



CHORLTON PLANNING LTD

Town Planning & Development Consultants

OUTLINE PLANNING APPLICATION

PROPOSED DWELLING

LAND TO THE NORTH OF 2 HOLLINS CLOSE, UNSWORTH, BURY

**PLANNING, DESIGN & ACCESS
STATEMENT**

REVISED NOVEMBER 2022

Prepared by Chorlton Planning Ltd

on behalf of

The Cornell Group

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1.0 The Site

1.1 The application site comprises a corner plot of open land at the junction of Hollins Close with Hollins Lane within the village of Unsworth.

1.2 The land sits to the north of No. 2 Hollins Close and to the west of No.1 Hollins Lane.

1.3 There are currently six two storey detached dwellings that form Hollins Close on a rectangular plot.

1.4 The area to the north, east and south of the site is predominantly residential in character. Bury Golf Course lies to the west.

1.5 A photograph is attached at Document No. 4. A site plan is included with the architect's plans.

2.0 The Proposal

2.1 The application seeks outline planning permission for the erection of 1 No. detached part single storey, part two storey dwelling on the site. A new vehicular access will be created from Hollins Close and will lead onto a permeable driveway with parking for four cars. The remainder of the site will be soft landscaped to provide private amenity space.

2.2 Approval of means of access and layout is sought with all other matters reserved for future consideration. A layout drawing is included.

3.0 Planning Policy Context

3.1 The site is located within the Green Belt on the Proposals Map used in conjunction with the 'saved' policies of the Bury Unitary Development Plan (UDP).

3.2 The following extant UDP policies are relevant:-

- | | | |
|----------------|---|--|
| • Policy OL1 | - | Green Belt |
| • Policy OL1/2 | - | New Buildings in the Green Belt |
| • Policy OL1/3 | - | Infilling in Existing Villages in the Green Belt |
| • Policy OL3/1 | - | Protection of Urban Open Space |
| • Policy H1/2 | - | Further Housing Development |
| • Policy H2/1 | - | The Form of New Residential Development |
| • Policy H2/2 | - | The Layout of New Residential Development |
| • Policy EN1/1 | - | Visual Amenity |
| • Policy EN1/2 | - | Townscape and Built Design |
| • Policy EN1/3 | - | Landscaping Provision |
| • Policy EN4/2 | - | Energy Efficiency |
| • Policy EN5/1 | - | New Development and Flood Risk |

- Policy HT2/4 - Car Parking and New Development

3.3 Supplementary Planning Guidance and Documents SPD8 - New Buildings and Associated Development in the Green Belt and SPD16 - Design and Layout of New Development are also relevant along with advice contained within the National Planning Policy Framework (NPPF).

Saved UDP Policies OL1, OL1/2 & OL1/3

3.4 The site is located within the Green Belt where development is restricted to those types of development deemed appropriate by national planning policies, unless very special circumstances, which outweigh the potential 'harm', can be demonstrated.

3.5 Local and national planning policy also supports limited infilling and redevelopment where proposals maintain beneficial uses and do not harm the character and openness of the Green Belt.

3.6 The proposed development does not conflict with the five main purposes of including land within the Green Belt, set out within the NPPF, which are:-

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

3.7 With regard to the third criteria, the development does not encroach into the countryside. The dictionary definition of encroachment is:

"a gradual advance beyond usual or acceptable limits".

3.8 The application plot is part of the built up area of the Hollins Close development. The rear fence line is a continuation of the rear fence lines of No.s 2, 4 and 6 Hollins Close and whilst at present the site is open land it is not 'countryside'. It is visually quite distinct from the open character of the golf course land to the west.

3.9 Policy OL1/2 and advice within the NPPF states that the construction of new buildings within the Green Belt should be regarded as inappropriate development with the exception of a small number of types of development. One of the exceptions criteria relates to limited infilling within existing villages.

3.10 Policy OL1/3 goes on to provide further detail and reads:-

"In all named villages which lie within the Green Belt, limited infill development may be permitted, provided that it is in scale with the village and would not adversely affect its character or surroundings."

3.11 The named villages are Shuttleworth, Holcombe Village, Hawkshaw, Summerseat, Nangreaves, Affetside, Ainsworth and Simister. However, the policy wording was written in 1997 and is out of date with advice contained within the recently revised NPPF, in particular paragraph 149, superseding the UDP policy.

3.12 NPPF Chapter 13 deals with 'Protecting Green Belt' and paragraph 149 section e refers to the 'limited infilling in villages' exception.

3.13 The term 'village', is not defined in the NPPF.

3.14 Wikipedia defines a village as:

"a clustered human settlement or community, larger than a hamlet but smaller than a town (although the word is often used to describe both hamlets and smaller towns), where the population typically ranges from a few hundred to a few thousand. Although villages are often located in rural areas, the term urban village is also applied to certain urban neighbourhoods.....

In Great Britain a hamlet earned the right to be called a village when it built a church"

3.15 It is generally accepted the Unsworth is a village . It has a distinct identity and a well established community.

3.16 An extract from a Wikipedia article is provided at Document No. 1. This looks at the present and historical context of Unsworth in some detail and referred throughout to its village status. An extract from a Google Earth map is provided at Document No.2. This shows the shape and form of the village.

3.17 Unsworth is clearly a well-established village and residential area including schools, eating and drinking establishments, shops and a social club. The application site provides a good opportunity for infill development and will make use of a plot of land that currently has limited benefit due to its fenced position at the outer corner of the golf course and there is no reason why this village should be discounted from consideration for infill development.

3.18 Looking at this in more detail, with regard to the term infill, there is a strong logical fenced-off boundary to the development where it meets open countryside - the golf course - on only one side with built development on the other 3 sides.

The development is limited in that it is comprised of only one house.

3.19 It is noted that the LDF Proposals Map does not show a village envelope around the site. This, in itself, does not define whether a property is within the village. The issue was examined by The Court of Appeal in the case of Julian Wood vs SSCLG and Gravesham Borough Council (2015)

3.20 Extracts from Court papers stated that:

"before this Court it was common ground that whether or not a proposed development constituted limited infilling in the village for the purposes of Paragraph 89 (of the then NPPF) was a question of planning judgement for the Inspector and the Inspectors

answer so that question would depend upon his assessment of the position on the ground. It was also common ground that while a village boundary as defined in a local plan would be a relevant consideration, it would not necessarily be determinative, particularly in circumstances where the boundary as defined did not accord with the Inspector's assessment of the extent of the village on the ground....."

3.21 I would draw attention to a recent appeal decision in Kiln Green, Diggle, Oldham under appeal reference number APP/W4223/W/19/3227776 dated 15th of August 2019.

3.22 The Appeal Inspector states in her decision letter:

Para. 11. "As to whether the development proposal would amount to 'limited infilling', the Council consider this requirement is not met, because the proposal does not amount to the development of a small gap in an otherwise continuous built up frontage, or the small scale development of existing properties within such a frontage. The appellants suggest that a wider interpretation, of buildings within the confines of a group of buildings, is appropriate.

Para. 12 "There is no definition in the Framework of what constitutes 'limited infilling' and no definition that might be found in local planning policies has been suggested here. The appeal site is surrounded by buildings, albeit in a very loose arrangement and, as described by the previous Council Report, it is in an urbanised area. Immediately to the north lies a field separating it from the next house to the northeast by around 30 metres. The Diggle Hotel lies further away to the north. A pair of semi-detached dwellings lie to the southwest, separated by a field from further dwellings in Kiln Green. Another dwelling lies opposite to the west".

Para. 13 "Whereas 'infilling' suggests a development of land that is surrounded by existing development on at least 2 sides within reasonable proximity, the requirement for such infilling to be 'limited' requires consideration of both the development site and the scale and form of the proposed development. The proposed development would extend the house by a little more than 5 metres to its northeastern side, largely below ground level. On this issue I conclude that although there is some distance across the field to the frontage of the next dwelling, to Diggle, to the northeast, the spacious nature of this part of Diggle with its loose arrangement of buildings, combined with a small scale and form of the development proposed, would amount to limiting infilling within a village for the purpose of the Framework....

3.23 A copy of the Inspectors Reports is appended at Document No.3

3.24 It is clear from the Diggle Appeal that what constitutes a village and what constitutes infill development is dependent on the circumstances on the ground. The circumstances of the Gravesend case and those of the Diggle case are different to those at Hollins Close. However, the principle that infill development is not merely filling in a small gap between building, is clearly demonstrated in the Inspector's Report.

3.25 Given the above it is argued that the proposed development is limited infill development within a village and that it is in compliance with NPPF Paragraph 149.

Policy OL3/1

3.26 This policy seeks to protect land within the urban area that holds visual amenity and wildlife value, forms an important outlet for recreation, provides a buffer between incompatible uses or a link between other areas of open land.

3.27 As stated above the land is within private ownership and is enclosed by a fence and therefore does not provide usable amenity or recreational space or serve as a physical link to open space. The land appears to be left over from the housing development of Hollins Close which occupies the remainder of a rectangular plot. The land also does not serve any purpose in connection with the adjacent golf course, nor does it act as a buffer between incompatible uses.

Policy H1/2

3.28 Policy H1/2 addresses proposals for housing development outside allocated areas. The policy encourages new housing development to be located within accessible urban areas with existing infrastructure. As with other policies, the impact of new residential development on the amenity of surrounding land uses is a key consideration.

3.29 Being located adjacent to existing residential development within the village of Unsworth means that a new dwelling on the land would meet the requirements of this local, and national, planning policy. The proposal is wholly compatible with the surrounding land uses and will provide a logical extension to the existing Hollins Close development without prejudice to the recreational use to the west. The future detailed design of the proposed dwelling will address the safeguarding of privacy for both existing and future occupants of the dwellings.

Policy H2/1, H2/2, EN1/2 & EN1/3

3.30 Policy H2/1 seeks to ensure that new residential development makes a positive contribution to the area in which it is situated. The policy states:-

“Factors to be considered when assessing proposals will include:

- *the height and roof type of adjacent buildings;*
- *the impact of developments on residential amenity;*
- *the density and character of the surrounding area;*
- *the position and proximity of neighbouring properties;*
- *the materials to be used in proposed developments, especially their colour and texture”.*

3.31 Policy H2/2 takes into account the layout of new residential development including car parking provision, access, density, space around dwellings, landscaping, open space and design for safety and security.

3.32 Policy EN1/2 seeks to ensure that new development relates well to the local context and makes a positive contribution to the townscape of villages and towns.

3.33 Policy EN1/3 requires the incorporation of high quality landscaping into developments. The policy highlights the importance of the retention of trees, hedges and other ecological features within development sites and encourages the planting of native species.

3.34 The detailed design of the proposed development will be addressed at reserved matters stage. However, a layout has been prepared to demonstrate that a new dwelling can sit comfortably within the site whilst providing ample landscaped amenity space and parking provision and safeguarding the amenity of the closest neighbours.

Policy EN1/1

3.35 This policy seeks to ensure that new development does not have an adverse impact on the visual amenity of an area, in particular where sites are within or close to the Green Belt, Special Landscape Areas or the river valleys.

3.36 The Green Belt boundary runs along the north, east and western boundaries of the application site and then turns at a right angle to run along the rear garden boundaries of No's 2, 4 and 6 Hollins Close. The site is surrounded by built development and the construction of a well-designed dwelling on the site would form a logical extension of Hollins Close and would not appear at odds with the character and appearance of the area. The site comprises a relatively small parcel of Green Belt land that projects awkwardly away from the open golf course land. Its size and location do not make a significant contribution to the character and openness of the Green Belt and its development for residential purposes will therefore not prejudice the visual amenity of this part of the Borough's Green Belt.

Policy EN4/2

3.37 This policy seeks to secure energy efficiency in development through:-

- *the promotion of energy efficient modes of transport such as walking, cycling and public transport;*
- *seeking the location of new development in areas easily accessible to public transport and local facilities;*
- *promoting the efficient use of energy in the design and layout of development".*

3.38 In compliance with local and national advice, the site is in a sustainable location. A bus service is in operation along Hollins Lane and walking and cycling are feasible modes of transport. The site has access to local needs shops, schools, eating and drinking establishments and places of employment within the village and areas beyond.

3.39 A fabric first approach will be taken in the construction of the proposed dwelling to ensure maximum energy efficiency.

Policy EN5/1

3.40 The site does not fall within an area that has been identified by the Council as being at risk from water courses or surface water flooding. A sustainable drainage system will be incorporated to ensure that the development will not lead to an increased risk of flooding elsewhere.

UDP Policy HT2/4

3.41 Adequate parking spaces will be provided within the site. As a result, there will be no adverse impact on the highway or existing parking provision as a result of the proposed development.

Ground Conditions

3.42 A Phase 1 Desk Top Study has been carried out by GEO Environmental Engineering - a copy is provided with the application.

3.43 The report concludes that the development of the site poses a low risk to future occupants of the house or to the adjacent houses.

4.0 Design

Amount/Size/Use

4.1 The proposed development will provide 1 No. four bedroomed detached dwelling.

Layout

4.2 The proposed layout makes the best possible use of the site whilst ensuring a good level of soft landscaping to create ample attractive private amenity space which is in keeping with the existing dwellings on Hollins Close. Adequate access and parking spaces have been incorporated.

Scale, Landscaping and Appearance

4.3 Details of the scale, massing and design of the proposed dwelling will be considered at reserved matters stage. However, the scheme will be in proportion with the neighbouring dwellings and of appropriate materials to ensure continuity of the street scene.

4.4 The space around the proposed dwelling will be attractively landscaped.

5.0 Access

5.1 A new vehicular access point with good visibility will be created from Hollins Close.

5.2 The site is accessible by public transport and is well located in terms of access to local shops and services.

5.3 The development will be carried out in accordance with current building regulation standards ensuring that people of all levels of mobility can access the site safely and conveniently.

November 2022