

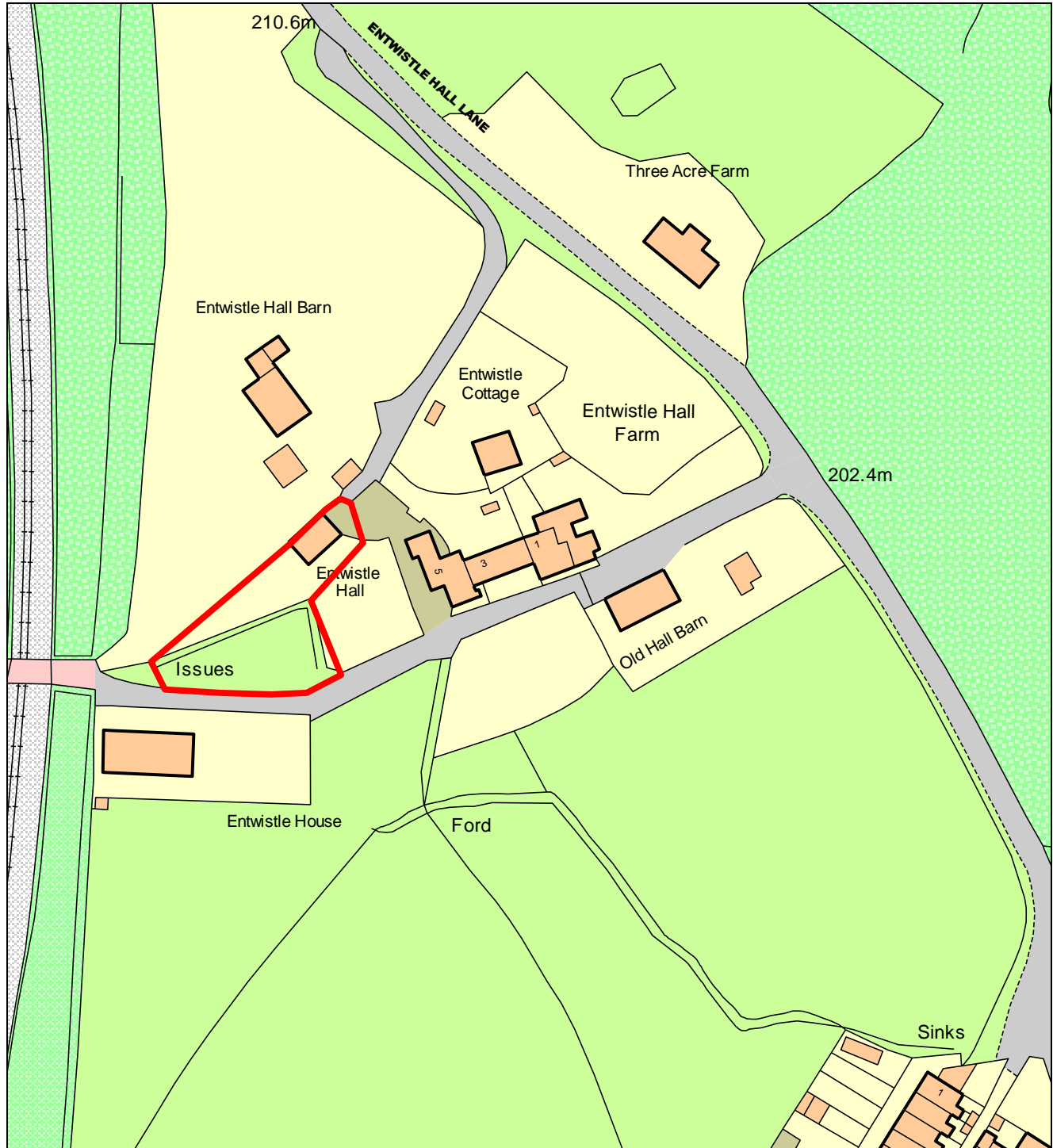
Proposed development: Full Planning Application for single storey side (south west) extension, single storey side (north east) extension, gable insertion to rear and single storey front extension to existing building.

Site address: The Paddock, Entwistle Hall Lane, Turton, Bolton, BL7 0LR

Applicant: Mrs Ann-Marie Thornley

Ward: North Turton with Tockholes

Councillor Colin Rigby	
Councillor Jean Rigby	



1.0 SUMMARY OF RECOMMENDATION

1.1 Approve, subject to conditions.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 The proposed extensions are to an existing building that has extant consent for a residential conversion. The proposals have been amended during the assessment of the application, to reduce the overall scale.

2.2 The main issues for assessment are the impact of the proposal upon the openness of the green belt and the impact of the proposal upon the adjacent Grade II* Listed Building.

2.3 It is considered that, on balance, the proposal would present a visually attractive proposal, which would not have a harmful impact upon the openness of the Green Belt, nor have a harmful impact upon the adjacent Grade II* Listed Building, taking account of all relevant material planning considerations.

3.0 RATIONALE

3.1 Site and Surroundings

The building is a two storey stone built structure with a dual pitched slated roof. It is sited to the north west of Entwistle Hall, a Grade II* building located off Entwistle Hall Lane. The building was originally constructed as 2no. stables and a garage following consent in 1988.

3.2 Following its approval to convert to a residential dwelling in 2012, the permission was implemented and the consent became extant. Therefore, Members should note that the site has an extant consent for a residential dwelling.

3.3 The site is located in the green belt, and is accessed from Entwistle Hall Lane.

3.4 Proposed Development

3.5 The proposal seeks to add extensions to the building, to form larger living accommodation as part of the extant residential conversion. A gable addition is to be added to the rear roof slope, a single storey side extension and a single storey side and front extension are proposed. Materials are proposed to match the existing dwelling.

3.6 Amended plans have been sought through the assessment of the application. The original scheme proposed a two storey front extension and a detached garage.

3.7 Development Plan

3.8 Core Strategy

CS14: Green Belt

3.9 Local Plan Part 2

Policy 3: Green Belt

Policy 8: Development and People

Policy 9: Development and the Environment

Policy 10: Accessibility and Transport

Policy 11: Design

Policy 39: Heritage

3.10 **Other Material Planning Considerations**

3.11 National Planning Policy Framework

Notably, paragraphs 89 and 135 which detail:

89: A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are: [...] the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building [...];

135: 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 affect directly or indirectly 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.

3.12 **Assessment**

3.13 The key issues of consideration in the assessment of this application are:

- Impact upon openness of the green belt
- Impact upon the setting of the listed building
- Neighbouring amenity impact
- Design
- Ecology
- Drainage

3.14 Impact upon openness of the green belt

3.15 The proposal must be considered in the context of paragraph 89 of NPPF and Policy 3 of the Local Plan Part 2, which requires that extensions or alterations to a building are appropriate in the green belt, providing that it does not result in disproportionate additions over and above the size of the original building.

3.16 The extensions, as amended, add some 37.5 square metres of footprint to the building. This equates to around 50% of additional floor space. It is considered that the additions, even in their reduced form, still add a fair amount of floor space to the original building and could be considered to represent disproportionate additions; thus constituting inappropriate development in the Green Belt.

3.17 However, it is considered appropriate to assess whether there are any other material considerations in this case which constitute very special circumstances to outweigh the perceived harm to the Green Belt.

3.18 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. It is noted that whilst building floor space is one measure to assess the size of a building, another is its mass and volume.

3.19 The proposals form single storey additions to the side and partially to the front, which would have limited impact upon the openness of the

green belt due to their modest mass and volume. The addition of the gable to the rear also has no significant impact upon openness, given its small scale and location being beneath the main apex of the roof.

3.20 Furthermore, the building is not an isolated structure in the Green Belt, but surrounded by other dwellings, within the Entwistle Hall complex. As such, the principal consideration is that the extension would not harm the openness of the Green Belt or the visual amenities of the Green Belt in terms of the proposal's size, scale, design, materials and character.

3.21 In light of this, it is concluded that these are material considerations which constitute very special circumstances to outweigh the perceived harm to the Green Belt due to the disproportionate increase in size of the floor space above that of the original building. Compliance with Policy 3 and NPPF is considered to be achieved.

3.22 Impact upon the setting of the listed building

3.23 Policy 39 requires that development with the potential to affect any designated or non-designated heritage asset, either directly or indirectly including by reference to their setting, will be required to sustain or enhance the significance of the asset.

3.24 The scheme, as amended, has significantly less impact on the setting of the listed building than previously submitted; with the front extension concealed by the boundary wall and fence. There would be limited harm to the setting of the listed building, and as such, the proposal is considered to comply with Policy 39 of the Local Plan and NPPF.

3.25 Neighbouring amenity impact

3.26 Policy 8 requires development will be permitted where it can be demonstrated that it would secure a satisfactory level of amenity and safety for surrounding uses and for occupants or users of the development itself.

3.27 The proposal has elements which could cause neighbouring concern. The single storey side extension to the north east could result in a sense of overlooking or dominance towards no. 3 Entwistle Hall and Entwistle Hall Barn. However, the impact is mitigated by the stone wall and fencing boundary to Entwistle Hall and the landscaped boundary to Entwistle Hall Barn. Furthermore separation distance between buildings is adequate.

3.28 The rear gable insertion features 2no. windows which would directly overlook the Entwistle Hall Barn, along with roof light insertions to the rear roof slope. However, both windows in the gable serve bathrooms, and can be obscure glazed by condition which would satisfactorily mitigate the impact. Furthermore, the rooflights are secondary windows to the bedrooms and can also be obscure glazed by obscure by condition to mitigate the impact.

3.29 The single storey side and front extension would not result in significant neighbouring concerns, given the single storey nature, location of neighbouring dwellings and existing boundary treatments.

3.30 As such, the neighbouring impact is considered compliant with Policy 8 of Local Plan Part 2.

3.31 Design

3.32 Policy 11 requires all new development to present a good standard of design and will be expected to demonstrate an understanding of the wider context; and make a positive contribution to the local area.

3.33 The existing building is a modest stone structure, originally constructed to serve as an ancillary garage/stables to the Grade II* Entwistle Hall. The appearance, materials, design and scale of the proposals are considered to be appropriate to the setting of the local area, and would form sympathetic additions to the host building.

3.34 It is noted that the Conservation and Design Officer has some concerns over the front extension, however, this element is not considered to be sufficiently harmful to warrant refusal of the application. The Conversation and Design Officer has also recommended a condition requiring the submission of fenestration details. However, this is not considered necessary given the existing age and design of the building.

3.35 Overall, the proposal is considered to present a good standard of design, compliant with Policy 11.

3.36 Ecology

3.37 Policy 9 of Local Plan Part 2 details that development likely to damage or destroy habitats or harm species of international or national importance will not be permitted.

3.38 The application has been supplemented with a Survey & Assessment in respect of Bat Species and Nesting Birds, (including Barn Owl). There is no current evidence of roosting bats found in the buildings. It is considered that this satisfies the requirement to address biodiversity and no further information is required prior to the determination of the application.

3.39 However, all of the measures in Section 5 of the Ecology Report must be included as planning conditions. This is required in order to safeguard protected species and to ensure that the development proceeds in line with the Policy 9 and NPPF.

3.40 Drainage

3.41 It has been brought to the attention of the Council's drainage section that the watercourse on the site has been moved prior to this application, a matter currently under investigation. This culverting work has increased the risk of flooding in the area.

3.42 As such, it is considered necessary to restore the watercourse to its former route in open cut, although Drainage had added that they would allow a section to be culverted under the drive to the building. A condition requiring this detail to be submitted and implemented prior to commencement of development would be required, in accordance with Policy 9 of Local Plan Part 2.

3.43 Neighbouring comments

3.44 The comments raised by neighbouring dwellings which are material to the planning application have been address within the main body of the report. All other objections are non-material and cannot be considered by the Local Planning Authority. A summary of neighbouring objections is contained within 6.2.

3.45 We have also received a letter from the former owner of the site, detailing a response to the objections. This is contained within 6.3.

4.0 RECOMMENDATION

4.1 **Approve; subject to conditions –**

1. Development to commence within 3 years
2. Watercourse to be returned to its original location; plans to be submitted for approval and implementation prior to commencement of development. .
3. Materials to be submitted for approval
4. Obscure glazing to the first floor northwest facing windows and roof lights.
5. Stone coursing, texture and colouring to match existing
6. All measures outlined in section 5.0 of Survey & Assessment in Respect of Bat Species and Nesting Birds, (including Barn Owl) to be implemented.

5.0 PLANNING HISTORY

5.1 There are various planning applications and listed building applications relating to Entwistle Hall, however, the most relevant planning history is the application for the building, being:

5.2 10/88/0825 (and 836 – Listed Building Consent) – Full planning application for a single storey rear extension and the erection of a garage and stable in paddock area. The application was approved on 24/10/89.

5.3 10/12/0068 – Full planning application for conversion of annex to dwelling. The application was approved by Planning and Highways Committee on 24 January 2012.

5.4 10/15/1233 – Retrospective full application for construction of stone wall topped with cedar fence. The application was approved under delegated powers on 12 January 2016.

5.5 10/15/1363 – Section 73 Variation of condition application to remove the requirement for the use of obscure glazing to the ground floor front windows. The application was approved under delegated powers on 22 January 2016.

6.0 CONSULTATIONS

- 6.1 **Public Consultations:** 5 neighbouring properties were consulted by letter, a site notice was erected and press notice was published. Objections have been received from 9 residents. 1 letter of comment has been received from the former owner.
- 6.2 Please see the objections from residents below:

Andy & Sandra Chemney Old Hall Barn Entwistle 06/02/17

Hello Kate - I'm writing to formally object to the planning application for The Paddock - 10/16/1301. The application states that the building is a stable converted to a barn. It's not a barn and never has been. It's a garage. To my knowledge there has never been a change of use from a garage to residential accommodation? Access onto Hob lane is already inadequate for those of us who live here (poor visibility when pulling out, narrow access with nowhere to pass) and adding another dwelling will just increase congestion on Hob Lane and the drive we all share. The garden wall to the west of our property (see attached image) is listed and would surely be affected by trucks carrying building materials to and from the site.

13/03/17

Hello Kate - I'm writing to formally object to the above planning application as I understand an amendment has been added. The amendment actually increases the size of the building and is unacceptable to us for many different reasons but primarily because it still seems that the applicant believes that the building is a house. It has never been a house, just a garage. Access onto Hob Lane is already poor and the addition of another property would just add to the issues I have previously stated.

22/03/17

Hello Kate, I understand that there has been a further amendment to this planning application. My understanding is that the applicants have changed the type of glass used on some of the windows. Of course this does not change our general objection that the development of this former garage into a residence is completely out of character with the surrounding area/properties and we strongly object to the application.

Sandra & Brian Taylor 3 Entwistle Hall, Entwistle , Turton BL7 0L
09/02/17

I write to place before the planning committee, my objections to the above planning application.

I will list my objections in relation to the order that points are made in the application:

1. Section 3 - description of the proposal. This is not a barn conversion. The building known as The Paddock is not a barn. It is a garage that was previously attached to my neighbours' property, 5 Entwistle Hall. It has never been used as a garage and has never been an independent dwelling. Apart from Carole Foley's son sleeping in the building, for a brief period of time, it has never been lived in. Facilities such as mains water, sewage were, and still are, non-existent.
2. Section 6 - pedestrian and vehicle access, roads and rights of way. This whole section makes misleading points. There is no legal access to this building. When John Foley decided he would attempt to sell it as a separate property, around 2012, he introduced a large gate into the fence. The position of this gate means that any access would cross the property of another neighbour, Entwistle House.
3. Section 10 - vehicle parking. Again misleading information. There are no parking places near the building, and no cars have ever parked there.
4. Section 11 - foul sewage. There is no mains sewage. The application states that the building is to be connected to mains sewage. I cannot find, in this application, any details, maps etc as to how this is to take place.
5. Section 12 - assessment of flood risk. Firstly, a stream used to flow across this site. This was redirected by John Foley some years ago and now is partly underground. The original flow of the stream is now filled in. The whole flood risk is quite worrying. Since the redirection of the stream and the imposition of extensive cobbled paving at the rear and side of 5 Entwistle Hall, during heavy rain, our rear garden is awash. Rainwater gushes down our garden, bringing leaves and other debris. The grid near our back door has, on occasions, become blocked, and when we were away, our kitchen has been flooded. I'm not sure what / where a sustainable drainage system is. The additional paving, gravelling of an adjacent property will add to our problems.
6. Section 14 - existing use. The conversion of stable to barn was - when? The council needs to decide what this building is. I think, when planning was first applied for, it was designated a garage. When constructed, it became a stable block, but was, so clearly, a garage - complete with up and over door. Suddenly, we have a barn. We are aware that barn conversions are viewed sympathetically by planning. Some economy with the truth?
7. Section 15 - trees and hedges. The application states that there are no trees or hedges on the site. This is not true. There are a number of bushes and small trees.

In addition to these points, a major objection relates to the proposal to more than double the size of this building. This disproportionate extension would seem to contravene green belt policy. While the garage, itself, is not listed, it lies within the curtilage of a grade 2* listed building. The design appears to incorporate a great deal of glass, which is totally out of keeping with the style of Entwistle Hall. There is also the question of additional first floor windows, which will overlook adjacent properties.

An important point, in relation to the building of a detached garage, as part of this planning application, is that, in 2013, a covenant was placed on the land prohibiting any development on the land, other than the existing building.

In conclusion, I ask that you consider this application very carefully. There are so many issues - both practical and aesthetic.

Sandra & Brian Taylor 14/03/17

I refer, in the first instance to our objection to the above planning application, dated 09/02/2017.

I have little to add to this. There seems to be minor changes to the original plan, but these are not substantial to our overall objection. Some windows have been replaced by walls and there is slight change to the front elevation. Consequently, I re-submit the points of my original objection:

1. Section 3 - description of the proposal. This is not a barn conversion. The building known as The Paddock is not a barn. It is a garage that was previously attached to my neighbours' property, 5 Entwistle Hall. It has never been used as a garage and has never been an independent dwelling. Apart from Carole Foley's son sleeping in the building, for a brief period of time, it has never been lived in. Facilities such as mains water, sewage were, and still are, non-existent.
2. Section 6 - pedestrian and vehicle access, roads and rights of way. This whole section makes misleading points. There is no legal access to this building. When John Foley decided he would attempt to sell it as a separate property, around 2012, he introduced a large gate into the fence. The position of this gate means that any access would cross the property of another neighbour, Entwistle House.
3. Section 10 - vehicle parking. Again misleading information. There are no parking places near the building, and no cars have ever parked there.
4. Section 11 - foul sewage. There is no mains sewage. The application states that the building is to be connected to mains sewage. I cannot find, in this application, any details, maps etc as to how this is to take place.

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An important point, in relation to the building of a detached garage, as part of this planning application, is that, in 2013, a covenant was placed on the land prohibiting any development on the land, other than the existing building.

A recent development, since our original objection, is that the redirection of the stream which runs across this site by the previous owner, John Foley, is currently under investigation by Blackburn with Darwen Council. I refer to point 5 - assessment of flood risk - which describes the flood risk in relation to our house.

In conclusion, I ask that you consider this application very carefully. There are so many issues - both practical and aesthetic.

Sandra & Brian Taylor 28/03/17

I refer, in the first instance to our letters of objection to the above planning application, dated 09/02/2017 and 16/03.2017

Again, I have little to add. The very minor change, this time, seems to be frosted glass, but, again, not substantial to our overall objection. This is developing into a very silly war of attrition, which must be costing Blackburn Planning Department a significant amount of money. Is this financed from Council Tax?

I think we are in danger of losing sight of the main objection issues. The planned building would seem to be, still, an ugly and out of keeping edifice, and the main issues remain, besides aesthetic, practical and environmental. Consequently, I re-submit the points of my original objection:

SEE ABOVE

Sammy Winward, Entwistle Hall Farm, Entwistle Hall Lane, Entwistle,
BL70LR 06/02/17

I have lived at my property since August 2007. Entwistle Hall Farm is at the opposite end of the Entwistle Hall and is semi-detached to the Hall.

I was unaware that the garage had ever received planning permission as I did not receive notice that an application had gone in and the garage is further down the track to my house so if any notices were posted, I did not see them. My parents who live at Entwistle House (directly opposite the property) did not receive a formal notice and were only made aware when it was too late. I was very surprised that it was possible to detach a building from a house and get planning permission for a house so easily. I last went in the garage approximately 10 years ago as I was a close friend of one of the step-daughters of Mr Foley and it was full of bikes and general garden items, there was certainly no evidence of anyone living there and as I was close to the family I knew that Max (who they are saying lived in the property) had moved away.

As a lover of history, I was very attracted to the Hall and the beautiful surroundings which is why I chose to live there. I have read that there was a building on the site around 1000 AD and that parts of the present building go back to the 1400s when Bertine Entwistle rode off with 15 archers to fight for Henry V. He was knighted by Henry V for his bravery. The Hall has also been inhabited by some of the oldest families in the area, each with their own history. At one time the Hall was connected by a double row of trees to Entwistle New Hall (1600s) a few hundred yards away. I think it would be totally inappropriate to extend the current building in the Paddock to give it the appearance of modern estate house as shown in the plans. It is only some 8-10 metres from the Hall and already completely dominates the part of the plot it is sited in. When I wished to add a small porch to my house it took me a year to get planning permission and only by lengthy consultation with English Heritage (Historic England). I had to match the stone and use limestone mortar which was colour matched to the stone/mortar in the Hall, The style is very much in keeping with the date of the Hall and was designed by architects that specialised in historic buildings.



The solid oak door was hand-made and turned by an elderly gentleman that still had the machinery to do work like that.



I am stating all this as I feel that the proposed changes to the garage are totally inappropriate and not compatible with the surroundings and the Hall itself. Also, I do not understand why the garage has to be increased in size as surely the formula for allowing the building in the first place was calculated on the area of the Hall. To my best knowledge, the garage had no formal heating, bathroom or toilet and no kitchen facilities. Perhaps the son of the Foley's slept in there occasionally but it would not be possible to live there formally. I have researched whether the garage had any utility bills or council tax and there is none in existence. Therefore this property has never existed as a dwelling or been lived in independently. I used to live at No 5 Entwistle Hall with my parents from birth until I was 8 years old, in Entwistle House from age 8 until 21 then in Entwistle Hall Farm for the past ten years. Therefore I have lived on this lane my whole life and I have probably seen Carol Foley's son (who they claimed lived in the garage) twice in the past 20 years. He did not live in that garage.

I am assuming that no further buildings will be allowed as No 5 has a restrictive covenant stating that no further building work is allowed. The intended garage is also sited above a culvert. My neighbours have also stated that the proposed extension will be less than twenty metres away from the culvert which was diverted by Mr Foley in recent years and that they have been experiencing flooding/waterlogging since he carried out the work. My garden has also been extremely water logged and thick with mud since the work was done making it impossible for the children to play on the garden. I remember as a child and up until recently there was a stream which ran across the border of the garage land and just outside the garden of number 5. This has now disappeared and all the water is now spewing out of a single large diameter

pipe in the direction of the hall. The area where the stream was has been filled with earth.

The other issue is the fact that the lane is already overused as it is a single track with no passing places and used by seven houses. With the amount of delivery vehicles, utility vehicles, etc it is quite often the case that we have to reverse out of our track onto Entwistle Hall Lane to allow a vehicle out, and the houses that live further down the lane have to reverse down the (very narrow) track back to their houses. Builders and contractors vehicles are only going to add to this problem especially as there not enough turning space outside the gate to the garage which has been placed opposite the entrance to my parents house at Entwistle House. The lane is in a very poor state and will not support and more traffic.

The pictures submitted by Mr Foley on the previous planning application are greatly distorted and don't give an accurate picture of the areas involved. Certainly not the distance from the hall and the surrounding houses.

My general feeling is one of astonishment that it is so easy to develop within the greenbelt and worry that this will only be the beginning.

Mr & Mrs D Briggs Entwistle Cottage 06/02/17

With reference to the above, we wish to register our opposition to the proposed building extension.

We feel that this would be total over development of the site and that it is out of keeping with the immediate area in particular the historic grade 2star listed Entwistle Hall. There are several points on the application which are not entirely true, as this is a garage and has never been either residential for horses or humans also there are several trees and hedges on the site.

This is an area of natural interest and beauty and to erect this extension would be totally out of character with the immediate surroundings and properties.

Jane Winward Entwistle House, Entwistle Hall Bolton BL7 12/02/17

I have been resident at Entwistle House (formerly Entwistle Chapel), adjacent to The Paddock, for twenty-five years. Prior to this I lived at No 5 Entwistle Hall for nine years. I love Entwistle – the peace, the quiet, the views, the dark night skies, the rusticity and the history of the place, and was looking forward as I enter my retirement to a continued enjoyment of this environment. I look after both my grandchildren, aged 11 and 1 year, whilst my daughters are working, and have loved the fact that there is very little traffic, no noise and that they are surrounded by open countryside and the lovely historic Entwistle Hall. I have included a paragraph about the history of the Hall, the original building of which goes back to 1250, as I think this was disregarded in the decision to give planning permission for a dwelling in the garage of No 5, and also a paragraph about the history of my own property, the former Entwistle Chapel, now known as Entwistle House.

I would firstly like to point out the inaccuracies in the Planning Application before I list my formal objections:

6. A new access has been created to access the Paddock building along the lane from Entwistle Hall Lane as formerly it was in the garden of No 5 Entwistle Hall. Therefore, a new right of way would need to be created.
10. The building has never had a formal parking area as it was built on the garden area of No 5 and the area where the new garage is outlined was agricultural land.
11. The applicant has not stated how they intend to connect to the sewer. They have left this section blank.

12. The vendor carried out works on the agricultural area of The Paddock to divert a historic culvert which is clearly visible at the top end of the triangle of land, close to the railway bridge. Prior to this the culvert water ran much closer to The Paddock building (several metres) and then into a ditch/stream which ran along the hedged area, from the building to the lane at the end of the garden of No 5. No 5, No 3 and Entwistle Hall Farm (at the opposite end of the Hall) have experienced hitherto unknown severe waterlogging following these works, exacerbated probably by the areas of hard standing which have recently been created which would only get worse should more be introduced.

The end of the new culvert pipe is 18 metres away from the line of the proposed extension.

I would refer here to Agency Policy:

<https://www.cumbria.gov.uk/elibrary/Content/internet/544/3887/5894/41038125226.pdf>

as perhaps the matter should be referred to the Environment Agency?

I do not understand what the applicant means by sustainable drainage system. Surely this would run into the garden of No 5 as the Paddock building is less than two metres away from the garden of No 5?

13. Regarding Biodiversity and Geological Conservation, we certainly have bats and owls in the area. Before the vendor of The Paddock diverted the culvert and filled the stream which ran in a ditch at the bottom of the garden, we had frogs, newts and still have a variety of birds in the trees and hedgerow, which defined the edge of the stream. It is possible that the water was diverted and the stream filled in to make the development acceptable for their planning application.

The stream was there for a great number of years. My younger daughter, is now 31, and I remember her falling face down in the stream when she was eighteen months old. My children used to go down to the stream to search for wildlife. The Paddock at that time was divided into two and we used to keep a Shetland pony on our section so I am very familiar with the land.

Features of Geological Conservation importance:

I would say that preserving the natural flow of water is very significant. This has been severely disrupted and the gardens of No 5 No 3 and Entwistle Hall Farm have been subjected to extreme waterlogging since the work was carried out. This has been exacerbated by the recent creation of hard standing

14. The original planning permission was for a stable. I believe that the vendor applied for planning permission for a garage and stables. They did not at any point have horses, nor was the building erected in any way a stable. The building was created with an opening for an up and over garage door but was certainly built to be proportionally big enough to convert to a dwelling. The garage door was boarded up and the 'garage' used as a type of shed for bikes, garden items, storage, etc. They created a very low loft area in which you can only stand upright at the apex of the roof joists. The building was never converted to a barn and, to my knowledge, it was never lived in. The building did not have an independent sewage connection or waste drainage, as far as I know, and was never visibly illuminated. My neighbours concur with me on this. There was never a change to residential use

The current owner of No 5 wanted to buy the building but was told that The asking price would be £300,000 because of the 'value of the land'. In terms of complying with the conditions for converting the garage to a dwelling, in that it has to be proved that it could not be used for any other purpose, was this condition waived?

In continuance of Point 14, it would be assumed that there would be contamination into the watercourse that flows across the Paddock land into the garden of No 5 and on by building works?

15. There are hedges and trees on the proposed development land.

The previous planning permission on this property has now expired and the applicant has stated that work has not started on the property. This is evident when you look at the building.

We did not receive notice at our address that planning permission had been applied for for a dwelling; neither did we see a notice posted anywhere. We were informed by a neighbour when the three-week objection period had expired. We would have most definitely objected. The purchasers of No 5 were never consulted as statutory consultees – the vendor applied for planning permission a few weeks before they moved in.

OBJECTIONS IN ADDITION TO THE FOREGOING;

PROPOSED EXTENSION

The existing Paddock building is a mere eight metres away from Entwistle Hall which is a Grade II* listed building and therefore falls within its curtilage.

The affect of a proposed development on the setting of a listed building is a material consideration in determining a planning application. Settings is defined as “the environment in which a heritage is experienced”.

I would like to give a very brief history of the Hall as it would be easy to dismiss it as just an old building.

Entwistle Hall was the original seat of the Entwistle family who owned the manor of Entwistle. The Hall is reputed to have been built in 1200 by Robert de Entwistle. The present day Hall was re-built in the fifteenth century with additions in the sixteenth century. In 1657 it was divided into three buildings and some sixty years ago into four.

One of the most distinguished inhabitants of the Hall was Bertine Entwisell, Viscount of Bricqbec, who rode off from the Hall with fifteen archers to fight for Henry V at the Battle of Agincourt in 1415. He was later knighted by Henry V for his loyalty and bravery and because his knowledge of France gave Henry an advantage.

Sir Bertine gained lands in France after the victory but eventually returned to England in 1450 after the loss of much of the English-held territory. He lived to the age of 59, still a loyal Lancastrian, at Entwistle Hall. He later fought for Henry V's son, Henry VI, at the first battle of the Wars of the Roses, St Albans in 1455.

The Hall has been inhabited by some of the oldest families in our area, each with their own unique history. There have been alterations to the Hall over the centuries, which have in recent times been carefully controlled by English Heritage, now Historic England.

When I lived in the Hall I dealt with English Heritage on many occasions in the preservation of the Hall and very strictly adhered to their very exacting conditions, including having stone mullions cut to the exact pattern of the existing mullions and colour matching the limestone mortar to the rest of the Hall.

I therefore feel that the construction of a house that would grace a modern estate with floor to ceiling windows and sky lights would be totally in conflict with the aesthetics and ambience of the Hall and Entwistle House. The siting and dimensions of the proposed house would completely dominate and tower above the Hall with a complete lack of privacy to the inhabitants at No 5 and Entwistle House and an intrusion of noise and light.

I feel that both the Hall and Entwistle House are buildings whose ambience and settings should be preserved and should not be dominated by a new-build house. The presence of a large house would completely destroy this amenity and is completely out of character with the surrounding historic buildings. It also completely dominates the plot size and is an inappropriate encroachment on the surrounding curtilage. Policy H8 and HD13.

Listed buildings account for about 2% of English building stock. 5.5% of these listed buildings have a Grade II* listed grading, putting Entwistle Hall amongst an extremely small number of historic buildings.

In paragraph 132 of the NPPF it states “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.

The development would significantly impact on this Grade II* listed building. I do not see that there is any clear and convincing justification for these works to be carried out.

Has the formula which applies to creating an extension to the Hall (and building a garage) not already been applied in terms of square meterage?

The proposal would by virtue of its size, siting and design, detract from the character and size of the Grade II* Entwistle Hall and as such would be contrary to Policy HD13 of the Blackburn with Darwen Borough Local Plan. The single storey proposal exceeds 30% of the original dwelling and does not harmonize with the existing building, contrary to Policies RA9 and H8 of the Blackburn with Darwen Borough Council Local Plan. The proposed extension, when viewed with previous extensions would result in a 51% increase in the ground floor area of the garage as originally constructed. I would refer here to Policy RA9 of the Local Plan. The proposal would result in an unacceptable loss of amenity to residents of Entwistle Hall, Entwistle House and Entwistle Hall Barn as a consequence of overlooking and dominance contrary to Policy RA9.

I live in the Wesleyan Chapel (Entwistle House) on the other side of the lane to the Paddock. The vendor of the Paddock has placed an entrance to the Paddock directly opposite my front gate, together with two other steel gates which detract from the appearance of both the Hall and Entwistle House. The vendor has also constructed a large, ugly concrete box opposite the gate to Entwistle House in the Paddock land which is to apparently house a new gas and electricity supply for the Paddock. This has been built next to the open pipe of a culvert. The vendor also had a telegraph pole moved off the Paddock which is now placed next to my property. He has shown a complete lack of regard for the aesthetics of the area or the amenity of the neighbours.

The Chapel was built in 1872 by the local philanthropist, Mr James Barlow. Gandhi has visited the Chapel with Mr Barlow. Mr Barlow’s son, Thomas, became physician to Queen Victoria and attended her on her deathbed. The body of Thomas Barlow is interred within a crypt in the garden of my house. As well as being used for Christenings, Weddings and Burials, the Chapel was also the social centre for the whole of the local countryside area. The Chapel was sold to the gentleman who lives at No 1 Entwistle Hall in 1966 and the gravestones were removed by the Methodists before the sale. The Chapel is nestled in a rustic setting adjacent to The Paddock and close to the Hall and currently enjoys peace, quiet, picturesque views, open countryside and a total lack of light pollution. I relate the history of my property as I feel that the proposed development will be sandwiched between two historically important buildings.

The introduction of a dwelling with an entrance directly opposite my own will most certainly detract from the enjoyment of my property.

The proposed dwelling show floor to ceiling windows which, at the left-hand side, will point directly at my house. As this is the intended lounge area, one can only assume that this will be a permanent beacon of light, together with the skylights in the roof. In the notes when granting planning permission to application 10/12/0068 it was stated:

. “the visual appearance of the development is acceptable and in keeping with the surrounding locality and landscape character. Given that there is only 1no. window proposed in lieu of the garage door”

I would refer to NPPF, paragraph 89 which states that a local planning authority should regard the construction of new buildings as inappropriate. This is, in effect, what this building will become. In relation to this proposed application, the building seems to be doubling in size and the alterations are therefore totally disproportionate.

If the building was not considered large enough to become a dwelling as it is, then why was it considered suitable for conversion to a dwelling?

The previous planning recommendations also state:

- . 5.4 Furthermore, no alterations are proposed to the structure, only internal alterations and the insertion of the window, demonstrating that the building is structurally sound and capable of conversion.

The residents at No 5 Entwistle Hall were very willing to purchase the building at a fair market price, but obviously the £300,000 which the vendor asked for would not be a reasonable amount to pay for a garage. As I mentioned in my prior notes on the Applicant's form, I believe it is required that the prior applicant had to demonstrate that the building is not suitable for any other use (Policy 21 of the Local Plan). Did the vendor meet with this text or was it waived?

The building is crammed, already, into the corner of the plot closes to Entwistle Hall and already over dominates the area around it. The proposal would by virtue of its substandard separation distance to Entwistle Hall lead to an unacceptable loss of amenity to residents at that address as a consequence of overlooking and dominance, contrary to the requirements of Policy H8 of the BDB Local Plan.

The proposal is contrary to Policies 3, 11 and 21 of the Local Plan and paragraph 132 of the NPPF.

It is noted that permitted development rights have been removed.

Has the purchaser established that there is a legal right of way to the new access to the Paddock as it traverses three different ownerships of land?

Sewage

There is no independent sewage or water connection.

Culvert

I would draw attention to the culvert which comes out in the area of The Paddock close to the railway bridge which crossed the Paddock towards the middle of the land and ran into a long ditch/stream alongside the hedgerow behind the boundary of the of the garden of No 5 Entwistle Hall. The vendor diverted the culvert to a point on the boundary closest to the lane, presumably to move it away from The Paddock building. The stream has also been in-filled with earth. Since these works were carried out there has been a disruption to the natural flow of water across this land and severe waterlogging of the garden at No 5, No 3 and Entwistle Hall Farm, which has never hitherto occurred.

I would refer to the following Policy Document regarding culverts and water flow:

<https://www.cumbria.gov.uk/elibrary/Content/internet/544/3887/5894/41038125226.pdf>

Were the necessary tests carried out? Was permission obtained to carry out these works?

The natural flow of water will also be disrupted by any areas of hard standing, which are created.

The laws governing culverts are also pertinent to the building of a large concrete box on the Paddock land next to the open culvert pipe.

Access

The lane up to The Paddock's new access is already oversubscribed, being a single-track lane used by seven properties. We are already obliged on occasion to reverse into Entwistle Hall Lane (with pub traffic) to permit cars to exit the track, which is a laboured and dangerous manoeuvre. Entwistle Hall Lane is a single-track lane itself and is frequently lined with the innumerable cars of walkers and people visiting The Strawbury Duck pub, particularly at weekends and during holidays. We very often have to reverse back to our properties to allow cars to pass, with the added hazard of the listed wall opposite No 3 which curtails access for wide vehicles. The new access to the Paddock would not accommodate large vehicles and the vendor of The Paddock has also placed a gate immediately next to The Paddock access and attached to my house boundary, preventing vehicles from travelling further up the track to turn round and also blocking the rear access to my house. He lives in a converted barn several hundred yards further down the track.

Further, in terms of the visual impact on the openness of the green belt, there is going to be a collection of cars sited on the agricultural land next to the house when it was quoted in the planning approval:

- . *“the provision of access, parking, and servicing is satisfactory and does not detract from the landscape character of the area;*

PROPOSED GARAGE

No 5 Entwistle Hall has a restrictive covenant written into their deeds, which prevents further building on the Paddock lane. The purchaser has stated that he was unaware this existed.

The garage would be sited very close to or over the culvert.

It would be sited at a distance away from the Paddock building. I would refer to Local Planning Policy 3 here: The building would have no direct relationship to the other building would not be viewed in the context of the other building and would detract from the openness of the green belt.

I am attaching a refused planning permission application form from 1995, issued by the Borough of Blackburn Development Services, for a farming implement building on the very same piece of land:

(Ref: DS/P/10.95/1155)

Reasons for Refusal:

1. The proposed development would, by virtue of its siting, design and facing materials, detract from the character and appearance of Entwistle Hall, a Grade II* listed building.
2. The proposed structure would be inappropriately sited with the agricultural unit.
3. The proposed development would result in a loss of amenity to occupiers Of neighbouring residential premises

Our water pipes which come into my property under the rear door of Entwistle House, cross this land and are protected by a 1908 easement.

I apologise for the length of my objection, but this is something that will have great impact on my life and the lives of my neighbours.

Jane Winward 27/03/17

I have looked at the revised application and I am resubmitting my previous application as all the points I made still reapply. There is no substantial change to the previous application.

The proposed plans are still doubling the size of the existing building and are now adding a modern looking tower. There is still floor to ceiling glass to the side elevation facing my property which will be a constant source of light in a previously dark area. I am still astonished that the garage has gained planning permission in an area of greenbelt which we all bought into with the belief that it would remain just that - greenbelt. It seems grossly unfair that the only winner in this is Mr Foley who has gained in the region of £300,000 for this building (as it was listed with his estate agent). Had he allowed Ms Hall to purchase the garage as she wanted to, we would all be able to continue our enjoyment of the area. Mr Foley insisted on a price which had a built-in development factor and was prohibitive to someone acquiring the building as an outbuilding. We all believed that it had to be proved that the building could not be used for any other purpose? Ms Hall now has a potential house metres away from her house and, looking at the new plans, they are proposing windows overlooking the grounds of Entwistle Hall Barn with a subsequent loss of privacy to the owners. It seems so easy now to develop in the greenbelt through a process of stealth. I now have the entrance to this property opposite to my own gate with all the subsequent disruption and inconvenience.

I believe that Blackburn Council are investigating the illegal removal of a water course (clearly shown on the plans) to open up the land for development which has led to water logging and flooding in the gardens of the Hall. A large area of hardstanding has exacerbated this problem. The proposed entrance/driveway into the Paddock goes across the previous pathway of this watercourse and was substantially closer to the actual building.

My original planning objection is attached. (See Above)

Donna Hall, 5 Entwistle Hall BL7 OLR 08/02/17

I am writing to formally object to the above Planning Application. I would also like to request that the decision is taken to Planning Committee given the nature of the decision and its impact on a Grade 2 star listed building and the surrounding hamlet of Entwistle.

I have included photos of the current building and it's relationship to my home, number 5 Entwistle Hall.

My material Planning considerations reasons for objection are as follows:

1) Greenbelt Policy:

The proposal doubles the footprint of a modest dwelling. This is not in line with greenbelt policy.

2) Loss of Privacy:

The proposal includes a new gable overlooking my home with a window facing my bedroom. I've attached photos where you can see the height differential. The proposal will totally dominate my home.

The reason we moved to Entwistle was the stillness, the peace, the beautiful dark skies and the quiet and this will be destroyed with floor the ceiling modern windows along the extension.

Whenever the owners visit the building we can hear every word they say when in the garden as it is so close and the sound carried because it is so much higher than my home.

3) Out of Character Development:

The property is not in keeping with being in the grounds of a four hundred year old building. It is a modern design with a lot of glass that I will have to wake up to look at every day.

The conservatory is squashed up right next to my wall (see below) and will be a constant source of noise and light.

4) Garage:

The ugly modern garage will be sandwiched between two historic buildings see below. I put in place a restrictive covenant to prevent the construction of any further dwellings on the land. The current owners were not informed of this when they bought the property.

5) Drainage Issues:

The garage and associated hard standing will further exacerbate the existing drainage problems we all experience caused by a diverted culvert put in place by the previous owner. The application wrongly states there is no water within twenty metres. There is a culvert which appears on the bat survey contradicting the application.

6) Impact on a Grade Two Star Property:

The design does not reflect the rest of the hall and dominates.

7) Sewage and Utilities:

There is no independent sewage facility, water, gas or electricity. They are all connected to my property.

8) Access:

The property has no legal access.

To conclude, the previous owner has misled the applicant who has in turn misled Planning officers with inaccurate information about the site which hopefully we have corrected.

When I moved here I thought I was moving to a home I could live in for the rest of my life but now this has been threatened by an ugly design overlooking my home and ridiculously close. It is really in my garden.

I know how many issues you have to deal with and how busy you are but I really do hope you can prevent this happening. It is so wrong.

08/02/17

I have some further more detailed policy comments I would like to make in support of my previous objection to the application.

1) The principle of development:

The site is within the green belt, and paragraph 89 of the National Planning Policy Framework (NPPF) advises that; A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- * buildings for agriculture and forestry
- * provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it
- * the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building

This is consistent with Policy 3 of your local plan which also talks about disproportionate additions over and above the original building. It therefore follows that if the additions are disproportionate, then the development constitutes inappropriate development in the green belt, and unless there are very special circumstances, then permission should be refused. My view is that the proposed extensions in this case are disproportionate. Neither the Council's policy or the national guidance defines what disproportionate is, and there has been much case law on the issue. However, in my view and based on various cases, there is a difference between the extension of a property which is currently used as a dwelling, and an extension to a property to facilitate its use as a dwelling. That is because, if a building requires such substantial extensions to be able to facilitate its use as a dwelling, then it is clearly not suitable for conversion. In this case, the extensions are substantial, and taken together with the double garage are in excess of double the size of the original building. Any reasonable person would view that as disproportionate.

Policy 21 of your local plan (conversion of buildings in the countryside) sets out the test which need to be met. Part 1 requires the applicant to demonstrate that the building is not suitable for any other use, and that the applicant should demonstrate that every reasonable effort has been made to secure an alternative use for a period of at least 12 months. As the application has not been accompanied by a supporting statement, I assume that test has not been met.

In addition, part 4 of policy 21 requires that "the buildings are large enough for the proposed use without the need for an extension which would be out of scale with the host building or incompatible with the character of the area"

My view is that the proposed extensions are out of scale and represent disproportionate additions to the original modest building. In terms of the character of the area, the building sits within the curtilage of a grade 2* listed building, in a rural setting. The original building would have been designed as a simple building, subordinate to the listed barn in design and scale. What is proposed is a building of massing and scale which would compete with the listed building, detract from its setting and by its design, not only destroy the character of the original host building, but be out of character in this rural setting. As such the proposal does not comply with policy 11 of the local plan (design).

I would also draw your attention to paragraph 132 of the national planning policy framework, which states that " When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."

In this case, it is not the impact on the asset itself, but its setting which is key. This proposal by its design and scale would significantly impact on the open setting of this important grade 2 * listed building.

In summary, the proposal is contrary to Policies 3, 11 and 21 of the Blackburn with Darwen local plan, and paragraphs 89 and 132 of the National Planning policy framework and should be refused planning permission.

2. Impact on the character and openness of the green belt:

Local plan Policy 3 and the NPPF are clear that any development in the green belt should not impact on its openness or the purposes of including land within it. I would draw particular attention to the double garage in this regard. This would be visible from outside the site, would not be viewed in the context of the original building and has no direct relationship to the group of buildings .As such it would appear as an isolated new building and would detract from the openness of the green belt in this location. For these reasons planning permission should be refused. In addition, the building itself constitutes inappropriate development in the green belt, for which no very special circumstances have been put forward.











27/03/17

I am writing to formally object to the above further Amended Planning Application. I would also like to request that the decision is carefully considered given the impact on a Grade 2 star listed ancient Hall and the surrounding hamlet of Entwistle.

"The Paddock" is a classic development by stealth. As you are aware the original planning approval from Mr Foley was for a stable. The stable was constructed with two upstairs bedrooms, a bathroom but sadly no space for a horse.

It finally received retrospective approval to be "converted" to a dwelling. Nobody has ever lived in this property.

The frosted glass at the rear which is the latest amendment does not detract from the disproportionate, ugly modern roofline, the incongruous dominance overlooking my home and the fact that the dwelling was approved according to it being substantial enough to live in without doubling its size within the proximity of an ancient hall.

Residents around here are mainly elderly people who have lived here all their lives. Each repeated very slight amendment mean we have to resubmit objections each time. The applicant must be hoping we will all eventually give up with each amendment but that won't happen.

I would also like to request that this application is seen as a new application separate from the application to fill the former stable, former garage (now small house) door with stone five years ago. This work by a previous applicant was never started.

I have included photos of the current building and it's relationship to my home, number 5 Entwistle Hall.

My material Planning considerations reasons for objection are as follows:

1) Greenbelt Policy:

a) The principle of development:

The site is within the green belt, and paragraph 89 of the National Planning Policy Framework (NPPF) advises that; A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- * buildings for agriculture and forestry
- * provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it
- * the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building

This is consistent with Policy 3 of your local plan which also talks about disproportionate additions over and above the original building. It therefore follows that if the additions are disproportionate, then the development constitutes inappropriate development in the green belt, and unless there are very special circumstances, then permission should be refused. My view is that the proposed extensions in this case are disproportionate. Both the size and type of the extensions would dominate my home (see the photos attached).

The amended application has converted the conservatory to a solid brick built 'sun room' which is flush up against my party wall with no space to even walk around it.

Neither the Council's policy or the national guidance defines what disproportionate is, and there has been much case law on the issue. However, in my view and based on various cases, there is a difference between the two extensions of a property which is currently used as a dwelling, and an extension to a property to facilitate its use as a dwelling. That is because, if a building requires such substantial extensions to be able to facilitate its use as a dwelling, then it is clearly not suitable for conversion. In this case, the extensions are substantial, and are in excess of double the size of the original building. Any reasonable person would view that as disproportionate.

Policy 21 of your local plan (conversion of buildings in the countryside) sets out the test which need to be met. Part 1 requires the applicant to demonstrate that the building is not suitable for any other use, and that the applicant should demonstrate that every reasonable effort has been made to secure an alternative use for a period of at least 12 months. As the application has not been accompanied by a supporting statement, I assume that test has not been met.

In addition, part 4 of policy 21 requires that "the buildings are large enough for the proposed use without the need for an extension which would be out of scale with the host building or incompatible with the character of the area"

My view is that the proposed extensions are out of scale and represent disproportionate additions to the original modest building. In terms of the character of the area, the building sits within the curtilage of a grade 2* listed building, in a rural setting. The original building would have been designed as a simple building, subordinate to the listed barn in design and

scale. What is proposed is a building of massing and scale which would compete with the listed building, detract from its setting and by its design, not only destroy the character of the original host building, but be out of character in this rural setting. As such the proposal does not comply with policy 11 of the local plan (design).

I would also draw your attention to paragraph 132 of the national planning policy framework, which states that " When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification."

In this case, it is not the impact on the asset itself, but its setting which is key. This proposal by its design and scale would significantly impact on the open setting of this important grade 2 * listed building.

In summary, the proposal is contrary to Policies 3, 11 and 21 of the Blackburn with Darwen local plan, and paragraphs 89 and 132 of the National Planning policy framework and should be refused planning permission.

b) Impact on the character and openness of the green belt:

Local plan Policy 3 and the NPPF are clear that any development in the green belt should not impact on its openness or the purposes of including land within it. I would draw particular attention to the double garage in this regard. This would be visible from outside the site, would not be viewed in the context of the original building and has no direct relationship to the group of buildings .As such it would appear as an isolated new building and would detract from the openness of the green belt in this location. For these reasons planning permission should be refused. In addition, the building itself constitutes inappropriate development in the green belt, for which no very special circumstances have been put forward.

The proposal doubles the footprint of a modest dwelling. This is not in line with greenbelt policy.

2) Loss of Privacy:

The amended proposal reduces the new gable previously overlooking my home with angle story extension flush up against my boundary wall. I've sent photos where you can see the four metre height differential and proximity to my home. The amended proposal will totally dominate my home, especially the weird, tall chimney stack.

My neighbours Phil and Debbie will have their home immediately overlooked by the new proposed gable at the rear of the property. This will mean the applicant can look directly into their home through the elevated gable window.

The reason we moved to Entwistle was the stillness, the peace, the beautiful dark night skies and the quiet and this will be destroyed with floor the ceiling modern windows along the extension.

Whenever the owners visit the building we can hear every word they say when in the garden as it is so close to our shared boundary and the sound carries really clearly because it is so much higher than my home.

3) Out of Character Development:

The property is not in keeping with being in the grounds of a four hundred year old building. It is a modern design with a lot of glass that I will have to wake up to look at every day.

4) Serious Drainage Issues:

The associated hard standing around the extended property will further exacerbate the existing drainage problems we all experience caused by an illegally diverted culvert put in place by the previous owner Mr Foley without informing The Council or the Environment

Agency. The application wrongly states there is no water within twenty metres. There is a culvert which appears on the bat survey contradicting the application.

Blackburn with Darren's drainage team are currently investigating the unauthorised diversion of the culvert which breaches Environment Agency and Council guidelines.

5) Impact on a Grade Two Star Property:

The design does not reflect the rest of the hall and totally dominates a historic hall with its elevated position four meters above the hall.

7) Sewage and Utilities:

There is no independent sewage facility, water, gas or electricity. They are all connected to my property.

8) Access:

The property has no legal access.

To conclude, the previous owner has misled the applicant who has in turn misled Planning officers with inaccurate information about the site which hopefully we have corrected.

When I moved here I thought I was moving to a home I could live in for the rest of my life but now this has been threatened by an ugly modern design so close to my boundary and overlooking my home and ridiculously close. It is really in my garden.

I know how many issues you have to deal with and how busy you are but I really do hope you can prevent this happening. It is so wrong.





Cecil A Wild 1 Entwistle Hall BL7 OLR 09/02/17 & 27/03/17

Firstly I wish to object on the grounds that what was originally applied for as a stable with no cars is now to become a house with two double garages which will add to the HIGHWAY access problem which is already dangerous. If permission is granted additional cars will be traversing the unadopted single lane carriageway from the "Paddock's" proposed entrance down past Entwistle Hall to Entwistle hall Lane.

At present if a delivery van is turning in for Entwistle Hall Farm or Nos 1-5 when a car is trying to come out . the van has to BACK OUT on to Entwistle Hall Lane which is also single track. This is dangerous as some of the traffic is from the Strawberry Duck and the turning is concealed by hedges. The only passing place on the section past Entwistle Hall is the old farm yard which is frequently blocked by service vans or Sainsbury deliveries , royal Mail or parcel vans and my cars.

Secondly , the proposed enlargement is not in keeping with Entwistle Hall and its two star listed walled garden. It will spoil the aspect of the Old Hall and it's peaceful gardens..

Mr P & Mrs D Schofield, Entwistle Hall Barn, Entwistle Hall Lane,
Bolton BL7 0LR 08/02/17

We write in connection with the above planning application. We have examined the drawings and wish to object strongly to the application.

We purchased our home in April 2015, primarily due to the tranquil private setting and it not being overlooked. Our initial plans had to be scrapped and scaled back once it became apparent the planning policies that apply to Entwistle and the green belt.

Since then we have significantly invested both emotionally and financially to create our 'forever home'. The proposed application will have an adverse effect on our privacy.

We OBJECT to this application for the following reasons...'

Loss of privacy

The addition of three roof/Velux windows would result in a loss of privacy and have an adverse impact on our lives. There would be direct overlooking into our daughters' bedroom/dressing area, into our lounge, garden room, patio and garden from the windows. We have been inside the 'Paddock' upstairs a few months ago and due to it originally being constructed as a garage, the floor level and the low pitch of the roof means the occupants will be directly looking out of these windows at eye level into our private house and garden.

Enlarging the existing side elevation window above the garage door will also result in a further loss of privacy. This window looks into our lounge and daughters' bedroom. Likewise, enlarging the other existing side elevation windows towards the garden will result in a further loss of privacy as it overlooks our garden and greenhouse. The first floor rooms already have suitably sized windows, which does not restrict their value as habitable rooms.

The scale of glazing in the single storey conservatory extension facing our property would also result in a loss of privacy as it looks directly into our lounge. Should the conifers be cut/removed (and we expect they will to increase the limited outside space) we would be exposed.

The scale of glazing in the single storey lounge extension facing our property would also result in a loss of privacy as it looks directly into our garden room and private garden areas. The proposal would by virtue of it distances to both our house and Entwistle Hall lead to an unacceptable loss of amenity to residents as a consequence of direct overlooking and dominance due to the two storey front extension, enlargement of the side elevation windows, conservatory and lounge extensions.

Green belt policies

The proposal would due to its increase in size, siting and design, detract from the character of the existing Listed Buildings in the hamlet of Entwistle that are of Special Architectural and Historic Interest. The excessive glazing is out of character in terms of its appearance compared with Entwistle Hall, Farm and Cottage and the extensions will significantly enlarge the overall size of the house.

In accordance with the Green Belt policies of the Local Plan, within the Green Belts and Countryside Areas the conversion of a building will be permitted provided that:

- The buildings are large enough for the proposed use without the need for a single storey extension which would result in an increase in ground floor area of more than 20 square metres.
- Two storey extensions will not be allowed.

The proposed extension doubles (more than 20 square metres) the ground floor area of the garage as originally constructed and a two storey extension is proposed. There is also the detached garage extension which would also be a further overdevelopment of the site.

Permitted development rights removed

According to the previous planning application 10/12/0068 Conversion of Annex to new dwelling which was permitted 27-09-2012, permitted development rights have been removed by condition.

8 P & H COMMITTEE REPORT

5.9 Members are advised that the removal of permitted development is required by condition to restrict any future developments at the site which may have a detrimental impact upon the setting of Entwistle Hall.

Curtilage

We would also like to raise the issue of the site and all works of alteration or extension being covered by the listing protection as it's in the curtilage of the listed buildings. Historically the land was the domestic garden and owned by 5 Entwistle Hall before being separated off to build the garage.

The site in question, the paddock, in its current form is large and sound enough to form a single dwelling without any extension or alterations as permitted in the previous planning consent.



View into daughters' bedroom – overlooked by skylights, enlarged first floor window and conservatory if hedging removed.



View from lounge – overlooked by enlarged first floor window and conservatory if hedging removed.



Garden room - overlooked by large glazing in lounge extension



View from drive - overlooked by skylights, enlarged first floor window and conservatory if hedging removed.



Garden - overlooked by skylights, enlarged windows and large glazing in lounge extension.



Garden - overlooked by large glazing in lounge extension.



Garden - overlooked by skylights and large glazing in extensions



Patio - overlooked by skylights and large glazing in lounge extension.



Hot tub area - overlooked by skylights and large glazing in lounge extension.

6.3 Comment from former owner:

18/04/17

Hi Kate

I came into the planning office last Wednesday to review the objections to the above application.

I did so having been informed that I was referred to in a number of the e-mails.

Having read through all of the objections it is clear to me that a number of untruths have been stated as well as making accusations against me.

In fairness to the applicants I do think I should set the record straight, even though most of the matters are probably not that relevant to your determination.

It is pretty clear that the neighbours have been prompted as they all make reference to the same errors in factual accuracy.

As you know planning permission to convert the Paddock to a dwelling was granted in April 2012. It had not been a retrospective application.

Therefore to suggest that retrospective planning permission was granted is incorrect and probably mischievous.

Mrs Hall purchased Entwistle Hall from us in August 2012 in full knowledge that the Paddock had planning permission for a dwelling.

For completeness the Paddock did have a restrictive covenant placed on it to prevent any further dwellings being built on the site. A garage (albeit I understand not now part of the application) is not in breach of that restrictive covenant, which permits ancillary buildings; of which a garage is.

When we decided to sell the Paddock, I approached Mrs Hall to give her the first chance of purchasing it. I obviously asked the market rate for a property with planning permission. She declined.

Prior to selling Entwistle Hall to Mrs Hall in 2012 the gas and electric utilities to the Paddock were via that property. However, subsequently I arranged for both electric and gas to be supplied independently. The Paddock already had independent sewage and water connections.

There are no issues about the legality of access to the Paddock. We had full access rights and they were transferred to the applicants on their purchase of the Paddock.

To suggest that I have misled anyone is wholly untrue and arguably libellous.

I am sure you recall that Mrs Hall is a former senior employee of the Council. I would have thought that would make it even more important for her to be accurate in this type of situation, especially so as she is probably acquainted with members of the Committee, if not Officers.

The reference to the culvert is also inaccurate. It is not even close to the Paddock let alone beneath it. The work I did on it has resulted in the flooding issue at Entwistle Hall being eliminated, not created. I carried out the work almost 17 years ago; I think at the end of 2002. It seems strange it only gets raised now if as alleged there has been flooding as a result of it.

Finally, I find it rather hypocritical that over the years each of the objectors has benefitted from alterations to their own properties around Entwistle Hall. They have all had construction traffic impacting others. This smacks of pulling up the ladder behind having got what you want.

Mr and Mrs Thornleys' proposal is entirely in keeping with the other properties at the Hall and the reference to the amount of glazing is a bit rich when at

least 3 of the other properties have floor to ceiling glazing; 2 of which are in the Grade 2* building and as you know, the Paddock isn't listed.

I would like this to be placed on record so the Committee receives a full and balanced picture of the application.

Regards

John Foley

6.4 Historic England:



Historic England

NORTH WEST OFFICE

Ms Kate McDonald
Blackburn with Darwen Borough Council
Town Hall
BLACKBURN
BB1 7DY

Direct Dial: 0161 242 1416

Our ref: W: P00552111

7 February 2017

Dear Ms McDonald

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**THE PADDOCK, ENTWISTLE HALL LANE, TURTON, BOLTON, BL7 0LR
Application No. 10/16/1301**

Thank you for your letter of 26 January 2017 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Yours sincerely

Marie Smallwood
Inspector of Historic Buildings and Areas
E-mail: marie.smallwood@HistoricEngland.org.uk



SUITES 3.3 AND 3.4 CANADA HOUSE 3 CHEPSTOW STREET MANCHESTER M1 5FW

Telephone 0161 242 1416
HistoricEngland.org.uk



Historic England is subject to the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.



NORTH WEST OFFICE

Ms Kate McDonald
Blackburn with Darwen Borough Council
Town Hall
BLACKBURN
BB1 7DY

Direct Dial: 0161 242 1416

Our ref: W: P00552111

14 March 2017

Dear Ms McDonald

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**THE PADDOCK, ENTWISTLE HALL LANE, TURTON, BOLTON, BL7 0LR
Application No. 10/16/1301**

Thank you for your letter of 6 March 2017 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Yours sincerely

Marie Smallwood
Inspector of Historic Buildings and Areas
E-mail: marie.smallwood@HistoricEngland.org.uk



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6.5 Conservation and Design Officer:

Original Consultation:

The existing building is a modest stone built building which was an ancillary garage to the Grade II* Entwistle Hall. The building has had approval as a single dwelling and the garden curtilage has been divided between the Hall and the Paddock.

The proposed extensions to the existing building would result in a significant increase in the footprint of the building which would have a dominant appearance on the setting of the listed building and fail to appear ancillary and subservient to it. The proposed front and side extensions give a more cluttered feel, and have suburban influences

which would detract from the countryside setting of the listed building where ancillary structures have more simple forms. The overall effect would in my opinion harm the setting of the listed building contrary to Para. 37 of the NPPF and conflict with Policy 39 of the Local Plan part 2.

A reduced footprint with a single extension is considered to be more appropriate.

Amended plans consultation:

I refer to the proposed amendments to the Paddock. It is my view that the front porch extension appears clumsy and would detract from the simplicity of the original building. However I appreciate that the scheme has significantly less impact on the setting of the listed building than previously submitted and the front extension would be concealed by the boundary wall and fence. There would in my opinion be limited harm to the setting of the listed building and would comply with Policy 39 of the Local Plan. I would recommend condition stone coursing, texture and colouring to match existing and details of fenestration be submitted for approval.

6.6 Drainage:

The watercourse crossing the site was diverted and culverted by the previous owner in order to facilitate the planning application for annexing of the building. This culverting work has increased the risk of flooding in the area.

The planning application form at the time did not disclose that there was a watercourse within 20 metres.

We are checking whether the EA gave consent to the diversion but it is unlikely.

If it is unconsented then we will require a planning condition to restore the watercourse to its former route in open cut but would allow a section to be culverted under the drive.

6.7 Parish Council:

The Parish Council objects to this proposed development, on the grounds that:

It is an over-development of the site

It is out of character with the nearby Grade II listed buildings

It will lead to overlooking of adjacent properties, due to its elevated position

6.8 Capita Ecology:

14th February 2017

Reference: 10/16/1301

Kate McDonald
Development Management
Planning Section, Regeneration Dept
Blackburn with Darwen Borough Council
Town Hall,
Blackburn
BB1 7DY

Dear Kate,

Subject: The Paddock Entwistle Hall Lane Turton Bolton BL7 0LR - Single storey side (south west) extension, single storey side (north east) extension and two storey front extension to existing building and detached garage.

The Ecology Report (Survey and Assessment in Respect of Bat Species and Nesting Birds, The Paddock, Echo Calls Bat Surveys, 12th January 2017) has been reviewed in line with other submission documents for this application. This satisfies the requirement to address biodiversity and no further information is required prior to the determination of the application.

All of the measures in Section 5 of the Ecology Report must be included as planning conditions and/or implemented throughout the development as planning obligations. This is required in order to safeguard protected species and to ensure that the development proceeds in line with the National Planning Policy Framework (NPPF) (aiming to achieve sustainable development) and the obligations on public bodies to conserve and enhance biodiversity as required by the Natural Environment and Rural Communities (NERC) Act 2006.

I trust that the above provides you with sufficient information. If you have any queries please do not hesitate to contact me.

Kind regards,

Andrea Sarkissian BSc GradCIEEM, Ecologist

Peer reviewed by Tabatha Bonifacio CEnv MCIEEM, Associate Ecologist

Property and infrastructure

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7.0 CONTACT OFFICER: Kate McDonald, Planning Team Leader
(Implementation)

8.0 DATE PREPARED: 28 March 2017