Planning Applications Report

Planning Committee 3RD February 2022



Bolton Council has approved a Guide to Good Practice for Members and Officers Involved in the Planning Process. Appendix 1 of the Guide sets down guidance on what should be included in Officer Reports to Committee on planning applications. This Report is written in accordance with that guidance. Copies of the Guide to Good Practice are available at www.bolton.gov.uk

Bolton Council also has a Statement of Community Involvement. As part of this statement, neighbour notification letters will have been sent to all owners and occupiers whose premises adjoin the site of these applications. In residential areas, or in areas where there are dwellings in the vicinity of these sites, letters will also have been sent to all owners and occupiers of residential land or premises, which directly overlook a proposed development. Copies of the Statement of Community Involvement are available at www.bolton.gov.uk

The plans in the report are for location only and are not to scale. The application site will generally be in the centre of the plan edged with a bold line.

The following abbreviations are used within this report: -

CS	The adopted Core Strategy 2011
AP	The adopted Allocations Plan 2014
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guidance

PCPN A Bolton Council Planning Control Policy Note

PPG Department of Communities and Local Government Planning Policy Guidance

Note

MPG Department of Communities and Local Government Minerals Planning Guidance

Note

SPG Bolton Council Supplementary Planning Guidance
SPD Bolton Council Supplementary Planning Document

PPS Department of Communities and Local Government Planning Policy Statement

TPO Tree Preservation Order

EA Environment Agency

SBI Site of Biological Importance

SSSI Site of Special Scientific Interest

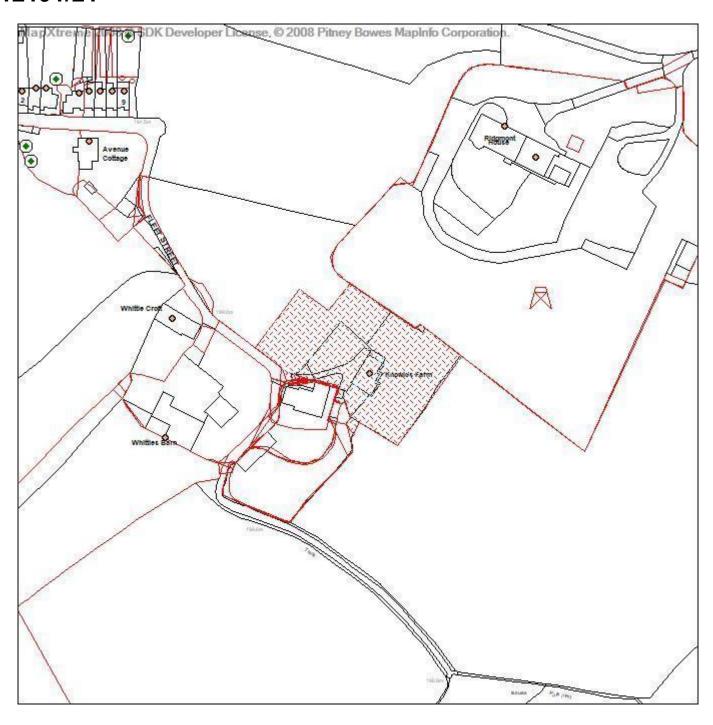
GMEU The Greater Manchester Ecology Unit

The background documents for this Report are the respective planning application documents

www.bolton.gov.uk/planapps

which can be found at:-

Application number 12191/21



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Date of Meeting: 03/02/2022

Application Reference: 12191/21

Type of Application: Full Planning Application

Registration Date: 13/09/2021 Decision Due By: 07/11/2021 Responsible Jackie Whelan

Officer:

Location: KNOWLES FARM, FLEET STREET, HORWICH, BOLTON, BL6 6BB

Proposal: DEMOLITION OF EXISTING DWELLING AND ERECTION OF 1no.

RESIDENTIAL DWELLING.

Ward: Horwich North East

Applicant: Mr D Walsh

Agent: Neil Pike Architects

Officers Report

Recommendation: Refuse

Executive Summary

- * This application has been requested to be considered by Planning Committee by Cllr. Peter Wright and seeks the demolition of an early eighteenth century stone built farmhouse and its replacement with a 3 storey 5 bedroom house, with roof and basement accommodation, infinity pool, sunken walled garden and new access.
- * The existing dwelling dating circa 1670-1700 is considered to be one of the oldest surviving farmhouses in the area, which also falls within the Wallsuches conservation area and its loss would amount to less than substantial harm to heritage significance. The harm is considered to be high and is not outweighed by public benefits contrary to the National Planning Policy Framework (paragraph 202) and policy CG3 of the Core Strategy which seeks to conserve heritage assets and heritage areas.
- * The proposed new dwelling is materially larger than the existing dwelling, its design, massing and ancillary built structures proposed would appear discordant in the context of the small cluster of farm buildings and would fail to conserve the character of the Wallsuches Conservation Area.
- * The proposed development would be materially larger than the existing dwelling and would impact on the openness of the Green Belt contrary to the National Planning Policy Framework and Allocations Plan Policy CG7AP.
- * The proposed development would result in the loss of a number of protected trees, and a biodiversity net gain has not been demonstrated.
- * Insufficient information has also been submitted to minimise risk from contamination.
- * Members are therefore recommended to refuse this application, for the reasons cited.

Proposal

1. Permission is sought for the demolition of the existing dwelling and the erection of replacement 3 storey 5 bedroom dwelling, with lower ground basement accommodation, infinity pool to north side, and sunken walled garden. It is also proposed to fell 24 trees and some clusters of shrubs

- and bushes. A new access to the dwelling would be constructed from the track that passes past the adjacent Knowles Barn, which will require part demolition of a stone boundary wall.
- 2. The new dwelling measures approximately 16m by 14.4m with a steeply pitched roof and dormers to first and second floors. A projecting balcony is proposed on the south elevation. The dwelling would be constructed in natural stone with a slate roof. The basement is larger than the above ground footprint and would also include a swimming pool and gym.
- 3. The siting of the dwelling has been amended slightly to limit impact on trees.

Site Characteristics

- 4. The existing two storey stone farmhouse dates from the seventeenth century with a gabled wing to the south side which is circa 1900. The farmhouse is a two unit plan, whitewashed to the front elevation, with a mullioned window to ground floor with hooded lintel over, and altered timber windows to first floors and rear. It has a spacious front garden and gated access off a track from Fleet Street which runs adjacent to Knowles Barn.
- 5. The site is bounded by a number of trees and open land. The trees are afforded protection as they are sited within a conservation area. The building is currently empty and in a poor condition. The site lies amongst a small cluster of farm buildings accessed off a track from Fleet Street, Horwich and south of Ridgemont House (Grade II Listed) and Park.
- 6. The site lies within the Wallsuches Conservation Area and is within the Green Belt.

Policy

7. Development plan policies

- Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA1 Horwich and Blackrod
- * Allocations Plan Policy CG7AP Green Belt

8. Other material planning considerations

- National Planning Policy Framework (NPPF): 2. Achieving sustainable development; 4. Decision-making; 12. Achieving well-designed places; 13. Protecting Green Belt. 15. Conserving and enhancing the natural environment; 16. Conserving and enhancing the historic environment.
- Supplementary Planning Documents (SPDs): General Design Principles; Accessibility, Transport and Safety.
- * Wallsuches Conservation Area Appraisal.

Analysis

9. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of

other material considerations.

- 10. The main impacts of the proposal are:
- * impact on Character and Appearance of the Conservation Area.
- * impact on the Openness of the Green Belt
- * impact on Neighbouring Residential Amenity.
- * impact on Biodiversity
- * impact on Trees

Impact on Character and Appearance of the Conservation Area

- 11. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy CG3.4 states that the Council will conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings.
- 12. Policy OA1 refers specifically to developments in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment, especially the conservation areas at Horwich town centre, Horwich Loco Works and Wallsuches, and ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone.
- 13. Knowles Farmhouse is an early eighteenth century farmhouse of some historic and architectural significance by virtue of its age, which is closely associated with the adjacent barn which is currently being converted into a single dwelling. It is a modest house constructed in stone and slate which is nestled into the landscape. It is considered to make a positive contribution to the character of the conservation area and is historically significant by its age and association with an early cluster of farm buildings in the Wallsuches Conservation Area. It falls within the Ridgemont House and Park character area of the Wallsuches Conservation Area and is described as a, '...group of simple eighteenth and nineteenth century stone built houses, cottages and farm buildings grouped along Fleet Street to the south of the Park, together with Ridgemont House...'.
- 14. A structural report supporting the application identifies some significant structural issues with the property, and there is evidence to the rear where the building has been propped, and internal collapse of some of the internal floors. The supporting heritage statement also considers that the property in its current and altered state makes a negative contribution to the character of the Conservation Area. The applicants also claim it is not economically viable to restore. While it officers' view that the building has some structural issues which can be expected of properties of this age, there would be scope to restore parts of the historic building and extend in order to construct a viable new dwelling. This has been achieved in to a number of historic properties in the Borough including Wallsuches Bleachworks which was ruinous in parts prior to its restoration and conversion into dwellings and apartments.
- 15. The building although in a poor condition is considered to have historic charm and character also demonstrated by neighbour support for its retention. Its loss as one of the earliest historic buildings in the area is considered to represent less than substantial harm to the significance of the Conservation Area given the size of the Wallsuches Conservation Area, as well as fail to

preserve its special character. As such the farmhouse is not considered to have a negative contribution on the Conservation Area as set out in the Heritage Statement. The harm to significance is considered to be at the higher end, and when considered in combination with the loss of trees and impact on biodiversity, there would be a net loss of public benefits. This would thereby conflict with paragraph 202 of the NPPF which states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

16. The restoration the existing building would be the optimal option in line with the National Planning Policy Framework which requires great weight be afforded to the conservation of heritage assets. As the condition of the property has been demonstrated to be compromised in the supporting structural report, and in the event that restoration is unachievable, then any replacement building has to be assessed against the statutory duty to conserve or enhance the conservation area. The proposed replacement dwelling is significantly larger than the existing dwelling, amounting to approximately 70% increase in volume excluding the basement area. The design and massing presents a gabled frontage with double pitched roof spanning two storeys, balcony and projecting dormers to the side elevation. The design has sought to mimic a barn appearance, however the scale of the proposal, its design with projecting dormer features, extensive basement and ground works are considered to be discordant with the rural setting, and the simple style of rural historic buildings which form part of this section of the conservation area. The proposal would overall present a visually and discordant contrast with the adjacent barn, and rural dwellings. The proposed new access, formation of basement, outdoor pool and walled garden would also introduce a number of built features and hard surfaces at odds with the rural and landscape character of the conservation area. The proposal would thereby fail to conserve and enhance the significance of the heritage area as well as appear incompatible with the built character and landscape quality contrary to policies CG3 and OA1 of the Core Strategy.

<u>Impact on the Openness of the Green Belt.</u>

- 17. Policy CG7AP of Bolton's Allocations Plan states that the Council will not permit inappropriate development in the Green Belt. Inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt, and the erection of new buildings, with the exception of a number of circumstances.
- 18. Paragraph 147 of the NPPF makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. The paragraph however goes on to list a number of exceptions to this.
- 19. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. There is no definition of 'openness' in the NPPF, but it is commonly taken to mean the absence of built or otherwise urbanising development rather than being primarily about visual effects.
- 20. Of relevance to this application is the exception criterion no. 4 of Policy CG7AP and criterion (d) of NPPF paragraph 149. Paragraph 149(d) states an exception is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

- 21. The current dwelling has a volume of approximately 683 cubic metres; the new dwelling excluding the basement would be approximately 1190 cubic metres. The new dwelling would thereby have a volume in excess of 70% of the existing dwelling which is materially larger than the existing dwelling. A volumetric increase of 30% is usually the maximum normally acceptable for development in the Green Belt.
- 22. While the site is partially concealed from view it can be glimpsed from the track leading up from Fleet Street and also from adjacent footpaths across open land. The new dwelling would be seen as a very large building, surrounded by hardsurfaces and built structures. The proposal by virtue of it size, massing and associated built features would thereby have an urbanising effect and would conflict with the purposes of maintaining the openness of the Green Belt, contrary to the above policies. There are not considered to be any special circumstances to be relevant, as such the proposal would conflict with policy CG7AP of the Allocations Plan and section 13 the National Planning Policy Framework.

Impact on Neighbouring Residential Amenity

23. Policy CG4 seeks to protect the privacy and amenity of surrounding occupiers. The proposed new dwelling would be sited in a similar position to the existing building which at an oblique angle and current tree screening has limited overlooking of the only adjacent dwelling Knowles Barn. As such there would be no harm to adjacent residential amenity.

Impact on Trees.

- 24. Policy CG1.1 of the Core Strategy states that the Council will safeguard and enhance the rural areas of the borough from development that would adversely affect its biodiversity including trees, woodland and hedgerows, geodiversity, landscape character, recreational and agricultural value.
- 25. Paragraph 131 of the NPPF states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. The paragraph advises that existing trees are retained wherever possible.
- 26. It is proposed to fell 24 trees and 13 groups of trees and shrubs as a result of the development. As the site lies within the Wallsuches Conservation Area the trees are afforded protection and are considered to contribute to its special character. Whilst a number of the trees have been identified as being low category C-U trees, some higher category trees would also be lost, and the Tree Officer considers there is ambiguity in the tree survey. The applicant proposes planting 54 new trees but these will take some time to mature, to reflect the landscape quality that is currently present. The excessive loss of trees and shrubs which are an important feature in the Conservation Area and the landscape character generally is considered to be harmful and unnecessary. The majority of loss is as result of the expansive basement, two swimming pools, walled garden and new access road all elements which could scaled down to respect the landscape character of the site.
- 27. The Tree Officer has objected to the proposals and comments:
 - "I would note that there still seems to be ambiguity in the Arboricultural Impact Assessment. Loss of trees section 2.4 refers to the loss of T1 Oak tree, T6 Holly tree (shown to be retained in Method Statement Schedule section 11.1 (2)) & T15 Oak tree (Cat A trees), which is then contradicted by section 7 (7.1) that notes "The proposals should have no direct impact on trees that are to remain. The trees proposed for removal are generally of low value 'u' and 'c' with one class b tree." This doesn't note any reference to the Cat A trees (T1, T6 & T15). He also notes that it is also not clear if the replacement planting satisfies the Biodiversity Net Gain requirements for this site."

28. The loss of existing trees within the site is objected to and it is considered that the proposed development would be contrary to Policies CG1.1 and CG3 of the Core Strategy.

Impact on Biodiversity

- 29. Policy CG1.1 of the Core Strategy states that the Council will safeguard and enhance the rural areas of the borough from development that would adversely affect its biodiversity including trees, woodland and hedgerows, geodiversity, landscape character, recreational and agricultural value.
- 30. Paragraph 174d) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 31. Both local and national planning policy concerning biodiversity require there to be enhancement and net gains for biodiversity. The Environment Act and Places for Everyone will eventually require (some time in 2023) a minimum biodiversity net gain of 10% for proposed development, but until that time there is no set percentage requirement, only a requirement for enhancement.
- 32. A Biodiversity enhancement scheme has been submitted and proposes a number of measures including hedgehog holes, bird boxes and native planting. The Greenspace Officer comments: Whilst the provision suggested within the Biodiversity Enhancement Scheme (December 2021) would be welcomed, the proposed loss of tree cover as illustrated on the Proposed Site Plan (PL K1017/01) of 8th July 2021, suggests this would not be adequate to compensate for the tree canopy loss and also to provide a net gain in biodiversity provision. The recommendation for a Small Sites Metric was made to help guide biodiversity planning and demonstrate adequate compensation and net gain. The present proposal should not be supported for this reason.
- 33. The bat survey submitted produced a negative result and none of the trees proposed to be felled had any features which would be likely to support roosting bats. Greater Manchester Ecology Unit were satisfied with the findings and recommended precautionary conditions and a Biodiversity enhancement scheme.
- 34. The proposals however cannot demonstrate a net gain in biodiversity and therefore conflict with Core Strategy Policy CG1.1.

Other Matters.

Contamination

- 35. Pollution Control officers are not in complete agreement with the findings of the submitted Preliminary Risk Assessment and commented:
- 36. 'The report states: the risk assessment findings are based on documentary sources of information alone; it is not clear if a site reconnaissance/site walkover was completed as part of old CLR11 and LCRM guideline? A small-scale Site Investigation (including appropriate laboratory testing of soil samples) in potential areas of concern (gardens) etc would be advised as a minimum, especially as a previous adjacent report at Knowles Barn found asbestos and elevated concentrations of heavy metals and PAHs. The site lies in an area where 1 to 3% of homes are at or above the UK radon action level (200 Bq/m3), it is recommended that either a Radon Assessment is undertaken or that appropriate Radon Mitigation Measures are included in any future dwelling. A pre-demolition asbestos survey is required. A number of conditions are recommended.'

37. In light of the above comments there is insufficient information at present to determine risk from contamination and as such the proposals cannot be supported. Policy CG4 states that development will only be permitted where land is made suitable for the proposed use.

Highways

38. The Highway Engineer raised no objections to the new access and has recommended conditions be attached

Conclusion

- 39. The demolition of the existing farmhouse would amount to less than substantial harm to the heritage significance of the Wallsuches Conservation Area which is not outweighed by public benefits contrary to paragraph 202 of the NPPF, and would fail to conserve the character of the heritage area contrary to Policy CG3.4.
- 40. The proposed new dwelling by virtue of its design, massing and ancillary structures would detract from the character of the surrounding area and fail to conserve the Wallsuches Conservation Area contrary to policies CG3 and OA1.
- 41. The dwelling would result in a materially larger building and would impact on the openness of the Green Belt contrary to Policy CG7AP of the Allocation Plan and section 13 of the NPPF.
- 42. The proposed development would result in the felling of 24 trees, and whilst this loss would in part be compensated for by replacement planting of trees and some biodiversity enhancement measures, a net gain in biodiversity enhancement has not been demonstrated and would thereby the development conflict with Policy CG1.1.
- 43. Insufficient information has been submitted to mitigate risk from contamination contrary to policy CG4 of the Core Strategy.
- 44. Members are thereby recommended to refuse this application.

Representation and Consultation Annex

Representations

Letters:- 9 letters of objection have been submitted and one letter of support. Their comments are summarised below:

- The existing farmhouse has a visual relationship with the adjacent barn and its loss would harm the character of the settlement.
- New dwelling lacks sympathy with the current setting.
- The scale of new dwelling is out of context and does not blend in with the area.
- Many people see the farmhouse from adjacent footpaths and appreciate it.
- Demolition of a historic building would be contrary to policy.
- New proposal is inappropriate in the setting.
- Expansive basement and extra structures are inappropriate in the context.
- New build looks like a leisure centre.
- Loss of oldest house in the area not acceptable.
- Demolition is unnecessary and should retain old structure.
- Fleet Street is a very narrow road which cannot accommodate construction vehicles for such a large development.
- The building is an old farmhouse constructed around 200 years ago. This particular building forms an important if not a significant part of the 'old village' of Horwich which grew up around the Wallsuches bleachworks from 1777 onwards. It has historical interest and significant heritage value and is located within the Wallsuches Conservation Area.
- Bolton Ramblers and Northern Footpaths Society concerned that development may affect footpath PROW HOR092 as insufficient information provided on footpaths.

One letter of support commented that replacement building would enhance the area.

Horwich Heritage objected to the proposals:

- 1. The building is an old farmhouse constructed approx. 200 years ago and forms an important part of the 'old village' of Horwich which grew up around the Wallsuches bleachworks from 1777 onwards. It is within the Wallsuches Conservation Area which requires that if any changes are proposed to the property they should be sympathetic to its history, design and construction. There is no evidence in the planning application that any of these aspects have been considered before a new build proposal has been drawn up.
- 2. The proposal is for a new detached property substantially larger than the original which is totally unsympathetic to its location and bears no resemblance to the original property.

The comments made are addressed in the main body of the report.

Horwich Town Council:- objected and recommended refusal as the scale is out of place and should take the area into consideration when creating the design. The building is grade 3 although its not offered protection. Applicant could utilise the building already present.

Elected Members:- Clir Peter Wright requested the application be considered at Committee for the following reasons:

- Knowles Farm is a very old building that has been allowed to get in to a dilapidated state and has been deemed structurally unsafe and dangerous, the inside of the building is uninhabitable and would need to rebuilt, the exterior walls have moved which will require extensive structural work to make safe, the old farm house was not built on foundations and any alterations to the cottage would need to take this in to consideration when adding more weight to the building.
- The build is beautiful historical building but whilst it was inhabited was allowed to be in a state of

- disrepair, eventually forcing the elderly owner out of his home for safety reasons. It will be nice to save the building, to do so would be cost prohibitive for the new owners.
- The stonework on the outer walls of the building has become damaged to the rendering covering, this has caused the stone work to crumble in parts.

Consultations

Advice was sought from the following consultees: Horwich Heritage; Horwich Town Council; Bolton Ramblers Association; Public Rights of Way Officer; Open Spaces Society; Peak and Northern Footpaths Society; Environmental Health; Greenspace; Highway Engineering; GMP; Drainage; Tree Officer; GMEU; Pollution Control; Economic Strategy; Strategic Development.

Planning History

None.

Recommendation: Refuse

Recommended Conditions and/or Reasons

- 1. The proposed demolition of the application building would lead to less than substantial harm to the significance of Wallsuches Conservation Area, however the public benefits of the proposed development do not outweigh this harm or the harm the proposed development would have to the character and appearance of the conservation area, contrary to Policy CG3 of Bolton's Core Strategy and paragraph 202 of the National Planning Policy Framework.
- 2. The proposed development by virtue of its size, siting, design and loss of trees will have a detrimental effect on the character and appearance of the area, contrary to Policies CG3 and OA1 of Bolton's Core Strategy and Supplementary Planning Document 'General Design Principles'.
- 3. The proposed development by virtue of its size represents inappropriate development within the Green Belt and the applicant has provided no very special circumstances to outweigh the harm that would be caused to the openness of the Green Belt, contrary to Policy CG7AP of Bolton's Allocations Plan and section 13 of the National Planning Policy Framework.
- 4. The proposed development would result in the unacceptable loss of trees from the site and fails to sufficiently safeguard and enhance biodiversity, contrary to Policy CG1.1 of Bolton's Core Strategy.
- 5. Insufficient information has been provided by the applicant with regard to land contamination to enable the proposal to be properly judged against Policy CG4.3 of Bolton's Core Strategy.

