

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 27/05/2022	Ref: 67711/FUL
Registration: 17/11/2021	LDfC: 14/12/2021	Expiry Date: 12/01/2022
Site Visit: 03/12/2021	Site Notice: 03/12/2021	Press Date: 25/11/2021
Objections: 1	Con Area: N/A	Adv Type: ARW
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: COUS

Proposal: Conversion of existing church into single dwelling

Location: St John Shuttleworth, Whalley Road, Ramsbottom, BL0 0EF

Description

The site relates to a former C of E Church circa 1847 which closed as a place of worship in 2015. The building is set back from and elevated above the front of Whalley Road and is positioned between residential properties which comprise a row of terraced houses forming a linear row along the Whalley Road frontage. Nos 26-28 Church Road to the north and No 1 Millhouse Street directly to the south of the site, are also set back from the main road behind the terraces and share a boundary with the site.

There is an existing gated pedestrian access from Whalley Road which leads to a set of steps and the entrance to the church building. The front of the site is grassed and there is a row of mature trees along the frontage. There is a pedestrian flagged path around the church and a Garden of Remembrance which comprises a grassed strip of land which is located directly next to the front elevation. The Garden of Remembrance is available for relatives and friends to visit. At the rear of the church is a flagged area which has become overgrown and neglected.

Beyond the rear of the site boundary is Church Road which is an unadopted, unmade single lane access track that carries a public right of way from which there is an existing gated vehicular access. The site boundaries are formed by dry stone walls.

The site is located in the Green Belt and Special Landscape Area.

The application seeks the conversion of the church to 1 no. dwellinghouse.

External works

The existing layout would not be fundamentally altered to facilitate the development. All stone boundary walls, the stepped access from Whalley Road and footpaths around the site would be retained. Apart from the 3 trees, the mature trees along the frontage of the site would be retained.

At the rear, the existing vehicular access off Church Lane would be re-opened and parking would be provided at the rear together with a bin and log store. The remainder of the rear area would be utilised as amenity space.

It is proposed to retain the Garden of Remembrance which will still be accessible to visitors.

Conversion works

The main form of the church building would be retained, as would the lancet window openings but there would be some alterations and interventions required to facilitate residential living spaces, summarised as follows -

Externally

West elevation (front) - new metal framed windows to existing ground floor windows and 6 new rooflights

East elevation (rear) - removal of existing chimney stack, 4 new rooflights, new metal framed windows to existing ground floor windows and insertion of bi-fold door openings, slate clad dormer, 4 rooflights.

North elevation - new metal framed windows

South elevation - existing window openings extended to floor level with existing cill raised to form new lintel, to create 2 door openings with windows above, removal of stained glass windows.

All external stonework would be cleaned.

Internally

Living accommodation would be provided at ground floor, much of which would be open plan with some internal walls added. The existing front porch would be retained.

A mezzanine floor would be inserted to provide 3 bedrooms to utilise the roof space and within the new dormer.

A photographic survey of the historic artifacts would be carried out prior to their removal by the Diocese.

Relevant Planning History

66744 - Change of use from church to dwelling - Approved 12/7/21

Publicity

Letters sent to 22 properties on Whalley Road, Leaches Road, Millhouse Street.

One objection received which raises the following issues -

- We are pleased that yet another plan for redevelopment has been brought forward, and wish to see the building put to good use and not remain in the current (and deteriorating) state of disrepair.
- Sadly, contrary to the previous application 66744, the proposed development appears not to respect the external appearance of the church. In particular the introduction of zinc dormer windows and east-facing patio doors are significantly out of character for the setting and inappropriate for this Special Landscape Area. Roof lights to the eastern elevation would be more appropriate for the setting. The patio doors should be removed to respect the eastern elevation of the church building.
- The proposed new windows in the south elevation are similarly significantly out of character damaging the appearance of the retained stained glass windows and additionally would directly overlook our office, greenhouse and garden adversely affecting our amenity. These should be removed from the plan.
- Whilst access by a single suitable vehicle would be acceptable, Church Road is not suitable for regular and continuous use by vehicles to the church building, for example builder's delivery lorries, removals vans or home shopping deliveries.
- Any proposal to develop Church Road would be strongly opposed by us and other local residents, as this would be severely detrimental to the character of the location in the green belt and special landscape area.
- Parking at the rear of the church, accessed via Church Road, is very limited and was only established relatively recently to meet the needs of disabled parishioners for wheelchair access only once per week on Sundays.
- The PCC created a disabled parking area by forming a paved hard standing area immediately adjacent to the boundary wall to the south of the church, accessed from Church Road. Even this limited use by vehicles and the creation of the hard standing resulted in the partial collapse of the boundary wall in one or two places, creating a dangerous structure.
- Any proposed parking area would need to be appropriately constructed to avoid further damage in future, and details should be provided before planning permission is granted.

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- Object to removal of dry stone walls
- The stone wall along Church Road should be protected to prevent demolition to provide access for additional parking, as this again is a vital feature in the character of the green belt and protected by condition and covenants in the title deeds
- The Garden of Remembrance to the west of the church contains interred ashes. Consequently, there are strict Church processes required for these to be removed and relocated, respecting the departed and their living relatives. If remains to be kept in place, access needs to be maintained. there is no mention of this.
- There is a long-established access route through the church grounds between Whalley Road and Church Road, which has been used for over 150 years and continues to be used today. There is no mention of the protection of this deemed right of way. This needs to be resolved before planning permission is granted.
- The internal design, plan and cross sections are not clear about the roof space in the central section above the bedrooms and bathrooms.
- Will there be ceilings above the accommodation rooms?
- It is also not clear why roof windows in the eastern elevation are required in this section of the development, as none are provided in the western elevation.
- Finally, the apparent re-use of the church pulpit as a wall 'feature' would, in our view, be inappropriate and disrespectful.
- The church has a crypt that is accessible from the south east corner, which has recently been periodically infested by rats. The planning documents indicate that the access door is to be removed, but there are no details of how the crypt is to be treated by the development.
- The church is currently served by a septic tank to the east of the property. We believe that this was installed without the benefit of planning permission, and is unsuitable for a residential property in this location and should be removed. Any approved scheme should make it clear that mains sewage disposal will be incorporated into the design of the property before planning permission is granted.
- The church occupies an elevated position to the north of our property, meaning that there is the risk of compromising our privacy. This could be addressed by increasing the height of the boundary dry-stone wall, in keeping with the local character to better assure our privacy by minimising our being overlooked when using our garden and rooms at the rear of our house.
- Security lighting should be limited and downward facing to limit light impinging on our property, any CCTV system should be limited to coverage of the church grounds.
- We are supportive of the removal of some of the mature trees to the west of the church to open up the view of the church from Whalley Road, with some re-provision at a more appropriate scale around the property.
- Church Road is completely unsuitable for building deliveries, and should be kept clear at all times for access by walkers, cyclists, horse riders, Bury Council's 'farms' refuse collection vehicle and farm tractors.
- Any building materials should be delivered from Whalley Road and stored on site and not stored on Church Road or Whalley Road, to maintain access for residents.
- As this is a substantial development in a quiet residential location, building work should be limited to normal working hours, 5 days a week, to protect the amenity of residents.
- We therefore oppose the current application as it stands, but believe that our concerns could be suitably addressed by more sympathetic in keeping with the exterior elevations of the existing building before the planning application is determined, and by the attachment of suitable conditions to any granted permission.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection

Greater Manchester Ecology Unit - No objection subject to conditions

Public Rights of Way Officer - No objection

Traffic Section - No objection subject to conditions

United Utilities (Water and waste) - No comments

Pre-start Conditions - Applicant/Agent has agreed with pre-start conditions

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
H2/4	Conversions
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN2/3	Listed Buildings
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN9/1	Special Landscape Areas
OL1/4	Conversion and Re-use of Buildings in the Green Belt
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD 9	Conversion and Re-use of Buildings in the Green Belt
SPD11	Parking Standards in Bury
EN5/1	New Development and Flood Risk
EN3	Archaeology

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.

Principle

Chapter 13 - Protecting Green Belt Land, Paragraphs 147 and 148 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 150 states that certain forms of development are also not inappropriate in the Green Belt providing they preserve its openness and so not conflict with the purposes of including land within it, one of which is the re-use of buildings provided that the buildings are of permanent and substantial construction.

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 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.

Principle - Conversion

The proposed development would involve the conversion of the building for residential purposes. Whilst quite significant repair and maintenance works would be required to enable the building to be used for residential and habitable living purposes, generally, the building is of sound and substantial construction, (confirmed by a structural report 2020 submitted for the previously approved conversion scheme).

In terms of principle, the proposed development would be in accordance with the principles of para 146 of the NPPF and Policy OL1/4 of the Bury Unitary Development Plan.

Principle - Residential

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.

The site is located in a semi urban area and there is residential development to the north and south. As such, the proposed development would not conflict with the surrounding land uses. The site is within walking distance of public transport and a relatively sustainable location. The site contains a vacant building, which was last used as a church and is previously developed land. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Issues of heritage impacts, layout, design, access and parking are considered in the report below.

Heritage

The building is considered to be a Non-Designated heritage Asset (NDHA) and as such is included on the Councils' draft local list of heritage assets:

The building has been identified as a non-designated heritage asset in accordance with Annex 2 of the NPPF and is considered to be a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing). The 'Good Practice Advice Note 2: Managing Significance in Decision-Taking' published by Historic England (2015) clarifies non-designated assets as those "...that have been identified in a Historic Environment Record, in a local plan, through local listing or during the process of considering the application."

It is not within a conservation area.

Paragraph 203 of the National Planning Policy Framework (NPPF) states 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.

It is considered the church does have some level of architectural aesthetic value that would contribute to any significance it possesses.

Through a series of revisions in this application, an appropriate level of adaptation has been achieved. A mezzanine is proposed as is the removal of the stained glass windows and alterations to the lancet windows to the south elevation. There would now be a single dormer to the eastern roof slope with sloping roof instead of the previous box design. It would incorporate a glass roof slope on its lower part terminating at eaves level. A new

opening with bifold doors would be created under where the glass element of the roof terminates.

It is considered that whilst these proposals do represent more interventional adaptation to the church than the extant consent 66744 it is unlikely that scheme could have been implemented in a fully sustainable and viable way.

This revised scheme allows the adaptation to be carried out that would meet current building regulations standards to provide a sustainable and viable dwelling. With regards to the requirements of paragraph 203 of the NPPF this adaptation can be balanced against any direct harm to its significance. The proposals do not represent a level of harm that would cause an unacceptable loss of heritage significance of the church by virtue that its external legibility as a church would be maintained in the street and wider context as would its internal legibility. As such, balanced against the potential total loss the church and its further continuing decay the proposal is acceptable.

It is recommended that a condition is attached to any consent for the recording of the stained glass windows and internal historic fixtures or fittings to be removed as part of the conversion.

It is recommended an informative is also added regarding the disposal and storage of such fixtures and fittings.

As such, the proposed development is considered to be acceptable and would comply with the principles of the NPPF.

Layout - The external layout would be similar to the existing arrangements on the site with the front grassed area, stepped access off Church Lane and footpaths round the building all retained. The rear flagged area would be used as amenity space and patio area for the dwelling and a bin store would be provided.

The site would provide for 2 parking spaces accessed off the lane at the rear and all existing stone boundary walls would be retained.

Apart from 3 trees, the mature trees located along the frontage of the site would be retained which would be welcomed.

The Garden of Remembrance would be retained with access agreed between the applicant and the Diocese. If it were to be re-located in the future this would be a private matter between the applicant and the Diocese and there is also legislation covering development on disused graveyards/burial controls separate from planning controls.

Internally, there would be some sectioning off of areas to form separate rooms, although a large part of the ground floor would be open plan living space.

It is proposed to create a mezzanine floor level and this would provide 3 no bedrooms and bathrooms with a large void area to the southern part of the 1st floor would provide full height accommodation to the ground floor living areas.

It is considered that the scale of the development would be an appropriate solution to enable habitable living conditions whilst preserving the historic character of the site and building and as such would comply with H2/1, H2/2 and H1/2.

Green Belt and Design and appearance - The existing building is a modest chapel structure, Gothic in style. It has 5 bays with external stone buttresses at each bay division and each corner. On the west elevation is a porch and the main entrance would appear to have been added at a later date. The church is constructed of Pennine gritstone with a grey slate roof. On the north gable is a bell cote constructed of stone. Windows comprise the original lancet (tall, narrow with a pointed arch at the top).

The church has been vacant for over 5 years and the external areas have become overgrown and falling into some state of disrepair.

There would be a certain amount of intervention and modernisation works and this centres around the need to enable more light into the building which is currently restricted by the number and size of openings.

It is proposed to retain all the ground floor windows on the front and rear which is welcomed.

There would be a fairly large number of rooflights would be inserted into the front and rear elevations. However, the church is set back from the main streetscene and a large part of the frontage screened by trees. At the rear, apart from the public footpath, views are across open fields and as such the rear roofplane would not be highly visible to a public setting. On balance, the number and type of rooflights are considered acceptable.

The windows on the north elevation would be retained with new metal frames inserted to incorporate openings at the lower part. On the south elevation it is proposed to extend the window level to the ground floor to make the lower half a door opening and retain the upper part as window. The existing stone would be raised to separate the 2 openings and the arched for would also be retained. On balance, as the works would be sensitive to retaining the same form and historic feature, this is considered acceptable.

On the rear (east) the original lancet windows would be retained and rooflights would also be inserted of a conservation type. The main intrusion would be to incorporate a dormer. This would be relatively modest in size and follow the slope of the roof, clad in tiles so as to engage more subtly within the roof. The bi-fold doors, whilst again a modern addition, would be a sensitive intervention and allow the build to continue to be read as a historic church.

The proposed works would involve a number of intrusions and addition of the dormer within the fabric of the building but the overall form, character and appearance would essentially remain as a church building and readable to the passer-by as a former place of worship. Other examples of church conversions have carried out similar such works to convert to residential living and have achieved this successfully. It is considered this would simillalry be the case, given the proposals.

In terms of impacts on the Green Belt, the insertion of a dormer would add a relatively small amount of volume and given the location of the rear elevation, impacts on openness would not be affected. The proposed works to the external alterations are considered to be sensitive to the build and surrounding area and there would not be a significant impact on the character of the Green Belt and Special Landscape Area.

It is considered the proposed works would be acceptable and would retain the historic character and appearance of the church building and comply with the principles of the NPPF, OL1/4, H2/1, EN1/2 and the principles of the NPPF.

Impact on surrounding area

Nos 26-28 Church Lane is located to the north in an elevated position to the site, in front of which are the row of terraced cottages which are formed adjacent to the front garden. The end terrace, No 258 Whalley Road is a new build and the rear garden is located at a higher level next to the side boundary and elevation of the church.

There would be 15m separation between the church and side elevation of No 26-28. There would be habitable room windows which would face this property. However, the church build is set at a lower level and there is a stone boundary wall which would partially screen the windows to the proposed dwelling. These windows would also be the original lancet windows which are slimline and provide little views out and therefore views from the window

would be limited and minimal.

With a separation of over 15m, it is considered there would not be an adverse impact on the neighbour in terms of overlooking or privacy.

It is considered that the garden of No 258 would not be adversely affected given the intervening boundary wall and the lower ground floor level of the church build comparative to the elevated garden.

To the south is No 1 Millhouse Street which has a single storey side element adjacent to the site with windows in the side elevation directly facing the side of the church. This property is set at approx half a storey lower than the site and separated by a boundary wall.

On the proposed south elevation of the dwelling, the windows at ground floor would be to living accommodation and extended to ground level to create doorways with glazed openings. However, given the levels difference, intervening boundary wall and off-set position of No 1 to the proposed dwelling, it is considered that there would not be a significant impact on the neighbouring property in terms of privacy or overlooking. At the first floor in the south elevation, windows at first floor would be to a void area and therefore no overlooking could occur.

In front of No 1 there is also a row of terraced houses on Whalley road. Similarly, there would be an oblique relationship between the church build and these terraces to the south and it is considered impact on these properties would not be significant.

As an additional consideration, the building had a former use as a church and there would be associated activity with comings and goings from parishioners / congregation and visitors to the Garden of Remembrance. It is considered that the conversion to a 3 bed dwelling would not be significantly more adverse or harmful to the surrounding residential properties.

As such, it is considered that there would not be a detrimental impact on residential amenity and the development would comply with UDP Policies H2/1, H2/2 and EN1/2.

Highways issues - It is proposed to utilise the existing access at the rear of the site off Church Lane. This route is a single lane, narrow and unmade track which also forms a Public Right of Way. As this access was previously used by the Church and the rear of the site for parking, it is considered that the proposed use for a 3 bed dwelling would not significantly intensify the use of Church Lane or access to the site than the existing situation.

In terms of parking provision, there would be space within the area at the rear of the church and there is also on street parking directly in front of the site on Whalley Road which is similarly used by other residents in the area who parking in front of their houses.

The Traffic and Public Rights of Way Section have raised no objection to the proposed development.

As such, the proposed development is considered to be acceptable and would comply with H2/2, HT2/4 and HT6/2.

Ecology

Summary

No ecological information has been provided, though GMEU are aware that previous surveys are still valid. Previous recommendations re. 66744 still apply

Bats

The previously supplied bat report is still valid and should be submitted as part of this application. Evidence that common pipistrelle bats are roosting under roof slates was

confirmed, with four individual bats recorded under 3 different slates over two surveys. A license will therefore also be required from Natural England in order for the development to progress assuming roof repairs are to occur. Given only low numbers of the commonest species of bat were found, GMEU are satisfied that mitigation can be provided and the bats safeguarded during works. ie the nature conservation status of this European protected species can be preserved in the locality and a license will be issued by Natural England (or the works carried out under a low impact license).

GMEU recommend a condition along the following lines is applied to any permission.

Any works to the roof is likely to cause harm to common pipistrelle bats as identified in the bat survey date September 2020 by Anthony Nickson Ecology 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 form the relevant licensing body or LPA to the effect that it does not consider that the specified development will require a license

Nesting Birds

Probable evidence of bird nesting was found associated with the building as well as the removal of three mature trees and some areas of scrub, potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU recommend a condition to restrict the timings of removal of trees/vegetation.

Invasive Species

Himalayan balsam and monbretia are present on the site the former appearing to be quite widespread. Both are listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. GMEU recommend a condition for the submission of a method statement detailing eradication and/or control and/or avoidance measures for himalayan balsam and monbretia.

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 development still appears to result in the loss of three mature trees, associated bird nesting habitat and bat roosting habitat. The latter should be dealt with via the bat license. Given the majority of mature trees are to be retained, GMEU would recommend that mitigation through native shrub species would be the best option or hedge planting either under the retained trees or elsewhere on the site. Provision of bird boxes one on a retained tree and one on the converted church for species such as house sparrow should be provided for loss of bird nesting habitat. The detail can however be conditioned.

Response to objector

- Revised plans received change the design of the proposed dormer and change to skate hung materials which is considered appropriate and to enable the conversion.
- All other proposed alterations, internally and externally have been addressed and considered in the above report as appropriate to the proposed development.
- The applicant would need to contact UU with respect to connections to public sewers/drains and an advisory to the applicant would be included.
- Impacts on overlooking and privacy to neighbouring properties have been covered in the above report.
- Disturbance from building works are covered by the Environmental protection Act.
- Vehicular access at the rear would be the same as served the existing church
- All other issues raised have been covered in the above report.

- A condition would be added that construction materials be stored within the curtilage of the site for the duration of the development.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings - Document references - 367 PD - Location plan 0001; Existing floor plan 0002; Existing elevations 1/3 0003; existing elevations 2/3 0004; Existing elevations 3/3 0005; Revised proposed ground floor plan 0006D; Revised proposed mezzanine plan 0007D; Revised proposed roof plan 0008D; Revised proposed elevations 1/3 0009D; Revised proposed elevations 2/3 0010D; Revised proposed elevations 3/3 0011C; Revised proposed sections 0012D; Revised proposed site plan 0013C; Revised proposed section EE 0014B; Revised proposed elevation alterations 0015; Arboricultural report Jun 2020 PM/FULL/24/06/20 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3 The works for the conversion to residential use of the church of St John in the Wilderness hereby approved shall not commence unless or until a level 1 photographic recording has been carried out of the stained glass windows to be removed and any other internal historic fixtures and fittings to be removed. No works shall commence until such written approval has been given. The recording shall be carried out in accordance with Historic England's Understanding Historic Buildings - A Guide to Good Recording Practice, published May 2016.
Reason. To ensure the preservation of the building for future references and in accordance with the principles of the NPPF.
- 4 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
- 5 Any works to the roof is likely to cause harm to common pipistrelle bats as identified in the bat survey date September 2020 by Anthony Nickson Ecology 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 form the relevant licensing body or LPA to the effect that it does not consider that the specified development will require a license

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

- 6 No works to trees or shrubs shall occur or external works to the building commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 7 Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for himalayan balsam and monbretia should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason. The scheme does not provide full details of the actual extent of invasive species in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

- 8 A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include native tree and shrub planting and the provision of a bird box on a retained tree and one on the converted church should be provided for loss of bird nesting habitat. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

- 9 The car parking and bin storage facilities provided within the curtilage of the site indicated on approved plan reference 367 PD 0013 Revision C shall be made available for use before the first occupation of the development hereby approved and shall subsequently be maintained available for use at all times.

Reason. To ensure adequate off-highway car parking and bin storage facilities are provided within the curtilage of the site, in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development.

DELEGATED REPORT

- 10 The development hereby approved shall be carried out in accordance with the materials detailed on the approved plans.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design and H2/1 - The Form of New Residential Development.
- 11 Facilities for the storage of any construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

<u>Case Officer</u> JT 27/5/22	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
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