

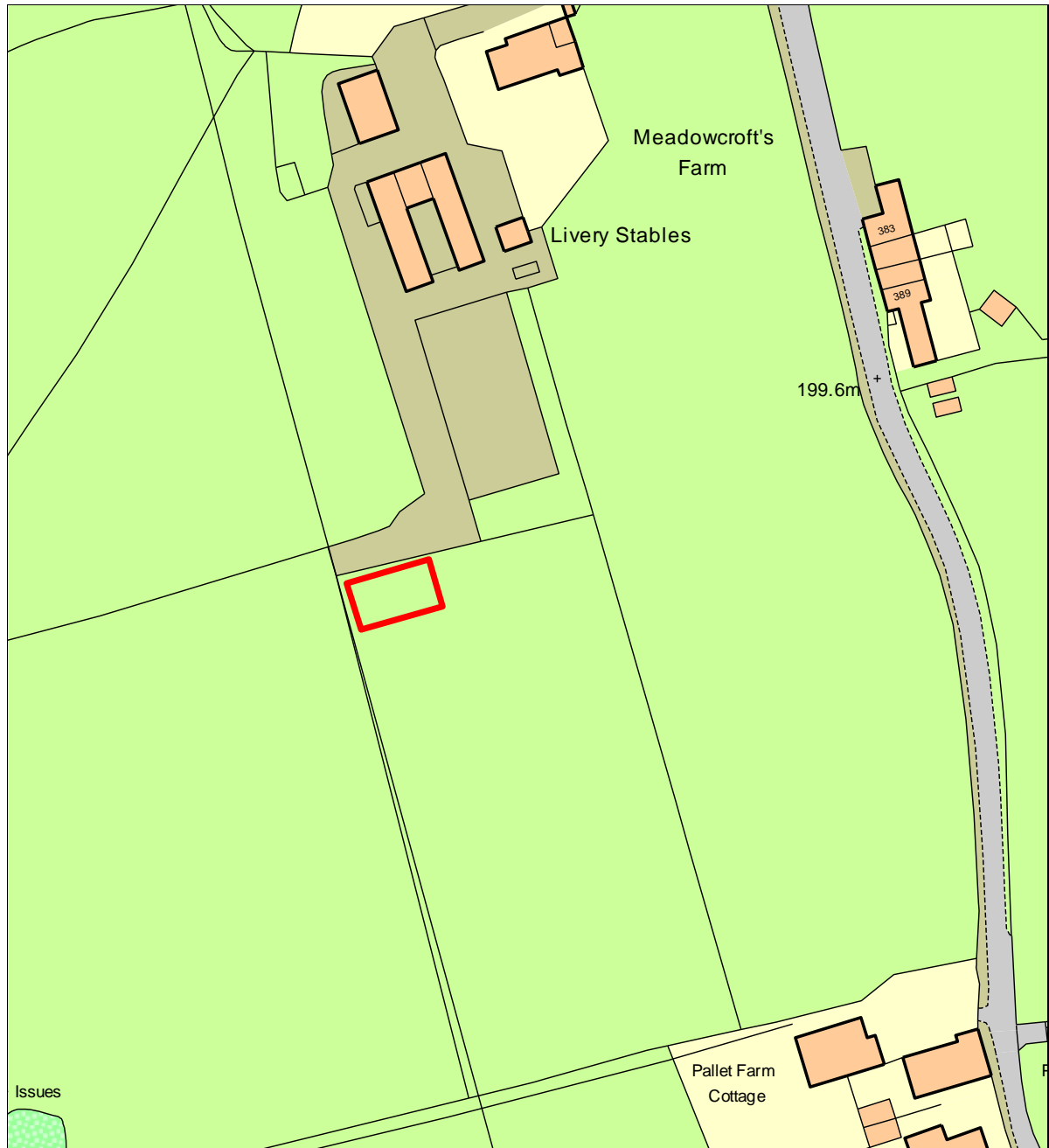
**Proposed development: Full Planning Application (Retrospective) for Alterations to an existing agricultural building approved under 10/14/0357**

**Site address: Meadowcroft Farm, Bury Road, Edgworth, Bolton, BL7 0BS**

**Applicant: Mr Simon Bullen**

**Ward: North Turton With Tockholes**

<b>Councillor Colin Rigby</b>	
<b>Councillor Jean Rigby</b>	



## 1.0 Details of Application

1.1 Members will recall they passed a resolution at the 19th November 2015 meeting to refuse this planning application, after voting to overturn the Officer's recommendation to approve the proposal. The application was deferred to enable the drafting of reasons for refusal and the reasons for the decision as per section 2 below. The original report is appended for information.

## 2.0 Resolution to Refuse

2.1 Members expressed concerns with the part-retrospective application and cast doubt as to whether the proposal was intended and/or reasonably necessary for the purpose of agriculture in its current format. Particular concern related to the domestic form of the building relative to the more utilitarian structure approved within planning approval 10/14/0357

2.2 The differences between the current proposal and extant planning approval are as follows;

- An increase of 0.65m on the overall height of the eastern gable
- An increase of 3.35m on the overall height of the western gable
- The provision of an under croft store accessed via a new opening on the western gable.
- Full extent of facades constructed with stonework rather than dwarf stone wall and box-profile cladding to upper walling.
- Roof to be covered with natural slate rather fibre cement sheeting.

The following construction elements were also identified as being an indication that the building was not necessary to serve an agriculture function;

- The use of a cavity wall construction
- The installation of high specification timber roof trusses

2.3 The above matters led Members to view the building as not being in accordance with the approved details and in its current format not reasonably required for the purpose of agriculture. If Members elect to proceed on that basis the following reason for refusal is suggested;

*The form and appearance of the proposed building is considered to be inappropriate for its intended agricultural use and it is, therefore, not considered to be reasonably necessary for the purpose of agriculture. Consequently the proposal is deemed to be inappropriate development within the green belt, contrary to the provisions of Paragraphs 87, 88 and 89 of the National Planning Framework and Policy 5 of the Blackburn with Darwen Local Plan Part 2: Site Allocations and Development Management Policies*

ORIGINAL REPORT ISSUED TO 19<sup>TH</sup> NOVEMBER 2015 MEETING OF  
PLANNING & HIGHWAYS COMMITTEE.

- 1.1 This application is before the Committee for consideration due to the receipt of four letters of objection from Members of the public.
  - 1.2 The application relates to a partially constructed agricultural building at Meadowcroft Farm, Edgworth. The site forms part of the land holdings of the farm and lies approximately 55m to the south of the existing livery stable block and other buildings, which include residential properties and a B&B. The parcel of land falls from the elevated position of Bury Road on its eastern periphery, to a section of woodland on its western edge. The site and surrounding area are designated as green belt.
  - 1.3 A previous planning approval (10/14/0357) allowed for the erection of a single storey agricultural building on the site of the current application. Subsequently the applicant had constructed a larger building, including an undercroft store, which also differed in appearance to the previously approved building. This application, therefore, seeks approval for the part-retrospective building in order to regularise the current position.
  - 1.4 The proposed building has a footprint measuring 18.28m x 9.14m. On the western gable the height to eaves is 6.89m and to ridge 8.79m. The lower section of the west elevation includes an area of undercroft storage that is to be secured with a 'wooden bar door'. The eastern gable is 4m to eaves and 5.9m to ridge. Both gables include a high level circular window. The principle elevation is the northern one, with three large openings, one of which is to be secured with a wooden barn door and the other two with internally mounted roller shutters. The building, in so far as its current state of construction, has been built to an exceptionally high standard for an agricultural use. It includes the use of coursed stone walling, with inner blockwork providing cavity wall construction. The structure also includes high specification timber roof trusses that are not commonly found on modern agricultural buildings.
  - 1.5 The applicant has indicated that the proposed building is to be used in conjunction with his existing and expanding agricultural business, which operates from the land holding. The building is specifically intended to provide storage of agricultural machinery and animal feed. In addition the building will also be used to provide accommodation for livestock; during winter months, during calving and lambing seasons, or when required due to illness.
- 2.0 Development Plan
- 2.1 The application site is identified within the development plan as being positioned within the green belt. The following policies are of particular relevance to the determination of this planning application;

RA3: Development within the Green Belt  
LNC1: Landscape Character  
LNC3: The West Pennine Moors  
HD1: Visual Appearance of Development: General Considerations  
T9: New Developments: Transport Considerations

2.2 Due consideration must also be given to the requirements of the National planning Policy Framework

### 3.0 Planning History

3.1 10/14/0357 – Agricultural building (Approved August 2014)

3.2 10/14/0929 – Discharge of conditions related to 10/14/0357 (Approved October 2014)

3.3 In addition there are a series of other planning application linked to the wider developments at Meadowcroft Farm. None are considered to be relevant to the determination of this current application.

### 4.0 Consultations

4.1 Public Consultation: One neighbouring property has been individually consulted by letter and a site notice has been erected. 4 letters of objection and 10 letters of support have been received (see section 7 for summary).

4.2 North Turton Parish Council: Initial comments provided at their September 2015 meeting;

“The Parish Council has no objection to the alteration of the materials used, but objects to the increase in the height of the building, on the grounds that it is excessive for an agricultural building and is detrimental to the visual amenity of the area”

Following the receipt of the supplementary information and amended site plan the Parish Council was re-consulted and provided the following comments at their November 2015 meeting;

“The Parish Council has no objections to the proposed hard standing”

### 5.0 Issues/Comments

5.1 The principle issues for Members to consider when determining this application are;

- Whether the proposed building can be justified in the green belt
- Is the appearance of the new building satisfactory and will it unacceptably affect the openness and character of the green belt?

- 5.2 The site and surrounding area is identified as green belt. The NPPF upholds the longstanding position that inappropriate development is by definition harmful to the green belt and should not be approved except in exceptional circumstances. Paragraph 89 of the NPPF states that new buildings within the green belt are inappropriate development, however, exceptions to this stance include buildings for agriculture or forestry uses.
- 5.3 The historical position on the site is that the presence of a building, with identical footprint, was approved within planning application 10/14/0357. The decision to support the construction of an agricultural building was taken despite the objections of the Land Agency who had advised “the proposed scale of the agricultural activity presently being undertaken at the site and the provision of livestock accommodation, in addition to the stable block, may compromise the sustainability of the land available at the site”. It was previously determined to approve the new building as there was too much of a focus on the lack of ongoing agricultural functions at the site within the Land Agency’s objection. The point being that proposed agricultural activity is just as valid a justification for a new building as activity that can be demonstrated to be ongoing. Furthermore, additional weight to support the previous application was provided by agreement that the agricultural unit had no ability to store feed, or store farm vehicles and machinery.
- 5.4 In determining the current proposal, Members should be mindful of the above assessment and the fact that an agricultural building of similar size has been previously supported. Given the extant permission and current proposal share identical footprints; the main focus should be on whether the increased size of the building can be warranted within the controls provided by the NPPF and Local Plan policies. To clarify; the difference relate to the provision of additional ‘undercroft’ storage (circa 50 sq m) and the increases in the overall height of the building; an increase of 0.65m to the east gable and 3.35m to the west gable.
- 5.5 It is submitted to Members that in terms of the agricultural justification for the proposed building it would be difficult to substantiate that the changes outlined above renders the proposal unacceptable given the ‘agricultural need’ argument agreed upon within the 10/14/0357 application. The applicant has sought to provide supporting evidence of agricultural need via the submission of evidence of livestock purchases, clarification of the machinery storage requirements (tractor, mower, trailer, chain harrows, roller, muck spreader) and discussion on the feed storage based on silage produced on the land holding.
- 5.6 Notwithstanding the above position; several objections have been received that dispute the entire basis for agricultural need of the building. Those views are set out in section 7 of this report. The most pertinent issues can be summarised here as;
- The applicant is seeking to mislead the authority in terms of agricultural need and is actually intending to construct a building that

can be converted to a residential dwelling at some future point. The construction methods used are cited as evidence of this fact.

- The applicant's representations in terms of cattle farming and hay production in the last year are not accurate.
- The applicant's does not have all the suggested machinery/vehicles previously identified and actually moves these items on to the site at the time of planning applications/site visits.
- The building design does not lend itself to the intended agricultural function; issues such as airflow and lack of run-off for effluent from cubicles.
- The land holdings are not large enough to substantiate the proposed building

5.7 The objectors points related to the over engineering of the building are persuasive. It must be recognised that it is far from common agricultural practice to design a building of such a high specification for the purposes outlined. Notwithstanding this point, it would appear unreasonable to refuse an application given that it has been built to too high a specification. Similarly, members are advised that the concerns regarding the manipulation of the planning department must be balanced against the applicant's own submission that argues to the contrary. To some degree this point becomes irrelevant, though. As reported previously, the need of an agricultural building can be on a prospective basis, ie related to future agricultural need.

5.8 If Members are minded to agree the agricultural need, then consideration must be given as to the proposed appearance of the building and its impact upon the openness and character of the green belt within which it is set. Policies RA3, HD1, LNC1 and LNC5 provide the principle policy assessments. Policy RA3, at part 2, advises that development that is acceptable in principle will only be permitted where;

*"the proposal is appropriate in terms of its siting, scale, materials, design and landscaping, and does not detract from the landscape character of the area (Policy LNC1) or unacceptably affect any nature conservation interests"*

5.9 The building is sited within an open field, though close to the field margin. The site slopes considerably from east to west. The building is outside of the existing build line of units within the Meadowcroft Farm complex, though in close proximity to the existing ménage area. It is constructed with natural stone walls, with quoin detailing to the corners and openings. The openings will be closed by the addition of a mix of roller shutters and 'traditional' wooden barn doors. A high level circular window has been added to the top of both the east and west gables. It is intended that the building will have a grey slate covered pitched roof.

5.10 The general form of the building is identified as being vernacular in appearance. In isolation its general design and materials would not form obtrusive elements in the locality and can be considered to meet those

requirements set out in policy RA3. Furthermore, the revised site plan received 9th October significantly reduces the extent of hard standing associated with the development to an area of 17.5m x 6.5m adjacent to the western gable and serving the new undercroft.

- 5.11 The main consideration, however, is in relation to the addition to the overall height and the resulting size of the west gable. Members are reminded that the buildings height has been increased from the extant permission (10/14/0357) by 0.65m on the eastern gable and 3.35m on the western gable – these differing figures being related to the sloping nature of the site and the provision of an ‘undercroft’ store.
- 5.12 Given the above factors the building, when viewed from Bury Road, will not be far removed from that previously considered and removed. The western gable, however, is markedly different and when viewed from the open fields to the west, and beyond, would form a larger mass than the previously approved scheme. The objectors contend that the effect of this is to harm the openness and character of the green belt. The opposing position would be that the nature of the sloping landscape means that the majority of the building is set against the back drop of the field, which helps to mitigate its impact upon openness and character.
- 5.13 On balance, it is considered that the latter position can be accepted and accordingly the proposal can be viewed as being consistent with the requirements of Policy RA3 in that the design of the building is acceptable and its siting will not be injurious to the openness and character of the green belt.
- 5.14 Members are advised that it will be necessary to impose conditions to control those elements of the building that are yet to be constructed, as well as help to mitigate the overall impact of the development. The conditions would relate to the appearance of; the new barn doors/roller shutters and the roof covering. In addition a section drawing detailing land levels of the hard standing on the northern side of the building and a landscaping scheme are also advisable. Given the part-retrospective nature of the development it will be necessary to impose a time limit within all the conditions

## 6.0 Recommendation

- 6.1 APPROVAL subject to the following conditions;
- Roofing materials to be submitted within 3 months of the date of this permission
  - Details of appearance and colour of all new barn doors and roller shutters to be submitted within 3 months of the date of this permission
  - Landscaping scheme to be submitted within 3 months of the date of this permission and implemented in first available planting season

- Section drawing detailing proposed hard standing levels and construction on the north side of the building to be submitted within 3 months of the date of this permission
- Approval restricted to the use applied for and for no other use

## 7.0 Summary of Representations

A J Paton, Bonnington Ho, Turton 14 October 2015

I wish to object to the planning application numbered 10/14/0357 at Meadowcroft, Bury Rd. Edgworth under the description of "Alterations to an existing agricultural building". The application represents inappropriate development within the Greenbelt. It does not represent sustainable development as required by the NPPF. According to the NPPF there are 3 dimensions to sustainable development: economic, social and environmental, this development accomplishes none of these things, once the veil of agricultural need has been removed from the equation, it is simply an opportunistic development geared toward a future residential conversion for the sole profit of the applicant. There is no indication that the development will provide any jobs in the locality and will certainly not provide any social or environmental benefits. It does not comply with the Local Development plan or provide any support toward creating a prosperous Rural Economy save for the finances of the applicant.

It constitutes a loss of visual amenity from the surrounding valley and particularly with regard to the footpath between "Walkers Rd and Bury Rd.

The NPPF states that the government attaches great importance to Green Belts. The fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open.

Green Belt policy serves five purposes:

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.

As with previous Green Belt policy (PPG2), under the NPPF, inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. "Very special circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. Its primary purpose is to therefore to prevent the spread of urban sprawl and the large conurbations from merging into one another; this is principally concerned with housing and business units. It is there to prevent encroachment on the Greenbelt.



The applicant is clearly trying to bring this development within the scope of Agricultural Development in order to overcome the obstacles he would otherwise encounter. However he still needs to demonstrate that his Agricultural need is genuine in order to prove that he has “very special circumstances” in order for a development to be approved. However the systematic attempts to prove he already had an ongoing agricultural enterprise have been blown out of the water by the applicants own submission documents. The fact he only obtained a holding number from the 21<sup>st</sup> Sept this year clearly means that all the information regarding previous cattle purchases etc must have been fraudulent. Without a holding number he could not be registered to keep cattle, register on movements, births deaths etc etc. So all the information submitted should be disregarded and the building permission he has obtained quashed as it is clearly based around fraudulent information. The agricultural needs that contribute “special circumstances” is a principal that should be guarded fiercely by all true farmers within the Greenbelt as without it many farm businesses would not be able to continue farming in the future or bring their buildings up to the standards that modern farming demands. To see a developer try and undermine these concessions for his own gain is something that should be stamped on immediately. The building is neither for the purposes of agriculture in the future or certainly not for the current needs of the applicant now, the previous permission made clear that the size then submitted was more than adequate. It is too large and dominant within the local landscape and clearly with mind to a future development opportunity as per the rest of the buildings at Meadowcroft. It currently resembles a little village on its own. The permission should be refused and the permission already obtained quashed.

---

C Lamprey, 52 Turks Road, Radcliffe 14 October 2015

I wish to object to the application for planning permission. I regularly walk the footpath alongside Meadowcroft Farm and have been watching the progression of the 'House ' (This is the only way that you can describe it) that has been built.

The building ,as you walk up the footpath towards Bury Rd, is a very dominant and overbearing feature on the landscape and of great distance away from the line of the other properties on Meadowcroft Farm.

From the footpath view it is very high and the overall footprint with the roadway around it,the building seems very inappropriate for the amount of land that goes with the small holding .

---

Mrs S Paton, Birches Farm, Turton 12 October 2015

I am writing to object formally to the planning application number 10/14/0357 for the “Alterations to an existing agricultural building” at Meadowcroft.

I do not normally object to planning applications however in this instance I am infuriated that the applicant is seeking to utilise agricultural justification to pursue development that would otherwise not be permitted. It seems that from the outset the applicant has sought to hoodwink the planning department into believing he has an

agricultural need for a building on his property. He did not have any justification for the building that was actually previously approved but not content with that he has completely ignored all the previous plans submitted and conditions agreed and built whatever he wanted to build. In fact the building there presently was substantially constructed even before the planning department signed off the conditions of the approved application. He plainly has no agricultural need for a building of the present size and structure and no regard for the planning process.

It appears that the information submitted throughout the process of both this and the previous application is nothing more than fantasy and designed to mislead and appease the planning department. The applicant should be refused permission for the present application and build the building to the size that was applied for previously, even though this was obtained through false pretences.

In the latest documentation submitted, the applicants agent states, in the letter labelled as additional supporting documents Our Ref: C3242/1/RM.am 05 August 2014, in response to Miss Tracy Jackson:-

**The applicant has, in recent years, begun farming the holding more efficiently and produced hay off the land. This hay has had to be sold due to the lack of undercover storage available.**

He goes on to say :-

**The applicant has recently purchased four in-calf cows ready to calve in autumn. He has also invested significantly in machinery so he is able to farm the land more efficiently.**

Both of these statements which were also used to justify the initial application for an agricultural building were misleading and incorrect. The applicant did not own the cows that were present on the holding last year at the time of Miss Jackson's visit and prior to his initial planning application or has ever owned any cattle up to the recent point in time where two Belted Galloway cattle have been now purchased. All this is well after the time he has claimed to be farming the land to justify the need for the building. In fact it is more than likely that the two very recently purchased cattle have been bought with a view to trying to justify what has already gone on, effectively trying to bolt the stable door. The reference to making hay is also factually incorrect and the fact he has grazed a substantial number of horses in a permanent livery with field access for the past few years means that he would have had to accomplish a feat akin to Jesus and the sharing of the bread and fishes for the 5000 if he were also to have taken a forage crop.

The applicant also raises the point that the livery was supposed to be attached to the B&B business in the planning application for that particular development. This fell by the wayside a long time ago and as mentioned, there was an independent permanent livery business with around 10 horses and a fully independent B&B business running up to this spring when all the horses were given notice to leave. This currently leaves all the stables unoccupied and would of course provide ample space for 2 Belted Galloway cattle and space to lamb the very small flock of sheep that have now also been purchased in order to provide cover for the applicants past statements to the planning department. Sheep that are lambing are only usually housed for a few days and need little space.

The agent in the additional information document dated 28<sup>th</sup> September 2015 states that he is informed that the applicant has purchased livestock at point 1.5, he then goes on to say that the previous cows have calved but have had to go to a neighbour for undercover protection. This is nothing more than a pure fabrication, the cows grazing the field were neither owned by the applicant or moved for protection, a simple glance at every other suckler herd in the local vicinity, some at considerably higher altitudes than Meadowcroft will show that the basis of any suckler herd is that cows calve in the spring so that they can graze outside all summer. The cows, as can actually be seen from the applicants own pictures were dairy cows and by the look of it, in calf to a dairy bull and have in fact been moved back to the animals owners property to be milked alongside the rest of his dairy herd. In fact there have been several different cows present this summer and they have all been moved on as they calved. Simply put the applicant has summer grazed some dairy cows that were in the dry period waiting to calve. This is the same situation as last year. In fact the applicant has only recently purchased any cows at all and these only after the case officer has questioned the information provided and post enforcement action being taken. No passport or movement records have been provided for any cattle prior to the recent involvement of the planning authority and the passports and purchase records that have been shown are just for the very recent 2 Belted galloways. The applicant should provide passports for the other cows present and these should show a movement on date. He should also be able to provide movement records for all cows both on and off the holding, this is a legal requirement for all keepers of cattle, failure to do so can lead to criminal prosecution. He should also be able to show passports and records for all the calves that have supposedly been born on the holding and the passports will show the date and the holding number of Meadowcroft.

The only passports provided are those of the 2 very recent cattle and do not answer the questions at all, the agricultural officers report clearly states that 4 in calf animals were purchased last year, what happened to these animals and their calves? They should have been grazing the fields all summer. The documents provided clearly show that the applicant has only recently (Sept 21 2015) applied for a holding number, how could he have had any cattle registered to his holding prior to this date as he frequently claims? The documents the agent provides at appendix 7 (copied in appendices of this document), state at the bottom that he needs to register cattle, so the information provided regarding cattle prior to this date is either false or he has broken the law.

The agent also goes on at section 1.7 to state that hay has been made this year but has had to be sold. Again this is incorrect, the grass was cut and baled the following afternoon, not as hay, impossible in the timeframe, but as big bales silage which by necessity is shrink wrapped. This is then capable of being and usually is stored outdoors as a quick look around agricultural holdings will show. In fact some of the bales have been left outside in the field at Meadowcroft. This is actually the first time in over ten years that any grass crop has been taken from Meadowcroft and this is only due to the notice to quit having been given to the horses there previously at the livery, as normally they would have eaten the grass. No reason is given as to why the supposed intended suckler animals need to eat hay rather than the usual diet of big bale silage which as mentioned can and are usually stored outside. In the accompanying picture relating to site map, horses can clearly be seen grazing the fields, this was up to this year the normality for the livery horses.

The agent goes on at section 2.1 to state again that the cattle purchased have calved and moved on welfare grounds. This has actually been one of the best summer's weather wise in recent memory and the fact the applicant is trying to pull the wool over the planning officer's eyes once again beggars belief.

The agent then continues at section 2.2 and 2.3 to state that the applicant has now had the fields fully ring fenced as though this is somehow unusual. Again this has only happened in the last couple of weeks, again post the involvement of the planning officers and not before the permission was sought for the supposed agricultural building in the first place. This merely shows that the fences were not fit for stock and does not differentiate between cattle sheep and horses.

The agent also raises the point regarding the applicant claiming the basic payment scheme which most farmers do, as an attempt to pass him off as a normal farmer. In fact the applicant is not eligible for BPS, please see accompanying file containing BPS relevant information. There is a set lower limit of 5 eligible hectares of land, having done a quick check it appears to me that the applicant does not have 5 eligible hectares of land, once all the permanent ineligible features (PIF's) are removed such as water features,

permanent tracks, buildings etc etc. If the applicant is eligible and has in fact claimed this he could of course provide planning officers with copies of his Rural Land Registry maps (RLR) maps and his entitlement statement which are prerequisites of the scheme. Furthermore there is also an active farmer test for the basic payment schemes which would disqualify the applicant from claiming as he does not meet the criteria that the Rural Payments Agency have set, he is simply not an active farmer, again if this is not the case he could provide the necessary documentation to disprove this.

There is also an issue surrounding the machinery that the applicant supposedly has and needs to store indoors, it has been very funny to watch the amount of machinery increase significantly when a visit of the planning officer was due, again an attempt to disguise his lack of agricultural need for any building let alone one of this substantial size and stature. At section 3 the agent details that a new site plan has been submitted, this is still not correct in that there has been some additional hard standing at the Bury rd side of the building and the detailing on the plan does not cover the whole area, it is also not proposed as stated by the plan, it is already there. This can be seen from the photos (at end) taken whilst the building was under construction the trackway/hardstanding being clearly constructed. As can be seen from the following the applicant has also significantly increased the hard-standing area, both at the side of the development and at the underground garage part, from the supposed access to the fields as reported in the application documents. The plans at appendix 9 differ from those amended plans on the website.

(Picture removed at this point, refer to application file)

An area has also been fenced off significantly in excess of that shown on the site plan and is no longer part of the field area. Once again the applicant seeks to hoodwink the planning department by submission of incorrect details and it is more than likely this is intended as the garden area for the future development that is undoubtedly planned. The total area of this development is significantly larger than that reported and of course significantly cuts down the area which can be subsequently grazed or mown.

At section 3.2 of the latest information provided, the agent in fact states a track of 3m wide and 7m yet these are not shown correctly and the applicant supposedly fully understands the need to limit the area of works. This has been a running theme through both applications; in

the supporting documentation for the previously approved application 10/14/0357 the following statement appears.

3.7.1 Blackburn with Darwen's Supplementary Planning Guidance Note 11 – Rural Agricultural Buildings also highlights the need for 'developments which are incorporated into the landscape'. The applicant has chosen specific materials to reduce the impact within the rural setting, using natural stone so the building is in keeping with other buildings on the farm. The siting of the building should where practical 'be low lying' the proposed building has been sited on the edge of the existing farm to further reduce the impact. The guidance also suggests that dark brown or dark green cladding has been found to be satisfactory in the borough, the applicant intends to use dark green cladding above the dwarf stone walls to maintain the character of the building and its surroundings.

The applicant chose to ignore this completely and instead build a development that can hardly be described as "low lying" from any aspect barring the applicants own viewpoint. Furthermore the agent also stated :-

3.7.3 The evaluation process has considered the relevant policy to be applied to determine this application. The layout, design and materials are typical of agricultural buildings in the north west of England. The scale is limited to that which is required and no more. An existing access arrangement exists to ensure the safety of traffic accessing the application site. The proposed agricultural building will not materially increase traffic movements. The predominant use of the surrounding areas is agriculture; this application is for an agricultural use and therefore will have no material impact on its surroundings due to the compatibility with surrounding areas.

The applicant instead chose to build a substantially larger building than was applied for not "the scale limited to that which was required and no more". If that was all that was required why did they set out to ignore from the very outset what had previously been applied for? This building design was substantially under construction in its present larger form, even before the planning conditions for application 10/14/0357 had been agreed.

The applicant's agent also stated :-

3.7 The agricultural building is required to meet the operational agricultural need of the farm. Its siting is the most suitable and allows the existing gateway and access track to be used rather than the creation of a new gateway and access arrangement if the agricultural building was sited elsewhere within the Applicant's land. Blackburn with Darwen's Core Strategy 2011 highlights the need to reduce the impact of Green Belt development. Careful consideration has been given to the siting, design and materials to ensure the development is respectful to its surroundings.

Pointed out by the agent, is the need to reduce the impact of development of Green Belt development, yet the building that has been constructed dominates the view from the opposite side of the valley and has been constructed in contradiction to the applicants stated true needs and the plans applied for. I would suggest that the applicant has paid no heed whatsoever to the need to reduce impact or given careful consideration to the siting and design and has paid more attention to the true intended purpose of creating a building that will undoubtedly be a future conversion to residential development. In fact the building that has been built is more than halfway there already. There is a septic tank installed, not as stated an effluent tank, there is no evidence that the EA has been consulted and no

documentation that I am aware of to state an effluent tank is needed for a building of this type. It is not as though there is any likely run off from cubicles or outside loafing area. There are also oak beam trusses which are plainly for the future conversion and a cavity wall. If the purpose was to keep the building in context with the other buildings at Meadowcroft, why were costly items that could not be seen from the outside incorporated. The applicant has spent more than needed on construction yet moans about the substantial cost of purchasing animals. The design of the door access is also not suitable for tractor access and the likely airflow will cause problems with diseases for animal housing. The building is simply designed for future use rather than the reported agricultural need.

It is also obvious from reading the Agricultural officers report that the officer visiting Meadowcroft was not misled by the applicant and the agent and recognised that a building of the size originally applied for was too large for the potential operations at Meadowcroft. The land area is simply not large enough and no clear strategy was outlined that convinced her of the applicants agricultural plans and needs. This situation remains today despite the latest attempt to justify and fabricate need. The planning officer stated in the report for application 10/14/0357 :-

The matter has been critically assessed by the land agency – the summary of which is that *“the proposed scale of the development is not proportionate to the agricultural activity presently being undertaken at the site and the provision of livestock accommodation, in addition to the stable block, may compromise the sustainability of the land available at the site”*.

The planning officer did however conclude that as agricultural activity was demonstrated to be “ongoing” and that the building was low lying that on balance the development could be approved it was also noted to be on balance reasonably proportioned. In fact the basis of all this justification was false and the applicant subsequently drove a coach and horses through the permission actually obtained. I firmly believe that the dimensions given even now are not correct; the building looks larger than the 29ft from ground to the roofline is supposed to be as per the plans. Obviously this compares with the 19ft it was supposed to be under the original application.

The applicant states at A3 in the design and access statement for the original application that he has carefully considered the location and size of the building in the application process and does not wish to apply for a larger building than he needs or he risks overdeveloping the area. Clearly this was merely meant to appeal to the planning department at that point of the application process as he completely ignored this during the construction phase and now tries to backtrack from this position is the subsequent reapplication.

It is also quite ironic that the building that has been granted permission (not the one built) is not dissimilar to the building demolished under permission 10/06/0896 which can be seen in the following google image from yr 2005. This building was perfectly serviceable and suitable for the uses the applicant now supposedly wishes to utilise this new building for. It is also interesting to compare the size of developments at the address and compare the development footprints from then and now, it is obvious that substantial development has taken place at Meadowcroft in the recent past (since 2005) and is now at the stage where it could be described as a small hamlet. If this site has not been overdeveloped I don't know what constitutes overdevelopment within a Greenbelt site. None of this development is for the purposes of agriculture. The applicant has followed a tried and tested path in recent years of applying to build on the basis of one activity and subsequently changing the use of the building constructed to residential. This is the true intended use of this latest phase; it will not be long before infill development is subsequently applied for. It is neither for agriculture or sustainable development within a Greenbelt site.

(Picture removed at this point, refer to application file)

The position of the demolished agricultural building can be clearly seen and when compared to the houses on Bury Rd (on right) can be seen to be no further than the first property in the line. If that is compared to the position now, the developments have moved significantly further down Bury Rd before the new building position is considered. The progress of these developments can be seen from the planning applications all within the last few years. A new driveway and building is also visible within the main complex to the right of the entrance off Bury Rd, I believe this is also currently undergoing conversion to residential development.

(Picture removed at this point, refer to application form)

There is also the question of the new gateway onto Bury Rd near to Pallet farm, the agent states that he was unaware of this, (presumably he was therefore aware of the rest of the construction) and that the applicant does not wish for this to be considered as part of the application. Yet no action has been taken to restore the hedge that was removed or to remove the hardcore tipped and create a hard standing entrance. It is obvious that this was for the future plans for the building, allowing a new entrance to be constructed without going through the applicants own property and removing any potential highways consultation from the process whom may have objected to increased traffic on a blind bend. Buildings are required for the changing needs of agriculture within the greenbelt and the concession afforded to development for this reason is real and very necessary for those businesses that actually need it. To see a serial developer misuse this avenue of support from the planning authorities presents a very real danger of these concessions being removed in the future and would present a problem for the agricultural businesses that it is intended to actually support, such as ourselves.

In conclusion the applicant has knowingly misled the planning authorities from the very outset with this development and has tried to construct a building that is neither for the stated purposes or the needs of agriculture on that holding. He has systematically replaced the existing agricultural buildings on the holding with residential development and now seeks to set up a future conversion opportunity under pretence of agricultural need.

Furthermore he has the audacity to build a building larger than that applied for and not adhered to the agreed construction materials in any way shape or form. He has in effect reduced his future conversion costs at the very outset.

He has attempted to gain permission for a building that would never have been given permission by the planning authorities under normal circumstances in the Greenbelt and would not have been deemed in any way appropriate. This is simply a future redundant farm building before it has even been constructed and is set up purely and simply for a future conversion to residential development further down the line. The development is inappropriate development within the greenbelt, the applicant has tried to mislead the Agricultural officer and planning officers throughout the process and all the information thus far provided is questionable to say the least. The agents latest statement following appendix 14 at section 2 states that the agricultural justification has been established and the Agricultural officer does not need to be re- consulted, perhaps in light of the obvious untruths told to the officer regarding previous cattle purchases, this situation should be revisited.

The agent quotes the NPPF at section 3.6 :-

- 3.6 Paragraph 89 of the NPPF states that new buildings within Green Belts are inappropriate. However, exceptions to this are buildings for agriculture and forestry. The building at Meadowcroft Farm is for agriculture and therefore is appropriate development in the Green Belt. It has previously been demonstrated that an agricultural building is needed for the uses identified above.

The building has neither been built for the purposes of agriculture and the agricultural need has been based on false information and therefore negates its legitimate construction and has not been clearly established. The development is also against Blackburn with Darwen's local policy RA3.

The applicant has clearly never owned any cattle prior to the two recent purchases **as he did not even have a Holding number prior to 21st Sept 2015**, a legal requisite for any keeper of cattle, which begs the question as to how cattle were present there at all. All the basis of the initial application has been clearly proved to be false and little trust can be placed on any of the information provided, it is simply a residential application in the waiting, masquerading as agricultural development. The development should be refused and the council should launch a legal challenge to the permission previously obtained.

I trust that the planning officer will take all of these points into consideration when making his decision and should the decision go to the planning committee I would request that councillors visit the site to assess for themselves if the building has been constructed for the reported purposes.

(Appendices can be found in the application file)

---

### Neale & Penny Dumbleton 25 October 2015

We assumed planning permission for the building had been granted prior to taking residence in March 2012 otherwise we would have objected before as what has been built has a major impact on the local green belt landscape.

We have only been made aware of these applications from an anonymous letter and various documents which were hand delivered on the 18th October (I have attached the relevant documentation for your reference). Although I cannot verify where this document has come from, the content seems to confirm our concerns that this building has not been designed and built for agricultural use (as per the application) and the intention is to turn it into a home at a later stage. The structure that has already been built is constructed from breeze block and stone with a well insulated cavity. The roof construction is from oak beams and there does not seem to be any ventilation for the housing of live stock, as the application suggests this is what it is going to be used for.

In the three and a half years overlooking the fields that this construction has been built on, we have only seen horses and last year 4 cows in calf. Once the calves were born all live stock were removed. This process has happened again this year. Hay or silage bales have appeared in the field within the last six weeks which seem to coincide with the new application.

Thus our main objections concur with those listed in the anonymous letter (attached) as follows:-

As you may be aware the applicant previously applied for an Agricultural building which has extant permission, however the building that has actually been constructed varies significantly from the permission applied for. The applicant has also obtained this extant permission by providing information that is designed to be misleading and factually incorrect. The applicant began from the very outset to construct a building that is not in line with planning policy within the greenbelt under the guise of an agricultural need. Construction had largely been underway before conditions agreed. The building actually constructed is obviously designed for a future conversion to accommodation with a septic tank and internal oak beam roof trusses installed. The building is simply not practical for the keeping of beef cattle as is claimed. The applicant has also claimed the purchase of cows with a view to starting a beef enterprise, these cattle actually belong to someone else and are only there for a summer grazing period, and this is designed for the planning application. The applicant has also not made hay and sold it in previous years as claimed. All this mis-information is designed to mislead the planning department into granting permission where it would not be justified under normal planning policy.



The current building is approximately twice the height and significantly different in construction than the application previously applied for. The size of the site is also significantly larger. The local parish council has already objected to this reapplication, the land agency manager took the view that the original application was not itself justified (report extracts included). The applicant has systematically tried to construct a building with future conversion in mind as per the rest of developments at Meadowcroft. Planning permission would not have been forthcoming, if correct information had been provided at the time of the original application. The development should be opposed; it is inappropriate development within the greenbelt, is not for the purposes of agriculture as claimed and is intended for future conversion to residential development for the sole benefit of the applicant. It is too large and dominant within the landscape and has been built by covert means without any regard to planning policy or permission actually obtained. The openness of the countryside is fundamental to Greenbelt planning policy and permission should be refused except in exceptional circumstances, the applicant has no true exceptional circumstances to warrant this large obtrusive development and no agricultural need.

Main reasons to object:-

The development represents inappropriate development within the protected Greenbelt

There are no exceptional circumstances presented to warrant this development

It represents over development of the site

There have been several residential type conversions at Meadowcroft in the last few years, this is aiming to expand this

The development is too large and obtrusive within the landscape

It is against the local development plan and national planning policy

There has been a covert effort to disguise the intentions of the applicant during the construction and planning stages.

There has been a new access made onto a busy highway without planning and without a need as the applicant has no adjoining land so it must be for future plans to connect to the new building.

The information the applicant has provided to aim to justify this development is false and designed to appease the planning authorities.

The council's agricultural officer stated that the original building size was unjustified for the agricultural enterprise being conducted or capable of being undertaken at Meadowcroft, the building constructed and now applied for is even larger and blatantly not being built for agricultural purposes

---

**Letters expressing support now follow:-**

Brian Timperley, Priory Grange Farm, Bury 6 October 2015

I would like to comment on the above planning development by adding my support to its progress and development. I know the site and the area well, travelling past it on many days during the week going through to both Edgworth and to the M65 motorway. My farm is slightly more elevated and also looks directly over the site and along the valley leading up to Entwistle Reservoir.

I have seen the proposed plans of the stone barn development and in my view the present erection of same is totally in keeping with the surrounding area. In fact in my opinion it adds character to the area being tastefully designed and built in high quality natural stone to last a long time without deterioration.

In this day and age expensive farming equipment/material etc. has to be safely stored undercover. One sees so many ramshackle buildings erected for this purpose which are not in keeping with the area. It is pleasing to see someone taking the trouble and expense to erect such a high quality stone barn which in my view permanently

enhances the area instead of something that will fall down within a few years and become an eyesore.

I, therefore, have no objections whatsoever to the erection of this high quality stone barn.

---

Gail Whitlock, 39 Meadow Lane, Meadow Way, Edgworth 23 September 2015

I am in support of the recently erected agricultural barn at Meadow Croft Farm. I have lived in Edgworth for the best part of 30 years and often walk the path through Meadow Croft Farm.

The new agricultural barn is representative of old fashioned barns (when they were built to last) and I feel is in keeping with the surrounding area. As there are houses near by, the new barn isn't an eye sore, and blends in with the rest of the stone buildings.

It's all very exciting as the fields have been mowed and bales made in preparation for the arrival of new livestock.

I think it is a shame that there has been objections to this barn and that the young couples hopes for their future and their children's future might be compromised.

---

Kayleigh Frazer Grogan, 45 Brief Street, Bolton 15 September 2016

I am writing to support the above application for retrospective planning on an agricultural building.

I have previously lived in Edgworth and my children go to Turton and Edgworth Primary School and Scallywags Pre-School.

I drive past Mr and Mrs Bullen's farm twice daily and have noticed the barn that has been erected. I am very pleased to see that Mr and Mrs Bullen have taken steps to ensure the building is in keeping with other buildings in Edgworth Village by using stone as their main building material. Having looked over the previous planning permission granted for a corrugated sheeted barn I am relieved to see that the owner has taken steps to build a much more attractive barn for onlookers and neighbours alike.

Having once lived on a farm I am pleased to see that Meadowcroft Farm is using their land for agricultural purposes. It would appear that so many farms are being sold to wealthy owners who can afford to sit on land and use for their recreational purposes and it is something that I feel isolates many to being able to set up and use their land to make money back for hardworking farmers.

I think it is important to keep farms, as farms and not to be sold off for people who do nothing with the land but like the austerity of owning such plots.

---