

Description

The site relates to a plot and building which forms part of the former Ainsworth Nursing Home. It is accessed via a private lane which is formed from the top of Ainsworth Road. The whole site is located in the Green Belt, Special Landscape Area and West Pennine Moors and is on the Council's Draft local list as a Non-Designated Heritage Asset. The site is covered by a blanket TPO.

The site is located to the north of Ainsworth Village and is self-contained and remote from the rest of the village, nearby farm settlements and residential dwellings, having formally being an isolation hospital for infectious diseases. It was later used as a nursing home for the elderly up until the time it closed down.

The nursing home site is rectangular in shape and the existing built development is generally focused centrally within the site, with the main internal access running north through the site which branches to the east to serve the main building and other buildings to the north. The remaining land is grassed, treed or vegetated. Surrounding the site is open land and fields.

The site has now been sold off as separate plots and 5 plots have planning permission for residential development - 3 for conversions and extensions to the existing buildings, 1 for demolition and new build and 1 new build property.

This application relates to a building known as 'The Coach House, a single storey detached building which formed part of the main hospital site.

The Coach House is located to the rear of the site, to the north of Knowsley House (main hospital building which has permission for conversion to residential). It is flanked by the Wash House (converted to a dwelling) to the west and another original nursing home building and land to the west. The Coach House was attached by a modern link to a building known as The Haven (a modern and later addition to the site which has an extant permission for demolition and new build dwelling). This link has been removed.

Planning permission was previously sought for the demolition and replacement of the Coach House with 2 no. dwellings and associated parking and gardens.

The application was refused for the following reasons -

1. Significantly harmful impact on the historic significance of the Non-Designated Heritage Asset and openness and character of the Green Belt and Special Landscape Area by virtue of its design, appearance and scale which would introduce discordant, disproportionate and inharmonious features and therefore inappropriate development.
2. The demolition of the existing building and the proposed development for two new dwellings would cause a substantial harm to the significance of the Non-Designated Heritage Asset (NDHA). No evidence has been submitted to outweigh the significant harm which would be caused to the NDHA by the demolition of the existing building.
3. The proposed development would result in an unacceptable reduction in the level of privacy currently enjoyed by the occupiers of The Wash House by reason of the sub-standard distances between habitable windows on the proposed side elevation of House 1 and existing habitable room windows on that property.
4. The proposed development, by virtue of the extent of hardstanding, would have a significant and detrimental impact on the openness and character of the Green Belt and the special and historical character of the Non-Designated Heritage Asset.

The applicant appealed the decision which was dismissed by the Inspector.

The Inspector concluded that in terms of refusals nos. 1, 3 and 4, the development would not be inappropriate development in the Green Belt or harm the SLA or harm the living

conditions of occupiers of the Wash House.

The Inspector did find harm would be caused to the NDHA and that the character and appearance of the localised area of the former Nursing Home, and that the proposed development would not mitigate against the loss of the Coach House.

This application is a resubmission and similarly seeks the demolition of the Coach House and 2 no. dwellings with associated parking and gardens.

For ease of reference, the report will refer to the 2 dwellings as House 1 and House 2, as annotated on the proposed plans.

The proposed layout has not been altered from that proposed in the previous submission. The proposed dwellings would be located side by side with House 1 to the west and House 2 to the east.

Access to the dwellings would be formed off the internal road which runs along the western side of the site and which would be extended to run across the front of the 2 houses to form parking and driveways for 2 cars each.

At the rear there is an existing retaining wall beyond which the land steps up to a slightly higher level. It is proposed to move the retaining wall towards the rear of the site in line with the canopy of the trees to create a longer garden for each property. There would be a stepped access from each garden to the upper level which is also included within the application curtilage.

Comparative to the previous refusal, the changes largely concern the design and appearance of the dwellings which are now proposed to incorporate hipped roofs, brick cills and headers, change to window and dormer design and openings and tall brick chimney features. Materials are proposed as red brick elevations and slate roofs.

In terms of the scale and massing and comparative to the refused scheme, both houses would be bungalow types, with room in the roofspace to facilitate accommodation with dormer and velux windows.

House 1 would be the larger of the 2 dwellings with living accommodation at ground floor and 4 bedrooms at first floor. House 2 would have 3 bedrooms.

The bedrooms would be accommodated in pitched roof dormers on the rear with velux roof lights in the front roof slope.

Area, volume and height comparisons are as follows:

Area

Existing - 251 sqm

Proposed - 253 sqm

= 0.79% increase

Volume

Existing - 1191 cu.m

Proposed - 1294 cu.m

= 8.65% increase

Height

Existing - 7.4m

Proposed - 7.8m

= 9.5% increase

Relevant Planning History

65412 - Conversion of wash house to 1 no. dwelling with single storey extensions and dormer to rear - Approve with Conditions 22/06/2020

65626 - Conversion of property to 1 no. residential building; increase to the roof height, two storey extension and associated parking and landscaping, change of use of land to residential garden - Approve with Conditions 23/09/2020

66142 - Change of use from nursing home to private dwelling including alterations and garage extension - Approve with Conditions 21/01/2021

66467 - Variation of conditions following approval of 65626- Amendment to approved plans with the addition of a porch - 30/3/2021

66398 - Non-material amendment following grant of planning permission 65412 - Removal of two windows on the west elevation and replace with timber French doors - Approve with Conditions 05/02/2021

66836 - Demolition of the building known as The haven and erection of replacement building for use as a private dwellinghouse, with associated garden curtilage and parking - approved 23/7/21

66763 - Demolition of existing nursing home and construction of two storey detached dwelling with associated garages - Refused 9/12/21

67368 - Demolition of existing building to be replaced with 2 no. dwellings - Refused 30/11/21. Appeal dismissed 10/1/23

68661 - Erection of a dwelling and associated access, parking and landscaping, provision of landscape buffer, and change of use and refurbishment of Gate House within the curtilage of the former Ainsworth Nursing Home - approved 10/11/22

68665 - Redevelopment of a site known as 'The Haven' for 1 no. private residential dwelling, with associated garden curtilage and parking - Approved 10/11/22

Publicity

Letters sent to 11 properties.

Site notice posted 30/6/23

Press advert - 13/7/23

Three representations received.

2 objections

1 support

Objections -

- As you are aware this application is a resubmission of the previously refused planning permission reference 67368 and subsequently refused appeal APP/T4210/W/22/3298500
- Both the above applications state the proposals would have a significantly harmful impact on the historic significance of the Non-Designated Heritage Asset and openness and character of the Green Belt. Therefore we ask is it really necessary for The Coach House to be demolished and impact the openness of the Green Belt? or what has changed to allow the proposal of this character building to be demolished?
- With the drawings only indicating the Washhouse and Knowsley House and not including the Haven it is not clear the relation between the proposed dwelling and the Haven. Drawings only show the relationship between house 1 and Knowsley house with measurements of 22m from proposed dwelling 1 first floor habitable windows to those of Knowsley house. However with house 2 being directly opposite the Haven and -15m between habitable windows there has been no dimensions, referencing or drawings submitted. The proposed would result in an unacceptable reduction in the level of privacy to the Haven.
- The new dwelling at the rear of the Haven is to be positioned and constructed in excess of 8m+ in height overlooking and overshadowing with its intended mass and situe. The proposal also suggests the new dwellings will be built largely on the footprint of the existing, however the drawings contradict this suggestion drastically - wish for this to be considered.
- 2m high timber fences are not in keeping with the character of the site and the accompanying gates also proposed to accommodate multiple vehicles add to a noise predicament.

- With all the above in mind we would like you to consider these detrimental elements
- Loss of amenity and harmfulness, Noise, Overlooked, Overshadowing, Loss of light, Loss of privacy
- The proposed demolition and rebuild as two dwellings is in direct contradiction to the advice given when submitting our planning application in 2020, at which time told categorically that no demolition of the existing hospital buildings would be considered due to the heritage value, and that sympathetic renovation of the existing structures was the only option that would be successful. Resulting in a house which bears no relation to that which we originally envisaged, what has changed in the 3 years since that statement, that has made demolition now an option ??
- The last application was refused and again at appeal, based upon in part, the encroachment upon the living accommodation of the Wash House (minimum of 13 mtrs from a blank gable end to occupation windows). The new application whilst extremely sparse in detail has the same encroachment factor now as it did last time, in that it proposes what cannot be more than a 7.5 mtrs gap from the occupation windows of the Wash House, to the blank gable end (even allowing that the proposed windows on the last application have been removed).
- Whilst no height has been specified it is clear from the submitted drawings, that "House 1" will be significantly higher than the Wash House and that moving it so close will result in a major reduction in light coming into the property. Which has to be considered as unacceptable.
- In conclusion, no choice but to make the above objections, given how big the impact would be on our property and the quality which would be compromised should the proposal be given the go ahead.

Support -

- On the basis that demolishing the Coach House and replacing the existing monolithic structure with two separate buildings would open up views of the countryside north, building support this planning application.

Statutory/Non-Statutory Consultations

Traffic Section - No response

Conservation Officer - Recommend refusal on loss of the NDHA.

Greater Manchester Ecology Unit - No objection subject to conditions.

Environmental Health - Contaminated Land - No objection subject to conditions

Public Rights of Way Officer - No comments

United Utilities (Water and waste) - No objection

Planning & Building Regs consultation Fire Protection Dept Bury Fire Station (Part B)- No response received.

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

<SQLDCPolicyComRep>

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.

Housing Principle - UDP 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 National Planning Policy Framework (NPPF) should be treated as a material planning consideration and it 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. The Framework

maintains the emphasis on identifying a rolling five year supply of deliverable housing land.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

Therefore, in relation to the proposed dwelling, paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

Therefore, in this case the 'tilted balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

The proposed building is located on a brownfield site, close to the village of Ainsworth. It lies within an existing complex of buildings formerly used as a nursing home and therefore residential in character to some degree. There is existing infrastructure in place to facilitate the development and it is considered that the proposal to erect a new build for residential purposes would not conflict with the character of the surrounding area or land uses. There have also been previous applications for residential development on this site which have been assessed and considered to be acceptable in principles for residential use.

Use of the site as residential is accepted in principle. However regard will need to be had to the considerations which are detailed in the report below and whether the tilted balance of para 11(d) i and ii.

Green Belt/Environment Policies

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 149 considers the construction of new buildings as inappropriate development in the Green Belt. One of the exceptions to this is:

- g) limited infilling or partial or complete redevelopment of previously developed land,

whether redundant or in continuing use (excluding temporary buildings), which would: not have a greater impact on the openness of the green belt than the existing development:

UDP Policy OL1/2 - New Buildings in the Green Belt - states the construction of new buildings constitutes inappropriate development in the green belt unless it is for one or more of the exceptions listed, which are for agriculture/forestry, essential facilities for outdoor sport and recreation, limited extension, alteration or replacement dwellings and limited infilling in named villages.

UDP Policy OL7/2 - West Pennine Moors ensures the important character of the area is protected and focuses not only on the control of development but measures to enhance the environment.

UDP Policy EN1 - Built Environment states that the council will seek to protect, preserve and enhance the character, appearance and amenity of the Borough's built environment.

UDP Policy EN1/1 - Visual Amenity - Development should not be permitted where proposals would have a detrimental effect on the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Area or the river valleys. The wider consideration of the effect on visual amenity is necessary in sensitive areas to ensure that developments are not inappropriate by reason of their siting, materials or design.

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.

SPD8 - New Buildings and Associated Development in the Green Belt provides additional advice and guidance, particularly with reference to siting, design, materials, scale and form of a development.

Green Belt Principle

The development would involve partial re-development of previously developed land and therefore para 149 g) considered relevant, the test being whether there would be a greater impact on openness.

In terms of scale and size of development, the applicant states that there would be a 0.79% increase in footprint area and 8.65% increase in volume, with an increase in height of 0.4m (a 9.5% increase).

According to case law in the Court of Appeal judgement *Turner v Secretary of State* 2016 at para 14, "The concept of openness of the green belt is not narrowly limited to volumetric approach..... (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspects which the Green Belt presents."

Indeed, in the previous appeal decision for a scheme which was larger in terms of volume and footprint area for two houses although only marginally, the Inspector considered the increases in area and height would be very limited and barely perceptible and that furthermore, the mass of the proposed dwellings together would not be significantly different to the mass of the existing building. In addition, it was considered that the layout of the proposed dwellings would form part of a collection of buildings of varying sizes, similar to the existing buildings on the wider site and would not significantly differ to the existing layout.

The Inspector concluded that the development would not have a greater impact on the

spatial openness of the Green Belt than the existing.

The Inspector went on to say that in terms of the wider site, the former nursing home is some distance from the nearest neighbours and bounded by protected trees and consequently the impact on the visual openness of the Green belt would be restricted to within the former nursing home site and seen against the backdrop of either other buildings and trees.

The extent and impact of the proposed hardstanding area and boundary treatments did not raise any concerns for the Inspector, as they could be controlled by conditions.

The Inspector concluded that the proposal would not have a greater impact on the visual openness of the green belt than the existing.

The Inspector therefore concluded that overall, the proposed development would not have a greater impact on the spatial or visual openness of the Green belt and therefore did not constitute inappropriate development and would not require very special Circumstances.

It could therefore be concluded that given the Inspector's judgement and that the current submission would be no different in terms of the siting and layout with a slight reduction in the proposed volume and area, the same conclusion could be reached, that the proposed development would not have a harmful impact on the spatial or visual openness of the Green Belt and would therefore be appropriate development.

Heritage

The group of buildings comprising Ainsworth Nursing Home (Formerly Broom Field Isolation Hospital) is considered to be Non-Designated Heritage Asset (NDHA). The building proposed to be demolished as part of this application is the single storey, building known as the Coach House. This building is described in the submitted heritage statement as a smaller reception ward for doubtful cases. It is built in the typical civic Edwardian style in red brick with a dual pitched roof with hipped ends. The building is one of five original buildings that currently remain on the site, the others being the Wash House, Pavilion Block, Gate House and the building referred to as the Administration Block or Knowsley House as it is known. The site is not within a conservation area.

Paragraph 194 of the National Planning Policy Framework (NPPF) requires that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 195 of the NPPF requires that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 203 of the NPPF requires that 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.

Paragraph 197 of the NPPF requires that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

A structural assessment has not been submitted as part of this resubmission with regard to the viability of the retention and conversion of the building. The Design and Access Statement simply states that the building does not readily lend itself to conversion with regard to viability and feasibility. No evidence has been put forward to support this assertion.

The accompanying heritage assessment concludes through its assessment of significance that the buildings' evidential value is low-medium by virtue of its internal alterations and 20th century extensions.

The LPA considers the evidential value is certainly medium rather than low as 20th century extensions could be demolished as part of a conversion of the building and internal adaptation may not remove all the legibility of its plan form. Externally the building would still have legibility as part of the group as a whole as a purpose built as a hospital.

The heritage assessment concludes the buildings' historical value is low because it was built in the early 20th century as a ward for doubtful cases of Smallpox. This is also linked to its evidential value.

Again the LPA considers this value is medium. The building is of local historic importance as evidence of efforts to contain Smallpox and later other infectious diseases, evidencing the evolution of health and social care as a pre-cursor to the creation of the welfare state and the National Health Service. This type of hospital building is rare and is the only one understood to have existed within the Borough.

The heritage assessment suggests the aesthetic value is low - medium, stating "*The aesthetic value is low. Although designed by Henry Lord, it is a very simple building, with many of the other buildings having more merit. The only aesthetic merit here being the entrance in the centre of the southern face, along with the terracotta ridge tiles*".

Whilst the building is of a simple plan form dictated by its original use as a purpose built hospital it is considered to still have some architectural merit.

The heritage assessment suggests the communal value is low and states, "*The communal value is low. The building was converted to a nursing home in the late 20th century before being sold off in the early 21st century. The site is not generally accessible to the public*".

The LPA considers the communal value is not low because the building was converted in the late 20th century or that it is not generally accessible to the public. There may be people who have associations with the building either directly or indirectly through relatives who worked at or who were cared for at the building when in use as a home or hospital and as such the communal and associative value should be considered to be low to medium. The buildings on site do possess a group heritage value and demolition of any part of this group would impact on its setting and cause harm to its significance. The proposed dwellings that would replace the demolished building would need to make a positive contribution to local character and distinctiveness as required by paragraph 197(c) of the NPPF.

It is considered the proposed dwellings would not make a positive contribution to the

character and distinctiveness of the site. As a group of buildings, the site is compact and as such is more sensitive to interventions within its setting. The proposal would include new fencing and gates and hardstanding which would represent an incongruous feature within the setting of the buildings causing harm to their setting and therefore reducing the significance of the group as a whole.

This resubmission is an attempt to address the comments made by the Inspector in the appeal dismissal that the building subject of the demolition does not possess in itself sufficient heritage significance for its loss to have no more than a limited impact on the NDHA, and that if the two proposed dwellings had been of a higher design quality this would have mitigated the loss of the building.

This statement is flawed in heritage conservation terms as the loss of the building is a complete loss of its heritage significance and would cause a loss of significance of the NDHA site as a whole. Even if the two proposed dwellings' design were of exceptional quality it would still not mitigate against the total loss of a heritage asset causing a loss of significance of the site as a whole.

In conclusion the demolition of the Coach House would have a direct impact and cause a total loss of significance of the building and cause loss of significance to the site as a whole in its legibility and in possessing group heritage value. The proposed dwellings would also cause unacceptable impact to the setting of the group as a whole causing unacceptable loss of significance.

Demolition should be a last resort only if the building is completely beyond any economic viability. There is no compelling evidence to suggest the building is beyond such viability. The loss of the building would represent an unacceptable loss of heritage significance and the proposed dwellings would cause a further loss significance of the site as a whole. In heritage terms the proposal cannot be supported and as such, in heritage terms the proposed development would be contrary to the principles of the NPPF.

Design and impacts on the character of the site

Looking first at the existing site and specifically in terms of the design, layout and features, the site comprises a distinctive set of buildings - which includes 5 original buildings, known as The Coach House, The Wash House, Knowsley House, Pavillion Block and Gate House. These buildings are formed in the same distinctive architectural style. The conversion of the Wash House and Knowsley House retained a large part of the original features and interventions and alterations were relatively minimal.

The roof shapes of the original buildings comprising a sloping 'Dutch type' is particularly interesting and characteristic of these buildings, as are the tall, narrow, portrait style windows with vertical emphasis which add to the site's distinctive and quite unique character. The brick stacks in most of the buildings and tall chimneys add to the vertical emphasis and the main arched central door opening in The Coach House, a main feature, is reflective of the arched door opening on Knowsley House.

Notably, the Coach House has a very defined symmetrical appearance, with its central entrance, either side of which are equally proportioned window openings and chimney stacks which gives the buildings its character and legibility.

The main buildings are constructed of red brick with slate roofs, terracotta ridge tiles, red brick headers and terracotta cills.

As a collection of buildings of historic importance, the design of the buildings within this setting retains legibility and is of particular importance.

The proposed submission has moved directly to demolition and re-development. No substantive evidence has been presented to demonstrate that the building is structurally

unsound or that it would not be viable to renovate the existing building and bring the building back into use, including as a residential conversion, either in its current form or with sympathetic alterations.

The applicant merely states at 1.4 of the D&A, that 'our clients have concluded that the building does not readily lend itself to conversion for residential use either in terms of size, configuration, project viability or feasibility from a construction view.

No viability report has been submitted.

Conversely in the para 1.3, the applicant states The Coach House is a substantial building constructed from brick and slate.

The application proposes replacement with two detached dwellings, part of which would be on the footprint of the existing building.

The proposed dwellings would be of a similar design to each other, albeit House 1 would be the larger 4 bed property and House 2 would be a 3 bed property.

The proposed dwellings would be dormer type bungalows, appearing as single storey at the front but incorporating dormers to facilitate rooms in the roofspace.

Similar to the previous application which was refused, the roofs of the buildings would also be disproportionate with the roof depth approx 5m comparative to the ground floor elevation of 3m deep and as such this would result in a 'top heavy' and unbalanced appearance which would be totally out of context with the surrounding roof forms which are well proportioned in relation to the elevations. The height of the building would also appear to challenge that of the adjacent Wash House when viewed within the site and approaching the area from the access to the south.

It is noted that the design would incorporate a chimney stack to each dwelling. However, this seems merely a nod in an attempt to 'mimic' the features found on the existing Coach House and that of Knowsley House, as there appears to be little thought to how the stacks would integrate within the proposed design. As stated above the Coach House is characterised by its symmetrical and equally proportioned fenestration pattern and the chimneys are symmetrically positioned either side of the front entrance within the roof. On Knowsley House, the chimneys are similarly located within the roof slope. The proposal appears rather as an after-thought, with a single chimney located on one side of each property which would result in an unbalanced and irregular appearance.

Whilst brick headers and cills have been added to the window openings, the proportions and design of the windows would be too wide and would emphasise the horizontal facade and reinforce the unbalanced appearance of the proposed dwellings particularly set within the shallow elevation. Similarly the spacing in the roof and width of the dormers would add to the horizontal emphasis. Not only that, the proposed facades would compete against and contrast with the predominantly vertical emphasis of the fenestration of the original buildings.

In terms of the site layout, and whilst this may 'work' practically in terms of how the site is accessed and amount of outdoor amenity space provided, (see assessment of 'layout' below), providing two separate footprint areas in a different form and shape to the existing single oblong building would erode the legibility of the existing site and is considered to be over-development within the setting and context of this part of the site. Even the new single dwelling approved in 2022 (ref 68661) was considered to provide spatial mitigation and visual separation with regard to the integration of this development within the site. .

Chapter 12 - Achieving well-designed places of the NPPF states good design is a key aspect of sustainable development and that amongst other things, development should be sympathetic to local character and history, including the surrounding built environment and should establish or maintain a strong sense of place.

At para 130 the NPPF states that planning decisions should ensure that developments should add to the overall quality of the area, are visually attractive as a result of good

architecture, layout and appropriate and effective landscaping and be sympathetic to local character and history, including the surrounding built environment and landscape setting. At para 134, development that is not well designed should be refused.

This supports the approach in UDP Policy EN1 - Built Environment where the LPA seeks to protect, preserve and enhance the character, appearance and amenity of the Borough's built environment. Policy EN1/1 - Visual Amenity goes on to state that the wider consideration of the effect of visual amenity is necessary in sensitive areas to ensure developments are not inappropriate by reason of their siting, materials or design.

Given the above assessment it is therefore considered that the proposed development would be inappropriate development in terms of the scale, design, appearance and overall character of the development to provide the two dwellings proposed. Regardless of the Green Belt assessment above, it is considered that harm would be caused to the character of the green belt and more so harm caused to the importance and historic value of the NDHA and consequently would not accord with Policy EN1 of the UDP which seeks to protect, preserve and enhance the character of the Borough.

The proposed development would therefore be contrary to UDP Policies and the principles of the NPPF.

Layout

The proposed layout is the same submitted for the previous application.

The proposed dwellings would be located on part of the footprint of the existing building but set slightly further back into the site. The dwellings would be located adjacent to each other and would be broadly set along the same building line as the Wash House to the west.

In front of the properties would be a driveway which would extend circa 37m and 8m wide along the full frontage of both properties with split driveways to provide an individual access to each property. This would result in the removal of all or most of the grassed area between the proposed dwellings and the main nursing home building to the south.

Excessive hardstanding areas should be kept to a minimum in the Green Belt as harm can be caused to openness, setting and character of the sensitive area. Even though it is set internally within the site, just because something 'cannot be seen' it does not necessarily imply there would be no harm caused to the character of the Green Belt.

The proposed plan shows that more hardstanding would be provided than is needed for the development which the LPA believe could be significantly reduced, especially if the dwellings were arranged differently within the plot or the scale of development was reduced. Furthermore, the erection of timber fencing up to 2m in height is considered to be overly urbanising within this rural location.

That said, the Inspector disagreed with the LPA in this respect and in the appeal decision noted that details of materials suitable to the rural location and the gassing up of areas of the site could be secured by conditions, and therefore concluded this element as acceptable.

Behind the dwellings is a tarmaced strip of land and a low retaining wall beyond which the land is at a slightly higher level and there are TPO trees along the northern boundary. It is proposed to move the wall back towards the northern boundary just in front of the tree canopies to provide approx 9m of garden to serve both dwellings. The TPO trees would remain. It is therefore considered there would be adequate amenity space to serve the proposed dwellings.

In terms of how the layout would work in serving the scale of development proposed, and given the Inspector's view that the layout would not harm the openness of the Green Belt, it is considered that the proposed development would be acceptable and comply with H2/1, H2/2, EN1/2, OL1/2 and SPD 8.

That said and as discussed above, in terms of the layout of the scheme from a heritage perspective and heritage value of the site in terms of the design and scale and the replacement of a single oblong block with two detached dwellings, the proposed layout is considered harmful to the heritage value and the existing legibility of the site.

Impact on residential amenity

The nearest properties outside the site would be the cottages approx 200m away to the south and as such it is considered there would not be any amenity issues to these occupiers.

With regards to any impacts on residential amenity within the site, the nearest buildings which have an extant permission for dwellings are those to the south of the plot, Knowsley House and The Haven, and to the west is the Wash House which is occupied.

A 13m separation is generally sought between a ground floor habitable room window and 2 storey blank gable and 6.5m between a habitable room window and blank wall. Whilst not cited in SPD6, national advice is that circa 20m should be achieved between directly facing habitable room windows.

There would be a distance of 21m from the front elevation of House 1 which would directly face Knowsley house and as such aspect standards would be satisfied.

House 2 would directly face the rear elevation of The Haven which has principal habitable room windows in the rear elevation at ground and first floor. At the ground floor, there would be a 16m separation between the two properties. In terms of the ground floor relationships, the sites would be separated by a boundary wall which would run along the back garden of The Haven and as such it is considered this relationship would be acceptable and not harm the amenity of occupiers of either property. However, at the first floor, there would be a velux window to a habitable room in House 2. This window would be 0.8m from floor level extending up to 1.8m and as such there would be overlooking to the 1st floor windows of The Haven. It is therefore considered that the proposed development would have a harmful impact on the privacy of occupiers of the Haven.

To the Wash House there would be a distance of 7.3m from the side elevation of House 1. There are habitable room windows on the side elevation of the Wash House but these could be considered secondary. In any event, there would be no windows on the side elevation of House 1 and as such it is considered impacts on the privacy of the Wash House would not be significant.

That said, House 1 would be closer to this neighbour than the existing by 5m and with the increase in height of 0.4m, 'the top heavy' roof design to House 1, the proximity to the Wash House is considered to result in an overbearing relationship to this neighbour and as such would be harmful to their residential amenity.

As such, the proposed development is considered to have a detrimental impact on both The Haven and The Wash House and would be contrary to H2/1, EN1/2 and SPD6.

Highways

Parking - For a 3 and 4 bed property, SPD11 would advise a maximum of 3 spaces for each property should be provided. The proposed layout shows there would be parking for 2 cars but it would appear that there would be scope for parking in front of the site and as the site is self contained, there would be no impacts on the wider road network.

Access - The existing access to the site is from the top of Ainsworth Road and comprises an unadopted single lane which is well maintained and surfaced. This is the only access into the site and is more than 500m in length.

The proposed property is located in such a position that GMFRS may not be able to meet its target response time when responding to an incident. Where access deficiencies exist the most appropriate mitigating measure would be to ensure a second access into the site. If this is not achievable then GMFRS would recommend the installation of domestic sprinklers, but this would only allow for the length of the single access road to be extended to 500m. The location of this site is beyond this limit and would usually be deemed inadequate by the Fire service.

The Fire service have been consulted but not responded to this application. On the previously refused application, the Fire Service did respond as follows -

In this case, however, the fact that this application is for two properties which will be occupied as single family units within a small development area has been taken into consideration.

Ultimately the decision to approve or deny the application lies with Bury Planning Department, but GMFRS makes the following recommendations if approval is granted:

1. The properties are fitted with residential sprinklers, installed to BS9251 standard (or an equivalent), or misting system installed to BS8458:2015 standard (or an equivalent). This is highly recommended to ensure the fire is controlled for a period of time or extinguished.
2. The properties are fitted with a comprehensive fire detection and alarm system. These measures will provide early warning for occupants in the event of fire and provide increased fire protection to reduce the risk to life and to allow occupants to evacuate safely, whilst also allowing extra time for GMFRS appliances to access the site.
3. The occupants provide confirmation to Bury Planning Department and GMFRS that they acknowledge the location of the proposed property could significantly impact on GMFRS attendance in an emergency. (This may need to be divulged when agreeing insurance for the property)
4. The risks identified are disclosed to any new buyer of the property to ensure they are also aware of the access deficiencies.

In addition, the above proposal should meet the recognised Approved Document B requirements for Fire Service access:

- Vehicular access for a fire appliance to within 45m of all points within the dwellings
- The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes
- If the access road is more than 20m long a turning circle, hammerhead, or other turning point for fire appliances will be required
- There should be a suitable fire hydrant within 165m of the furthest dwelling

In addition, GMF&RS advise the proposal should meet the recognised Approved Document requirements for Fire Service access:

- Vehicular access for a fire appliance to within 45m of all points within the dwellings
- The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes
- If the access road is more than 20m long a turning circle, hammerhead, or other turning point for fire appliances will be required
- There should be a suitable fire hydrant within 165m of the furthest dwelling.

As the Fire Service have not responded to the current application, the issue of fire safety for the proposed development cannot be definitively concluded at this time, and would be to address should an application come forward in the future.

Ecology

Summary

Bats were identified as roosting in the building.

Bats

A valid bat report has been provided. As previously this assessed the building as low risk and one emergence survey carried out. However, unlike in 2021 one bat emerged demonstrating the building is used as a roost. Further surveys were commissioned, with a second survey recording 3 bats roosting but the third survey identifying no bats roosting. The species recorded on each occasion was common pipistrelle. It can therefore be concluded that the building proposed for demolition is utilised as an occasional day roost for this species. GMEU have no reason to doubt the findings of the report.

Given the species present (the most common bat species) and the low numbers, GMEU are satisfied that mitigation can be achieved on-site and the conservation status of this species maintained in the locality. GMEU therefore see no reason why a derogation from the Habitats Regulation can not occur and are satisfied that Natural England will agree and a license will be issued. GMEU therefore recommend that as part of any permission a condition is applied.

Note the design and access statement inaccurately states no bats were present.

Nesting Birds

No mention is made of birds nesting on the building and the site appears to lack trees or shrubs. A barn owl was recorded flying over the building but there is no suitable nesting habitat associated with this building for this species. GMEU are therefore satisfied that the risks are low and would recommend an informative.

Contributing to and Enhancing the Natural Environment

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The habitats on site appear to be of low ecological value, with minimal species interest. The proposed layout indicates a similar percentage of low value habitat and building with no impact to the boundary trees. No soft landscaping is shown in the layout proposal. GMEU are however satisfied that mitigation and enhancement can be achieved on the site through soft landscaping, bird and bat boxes. Whilst the latter will now in part be determined by Natural England, GMEU is satisfied that a condition would suffice.

Air quality

The site is not located within an Air Quality Management Area. Due to the scale of the development it is considered very unlikely that the development would create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the EPUK Guidance, an air quality assessment will not be required.

Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, and the requirements of the new building regulations (The Building Regulations 2010, Approved Document S, Infrastructure for the charging of electric vehicles), a condition would be recommended to be placed on any planning permission granted for the provision of an electric vehicle (EV) charging point.