redevelopment of previously developed land, as represented by the stabling, is appropriate development.
- The development would meet an identified housing need on providing as home for one of the applicant's children who would otherwise not be able to afford a house in the area.
- The development is focussed on an existing building that is capable of conversion with little alteration.
- The new elements replace existing buildings but with a reduced volume.
- The appearance of the buildings will be much improved, with the design and materials appropriate to the area and in character with surrounding buildings.
- The domestic curtilage will be kept to a minimum, with an enclosed courtyard at the rear of the dwelling, screened by an existing hedge. Other native hedge planting will be carried out.
- The site may not be in Ainsworth village, but it is in a sustainable location close to village facilities and next to the terminus of a bus route.
- Electricity and mains water are available. A private treatment plant for sewage would be installed.

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