

Proposed development: Full Planning Application for Change of use of 2 x barns at Hob Lane Farm to a single attached dwelling with integral garage, including building works

**Site address:
Hob Lane Farm Barns
Blackburn Road
Turton
Bolton
BL7 0PU**

Applicant: Djemel & Jennifer Salah-Bey-Carr & Cain

**Ward: West Pennine
Councillors:
Cllr Colin Rigby
Cllr Jean Rigby
Cllr Julie Slater**



1.0 SUMMARY OF RECOMMENDATION

1.1 The proposed development is recommended to be granted planning permission for the reasons as stated in Paragraph 4.1.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 This application is presented to the Committee in accordance with the Scheme of Delegation. The proposed development has been publicised through letters to residents of adjoining properties. Five letters of objection have been received. A summary of the comments is provided at Paragraph 6.1 below.

2.2 A planning application was previously applied for in March 2020 and withdrawn in April 2020, prior to it being refused permission on grounds of heritage impact, design, neighbour amenity, and access (10/20/0254).

2.3 The proposals before the Committee have been through several months of discussion and consultation with the Local Planning Authority, Conservation Officer and others as the applicants have sought to work with the Council to address the issues highlighted at the end of the previous planning process.

2.3 The key issues to be addressed in determining this application are:

- Heritage
- Design and Amenity
- Access and Parking
- Ecology
- Environmental Protection

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The site of the proposed development is located on the edge of the village of Edgworth.

3.1.2 The application site is characterised by a complex network of relationships with the surrounding built and landscape environment: On land immediately to the north, a new detached dwelling is in the process of being constructed against the village boundary. To the south, the site forms part of a 'fold' – where through the 18th and 19th centuries a relationship of buildings developed around a farmyard. The Hob Lane Cottages, whose rear elevations abut the application site on this south side, include the Grade II listed buildings at Nos. 2 and 4. The West Pennine Moors stretch out to the west of the site, the land dropping gently down to Wayoh Reservoir. Finally, on the east side, the larger of the two barns that are the subject of this application adjoin 475 and 473 Blackburn Road.



Extract from Google street view – the 2 barns edged in red

3.1.3 The application site is comprised of two barns. The larger barn is a continuation of the building that comprises Nos. 473 and 475 Blackburn Road and which, together with its adjoining neighbours, forms the northern side of the fold. The smaller barn is located off the south-west corner of the larger barn, the separation distance between the two being about 1.8 metres. Both barns have been in need of structural repair. Work has, in fact, been commenced prematurely on the roof. This was halted by enforcement action whilst the ecological impact of the works was assessed (the smaller barn having been used as a nesting place for a barn owl).



Extract from Google Street View – entrance from Blackburn Road



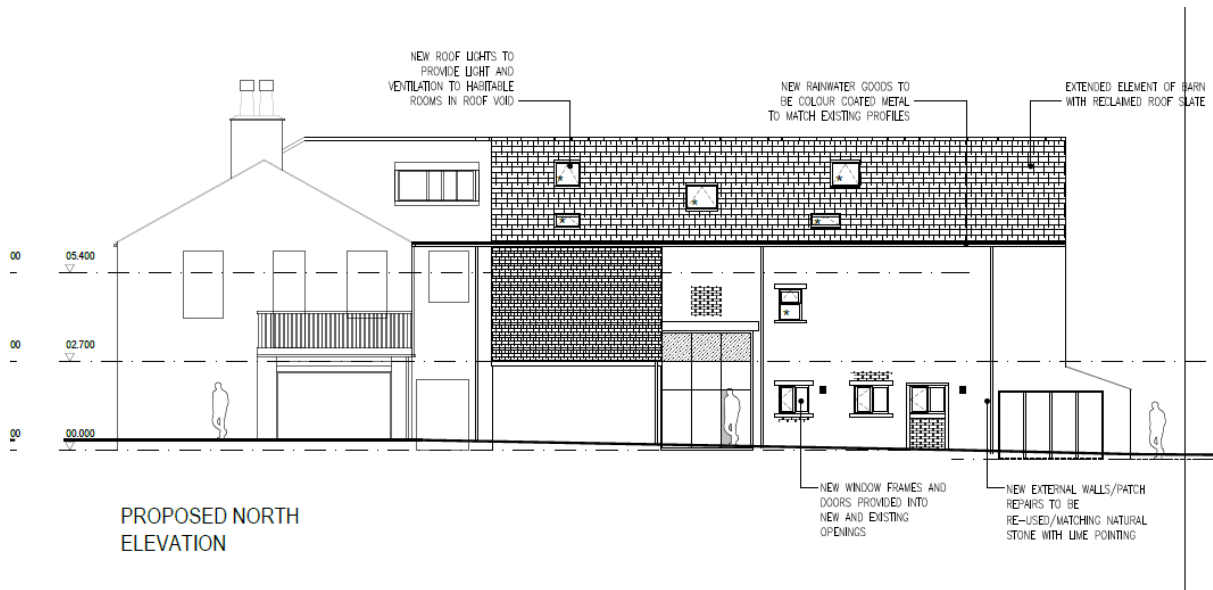
Photograph taken 2nd April 2020 – showing unauthorised works to the roof.



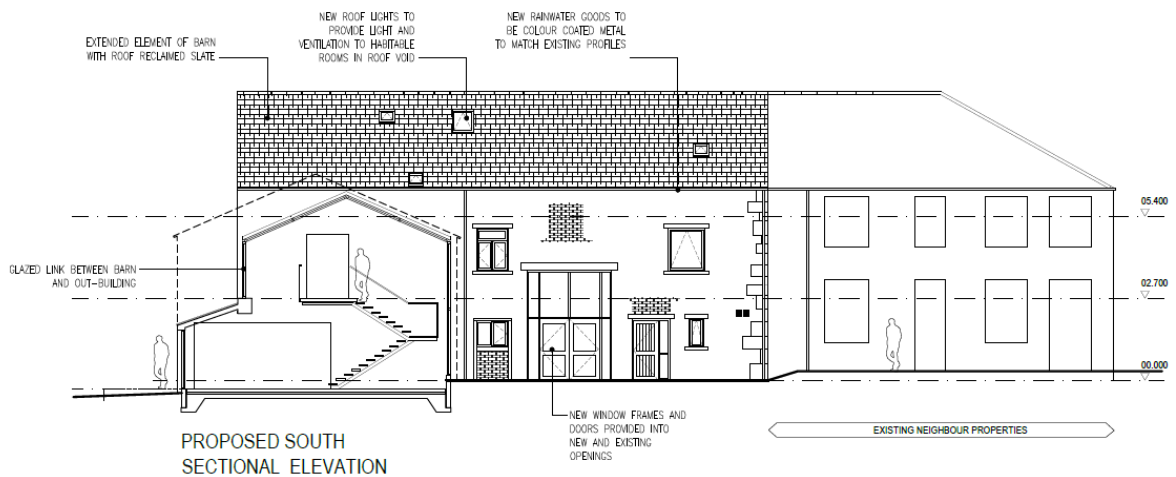
Photograph taken 2nd April 2020 – showing relationship of the adjoining cottages (Nos 2 & 4 Hob Lane Cottage, including the Grade II listed building) with the application site.

3.2 Proposed Development

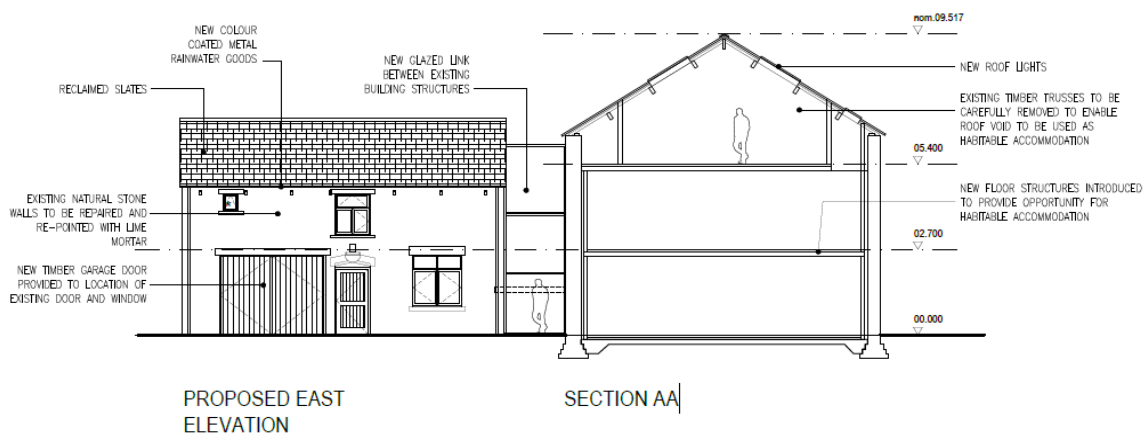
- 3.2.1 The proposal is for the formation of the two separate barns into a single attached dwelling, including an integral garage, and building works necessary to facilitate this change of use.



Extract from Proposed north elevation drawing received 7th December 2020.



Extract from Proposed South Elevation and sectional drawing received 7th December 2020.



Extract from Proposed East Elevation and sectional drawing received 7th December 2020.

3.3 Development Plan

3.1.4 Blackburn with Darwen Borough Local Plan Part 2 – Site Allocations and Development Management Policies (December 2015)

- Policy 8: Development and People
- Policy 9: Development and the Environment
- Policy 10: Accessibility and Transport
- Policy 11: Design
- Policy 21: Conversion of Buildings in the Countryside
- Policy 39: Heritage

3.1.5 Blackburn with Darwen Borough Local Plan Part 1 – Core Strategy (January 2011)

- Policy CS17: Built and Cultural Heritage
- Policy CS18: The Borough's Landscapes

3.4 Other Material Planning Considerations

3.4.1 National Planning Policy Framework (NPPF) (February 2019):

Section 12: Achieving Well-Designed Places

3.5 Assessment

3.5.1 ***Preliminary Consideration*** The barns proposed to be converted and, along with the surrounding dwellings and field to the west and north, are no longer associated with a working farm and have no existing purpose, except that they provide a habitat used by owls for nesting purposes.

3.5.2 The heritage aspects of the application site will be considered below. Suffice to state here that the location of the barns is considered to complete the form and appearance of a 'fold' – where a small group of dwellings are located around a courtyard or farmyard.

3.5.3 The basic two questions, then, are these: is the contribution of the barns to the heritage of the setting of sufficient importance as to justify a change of use to ensure their continuing as vital elements to the setting? Or, is the harm to residential amenity of such a level as to warrant a refusal of a change of use and allow for their potential loss as the better option?

3.5.4 The Local Plan Part 2 sets out to manage change in the rural areas in a way that ensures they have a sustainable future (Paragraph 4.21). The preferred option for disused buildings in the rural areas is for their conversion to industrial, tourist or non-retail commercial use, unless shown to be unsuitable

because of such issues as the location or the relationship with neighbouring properties (Local Plan 2 Policy 21).

- 3.5.5 It is considered that the constraints of the site – the limited availability of parking, the proximity of residential dwellings to the barns, the lack of infrastructure that a business enterprise might require – are such that the site is unsuitable for industrial or commercial operations. Residential use was considered to be the preferred option if the barns were to be brought back into use rather than being allowed to continue their decline into dereliction.
- 3.5.6 Members are advised that, since the withdrawal of planning application 10/20/0254 in March 2020, the proposed conversion of the barns has been the subject of detailed negotiations between the applicants, their agent and the local planning authority. The proposals before the Committee, whilst not completely satisfying either the requirements of the applicants nor the concerns of the objectors, is being recommended for approval because they are considered to have addressed as best as possible the balance between preserving heritage, securing neighbour amenity and providing a new dwelling that will work for the applicants.
- 3.5.7 *Heritage Considerations*** The adopted Core Strategy identifies the built heritage of the Borough as being a major asset in its attractiveness and local distinctiveness (Paragraph 11.6). It goes on to state that this does not relate solely to designated buildings. Rather, the less distinctive buildings and spaces in between form the “glue” that joins key features together, and are crucially important in maintaining the overall character of a place.
- 3.5.8 In respect of this, Local Plan Part 2 Policy 11 requires development to “*demonstrate an understanding of the wider context*”, with Policy 39 requiring development “*with the potential to affect any designated or non-designated heritage asset, either directly or indirectly including by reference to their setting*” to “*sustain or enhance the significance of the asset*”.
- 3.5.9 Nos. 2 and 4 Hob Lane are Grade II Listed Buildings with the remaining dwellings, Nos. 4, 6 and 10 being regarded as non-designated heritage assets. Nos. 2 and 4 originally formed one farmhouse dating back to 1717. The proposed development concerns both the setting of the listed buildings and the additional non-designated heritage assets that are the barns. The area directly behind the listed building probably formed part of the farmyard of the now listed structure; and whilst the area that is the subject of this planning application no longer falls within the curtilage of the listed structure, it still represents the layout of a rural north Lancashire agricultural settlement or “Fold” – hence it provides a setting directly related to the dwellings on Hob Lane.
- 3.5.10 The barns are to the rear of the former Hare and Hounds Inn (473 & 475 Blackburn Road), a non-designated heritage asset, recorded on the Lancashire Historic Environment Record. The barns date from the mid-late 19th century. Whilst the date stone on the smaller structure barn (shippon?) states 1905 the cartographic record shows the smaller structure in that

location on the 1850 map. The larger barn attached to 475 Blackburn Road is evident on the 1894 map. The layout of these modest buildings clustering around a small farmyard is a clear constant on the cartographic record and forms an important part of the setting of the listed structure. This group of rural agricultural buildings is significant in demonstrating the evolution and form of a small agricultural settlement.

3.5.11 The National Planning Policy Framework (Paragraph 192) (NPPF) (2019) states that, in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Conservation of heritage assets can make a positive contribution to sustainable communities, with new development potentially making a positive contribution to local character and distinctiveness.

3.5.12 Paragraph 193 of the NPPF states that when considering the impact of proposals 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 applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.

3.5.13 Paragraph 195 of the NPPF states that proposals which lead to substantial harm to a designated asset should be refused unless it can be demonstrated that the loss is necessary to achieve substantial public benefits that outweigh the harm or all of the following apply:

- The nature of the asset prevents all reasonable uses of the site;
- No viable use of the asset can be found;
- Conservation by grant funding or some sort of non-profit making organization is not possible, and
- The harm is outweighed by the benefit of bringing the site back into use.

3.5.14 Paragraph 196 of the NPPF identifies that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

3.5.15 Whilst it is considered that the barns form part of the visual setting to the two listed cottages and the other non-designated cottages adjoining on Hob Lane, the buildings are not considered to be so integral to the setting as to hinder a potential re-use. Nos. 2 and 4 Hob Lane turn their backs to the farmyard and have their principle elevations facing south. This visual separation is reinforced somewhat by the change in land levels between the lower cottages and the higher farmyard and barns. However, it is considered that the conversion of the two barns into a sustainable use will help secure the historic value of the group setting as envisaged by the Core Strategy.

3.5.16 Overall the conversion of the barn into residential use is not considered to cause substantial harm to the historic setting of Nos. 2 & 4 Hob Lane. Whilst

the setting will be affected by the conversion, this is considered to amount to being 'less than substantial' harm.

- 3.5.17 Paragraph 197 of the NPPF states that LPAs should consider the effect of applications on the significance of non-designated heritage assets. In weighing applications a balanced judgement will be required having regard to the scale of the harm or loss and the significance of the asset.
- 3.5.18 The two barns are considered to have a part to play in the wider group setting and form the northern and western enclosure to the farm yard. The significance of both barns is probably low/medium and is of a local importance. Some loss or harm is mitigated by the design of the conversion. However, any loss needs to be put in the context of the benefits of safeguarding the redundant buildings and the obvious long term benefits of securing the wider group setting.
- 3.5.19 In therefore commending the proposed development to Members in respect of the long-term future of the wider setting it is acknowledged that the changes and alterations required to convert the former agricultural buildings to a single dwelling will inevitably cause some loss of and concealment of historic fabric and features. The development will also bring about an overall change of character to the building. Consequently should Members be minded to grant planning permission to this scheme, it is recommended that a record of the building be made prior to conversion and that such work is secured by means of a planning condition requiring the implementation of a programme of building recording, analysis and reporting work.

3.5.20 Design and Amenity Considerations

- 3.5.21 The NPPF states that planning decisions should ensure that development functions well and adds to the overall quality of the area. It should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. In addition, it should be sympathetic to local character and history, including the surrounding built environment and landscape setting, *“while not preventing or discouraging appropriate innovation or change”* (Paragraphs 127a, b and c).
- 3.5.22 This is supported in Policy 11 of the Local Plan 2 which requires development to demonstrate an understanding of the wider context and to make a positive contribution to the local area. The defining characteristics of the site have already been set out above, in that the setting comprises of a listed building and the fold that enables 2-4 Hob Lane and 473 and 475 Blackburn Road to relate to the historic 'fold' context. Policy 39 of the Local Plan Part 2 requires the detailed design of any work to be carried out, including scale and proportions, materials and construction details to “sustain or enhance the significance of the asset”.
- 3.5.23 The context would include an understanding of the position of the development within the surrounding built environment. Policy 8 requires development to secure the amenity of adjacent properties, and this would be

The smaller of the two barns is retained in its form, including the retention of the element that turns south-west on its corner. The existing ground floor window that currently serves the pigsty is retained for the downstairs W.C. adjacent to the rear of the garage. The existing window serving the pigpens is deepened and utilised and a new opening created above it to serve the master bedroom. This is set back in a deep reveal that limits its visual impact on the elevation.

The re-built gable wall of the larger barn is dominated by a large first floor window serving the family room that additionally forms a transit space between the master bedroom on the south side of the dwelling and the remaining bedrooms in the north wing. The lack of openings into the gable to allow light into what is quite a lengthy barn has been the subject of numerous discussions between officers, the Council's Conservation Officer and the agent. The proposed central glazing is commended in that its apex is subordinate to the apex of the roof allowing for the retention of a large area of traditional stone wall.

The two separate barns are joined by a glazed structure that holds the internal stairway between the ground and first floor.

The design of the west elevation, is therefore considered to be in accordance with Policy 11 and the NPPF in that it allows for a fusion of the form and appearance of the barn with innovation that is considered to integrate well with the overall appearance of the dwelling.

Objections have been received in relation to the extensive use of obscured glazing in the first floor windows, particularly the large central window serving the family room. Normally the local planning authority would resist such glazing in habitable room windows. However, the Council has been informed that the vendor of the property has established a covenant on the barns that prevent the use of clear glazing in this elevation to protect the amenity of the property that he is building next door. It is considered that views from the west elevation would not actually compromise the privacy of this dwelling. However, approving only clear glazing would leave the applicants with a development they could not implement.

Members are therefore recommended to approve the alterations to the west elevation, along with a condition requiring the submission of samples of glazing material to ensure that the amenity of the applicants is not unduly harmed by the covenant.

3..5.26 The south elevation



South elevation, left, and proposed alterations, below.



There are two aspects to the south elevation: the south elevation that is the gable wall to the smaller barn, and the south elevation to the longer barn adjoining 473 and 475 Blackburn Road.

The Residential Design Guide Supplementary Planning Document sets out the Council's separation distances required to be met on all new residential development – a separation of no less than 21 metres between facing windows of habitable rooms, or 13.5 metres where habitable room windows face a blank gable or windows to non-habitable rooms (Policy RES 2G).

The minimum separation distance between the blank gable wall of the currently detached barn and No. 10 Hob Lane is slightly under 2.5 metres – a full 11 metres short of the requirement. However, there is no change to the gable wall to this smaller barn. The relationship remains the same; and with

no windows being added to the gable wall it is considered that no additional harm is caused to No. 10 Hob Lane than is currently the case.

Objections have been received in relation to the presence of windows in the main south elevation.

Between the first floor bedroom window in the proposed south elevation and the rear-facing windows of Nos. 4 and 6 Hob Lane the separation distance is approximately 15.7 metres. This is some 5.5 metres below the separation distance normally required between habitable room windows. However, this window follows the established practice within the existing separation distances between the rear windows of Hob Lane Cottages and Nos. 473 and 475 Blackburn Road.

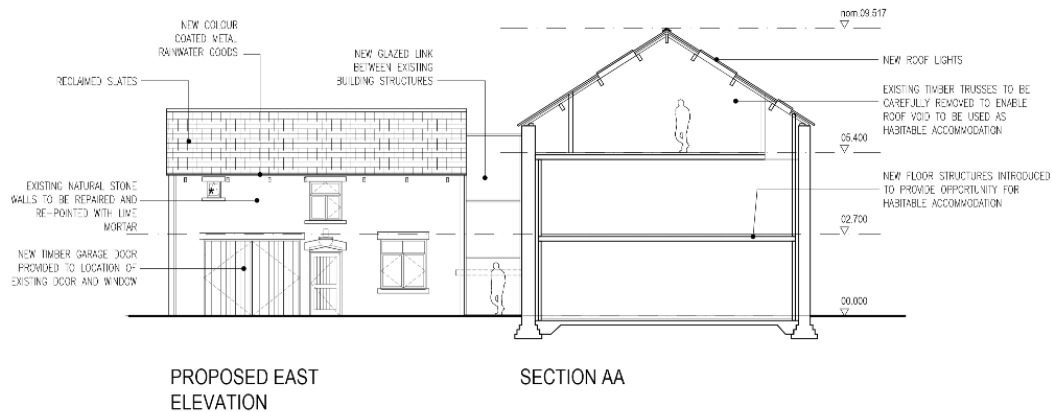
The window opposite to No. 8 Hob Lane is to serve a store and would therefore be required to be 13.5 metres distance. The separation distance is approx. 14.5 metres. Whilst this would therefore be considered acceptable, to help minimise the number of habitable room windows in this elevation, it is recommended that the store window be conditioned to be non-opening and fitted with obscured glazing – a sample of which to be submitted for the approval of the local planning authority.

Members are therefore recommended to approve the proposed alterations to the south elevation, along with the condition proposed by this report.

3.5.27 The east elevation



East elevation, above, and proposed alterations, below.



The east elevation largely makes use of the existing openings, the main change being extending an existing window to the ground and then joining with the adjacent opening to form the garage doors. The retention of the single door includes the retention of the date-stone above which, whilst not old (it is dated 1905) is nevertheless considered an important and distinctive feature in the barn.

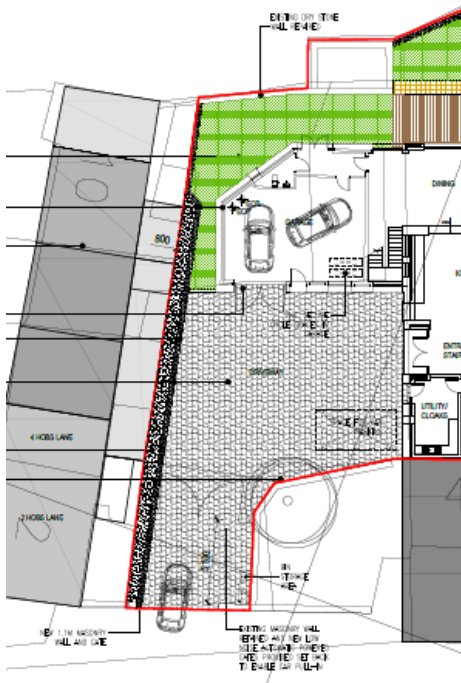
3.5.28 **Roof form.**

The proposed development makes use of the existing roof form, with the introduction of new rooflights on both the north and south planes. Objections have been received based on the removal of the timber trusses from within the roof spaces to form additional living space within the loft.

Whilst it is agreed that these form part of the non-designated heritage that is the two barns, neither the Council's Conservation Officer nor Lancashire Archaeology have objected to the proposal. Policy 39 of the Local Plan Part 2 states that where some impact on significance is acceptable, the Council will require a programme to be implemented of recording the asset in its original condition, prior to any work being carried out. Lancashire Archaeology has requested this, and Members are recommended to approve a condition to this effect.

Members are therefore recommended to approve the alterations proposed to the east elevation.

3.5.29 The Courtyard.



3.5.30 Policy 11 of the Local Plan Part 2 requires development to make provision for adequate and secure amenity space, and that space should be defensible. The courtyard has been an especially sensitive space in which to negotiate residential development, given that visually and historically the courtyard has been a shared geographical space. Many of the objections relate to this space, to access into it and, in particular, to the proposed 1.1 metre wall proposed along its southern side (see extract from proposed site plan above).

3.5.31 Steps lead up from at least two of the Hob Lane cottages into the courtyard, suggesting a right of access. However, although one of the Hob Lane residents commenced negotiations with the previous landowner to regularise this right of access in law, the process was never completed, and access remains permissive rather than a legal right.

3.5.32 In respect of the question of rights of access, mention has been made of the wall potentially impeding the cleaning and maintenance of the rear of the Hob

Lane properties. Members are advised that residents have no automatic right to enter another person's property to carry out works to their own. The issue is not a material consideration, and Planning has no power to require an applicant to grant a right of access to neighbours. The minimum 800mm gap between the rear of the Hob Lane cottages and the proposed wall, whilst not conceding a right of access, is considered to provide a space for access and a basis on which the occupants of Hob Lane and the applicants can negotiate use of that space for essential maintenance. This would operate on the good will of all parties.

3.5.33 Objections to the boundary wall are based on its 800mm proximity to rear ground floor windows in the Hob Lane cottages and the loss of light. There will no doubt be overshadowing of these windows. However, the inclusion of a boundary wall set into the application site by 800mm provides a basis on which permissive access can be negotiated, subject to the good will between the parties involved. This is not a material consideration for a planning application. However, the wall would support the provision of defensible amenity space as required by the Local Plan Part 2.

3.5.34 A 2-metre set-in from the cottages was suggested by one of the objectors. Whilst such a set-in might alleviate some of the light issues caused by the wall, it is considered that such a move would compromise vehicular access into and out of the site.

3.5.35 It is also noted that the applicants could by now have erected a 2 metre boundary wall without requiring planning permission, given that the work would not be within the curtilage of the listed building or form the development of an existing enclosure to a listed building. If the Committee approves the application, it is recommended that the removal of permitted development rights be approved as a condition and that the removal should apply to the building of fences, walls and other means of enclosure. In this way, boundary treatments in the future would be controlled to allow assessment on listed building and neighbour amenity impacts.

3.5.36 The proposed wall is also described as being a masonry wall. Such material would not be acceptable within the setting of a listed building, and Members are asked to approve a condition relating to the submission of an acceptable stone material for the wall's construction.

3.5.37 Mention has been made of the wall creating a 'wind tunnel' effect that could potentially be a fire hazard to the Hob Lane cottages. Lancashire Fire Service has not provided written comments in response to this application, but did contact the local planning authority for a verbal discussion following a request from one of the objectors. The Fire Service had been asked to investigate the impact of the development on the ability of occupants of the Hob Lane cottages to escape their houses in case of fire. With no access to the internal layouts of the houses, they could not comment definitively, but were satisfied that those that had exits into the application site would still be able to utilise them in an emergency. No mention was made by the Fire Service of exiting to

the rear being potentially dangerous because of a wind tunnel effect caused by the wall.

3.5.38 One objection is to the loss of the cobbled yard. However, the site plan before the Committee clearly demonstrates that cobbles are to be replaced or repaired.

3.5.39 The proposals for the courtyard are therefore recommended for approval.

3.5.40 Access and Parking

3.5.41 Policy 10 of the Local Plan Part 2 requires development to secure the safe, efficient and convenient movement of all highway users and to ensure appropriate provision is made for vehicular access, off-street servicing and parking.

3.5.42 The site plan shown at 3.5.29 above demonstrates the access and parking arrangements proposed. The gates are set 5.1 metres back from the highway. This is considered to ensure a vehicle is not parked on the highway whilst gates are opened to allow access into the site.

3.5.43 Whilst the electronic gate has come in for some criticism, electronic gates are increasingly in use in both urban and rural settings. Its details are not given in the application and, in recommending them for approval, Members are also recommended to condition the submission of details for written approval.

3.5.44 Two spaces are provided for parking. The internal arrangement is slightly unusual. However in the discussions around the insertion of an additional garage door it was agreed all round that the preference was to retain the architectural features, including the date stone, rather than lose them for the sake of an additional door. Further space is available in the courtyard. The proposal for parking, then, is considered to have acceptably balanced Policies 39 (Heritage) and 10 (Access and Transport) in making a correct level of provision.

3.5.45 Ecology

3.5.46 Policy 9 of the Local Plan Part 2 requires development to secure the amenity of protected species and their habitats. Where habitats are likely to be affected, mitigation measures are required to be put in place. Objections have been raised in connection with disturbance to barn owls and bats.

3.5.47 Barn Owls are listed on Schedule 1 of the Wildlife and Countryside Act, 1981 (as amended). Like other wild bird species their nests are protected from destruction under this legislation, but inclusion on Schedule 1 also provides additional protection from disturbance while nesting and while the young are dependent on the parent birds.

- 3.5.48 An initial survey in February 2020 did not have full access to the first floor areas of the barn due to health and safety concerns over the stability of the floor, but it could be seen from the photographs that some work to the roof space had already commenced. These works were the subject of complaints and a stop notice at the time.
- 3.5.49 A bat dropping was recorded within Barn 1 and both barns, despite having has some of the roof space removed, were judged to have moderate potential to support roosting bats. Further survey work in the way of two bat activity surveys was required to be undertaken between May – August inclusive, following best practice guidance.
- 3.5.50 The February survey also recorded barn owl pellets and splashing within the both barns (more recorded in Barn 1), and concluded the barns were likely an active roost site used throughout the year. However the upper floors were not fully accessed and recommendations were made for a barn owl box to be provided in a tree within 50m. However since the February 2020, new evidence was presented demonstrating that the barn had been previously used for nesting by barn owls. Two further surveys (April and July 2020) have now been produced with recommendations.
- 3.5.51 Bats & Bat Roosts (Habitat Regulations 2017) The Initial Report appears to have inspected the structures both internally and externally for the presence of bats and assessed the likelihood that bats would use the structure at other times for roosting. Some limited evidence of usage by bats was found, but it was inconclusive as to whether this was roosting or foraging activity. It was concluded that the structures have moderate potential to support bats at other times and consequently further activity surveys were required as the Initial Report was undertaken too early in the active bat season
- 3.5.52 The Activity Report was undertaken at an appropriate time of year, in suitable weather conditions and an adequate number of surveyors were present. Bats were observed within the open part of the barns, but this was considered to be non-roost associated behaviour. Bats were recorded elsewhere in the locality attesting to the suitability of the surveys.
- 3.5.53 Given the high suitability of the site, despite negative roost presence, a demolition/working construction methodology is recommended to Members to be required by condition. Sections 6.4 (Construction Method) and 6.7 (Mitigation for lost roost opportunities) of the Activity Report should be implemented in full if permission is granted.
- 3.5.54 Best practice indicates that bat surveys are time limited for 1 – 2 years as the condition of buildings can change over time. If conversion works have not commenced by February 2021 Members are recommended to condition the submission of an updated survey to be submitted to the Planning Authority including an assessment of change and any new mitigation and/or licensing that may be required as a result of new evidence.

3.5.55 Barn Owl Breeding and Roosting (Schedule 1, Wildlife & Countryside Act 1981) Both the Surveys identified the presence of breeding barn owl in B2 (confirmed in Activity Survey) and roosting by one of the birds in B1. This is a common practice amongst barn owl where the male will help provision and hunt for the chicks, but not always stay at the nest site with the female.

3.5.56 Barn owls, their nests, eggs and young are all specifically protected from killing, injury and disturbance by the Wildlife & Countryside Act. Special licences are required from Natural England for people who can disturb the breeding birds.

3.5.57 The ecology report provides the outline of options for mitigation and how the conversion works could be undertaken. This is considered acceptable for the purposes of determination of the application, but further detail will be required to be submitted should the scheme receive permission. The additional detail will need to provide: -

- detail of how a new breeding location could be incorporated into the built conversion, potentially within the 'void' shown on the second storey plan (Bradshaw Gass & Hope LLP, Proposed plans 2 of 2, 2235.01.3030 rev P7)? Failing this a justification needs to be provided as to how this is not suitable and alternative provisions identified and specified in a location elsewhere.
- Timing and supervision of the works.
- Details of the 2nd owl box to be located on the tree as shown on the Initial Report Plate 6.

The Council's Ecological Adviser recommends that sections 4.1.4 and 4.1.5 should be implemented via a condition attached to permission if granted.

3.5.58 Other ecological matters and biodiversity enhancement. The Planning Statement indicates that a small area of wildflower grassland will be created to act as a buffer and provide benefits to the scheme as guided by the (NPPF February 2019 paras 170d) and 175d)). Members are requested to condition the specification for this mix should permission be granted.

3.5.59 Environmental Protection Issues

3.5.60 Policy 8 of the Local Plan Part 2 requires development to ensure it addresses the need to secure a satisfactory level of amenity in terms of issues such as odour and pollution. Public Protection have requested conditions relating to the installation of electric vehicle charging points and the limiting of emissions from gas-fired boilers. Members are recommended to approve these conditions.

3.5.61 The applicants have submitted a Desk Top Study report in respect of the potential for land contamination to be present on the site. The Desk Top survey is acceptable and will not require conditioning. However, the report concludes that a Phase 2 intrusive ground investigation and gas monitoring is required. Public Protection agrees with that conclusion and requests that this

requirement is added as a condition should Committee approve the application.

3.5.62 In summary, a detailed assessment has been undertaken with regards to the proposed development, taking into account all the issues raised, and the objections received during the course of the assessment. It is considered that the proposed development satisfies both national and local planning policies.

4.0 RECOMMENDATION

4.1 The proposed change of use of the two barns at Hob Lane Farm to a single attached dwelling with integral garage, including building works, is recommended to Members for approval subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this planning permission.

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

2. Prior to the commencement of development hereby approved, samples of all external walling, roofing materials, and their colour to be used in the construction of the building works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To ensure that the external appearance of the development is satisfactory in accordance with Policy 11 of the Blackburn with Darwen Borough Local Plan Part 2 and the adopted Blackburn with Darwen Design Guide Supplementary Planning Document

3. Prior to commencement of the demolition and construction hereby approved, a Construction Method Statement shall be submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- I) the parking of vehicles of site operatives and visitors
- II) loading and unloading of plant and materials
- III) storage of plant and materials used in constructing the development
- IV) the erection and maintenance of security hoarding along the site boundary
- V) wheel washing facilities
- VI) measures to control the emission of dust and dirt during demolition and construction
- VII) a scheme for recycling/disposing of waste resulting from demolition and construction works
- VIII) measures for the control of noise and/or vibration caused by construction methods

REASON: In order to avoid the possibility of the public highway being affected by the deposit of mud/or loose materials which could create a potential hazard

to road users, in order to protect the amenity of the occupiers of the neighbouring properties, in order to protect the visual amenities of the locality, in order to ensure highway safety, and to comply with Policies 8, 10, and 11 of the Blackburn with Darwen Borough Local Plan Part 2.

4. The developer shall install at least one of the electric vehicle charging points demonstrated on the site plan with a Type 2 connector and minimum rating of 3.7kW 16A.

REASON: In accordance with Paragraph 110 of the National Planning Policy Framework 2019 and Policy 9 of the Local Plan Part 2, the NPPF stating that developments should be designed to enable charging plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. The condition also implements the Council's Air Quality Advisory Note and the Principles of Good Practice in the EPUK & IAQM guidance Planning for Air Quality.

5. Any gas fired boiler installed at the development to heat the dwelling shall not emit more than 40mg NO_x/kWh.

REASON: In accordance with Policy 9 of the Local Plan Part 2 and the Council's Air Quality Advisory Note and the Principles of Good Practice in the EPUK & IAQM guidance Planning for Air Quality.

6. The findings of the approved site investigation work, including an appropriate assessment of risks to both human health and the wider environment, arising from contaminants in, on or under the land (including ground gas) will be submitted. Where unacceptable risks are identified an updated CSM, remedial options appraisal and detailed remediation scheme shall be presented for approval. No deviation shall be made from this scheme without the written express agreement of the LPA.

REASON FOR THE PROPOSED CONDITION: To ensure that the site has been made 'suitable for use', and as such, does not pose a risk to future users of the site or the wider environment, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

7. Prior to the commencement of the permitted use, the developer must submit two copies of a comprehensive validation report to the LPA for written approval. The report shall demonstrate effective remediation in accordance with the agreed remediation scheme. All the installed remediation must be retained for the duration of the approved use and the LPA periodically informed in writing of any ongoing monitoring and decisions based thereon as appropriate.

REASON: To ensure that the site has been made 'suitable for use', and as such, does not pose a risk to future users of the site or the wider environment, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2 (2015).

8. Prior to the commencement of the permitted use, the developer must submit two copies of a comprehensive validation report to the LPA for written approval. The report shall demonstrate effective remediation in accordance with the agreed remediation scheme. All the installed remediation must be

retained for the duration of the approved use and the LPA periodically informed in writing of any ongoing monitoring and decisions based thereon as appropriate.

REASON: To ensure that the site has been made 'suitable for use', and as such, does not pose a risk to future users of the site or the wider environment, in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2 (2015).

9. Should contamination be encountered unexpectedly during redevelopment, all works should cease, and the LPA should be immediately informed in writing. If unacceptable risks are identified, a remedial options appraisal and detailed remediation scheme should be presented, and agreed in writing by the LPA. No deviation shall be made from this scheme without the written express agreement of the LPA.

REASON: To protect the health of future occupiers of the site in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2 (2015).

10. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. The developer is to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The scheme is to be implemented in accordance with the surface water drainage hierarchy outlined above.

REASON: In order to facilitate sustainable development in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

11. Best practice guidance indicates that the results of bat surveys are only valid for a limited period (1 - 2 years) as the suitability of structures for bats can alter over time. If demolition has not occurred by March 2021 then an updated bat survey is to be submitted prior to the commencement of any work on site, including 2 activity surveys during the maternity season. The update survey should include the details of any additional mitigation over and above what has already been provided. The additional details should subsequently be implemented.

REASON: To ensure that the impact on protected species and their habitats is addressed in accordance with current legislation and in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

12. All birds are protected whilst nesting (Wildlife & Countryside Act 1981) and commencement of work should avoid the breeding season (April - August inclusive) as recommended in the submitted Bat, Barn Owl and Nesting Bird Survey Report.

REASON: To ensure that the impact on protected species and their habitats is addressed in accordance with current legislation and in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

13. Given the high suitability of the site for roost presence, a demolition/working construction methodology is proposed in the 'Bat Presence Survey' Report (Braithwaite High Access Services Ltd). Sections 6.4 (Mitigation) and 6.7 (Enhancement) are to be implemented in full.

REASON: To ensure that the impact on protected species and their habitats is addressed in accordance with current legislation and in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

14. Sections 4.1.4 and 4.1.5 of The Protected Species Survey April 2020 (Dunelm Ecology) provide the outline of options for mitigation and how the conversion works could be undertaken. Sections 4.1.4 and 4.1.5 are to be implemented in full.

15. Prior to the commencement of the development hereby approved, details are to be submitted to and approved in writing by the LPA regarding how a new breeding location could be incorporated into the built conversion, potentially within the 'void' shown on the second storey plan. Failing this a justification is to be provided as to how this is not suitable and alternative provisions identified and specified in a location elsewhere. Details of the 2nd owl box to be located on the tree as shown on Plate 6 of The Protected Species Survey April 2020 (Dunelm Ecology) are also to be provided.

REASON: To ensure that the impact on protected species and their habitats is addressed in accordance with current legislation and in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

16. If external lighting is proposed an outdoor floodlighting scheme shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The floodlights shall be installed in accordance with the agreed scheme and retained for the duration of the approved use.

REASON: To minimise potential loss of amenity due to intrusive light pollution affecting residents living in the vicinity in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

17. No works to the application buildings, including any clearance/demolition or preparation works shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological building recording to level 2-3 as set out in "Understanding Historic Buildings" (Historic England 2016). It should include a full description of the buildings, inside and out, drawn plans, elevations and at least one section (which may be derived from checked and corrected architect's drawings), and a full photographic coverage, inside and out. The record should also include a rapid desk-based assessment, putting the buildings and their features into context. This must be carried out by an appropriately qualified and experienced professional contractor to the standards set out by the Chartered Institute for Archaeologists and in accordance with a written

scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site in accordance with the NPPF 2019 and Policy 39 of the Local Plan Part 2.

18. There shall be no site operations on any Sunday or Bank Holiday nor on any other day except between the following times:

Monday to Friday 08:00 – 18:00 hours

Saturday 09:00 - 13:00 hours

Any variation of the above hours restriction must be approved in writing by the Planning Authority.

REASON: To ensure appropriate hours of site work to minimise noise during the construction phase in accordance with Policy 9 of the Local Plan Part 2.

19. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no development of the type specified in Classes A, B, C, D, E and F of Part 1 of that Schedule and Classes A and B of Part 2 of that Schedule shall be carried out unless planning permission has been granted first.

REASON: Due to the restricted nature of the site, whilst the dwelling as approved is acceptable, any further extensions or alterations normally permitted under the above provisions may in this case conflict with the interests of adjacent properties or the amenity of the area generally in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2

20. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings numbered 2235.01.402 rev P9, 401, 303 rev P6, 302 rev P6, 301, 203 rev P5, 204 rev P2, 202 P1, and 201, received 21st October 2020, as amended by drawings numbered 203 rev P6 (as corrected on 21st December 2020), 302 rev P7, 303 rev P7 and 402 rev P9 (as corrected 21st December 2020) received 7th December 2020.

5.0 PLANNING HISTORY

5.1 10/20/0254 - Conversion of existing barns to new single family dwelling including internal alterations and extensions. Application withdrawn

6.0 CONSULTATIONS

6.1 Neighbour consultations: Section 9 of this report includes the full details of the objections received. Ten objections have been received.

6.2 The objections can be summarised as follows:

- Masonry wall so close to windows will block all natural light from kitchen
- Creation of a walled gully running behind the houses. It is possible this wall would trap any fire and cause a wind tunnel effect to spread it to all the houses in the row.
- Wall would also hinder maintenance of properties and performing tasks such as window cleaning, refuse removal and general maintenance.
- Erection of a rendered wall would have a detrimental effect on the property and is not in keeping with the cottages which are of stone construction
- Applicant intends to take down a stone wall at the side of No. 2 Hob Lane and erect a further rendered wall
- Possibility that the 1.1 metre wall would be built over a manhole cover, gas, water and mains
- The Planning Statement talks of “close proximity”, “sense of community” and “relationship between buildings” in this type of village set up is also to be recommended. However, a wall which, by its function, separates, cannot also promote a sense of community.
- Exit route needed from the rear of Hob Lane property. This would be compromised due to the close location of the wall to dwellings
- Building would be unsympathetic to surrounding area
- Concerned for barn owls, which have nested in this building for years
- Completely overbearing nature of the development, the high boundary walls and large windows overlooking the meadows
- Electric gates would be totally inappropriate in such a setting
- The plans do not say how tall the courtyard gates will be, but again, these have the potential to block even more light from number 2.
- New windows to be added to the barn facing the yard would directly overlook the cottages on Hob Lane and privacy would be removed
- Strange design to incorporate obscure glazed windows on all first floor windows of the North and West elevations. However, this has apparently been done to protect the privacy of the new house under construction. Whilst this creates a poor architectural design and would appear incongruous
- Roof trusses removed to make use of the roof void. These form part of the heritage of the building and the site and they should be retained and incorporated into the design.
- If the barns are to be developed, they should incorporate an owl loft, not boxes, and the development staged to allow the owls to occupy the properties throughout
- Proposed owl nesting boxes should be followed up to ensure they are developed
- There are clear signs inside and outside of the barns of bat activity. Further investigation should be required in the active season and prior to any work commencing
- Loss of the cobbled yard will detract from the historic nature of the current buildings
- Safe access and egress for the property and other homes needed, including for delivery of goods to their homes

- Access needed for all the cottage occupants to safely leave their homes via the safer rear access points
 - The chosen position of the bin storage is unsightly and should not be located in such a high profile position on the street scene
- 6.3 A letter of support from a neighbour has also been received. Comments can be summarised as follows:
- Development would be beneficial to all the surrounding properties to see the barns converted to a residential dwelling rather than the current state which is an eyesore.
 - It would also prevent further deterioration to the barns in question.
- 6.4 Arboricultural Adviser comments: There is an As tree that is subject to a TPO on the adjoining property that is a high visual amenity. The only real concern with regards to impact by the proposals are the compaction of the roots during the development phase. This has been covered by the applicant submitting information on 'temporary ground protection' which is sufficient in a case like this. Any branch removal required would need separate permission. The majority of the area leading into and out of the site is existing hard standing and therefore will be a limited impact from vehicular activity. Overall I have no objection to the proposals.
- 6.5 North Turton Parish Council: North Turton Parish Council objects to application 10/20/0996 for the change of use of two barns to a single dwelling at Hob Lane Farm, Blackburn Road, Edgworth on the grounds that it is an over- development of the site, and will impact on highways safety as there will be more vehicles egressing the site on a very narrow stretch of highway with a blind hill. There are also concerns about the negative effect on nature conservation, bearing in mind that until very recently a white owl had a roost there.
- 6.6 Councillor C Rigby: It seems to be devoid of any detailed measurement particularly in the yard area to the rear of Nos 2&4 Hob Lane. There are no clear details showing the yard area. Nos 2 &4 have struggled with a large container within 2 feet of their rear access to the yard. There is now a proposed masonry Wall (to preserve the neighbours amenity). There are no dimensions from the proposed wall to the neighbours houses. The entrance set back still leaves the problem of sight lines onto Blackburn Rd.
- 6.7 Lancashire Archaeology:
Thank you for your consultation on the above application. We commented previously on application 10/2020/0254 and recommended that a condition be applied to any consent granted requiring that the buildings be recorded prior to conversion works starting. The present application would also appear to merit a scheme of building recording. The following planning condition wording is suggested:
Condition: No works to the application buildings, including any clearance/demolition or preparation works shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological building recording to level 2-3 as set out in

"*Understanding Historic Buildings*" (Historic England 2016). It should include a full description of the buildings, inside and out, drawn plans, elevations and at least one section (which may be derived from checked and corrected architect's drawings), and a full photographic coverage, inside and out. The record should also include a rapid desk-based assessment, putting the buildings and their features into context. This must be carried out by an appropriately qualified and experienced professional contractor to the standards set out by the Chartered Institute for Archaeologists and in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.

6.8 Public Protection: With reference to the above application, I recommend that the following condition(s), informative(s) and/or comment(s) be included if planning permission is granted:

Contaminated Land & Air Quality Assessments : Reports have been submitted with this application and will be peer reviewed by the Environmental Protection Service - recommendations will be provided as soon as possible.

Floodlighting: Should the proposed residence include outdoor lighting I would recommend the following condition:

Condition – Floodlighting (as appropriate): An outdoor floodlighting scheme shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The floodlights shall be installed in accordance with the agreed scheme and retained for the duration of the approved use.

Reason: To minimise potential loss of amenity due to intrusive light pollution affecting residents living in the vicinity.

Informative – When assessing potential loss of amenity the Local Authority shall make reference to the lighting levels provided in 'Guidance Notes for the Reduction of Obtrusive Light' GN01 produced by The Institution of Lighting Professionals, available at: <https://www.theilp.org.uk/documents/obtrusive-light/>

NB: The proposed development is within an E2: Low district brightness area.
Demolition/Construction Phase Control Conditions

Condition – Hours of Site Works

There shall be no site operations on any Sunday or Bank Holiday nor on any other day except between the following times:

Monday to Friday 08:00 – 18:00 hours

Saturday 09:00 - 13:00 hours

Any variation of the above hours restriction must be approved in writing by the Planning Authority.

Reason

To ensure appropriate hours of site work to minimise noise during the construction phase.

Condition – Dust Control

All heavy commercial vehicles carrying bulk materials into or out of the site shall be sheeted.

Noise & Vibration Control – The following condition is recommended if pile driving works are required on site.

Condition

The commencement of the development shall not take place until there has been submitted to and approved in writing by the Planning Authority a programme for the monitoring of noise & vibration generated during demolition & construction works. The programme shall specify the measurement locations and maximum permissible noise & vibration levels at each location. At each location, noise & vibration levels shall not exceed the specified levels in the approved programme unless otherwise approved in writing by the Planning Authority or in an emergency.

Reason

To minimise noise/vibration disturbance adjacent residential premises.

Floodlighting Control (Construction Phase)

The following condition is recommended if security floodlighting is required on site.

Condition

A floodlighting scheme shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The floodlights shall be installed in accordance with the agreed scheme and retained for the duration of the works.

Reason

To minimise potential loss of amenity due to intrusive light pollution affecting residents living in the vicinity.

Informative:

When assessing potential loss of amenity the Local Authority shall make reference to the lighting levels provided in 'Guidance Notes for the Reduction of Obtrusive Light' GN01 produced by The Institution of Lighting Professionals, available at: <https://www.theilp.org.uk/documents/obtrusive-light/>

NB: The proposed development is within an E2: Low District Brightness Area.

Informative – Demolition/Construction Noise

All activities associated with the works shall be carried out in accordance with British Standard 5228: Code of Practice for Noise & Vibration Control on Construction & Open Sites – Parts 1 and 2.

Informative – Asbestos Control

The application site demolition works must not cause a public health risk arising from any asbestos containing materials at the site. Full compliance with the Control of Asbestos Regulations 2012 and British Standard (BS) 6187:2011 'Code of practice for full and partial demolition' is essential.

7.0 CONTACT OFFICER: John Wilson, Planner Tel: 01254 585585

8.0 DATE PREPARED: 22nd December 2020

9.0 SUMMARY OF REPRESENTATIONS

Objection from Nick Grimwood, Rec 20.11.20

John

I just want to thank you for taking the time to meet with me today.

I know I had a lot to say and hope I didn't come across as a troublemaker but I feel very strongly about these issues.

I just want to go over again the main points I wanted to raise.

1. Why 1.1 metre wall doesn't run parallel to back of all cottages.
2. Height of wall covering all windows.
3. Wall being masonry and not stone in keeping with buildings.
4. Positioning of gate that covers my back window.
5. Why the 800mm path planned for rear of cottages doesn't run right through to Blackburn road giving all residents access out from the rear of their properties.

Once again thanks for your time look forward to hearing from you soon.

Nick. Grimwood.

Objection from Victor Davies, Edgworth, Rec 23.11.20

Dear Sirs

Whilst I accept that the barns could be converted into a residential property, I wish to object to the proposals as put forward.

I currently reside in Edgworth, have many friends local to this development and I am considering purchasing 475 Blackburn Road. If the plans as proposed are approved I will not purchase 475 Blackburn Road and will wait for the outcome of the application to make my decision.

Loss of amenity to 475 Blackburn Road

Although there seems to be an attempt to playdown the extent of the re-build of the single storey lean to on the north elevation of the property, as it is only mentioned on drawing 2235.01.202 that the lean to is to be re-built, however, on closer inspection of the plans it is to be demolished and replaced with a far bigger and 2 storey building.

The elevation drawings also omit the bedroom window on the west elevation of 475 Blackburn Road that would be completely blocked by the construction of the new addition.

The demolition of the single storey building and construction of a 2-storey replacement would have a serious adverse effect on the amenity of 475

Blackburn Road. It will enclose 475 further than it already does and darken the yard area further. It will also create a wall 2.5 metres in front of the bedroom window on the west elevation and be 500mm away from the bedroom window on the north elevation and breach any 45 degree rule. The replacement of the single storey lean to with a 2-storey building would affect the amenity of 475 in particular to the 2 bedrooms to the rear and cause a significant loss of light to those rooms and the yard area. It would be better to just demolish that building but if it is to be rebuilt it should be no higher than existing.

Bin Storage

The chosen position of the bin storage is unsightly and should not be located in such a high profile position on the street scene. The bins should be stored behind the new building. The occupants would have to leave the property curtilage just to place items in the bin. Why would anyone even consider storing bins in that position?

Living Conditions of occupants - Obscure Windows – and poor architectural merit

It first of all seems a strange design to incorporate obscure glazed windows on all first floor windows of the North and West elevations. However, this has apparently been done to protect the privacy of the new house under construction. Whilst this creates a poor architectural design and would appear incongruous it does not comply with local policy; it further harms the living conditions of the occupants and again does not comply with policy as even under part Q it is a requirement to ensure that natural light is supplied to rooms within a dwelling and the property should be designed to take this into account.

Loss of amenity – 2 to 10 Hob Lane (1)

The windows facing the rear of the cottages 2 – 10 Hob Lane do not comply with interface distances and given the limited fenestration to the rear of the cottages it should be protected and be redesigned to account for this. The loss of amenity to the rear of these properties would make the rear of these modest properties unusable. If obscure glazing can be used to protect the new house why not do the same to protect the cottages when the cottages are closer to the windows of the barns and will be affected to a greater degree?

Loss of amenity – 2 to 10 Hob Lane (2)

Some of the pictures in the application show the applicants old Transit van and an old shipping container positioned to aggravate and inconvenience the neighbours before work has even started. This isn't the case of a normal inconvenience to be put up with in the course of general living, development and works. This is showing a deliberate disregard for the

amenity of the neighbours. If approved then there should be strict controls of actions that will affect the amenity of the neighbours both during construction and after occupation, eg parking in designated parts only, positions of lighting and CCTV

Heritage

The proposal involves “carefully removing” roof trusses to make use of the roof void. These form part of the heritage of the building and the site and they should be retained and incorporated into the design.

Ecology – Owl

There are clear signs of owl activity within the barns and these have been identified in the reports. If the barns are to be developed, they should incorporate an owl loft, not boxes, and the development staged to allow the owls to occupy the properties throughout, eg construct the barn roof and owl loft on one barn to allow owl occupation before the second roof and barn loft is constructed.

Ecology – Bats

There are clear signs inside and outside of the barns of bat activity. Further investigation should be required in the active season and prior to any work commencing.

Unlawful Waste Disposal/Waste transfer site

The applicants are already using the site as a dump, illegally bringing waste from other jobs etc and dumping it at the farm. If permission is granted then it should be strictly conditioned that only waste generated on site is allowed to be stored until disposal.

The applicants had a dirty, polluting fire emitting black smoke on a sunny afternoon at the start of lockdown. This showed a complete disregard for the neighbours and environment. Any permission should include a condition that fires are not allowed and waste is to be disposed of properly through a registered waste handler and not burned or buried on site.

Overdevelopment

The property is being overdeveloped, to the point of the square footage being bigger than the curtilage. This overdevelopment is causing the loss of heritage mentioned above and will create a building that is incongruous with its setting and the setting of the listed building.

Building Works

The method of carrying out the development should be strictly controlled so that the applicant cannot cause disruption to the neighbours. Working hours and working conditions should be strictly controlled

Can you please acknowledge receipt of my comments.

Yours faithfully

V Davies

Objection from Mrs Pamela Simpson, 1 Hob Lane, Bolton, Rec 30.11.20

Dear Sir,

I am writing with regard to planning application 10/20/0996, Hob Lane Farm Barns. There are a few aspects of the proposed development, as revealed in the Planning Statement, about which I am concerned.

In 4.1.2 it says that a stone wall around the site will be restored and extended. In fact the wall, according to the Proposed Site Plan, is a new, linear, wall separating the cottages on Hob Lane from the proposed new development. In 6.3.6.2 it is described as a "dwarf wall" and the Site Plan states it is 1.1 m tall. This wall is "to create a sense of separation and privacy", implying that this is a benefit to both new and existing residents. However, in 6.3.5, the "close proximity", "sense of community" and "relationship between buildings" in this type of village set up is also to be recommended. A wall which, by its function, separates, cannot also promote a sense of community.

Unfortunately, I think the problem with this wall, with its small gravel, dead-ended, gap behind 6, 8 and 10 Hob Lane, and no gap at all behind number 2, is that it prevents access to the backs of these cottages. If this boundary wall goes ahead none of the residents will be able to leave their homes by the back in the event of an emergency, as they can now. They cannot easily clean their windows or carry out maintenance for example.

Also, situated as the cottages are, at a lower level than the proposed courtyard, the only thing the residents will see from their back ground floor windows will be a wall - at very close quarters. This will mean considerable light is lost to their homes if this goes ahead. In addition, the plans do not say how tall the courtyard gates will be, but again, these have the potential to block even more light from number 2. It is almost as if the applicants, having pointed out that the gardens of the cottages on Hob Lane are at the front, have decided that the backs of the cottages are irrelevant.

I have noted that in the Protected Species Report it states at least 2 owl nesting boxes should be placed on the two barns and another on the tree. If the development goes ahead can I be assured that someone will check that these instructions have been followed?

Yours faithfully,
Mrs Pamela Simpson.

Sent from my iPad

Objection from Ms Ellen Carroll, 6 Hob Lane, Turton, Rec 03.12.20

Dear Mr Wilson,

My major objection is to the construction of the wall at the rear of the properties in the farmyard.

I find it an irrelevance; the given reason for its existence preposterous.

This wall also is planned to be constructed over the gas mains, water supply pipes & mains drains. There are strict Building Regulations regarding the same which the applicants appear to be ignoring, as I had pointed out this matter myself in January of this year, when the shipping container was placed at the rear of the properties.

I am in the process of applying for my right of way/access to the farmyard (via the farm gate) to the rear of my property.

My solicitor, Fiona Gaskell
(Clough Willis Solicitors, 2 Manchester Rd Bury. Tel0161 764 5266)

is presently in the process of dealing with this. I have exercised this right of access freely since June 2001 when I purchased the property, as have other occupants. I have also made her aware of this planning application.

I apologise re the lateness of my application, but there were difficulties downloading the application to my I pad.

Yours faithfully,

Ellen Carroll Ms.

Objection from Jo Webber Milton, Rec 07.12.20

Dear Sir/Madam,

I wish to raise some objections to the planned development named above.

I am local and walk past the farm daily.

The plans seem to ignore any sympathetic development consideration of the listed status of the cottages on Hob Lane.

Loss of the cobbled yard will detract from the historic nature of the current buildings.

The proposed wall to serve as a boundary line will also impact upon the farmyard appearance of the existing buildings, and may reduce the light provided to the low windows of the hob lane cottages. Is this acceptable for listed cottages?

The current parking adjacent to the farm yard on the road; used by those living in the homes already occupied, results in very dangerous approach to the blind summit just outside the entrance to the yard. Delivery vehicles also create hazards to the entrance. Should the

application not ensure that the future owners have safe access and egress, and those in the other homes have access for delivery of goods to their homes.

A friend of mine owned one of the cottages for over 40 years and in all that time had access to the rear of the cottages via the farm yard - a much safer option than using the front access onto Hob Lane, which has no footpath and has become increasingly busy. I note that during the period the farm has been newly owned, containers have been placed into the yard - at one time so close to the rear access points, the occupants would not have been able to leave their homes. These are now located in the farm yard - ruining the appearance of this lovely location. They also inhibit access for emergency vehicles should they be needed.

Will the application consider access for all the cottage occupants to safely leave their homes on foot, in a wheel chair, if needed, or in dire circumstances on a stretcher - via the safer rear access points?

The application does not seem to be in stone - render - this again is not in keeping with any of the surrounding properties which are predominantly of stone.

Barn owls live in both barns - is there some conservation practice in place to ensure they are protected from this development?

If windows are located in to the walls overlooking the cottages will there be a loss of privacy?

Regards

Jo Webber Milton

Objection from Christine Grimwood, 2 Hob Lane, Edgworth, Rec 07.12.20

Dear Mr Wilson,

I would like to register my objection to the above planning application for 2 reasons.

Firstly my family and I chose our home 2 Hob Lane a grade 2 listed property built in 1717 "because of its character" - a reason for purchase remarked upon by the applicants consultants in their planning statement 6.3.3.

They also offer their opinion that "people make a deliberate choice to live in a particular area because of the type of houses there or the areas physical appearance 6.3.2. They are correct and indeed the cottages appearance, history and importance in the community was a primary factor when we made our decision to buy it.

The possible re-development of the barns to the rear was a concern to us but we still bought our 'dream cottage' in the knowledge that its grade 2 listing would give us a certain amount of protection when it came to the barns conversions as any planning application would have to be sympathetic to its setting and not encumber or detract from the appearance of such a valued building.

Along with planning permission any change to a listed building, including changes to its curtilage needs listed building consent. The applicant plans to build a wall on our boundary which would alter the appearance of the cottage from the rear and the grade 2 listing is for the whole of the cottage not just the front.

5.4.4 raises the issue "conserving and enhancing the historic environment". There has never been a wall to the rear of 2 Hob Lane and electric gates with rendered masonry are certainly not a feature that would enhance our property.

In section 3.5 the consultants mention "that the site is located within the settlement boundaries of Edgworth and 5 small hamlets make up the village-Hob Lane farm, Isherwood Fold and Wayoh Fold being examples of them. In these hamlets there are several other grade 2 listed properties ie Dingle Farmhouse,1.6.7, Isherwood Fold and none of them have modern electric gates within their vicinity or have had their appearance altered by subsequent buildings or alterations to existing buildings.

Secondly -the impact it would have ,if successful, on it's immediate neighbours.

The applicant plans to construct a wall 800mm from the rear of cottages on Hob Lane that appears to 'dog-leg' where the gate posts for the electric gate will be. It then appears to continue along my boundary (no 2),currently defined by a white wooden fence including gate which allows us access directly onto the farmyard and then out onto Blackburn Rd. Have the consultants made a mistake with their drawings as 6.3.6.2 of their statement says " there is a small gap between ownership boundary and the wall to create a sense of separation ,without completely closing in on the boundary"-that is not the case with no 2 Hob Lane as the wall is on the boundary with no gap left.

Policy 8 of the local plan states that development will be permitted provided it has been demonstrated that" amongst other criteria it would secure a satisfactory level of amenity and safety for surrounding users" If this wall was allowed all 4 cottages would be denied their right to light as we have windows on ground level at the rear of our amenities would also be limited and our safety in the event of an emergency dramatically compromised.

In section 6.3.5 of the statement the consultants remark "that the garden spaces for the cottages on this lane are located to the front and side and not the back, therefore re-development of the barns has less impact on privacy and outdoor space associated with these dwellings" This is not the case for us at no2 ,we have a back yard that we use to store our refuse bins and on collection day we take them across the yard out onto Blackburn Rd.

The current proposal for the positioning of the wall means that our neighbours at 6 and exit their homes onto a pathway that leads only to a dead end and we at no 2 have no 800 mm buffer.

6.3.6 of the statement makes the point "of high importance is the need to carefully and sympathetically develop the barns to minimise impact on local amenity" The construction of the wall would have the opposite effect.

The applicant also intends to add windows to the barns which are in a position elevated above our cottages, this would impact our privacy as the occupants of the barns would be able to see directly into our properties.

Yours Faithfully.

Objection from Nicholas Grimwood, 2 Hob Lane, Edgworth, Rec 08.12.20

FAO John Wilson

Objection

I bought 2 Hob Lane in Edgworth in August 2018 because it is a very striking, historical property that has been granted grade 2 listing. I am very proud to be its custodian and we are frequently complimented on its appearance. With a successful planning application and listed buildings consent we are replacing the windows with ones more in keeping with its heritage in order to enhance its look. The whole building is listed and the applicant is mistaken in believing that the rear is an extension, it has always been a part of the building.

In other areas of Edgworth where there are grade 2 listed properties, barns nearby have been converted sympathetically in order to enhance, not detract from the setting. Any re-development of the barns at Hob Lane farm which do not take into account the cottages heritage could seriously devalue its status and as a consequence its monetary worth.

Electric gates would be totally inappropriate in such a setting.

The 1.1 metre wall proposed for the boundary of the yard would reduce the amount of natural daylight into the back of our homes by about 90 % and the rooms there would be un-usable without having lights on. The wall would also hinder us from maintaining our properties and performing tasks such as window cleaning, refuse removal and general maintenance. I am also concerned that the wall would be built on top of the main sewer and gas main which could cause problems if there was a leak.

The new windows to be added to the barn facing the yard would directly overlook the cottages on Hob Lane and our privacy would be removed.

Lastly from an environmental aspect I am concerned that the applicant has partially removed, without permission, the barn roof in what I believe was an attempt to prevent the barn owl and bats from nesting there. Fortunately for these creatures, this tactic was un- successful as the barn owl raised her chicks there this summer for the 13th consecutive year and the bats roosted there too.

**Objection from Andrew Hamilton, 463 Blackburn Road, Edgworth, Turton, Rec
09.12.20**

Hello Blackburn Council planning,

Comments on Planning application **10/20/0996**

My objection and concern for this development is the completely overbearing nature of the development, the high boundary walls and large windows overlooking the meadows.

The new wall being proposed to be built to run along the rear of all the adjacent properties on Hobb lane looks to be extremely obtrusive to the home owners in a number of ways.

Access now for any maintenance even for something as routine as leak in the sloping roofs or a moved slate, would become a major undertaking.

Rear access in case of fire would be severely restricted for anyone of any age, with now a wall to climb for safety.

The overbearing sight of the structure would be in contempt of standards of living from before the Victorian age with the creation of a walled gully running behind the houses. Its possible this wall would trap any fire and cause a wind tunnel effect to spread it to all the houses in the row.

Regards

Objection from Nick Grimwood, 2 Hob Lane, Edgworth, Rec 09.12.20

FAO John Wilson

Due to the amendments of this planning application I would like to raise some more concerns. If the wall was to be passed, surely it would have to be stone and not masonry in keeping with the surroundings. I also note that they now propose to demolish MY stone wall on my boundary with Blackburn Rd and replace it with a new masonry wall. Surely that would not permitted to a Grade 2 listed building.

If there is to be any discussion or negotiations regarding the 1.1 metre wall I would like to propose that it is at least 2 metres away instead of the 800mm, which would allow us more amenity and daylight.

Nick Grimwood
2 Hob lane

Objection from John & Pat Shields, 461 Blackburn Road, Rec 11.12.20

For the attention of John Wilson.

Looking at the so-called amended plans, I can only imagine how awful it will be for the people of Hob Lane who will be bricked in by a wall at the back of their houses as their windows at the back are at ground level, the wall will therefore black their veiw and affect the daylight entering thier homes.

I don't this building would be sympathetic to it surrounding area.

I am also concerned about the barn owls, which have nested in this building for years , has this been taken into consideration?

Kind regards,

John and Pat Shields
461 Blackburn Road

Objection from Nick Grimwood, 2 Hob Lane, Edgworth, Rec 14.12.20

Morning John,

The amended application shows that they intend to replace MY wall with a masonry wall.

This shows that the applicants , the architects and the consultants have a total lack of respect the the historical listed building I own.

The masonry wall they intend to put along the back of the cottages and the listed building, if it was to be allowed , has to be stone to be in keeping with all the surrounding walls and buildings. Why should this wall be masonry when the walls around the rest of the site are stone?

I cannot tell you how strongly I feel about this and I am making it very clear they will not be touching My wall “ over my dead body.”

I also want to let you know I fully intend to be involved in the committee meeting regarding this application.

Photos you asked for attached.

Nick Grimwood







Objection from Mr & Mrs P Saunders, 8 Hob Lane, Edgworth, Rec 21.12.20

Dear Mr Wilson

We are writing to object to the above application.

Our decision to object is based on the following:

The applicant is intending to build a 1.1metre 'rendered' wall 800mm from the rear of the cottages on Hob Lane. Our kitchen is located at the rear of our property and the windows are at ground level. Erecting a wall so close to our windows will block all natural light from our kitchen. I would note that the walls the applicant is intending to build at the front of his property will be constructed using reclaimed stone.

Bearing in mind no. 2 Hob Lane is a listing building, Mr & Mrs Grimwood had to follow very strict guidelines to get plans passed just to have double glazing fitted (i.e., particular type of wood/fixings etc). This has only enhanced the appearance of their property; however, the erection of a rendered wall would have a detrimental effect on their property and is not in keeping with the cottages which are of stone construction.

It would also appear from the amended application that the applicant intends to take down a stone wall at the side of Mr & Mrs Grimwood's property and erect a further rendered wall. The statement makes the point "of high importance is the need to carefully and sympathetically develop the barns to minimise impact on local amenity". How can demolishing a stone wall which has been in situ for hundreds of years and replaced with a breezeblock, rendered wall be judged as sympathetic?

I would also note that we have a large manhole outside our kitchen, which on occasion, due to blockages, has filled with water and we have had to call out United Utilities to pump out the water. If the applicant is granted permission to build the wall, there is a possibility that it would be built over the manhole cover. There is also a gas main located outside our kitchen. Has the applicant taken this into consideration?

Further, should there be an emergency and an exit route needed from the rear of our property, this would be compromised due to the close location of the wall to our property.

The application mentions several hamlets within Edgworth, some of which are listed, however none of the properties referred to have modern electric gates within their locality and all have been sympathetically developed.

One further point I would question is how far the windows in the development are from our property as I understand that they should be of a certain distance or should be fitted with obscured glass. As the windows will overlook our property, I would ask that this taken into consideration.

Yours sincerely

Mr & Mrs P Saunders

Objection from Ellen Carroll, 6 Hob Lane, Edgworth, Rec 21.02.20

Dear Sir,

With reference to planning application number 10/20/0996

I have registered my concerns previously.

Essentially, gas, water mains & drains underneath the proposed wall.

Cadent Gas (supplier) have been contacted by myself & the matter has been referred to the appropriate dept. This is a very valid & serious concern- a water leak is something that can be coped with- a gas leak, undetected- explosion, destruction, injury, possibly fatality.

I am also perplexed by the partial removal of the wall adjacent to no 2 Hob Lane , instead of the wall at the other side of the farm gate.

Surely, the wall where the existing small gate is (the one adjoining the large cattle gate as exists at present) would be more in keeping??

Compliments of the season,

Yours faithfully,

Ellen Carroll (Ms)

I am forwarding my email from Cadent Gas in the next email.