

Proposed development: Proposed replacement stable and storage block

Site address: Land to the rear of 191-193 Bolton Road, Bolton Road, Edgworth, BL7 0AF

Applicant: Mr and Mrs Ramwell

Ward: West Pennine

**Councillor Jean V Rigby
Councillor Julie H Slater
Councillor Neil Slater**



1.0 SUMMARY OF RECOMMENDATION

- 1.1 The proposed development is recommended to be granted planning permission, subject to the conditions and informative notes detailed in Section 5.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 This application is presented to the Planning and Highways Committee, in accordance with the Council's scheme of delegation, and given the fact that a significant number of objections have been received from members of the public together with North Turton Parish Council and Ward Cllrs. A summary of those objections is detailed below in Section 7.
- 2.2 The objections raised principally concern what the site could potentially be used for in the future together with the site's position within a conservation area. A number of wider concerns have also been raised, which predominantly involve land ownership, the proposed scale and design of the building, the potential for adverse impacts on the amenities of the immediate neighbours to occur, and highway safety.
- 2.3 The proposed development has been publicised through letters to residents of the nearest 8 adjacent properties. A site notice was also displayed outside of the site on the 13th December 2021. In addition, a number of further notifications have taken place with neighbours upon the receipt of amended/updated information.
- 2.4 The Council's development plan supports new equine development and associated works, provided they constitute sustainable development and accord with the development plan, when taken as a whole.
- 2.5 The proposal will deliver a replacement stables and storage building for private use. Access would be maintained from Bolton Road between numbers 187 and 191. The parameters of the application site are limited to the area in which the proposed building would be constructed together with the access arrangements from Bolton Road, which have a varied type ownership.
- 2.6 On balance, the proposals would be satisfactory from a technical point of view, with all issues having been addressed through the application process, or capable of being controlled or mitigated through appropriately worded planning conditions.
- 2.7 The key issues to be addressed in determining this application are;
- Assessing any procedural matters raised;
 - Establishing the principle of development;
 - Visual design considerations;
 - Assessing impacts on landscape character;
 - Safeguarded the amenities of the immediate residential neighbours;
 - Ensuring adverse impacts on the local highway network are avoided;

- Assessing parking provision, and;
- Minimising the developments impacts on local ecology;

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site is a small parcel of land located within the village boundary of Edgworth and the Edgworth/Turton Bottoms Conservation Area. Discounting the access arrangements, the site covers an area of circa 90 square meters. The extent of the site is shown below in Figure Two. Land within the same ownership is positioned to west of the site, which is edged in blue on the plan below. A pair of relatively small buildings occupy the site that appear to currently be in use for casual storage.

3.1.2 The buildings have timber clad elevations, corrugated sheet roofs and timber panelled doors. They have a combined footprint of circa 44 square meters and dual-pitched roofs up to 3m in height. Residential land uses surround to two sides with an electricity substation to the northeast and fields to the west.

Figure One – Satellite image of the site

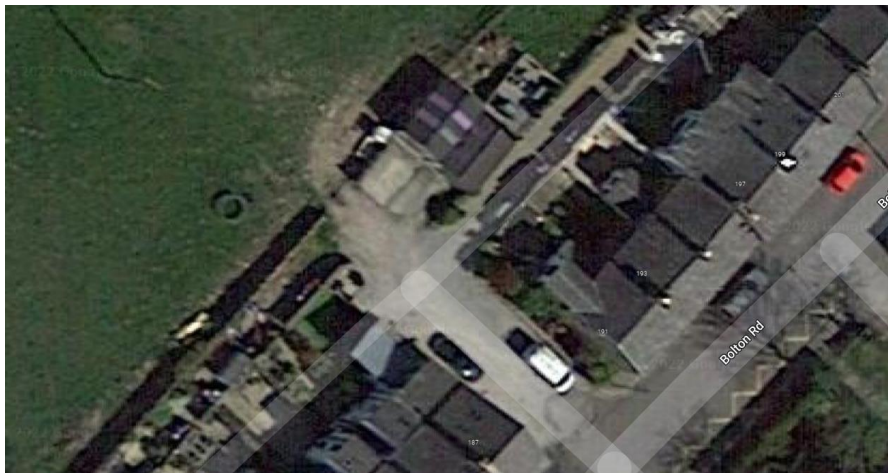
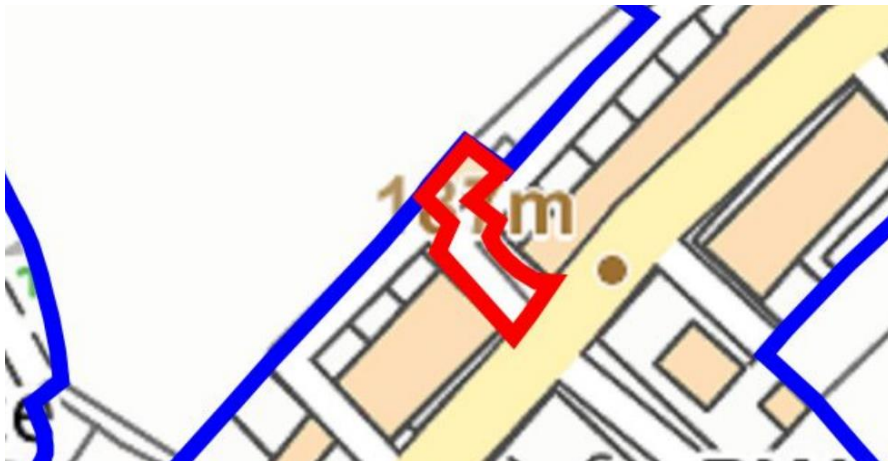


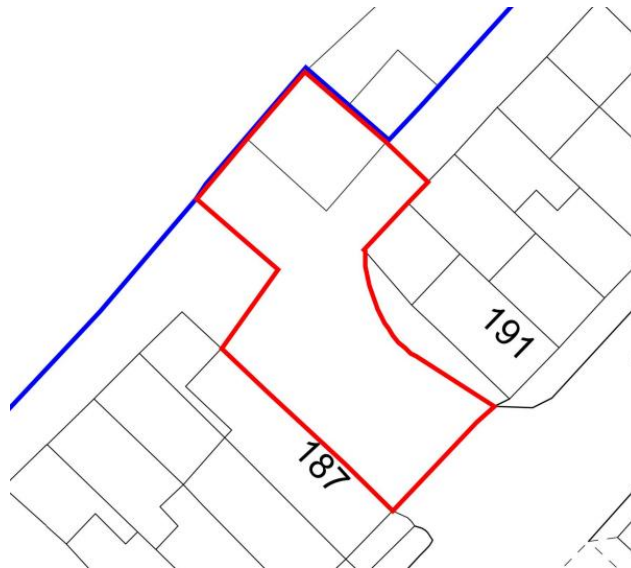
Figure Two – Location Plan showing the extent of the site and access point



3.2 Proposed Development

- 3.2.1 This planning application involves the initial removal of the existing buildings. In their place, a single-storey building is proposed to be used for stabling and storage. Save the stabling element, the proposed uses align with the lawful use of the existing garages/storage buildings, which were approved under application 10/10/0232.

Figure Three –Amended Site Plan



- 3.2.2 The proposed building would have a footprint of circa 50 square meters and a dual-pitched roof up to 5m in height. Natural stone would be used to externally finish the elevations with natural slates used as the roof coverings. Any doors to be installed would have a timber panelled construction with six rooflights also proposed, three to each roofslope. The concrete base to the southwest of the existing buildings would be reinstated for vehicle parking.

Figure Four – Proposed Elevation Plans

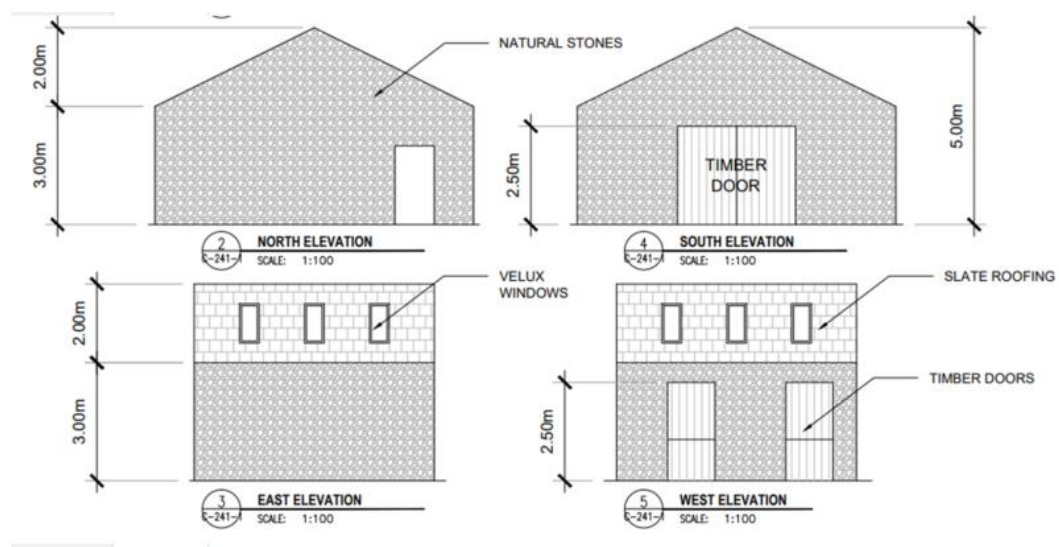
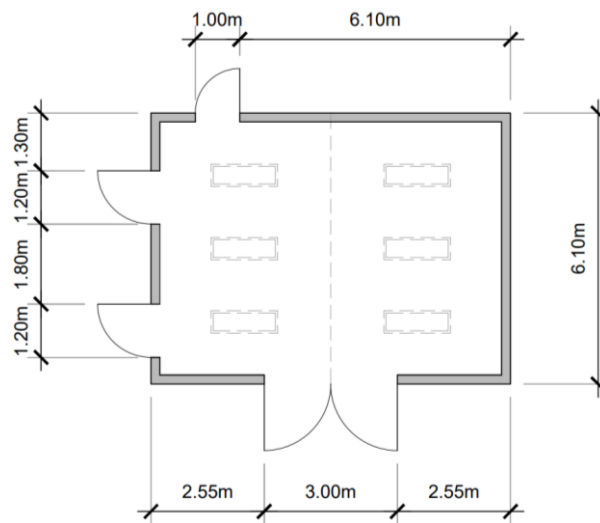


Figure Five – Proposed Floor Plan



3.3 Case Officer Site Photos



3.4 Development Plan

3.4.1 Local Plan Part 2 (adopted December 2015):

- Policy 6: Village Boundaries
- Policy 7: Sustainable and Viable Development
- Policy 8: Development and People
- Policy 9: Development and the Environment
- Policy 10: Accessibility and Transport
- Policy 11: Design
- Policy 39: Heritage
- Policy 41: Landscape
- Policy 42: Equestrian Development

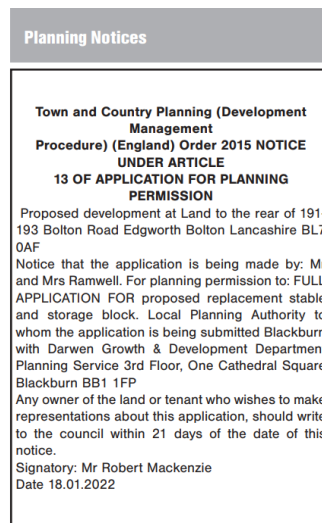
3.4.2 Conservation Areas Supplementary Planning Guidance (SPG)

4.0 ASSESSMENT

4.1 Procedural Matters

- 4.1.1 As detailed above, a number of concerns have been raised alleging that the proposed building may not be used for its intended purpose. It is acknowledged that the adjacent field may at times be used for dog walking. Signage displayed on the field gate next to the site also supports that position. Those activities are currently under investigation by the Planning Enforcement Team (ref: 2022E0085) and the proceedings are ongoing.
- 4.1.2 That said, the adjacent plot of land does not form part of the application site boundary and alleged uses of that land cannot in any way be used to resist this proposed development. In addition, should the proposed building be used in the future for a purpose that no planning permissions have been issued for, additional enforcement proceedings can readily be commenced for those activities.
- 4.1.3 Concerns have been raised regarding the scale of the existing buildings. Allegations have been made suggesting the height of the existing buildings does not benefit from planning permission. However, this application partly involves the removal of those buildings and their current scale is irrelevant to this assessment. Concerns have also been raised regarding the installation of a field gate within the adjacent boundary wall yet such forms of development can be lawfully implemented under the provisions of permitted development.
- 4.1.4 Finally, potential discrepancies have been raised in the way of land ownership. The application site boundary initially only covered the footprint of the existing buildings and associated parking area. During the course of the application an amended Location Plan has been submitted showing the application site boundary covering the proposed building and access arrangements extending to Bolton Road.
- 4.1.5 Not all of the land within the revised application site boundary is within the ownership of the Applicant. Some of the land is within an alternate private ownership and some is unregistered with HM Land Registry. During the course of the application the Agent has served notice on the respective land owner(s) and a public notice was also posted in the Lancashire Telegraph on the 18th January 2022. A copy of that notice is shown below in Figure Six.

Figure Six – Public notice posted in Lancashire Telegraph



4.1.6 In addition, an amended application form has been submitted with Certificate C signed. Such measures are sufficient to demonstrate compliance with nationally prescribed procedures and the proposals are thus acceptable with reference to land ownership and the service of ownership certificates. Should the owners of part of the access arrangements wish to prevent use of their land to support the development in the future, subsequent legal proceedings should be commenced by them, which are ultimately separate to the planning system.

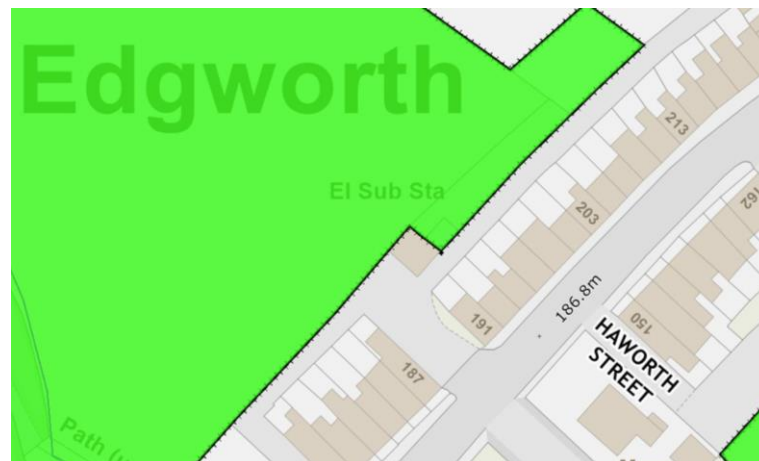
4.2 Principle of Development

4.2.1 As detailed above, the site is positioned within the village boundary of Edgworth. Policy 6 provides provisional support for all forms of development within such areas. It is the underlying intention of that policy to direct new development within existing settlements, and away from less well-connected rural areas.

4.2.2 With specific reference to equestrian developments, Policy 42 provides general support, subject to certain criteria being met. An abundance of suitable riding routes span the surrounding countryside and the remaining requirements of Policy 42 are covered in subsequent sections of this report. The proposed development is thus acceptable in principle, in accordance with Policy 6 and the initial requirements of Policy 42.

4.2.3 Further concerns have been raised in consultee and public comments regarding the potential for harmful impacts upon the openness of the green belt to be caused. For clarity, the site is not positioned within the green belt, as shown below in Figure Seven. The assessment criteria for green belt policies only concerns sites within the allocation itself, and not adjacent to it. Those comments therefore have no material influence on the assessment of this application.

Figure Seven – Plan showing the position of the green belt boundary



- 4.2.4 In accordance with the presumption in favour of sustainable development detailed in the Framework, and Policy 7, development proposals should proceed without delay, unless impacts which significantly and demonstrably outweigh the benefits of the proposal are identified; subject to assessment of the following matters.

4.3 Design and Landscape Character

- 4.3.1 The site is partly concealed from the perspective of Bolton Road yet a number of public footpaths span the adjacent countryside, which the site is visible from. In general terms, Policy 11 requires all development proposals to represent a good standard of design through demonstrating an understanding of the sites wider context, and making a positive contribution to public visual amenity.
- 4.3.2 Policy 41 states development will only be permitted provided there is no unacceptable impact on landscape character or the principal traits associated with it. With regards to equestrian developments, those requirements are reiterated by Policy 42. Concerns have been raised in consultee and public comments on visual design and landscape impact grounds.
- 4.3.3 As detailed above, the proposed building would replace two existing buildings of a similar footprint. An abundance of outbuildings that differ in scale and appearance are found to the rear of the terraced properties along Bolton Road and the proposed building would be broadly contained within the linear arrangement of those clusters of buildings.
- 4.3.4 It is acknowledged that the height of the proposed building would be taller than the existing building. However, the height increase involved would not unduly harm the visual amenity of the locality as the proposed building would clearly appear subservient in scale to the adjacent terraced dwellings. Such an outcome would also remove the potential for adverse impacts on landscape character to arise as the proposed building would be viewed in the context of much taller buildings from public vantage points to the west.

- 4.3.5 External construction materials are proposed that would complement the stone built adjacent terraces. The use of such materials would offer visual betterments when the timber clad appearance of the existing buildings is taken into account. A condition is recommended to control the quality and finish of any external construction materials to be used in order to ensure a satisfactory form of development is achieved. Subject to compliance with that condition, the proposed development would be acceptable in relation to design and landscape character, in accordance with Policies 11 and 41, together with the relevant requirements of Policy 42.
- 4.3.6 Wider concerns have been raised in public comments regarding the potential for the proposals to be left partly built for an extended period of time, thereby causing harm to the visual amenity of the area. Should that be the case in the future, there are powers within the planning system to enforce against untidy construction sites, where necessary. Those comments therefore have no material influence on the assessment of this application.
- 4.4 Impacts on the Conservation Area
- 4.4.1 As detailed above, the site is positioned within the Edgworth/Turton Bottoms Conservation Area. Policy 39 states that all development proposals with the potential to affect any 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. With reference to the scale and form of new buildings, those requirements are broadly reiterated with the guidance contained within the Conservation Areas SPG. Concerns have been raised in consultee and public comments given the site's position within a conservation area.
- 4.4.2 The BwD Heritage Advisor has reviewed the merits of the proposals and no objections have been raised. The existing buildings appear at odds with the adjacent stone built terraces and these proposals would provide a more visually sympathetic alternative, albeit at a slightly larger scale. When the relatively secluded position of the proposed building from the perspective of Bolton Road is considered alongside the use of materials that better harmonise with the adjacent terraced properties, the proposals would cause no discernible harm to the intrinsic historical character of the conservation area.

Figure Eight – Photo of existing buildings in the context of the adjacent terrace



4.4.3 As per the comments provided by the BwD Heritage Advisor, a condition is recommended to control the exact type of the external construction materials to be used in order to adequately maintain the setting of conservation area. Subject to compliance with that condition, the proposed development would be acceptable in relation to impacts on the conservation area, in accordance with Policy 39 and the guidance of the Conservation Area SPG.

4.5 Residential Amenity

4.5.1 Dwellings are positioned immediately adjacent to the site and safeguarding the amenities of those neighbours is an important planning consideration. Policy 8 states that all development proposals must secure a satisfactory level of amenity and safety for surrounding uses, with reference to noise, light, other pollution or nuisance, privacy/overlooking, and the relationship between buildings. Concerns have been raised in public comments on various residential amenity grounds.

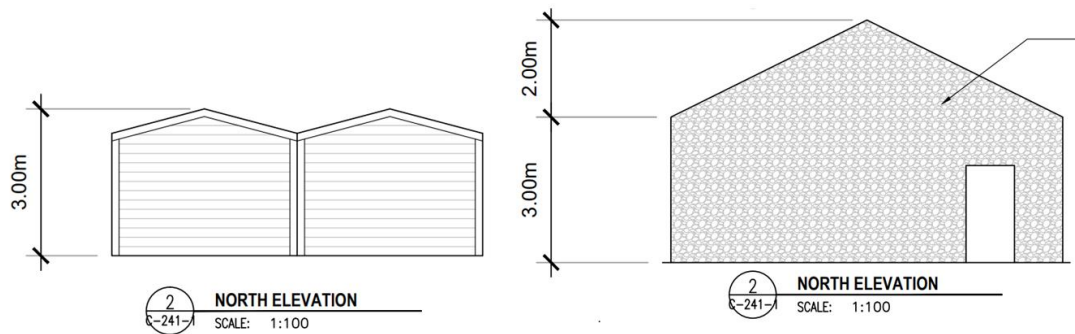
4.5.2 With reference to noise, BwD Public Protection have reviewed the merits of the proposals and no objections have been raised. A condition has been advised to control construction working hours in order to minimise disruptions for neighbours from that phase, which is recommended to be added. In addition, a condition is recommended to prevent the proposed building being operated in a commercial manner so as to minimise the potential for disruptions to occur for neighbours once the development becomes operational. A further condition is recommended to control external light sources in order to minimise the potential for light pollution for neighbours.

4.5.3 In relation to manure management, the limited size of the proposed building would prevent large accumulations of such wastes. Only the internal storage of manures can occur with regular transportation off site being required in order to minimise the potential for odours to harm the amenities of neighbours. A condition has been advised by BwD Public Protection to control those details, which is recommended to be added.

4.5.4 Rooflights would be incorporated into the building with three facing towards the dwellings on Bolton Road. Given that those openings would be installed in excess of 3m above floor level, no adverse privacy impacts would be caused for neighbours. Moreover, the proposed non-residential use of the building would further assist with that arrangement.

4.5.5 Although the height of the proposed building would be 2m taller than the existing building, in excess of 8m would separate the single-storey building from windows within the closest adjacent dwellings on Bolton Road. Conclusively, the distances involved are sufficient to prevent an unacceptable relationship being formed between those buildings. It should also be noted that the orientation of the proposed building would result in its lowest point being the closest to the adjacent dwellings.

Figure Nine – Comparative heights of the existing and proposed buildings



4.5.6 When those factors are considered collectively, and subject to compliance with the aforementioned conditions, the proposed development would be acceptable in relation to residential amenity, in accordance with Policy 8 together with the relevant requirements of Policy 42.

4.6 Highways and Parking

4.6.1 As detailed above, the site is accessed via an unmade side road that is partly within a private ownership. Policy 10 requires all development proposals to not prejudice road safety or the safe, efficient and convenient movement of all highway users. Concerns have been raised in consultee and public comments on highways and parking grounds. It should be noted at this stage that many of those comments relate to the alleged dog walking business, which does not form part of this application.

4.6.2 Given that the proposed building would replace buildings of a similar scale, the additional traffic movements associated with these proposals would be negligible. Parking for two vehicles would be provided to the southwest elevation of the building, which is sufficient for its size. There are no specific parking requirements for stables within the BwD Parking Standards and each application is assessed on its own merits. The limited size of the proposed building would ultimately remove the potential for significant parking requirements to materialise.

4.6.3 There are no allocated public footpaths close to the site and the position of the building would not unduly hinder the manoeuvrability of pedestrians or motorists alike. Moreover, any comments made regarding access covenants cannot be given any material weight in the assessment of planning applications as they are controlled by non-planning legislation. For those reasons, the proposed development would be acceptable in relation to highways and parking, in accordance with Policy 10.

4.7 Ecological Considerations

4.7.1 As detailed above, the proposals partly involve the removal of buildings. Policy 9 states that all development proposals should avoid unacceptable impacts on environmental assets or interests, including protected species. Public

comments have mentioned the potential for bats to be roosting within the existing buildings. No bat surveys accompany the application and they have never been requested given the structural nature of the existing buildings.

- 4.7.2 Nationally applied guidance from the Bat Conservation Trust advises that bat surveys should only be expected where there is a 'reasonable likelihood' of bats being present within the application site. The existing buildings are timber clad structures with no insulation in their walls or roof. Their roof voids are exposed and there are no concealed spaces to provide roosting habitat, which is shown below in Figure Ten. The existing buildings also appear to be in a regular use, which would further deter bats from roosting within them as they would be continuously disturbed.

Figure Ten – Photos of inside of the existing building (taken 05/04/2022)



- 4.7.3 Given those site characteristics, it would be unreasonable to expect the Applicant to incur additional costs for the production of bat surveys as there is no reasonable likelihood of bats being present within the existing buildings. Informal verbal discussions with one of the BwD Ecological Advisors also accords with that position.
- 4.7.4 An informative note should be attached to any approvals issued that raises awareness to the legal obligations of developers regarding roosting bats. Subject to those requirements being duly followed, the proposed development would not have an unacceptable impact on protected species, in accordance with Policy 9 together with the relevant requirements of Policy 42.

4.8 Wider Considerations

- 4.8.1 Further concerns have been raised in public comments regarding the close proximity of an electricity substation. Electricity North West Limited have been formally consulted on the application and no response have been forthcoming. Should any comments be provided ahead of the committee meeting, they will be added as part of a committee update report. It should also be noted that any works within close proximity of energy infrastructure are subject to stringent controls as part of non-planning legislation.

4.9 Summary

- 4.9.1 This application involves the initial removal of two timber constructed buildings. In their place, the erection of a single building for use as stabling and storage is proposed. Subject to appropriate conditions, the proposed development

would be acceptable on all the relevant planning grounds, in accordance with the policies and guidance notes detailed in Section 3.4.

4.9.2 Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. Subject to appropriate conditions, the proposal would be acceptable in principle, and in terms of design and landscape character, impacts on the conservation area, residential amenity, highways and parking and ecological considerations.

4.9.3 The proposed development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

5.0 RECOMMENDATION:

5.1 Delegated authority is given to the Strategic Director of Place to approve planning permission, subject to the following conditions and informative notes;

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. 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: Location Plan (1:1250 – amendment submitted 24th December 2021), Site Plan (1:500 – amendment submitted 24th December 2021), Existing Plans (C-241-1 – Revision A) and Proposed Plans (C-241-1 – Revision A).

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. Prior to the commencement of any above ground works on site, details confirming the exact type of all the external materials to be used in the construction of the development hereby approved shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in strict accordance with the approved materials and details, unless otherwise agreed in writing.

REASON: In order to ensure a satisfactory form of development is achieved, in the interests of visual amenity and maintain the setting of the conservation area, and to comply with the requirements of Policies 11 and 39 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

4. All construction/demolition works to be undertaken as part of the development hereby approved shall only take place between the hours of 8:00 – 18:00, Mondays – Fridays, and 9:00 – 13:00 on Saturdays. In addition, no such works shall be undertaken whatsoever on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to minimise noise disruptions from the proposed construction /demolition works, in the interests of residential amenity, and to comply with the requirements of Policy 8 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

5. The development hereby approved shall only be used for the stabling of horses owned or leased by the respective site owners and no commercial operations shall take place from the site whatsoever following the development being brought into use.

REASON: In order to minimise the potential for site operations to disrupt neighbours, in the interests of residential amenity, and to accord with the requirements of Policy 8 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

6. Prior to their installation, details overviewing the types, positions and heights of any new external light sources to be incorporated as part of the development hereby approved, shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in strict accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to minimise light pollution from the development, in the interests of residential amenity and landscape quality, and to comply with the requirements of Policy 8 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

7. The development hereby approved shall not be brought into use for the housing or stabling of animals unless and until, details confirming the measures to be put in place to manage manure and minimise the emission of odours has first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in strict accordance with the agreed details and the measures put in place shall be operated in perpetuity with the development.

REASON: In order to ensure proper management of manures and minimise odours, in the interests of residential amenity, and to comply with the requirements of Policy 8 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

Relevant Informative Notes

1. (Construction/Demolition Noise) All activities associated with the construction/demolition 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.
2. All bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats &c.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is via the Bat Conservation Trust on 0845 1300 228.

6.0 RELEVANT PLANNING HISTORY

- 6.1 10/10/0232 – Alterations to recently constructed timber stable building for use as a domestic garage and to replace existing adjoining garage with a timber built garage for the same purpose – Approved, with conditions – May 2010.

7.0 CONSULTATIONS

- 7.1 BwD Heritage – Edgworth Conservation Area was designated in 1972, the area has a predominantly rural setting and consists mainly of stone built housing with slate roofs. Bolton Road runs through the centre of the Conservation Area and has a gradual incline which is reflected in the roofline of its buildings. The key heritage issue for the LPA to consider under the planning application is whether the proposed development will harm the character or appearance of the Edgworth Conservation Area.

The existing storage building and stable is formed of two 'lightweight' structures situated alongside one another. They are constructed from timber with a rubber corrugated roof. The existing structures each have a pitched roof with an overall height of 3 metres.

The application is for the erection of a combined stable and a storage building, which will be located in the same location following demolition of the existing stable buildings. The proposed new stables/storage building will be a single constructed built from stone and have a slate roof. The proposed scheme will replace the existing buildings and will be constructed from natural stone, with timber clad doors and a slate roof with roof lights.

The proposed structure will have an overall width of 8.1 metres and length of 6.1 metres which is comparable to the footprint of the existing structure (7.6 metres by 6.1 metres). However as the proposed building will be a single construction its overall height will be 5 metres, an increase from the existing

structure which is 3 metres high. This height difference is to accommodate the single pitched roof of the proposed scheme, replacing the two adjacent pitched roofs of the existing structures.

The proposed scheme will have access to an existing hard surfaced area to the south of the site. The west elevation will include stable doors which have access to the field, the south elevation will have double doors at 3 metres wide and the north elevation will have a single door to the right. The roof will have three Velux windows on both the east and west elevations.

The principal view of the existing structures/application site is from the access road to the left of 191 Bolton Road. The application site is at the rear of the properties along Bolton Road and at the north-west edge of the Conservation Area boundary. There are no meaningful views of the site from any of the principle perspectives of the Edgworth Conservation Area. Any potential views of the application site from a northern or western perspective fall beyond the boundary of the Conservation Area.

Historic England's Planning Note 3 (second edition) entitled The Setting of Heritage Assets (2017) describes setting as being the surroundings in which a heritage asset is experienced. It discusses how views can contribute to the significance of an asset and the importance of relationships between buildings.

It is clear that the rural nature of the Edgworth Conservation Area contributes to its character and appearance. Whilst the increase in height of the proposed building will make the building more noticeable within the immediate landscape setting this need not equate to harm. I feel due to the proposed scheme being located at the rear of the terrace row any additional disruption to the appearance of the Conservation Area and its wider setting would be minimal.

The proposed materials of natural stone and slate should be sympathetic with the surrounding buildings in the Edgworth Conservation Area as these are the principle building materials found throughout. I would suggest that a suitable worded Condition is applied to require details of the materials to be submitted and approved by the LPA before commencement on site.

Overall, in terms of the CA we feel the proposed scheme for the replacement of the stable and storage block is relatively minor in nature and will have a minimal impact on the character or appearance of Edgworth Conservation Area, when taken as a whole. In this regard, we do not feel the proposal will cause any harm to the significance of the Edgworth Conservation Area.

(Conclusion) As we are required to do so, we have given the duty's imposed by s.72(1) of the P(LBCA) Act 1990 considerable weight in my comments. We consider that the proposal would meet the statutory test 'to preserve' as no harm would be caused to the significance of the Edgworth Conservation Area. Therefore, no balancing exercise is required as per NPPF P.202. As such the proposal meets the objectives of Chapter 16 of the NPPF and accord with the policies of the Local Plan.

7.2 BwD Public Protection – Should this application be approved, conditions should be imposed to control odours associated with animal effluents, external lighting sources and the potential issues that come with such installations, and construction working hours. Informative notes should also be added regarding the control of odours associated with animal effluents, external lighting sources, construction/demolition and the control of asbestos.

7.3 North Turton Parish Council – We object to this planning application on the grounds that the height and size of the building will give the appearance of an industrial unit within a Conservation Area, it will lead to a loss of natural light to adjacent dwellings, the Velux windows may give rise to overlooking of bedrooms in adjacent dwellings, and any increase in traffic will be detrimental to residents and to children accessing the school opposite. There are also concerns about what the building may be used for.

(Update) The Parish Council strongly reiterates its original objection that the height and size of the building will give the appearance of an industrial unit within a Conservation Area, it will lead to a loss of natural light to adjacent dwellings, the Velux windows may give rise to overlooking of bedrooms in adjacent dwellings, and any increase in traffic will be detrimental to residents and to children accessing the school opposite. We initially raised concerns about what the building may be used for, and now understand that the premises are being used for commercial purposes (ie a dog walking business), causing great distress to local residents. Commercial use is likely to give rise to an increase in vehicular traffic, to the detriment of road safety, particularly bearing in mind there is a school crossing point at this location.

7.4 Ward Cllrs – The applicant owns the field to the rear of these properties and is now using, what is agricultural land for commercial purposes. Regularly vans arrive loaded with up to probably about 10 dogs who are let loose on the field to exercise. The main concern is the fact that this is an unadopted means of access to his field and is directly opposite an entrance to the village school which has at that point twice a day a crossing patrol for the children. There are also concerns about the size of the structure and as there are no horses in the field at present what the purpose of the building will be for?

7.5 Electricity North West Limited

7.6 Summary of Public Responses

- The building may be converted to an alternative use in the future;
- A dog walking business operates from the adjacent field;
- Unauthorised pitched roofs were previously added to the existing building;
- A gate has been installed accessing the adjacent field;
- The Applicant does not own all of the application site;
- Harm to the openness of the green belt may be caused;
- The site is located within a conservation area;
- Harmful impacts on landscape character may be caused;
- The building may not be finished and cause an eyesore;

- The height of the proposed building is not appropriate;
- Inappropriate construction materials are proposed;
- Noise pollution may be caused;
- Losses of natural light may be caused for neighbours;
- The proposed rooflights may overlook neighbours;
- Increases in traffic may occur;
- The site has inadequate amounts of parking for the proposed use;
- Public rights of way may be obstructed;
- The access arrangements may breach property covenants;
- Bats may be roosting in the building;
- An electricity substation is positioned directly opposite;

8.0 CONTACT OFFICER: Christian Barton – Planning Officer

9.0 DATE PREPARED: 06th April 2022

10.0 SUMMARY OF REPRESENTATIONS

Objection – Mr & Mrs S Cunliffe, 199 Bolton Road, Edgworth, Turton, Bolton, Received 07.09.21

We the property owners of 199 Bolton Road Edgworth Turton Bolton BL7 0AQ STRONGLY OBJECT to the planning application submitted REF: 10/21/0859 for a replacement stable/storage block which is in close proximity to our property and land.

CONCERNS

The existing garages are located within the Conservation Area of Edgworth.

CHANGES IN HEIGHT AND WIDTH

The additional height of the building will result in the appearance of an Industrial sized unit. This directly conflicts with what we represent as a community living in in a Conservation Area. The proposed changes extend the existing footprint both in width and height.

ELECTRICITY SUB-STATION

The electricity sub-station is directly adjacent to the existing buildings and the suppliers would have to be consulted of any footprint changes that may affect the electricity feeds.

LOSS OF NATURAL LIGHT

Three of the cottages in close proximity to the stable/storage block would be directly affected by the loss of natural light and as a result may incur increased electricity usage (lights) and higher utility costs.

PRIVACY

Stable block/storage propose Velux windows which will match the height of the bathroom and bedroom windows of 191 Bolton Road Edgworth.

SAFETY ISSUES – INCREASED TRAFFIC VIA ACCESS ROAD TO THE STABLE BLOCK/STORAGE

Edgworth C of E Methodist Primary School is in close proximity to the resident's access road. There is an issue with increased traffic and noise pollution.

QUALITY OF LIFE

The residents are greatly concerned and ANXIOUS regarding the proposed storage contents. This is having a negative impact on their quality of life.

Yours faithfully

Mr & Mrs S Cunliffe

Objection – Glenys Syddall, Clerk to North Turton Parish Council, Received 08.09.21

North Turton Parish Council objects to application 10/21/0859 for the erection of a replacement stable and storage block to the rear of 191-193 Bolton Road, Edgworth, on the grounds that the height and size of the building will give the appearance of an industrial unit within a Conservation Area, it will lead to a loss of natural light to adjacent dwellings, the velux windows may give rise to overlooking of bedrooms in adjacent dwellings, and any increase in traffic will be detrimental to residents and to children accessing the school opposite. There are also concerns about what the building may be used for

**Objection – Lisa & David Ponton, Teapot Row, 195 Bolton Road, Edgworth, Turton,
Received 13.09.21**

11th September 2021

Re: Planning application ref 10/21/0859

Dear Sir/Madam,

With regards to the above planning application we strongly object to the proposed plans for the following reasons;

- The proposed plans are increasing the height of the existing structures by 2 metres (a 2 thirds increase). This alone will cut out a huge amount of light to our property and to the properties surrounding us. Properties 191 to 195 sit lower than the rest of the properties on the row.
- The existing structures are approx 2 foot higher than initially planned when they replaced the concrete garages on this site previously. The plans were to replace the flat roofed garages with like for like structures but pitched roofs were added removing natural light for our property and those alongside us. The planning was for GARAGES only and not stables.
- In the current economic climate my wife works at a lot at home from the back bedroom of our property and this structure will again cut out a lot of natural light and be the dominant view from the rear window. My wife suffers from severe depression and SAD so natural light is very important to her wellbeing as it is for us all.
- The structure will not be in keeping with the local buildings which are in a conservation area and will be the dominant building when you view this area of the village from the Wayoh, Weavers Way or Chapletown.
- The plans show skylights in the roof. With the plans for it being 5 metres high will the plans be amended to incorporate accommodation at a later time? The velux roof lights remove any privacy for our neighbours as they would be directly looking towards their bedrooms and bathrooms. Why does a stable need to be 5 metres high? Is it because they wish to use the building to store plant machinery from their other business?
- The proposal is for 'stable & storage building'. There have been no horses in these structures or the adjoining field for about 2 years. The field is being used exclusively for a dog walking/dog daycare business which is advertised by a large sign on the gate. I would suggest that the application would be amended in the future for change of use to a kennel for dog boarding



which is also advertised on the gate but currently takes place at the owners home address. A business such as this would require temporary accommodation on or by the site.

- With regard to the gate access to this field where the dog walking business takes place we are unable to locate any planning permission for this gate/access, the wall is shown as solid on land registry documents. Our deeds show there are easement rights for the electricity board to access the substation from the residential side road to 191, 193 and 195 Bolton Road. The dog walking business has produced increased traffic over the privately owned residential side road, 3-4 times a day vans are entering the field and up to 30 dogs barking and disturbing the peace. Several times my wife has had to close windows due to the constant noise. Whilst they clean the dog mess up this is disposed of in the parish bins near the methodist church and at the back of the Black Bull pub.
- There is documented access to this field from the top of Harbour Lane which is not used and houses a large unused barn type structure. This area could be used for a 'stable & storage' and there is plenty of room to build structures that do not overlook or block light from local properties. The below photograph is the structure already in place which is not used.



- We believe that these plans have been submitted to house a dog kennelling business and for the plans to be amended in future should permission be granted from this initial submission. Over the years the applicants appear to have ignored initial planning permissions granted by putting on pitched roofs instead of flat roofs as per the replace like for like plans previously, they also did not put garage doors on the garage until it was raised with the building officer. The gate access to the field appears to have not to have been applied for.
- The building does not appear to meet with government policy on protecting green belt land which recognises the character and beauty of the countryside, the importance of supporting the rural community. This building will have an imposing and detrimental affect on the area, it will be a large industrial unit standing above 16ft in height.

It is on these grounds that we strongly object to this planning application and request that these points be considered in your decision making.

Kind regards

David & Lisa Ponton

Objection – Mr & Mrs Jack Smith, 205 Bolton Road, Edgworth, Turton, Received 13.09.21

For the attention of Mr Gavin Prescott - Planning Manager.

Dear Sir,

We the property owner's of 205 Bolton Road, Edgworth, Turton, Bolton BL7 0AQ, Lancashire wish to lodge our strong objection to the above Planning Application for a replacement stable/storage block (i.e. replacing two existing garages).

The aforesaid garages are a valuable asset to the village.

The proposed increased footprint in width (0.5 metres) and height (2 metres) is a 66% increase.

Since the block should be considered an outbuilding the maximum height limits are a single storey. Eaves height 2.5 metres and maximum overall height 4 metres with pitched roof, or 3 metres in any other case.

We and a number of local residents are concerned about future use of the above proposal, in a conservation area.

Yours faithfully

Mr and Mrs Jack Smith

**Objection – Miss Katy & Mr Dominic Halliday, 191 Bolton Road, Edgworth, Bolton,
Received 15.09.21**

Dear Sir,

I am writing to object to the planning application reference: 10/21/0859.

The application comprises a proposed replacement stable and storage block, situated to the rear of 191-193 Bolton Road.

I recently moved to the area, having purchased 191 Bolton Road in March, one of the many local listed buildings of historic interest, within the conservation area of Edgworth.

I wish to object to the aforementioned application on the following grounds:

- The proposed height of the roof extension (2 metres) to the existing height of the building (3 metres) is a disproportionate addition, which will result in a structure over and above the size of the original building; materially larger than the one it is proposing to replace. This will cause a huge reduction in the amount of natural light to the ground floor, the rear of our property, and to the rear garden areas - overshadowing both ours and the neighbouring properties, standing at above 16ft in height.
- The proposed roof extension includes 6 velux windows, 3 of which will directly overlook both the bathroom and bedroom windows of our property, and result in a huge loss of privacy.
- Government policy on protecting green belt land, "recognises the intrinsic character and beauty of the countryside, and the importance of supporting the rural community - applications should conserve and enhance the natural environment and reduce pollution, being both visually attractive and respond to the local character and history." We believe that this application contradicts the above guidance, having a detrimental effect on the local landscape, both in terms of its scale and its dominance.
- Access to the proposed new build is gained via the gable side of our property, passing through land which is shown in the attached land registry title, number LA480914, as belonging to our property. Please also see the included copy of deeds granting easement and right of way to North West Electricity Board in 1958, to develop the electricity substation in the area adjacent to, and to the rear of 191,193 and 195 Bolton

Road. No such agreement has been made between ourselves, the owners of the opposite end terraced property (187 Bolton Road), and the owners of the proposed new site, to permit access through the land which we own, having moved into our properties in February and March 2021 respectively.

- The Field adjacent to the proposed new build is currently being used by its owners for dog walking facilities, access for which is through private land shown as belonging to our property and the opposing end terraced property, 187 Bolton Road. Historically there is no access through this land to the adjacent field, as the stone wall is not shown in previous plans as having a gate (see attached) - presumably planning permission would have been sought for this, no records of which were shown in land registry and planning searches conducted by our conveyancing solicitors, upon purchasing the property. Recently signage has also been installed on this gate, advertising the dog walking business. We were not consulted on this as a community before this was erected, and feel it contradicts the traditional character and historical feel of the area. (see picture below)
- Previously the land at the side of our property, which is highly visible when passing through the village along Bolton Road, was used primarily for residential parking. Having recently invested in renovations, it is now also enjoyed as a garden area, with wild flowers and vegetables, which we believe has made a positive contribution to the local community. Access to the site of the proposed new build is through this privately owned land.
- The current frequency of vehicular access, associated with the dog walking business, with 2 vans visiting two or three times daily, is increasing local non residential traffic and pollution levels. I also have concerns with the future use of the proposed new build, and the increased noise pollution, should it be used for the associated business.
- Situated across from Edgworth primary school, a very busy part of the village at school time, the proposed plans will present further traffic safety and parking issues, from the incurred increase in non residential traffic in the area.
- Local biodiversity will also be affected, as the surrounding area is used as a nesting site for birds and wildlife.

I understand many local residents in the community feel as strongly as ourselves, regarding the issues detailed above. I hope you give due consideration to all of our valid objections.

If this application is to be decided by councillors during a meeting of the development control committee, please take this as notice that I would like to speak at the meeting in opposition of the application when it is decided by councillors. Please let me know as soon as possible the date of the meeting.

a)



b)



VIEW OF EXISTING
STRUCTURE FROM
THE

a) BEDROOM

b) BATHROOM

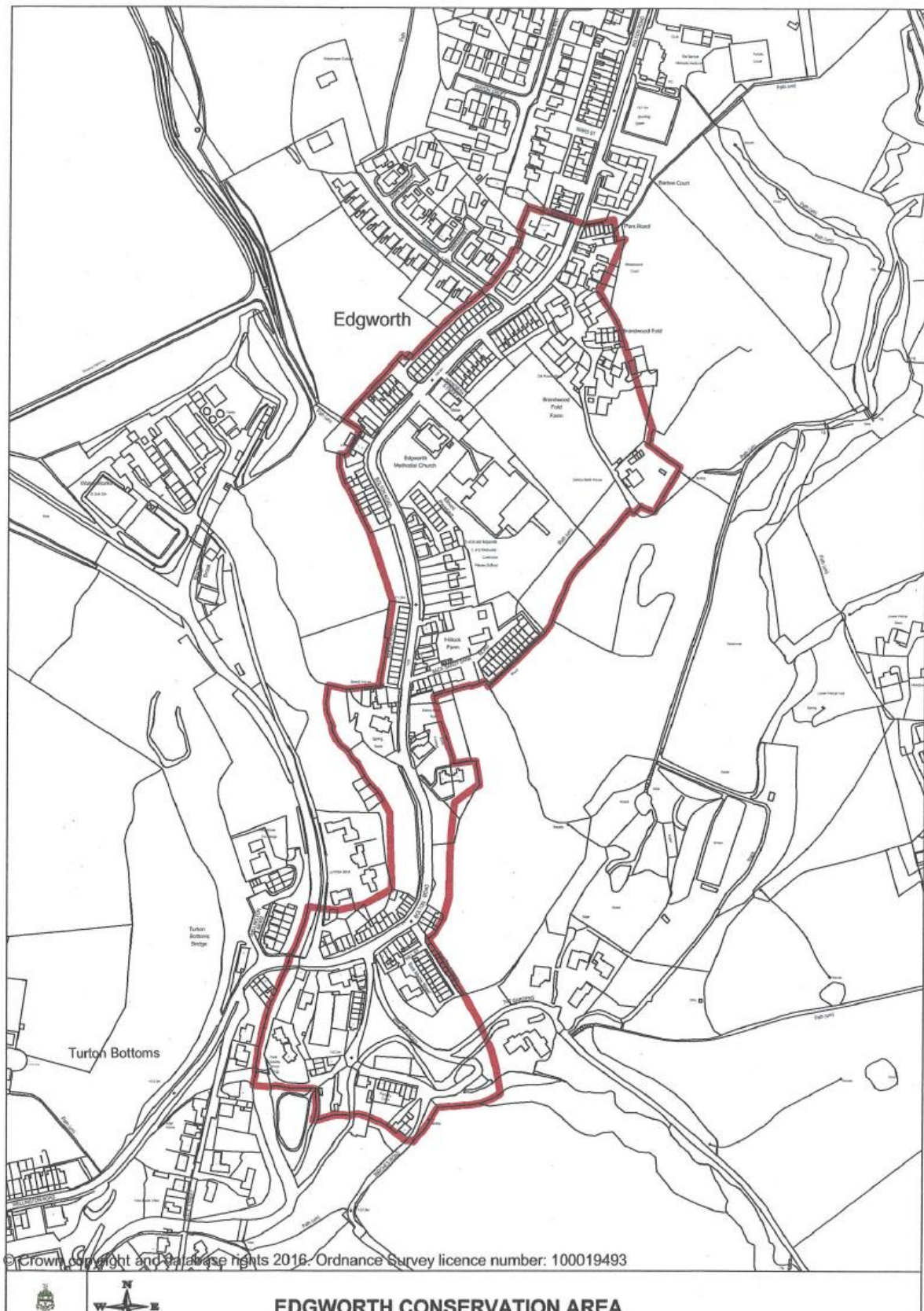
OF OUR PROPERTY.



VIEW OF
EXISTING
STRUCTURE FROM
REAR GARDEN
OF OUR
PROPERTY.

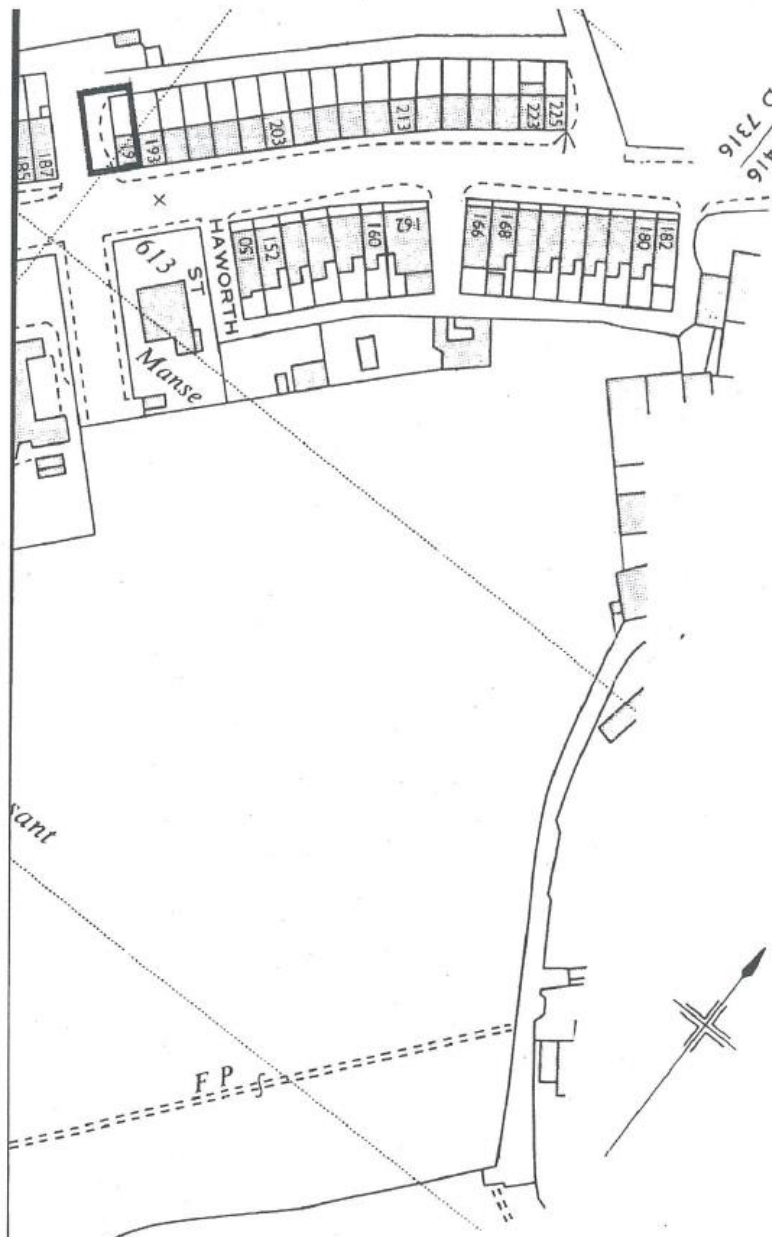


GATE ADVERTISING
BUSINESS, ACCESS +
PLANNING RECORDS FOR WHICH
NOT FOUND.



01253 840012

H.M. LAND REGISTRY		TITLE NUMBER	
ORDNANCE SURVEY		COUNTY	SHEET
PLAN REFERENCE		LANCASHIRE	
Scale: 1/1250 Enlarged from 1/2500 BLACKBURN DISTRICT		NATIONAL GRID	SECTION
		SD 7316	B
		© Crown copyright 1975	



This OFFICE COPY shows the state of the title plan on 2.11.97
Under s.113 of the Land Registration Act 1925 this copy is admissible
This office copy of the title plan may be subject to minor distortions in
thick black line.
Issued on 6.11.97 by HM Land Registry. This title is administered
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copy

Title number LA480914

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title good leasehold

- 1 (08.03.2021) PROPRIETOR: KATY ANNA AICKEN of 191 Bolton Road, Turton, Bolton BL7 0AQ.
- 2 (08.03.2021) The price stated to have been paid on 3 March 2021 was £269,950.
- 3 (08.03.2021) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 3 March 2021 in favour of HSBC UK Bank PLC referred to in the Charges Register.

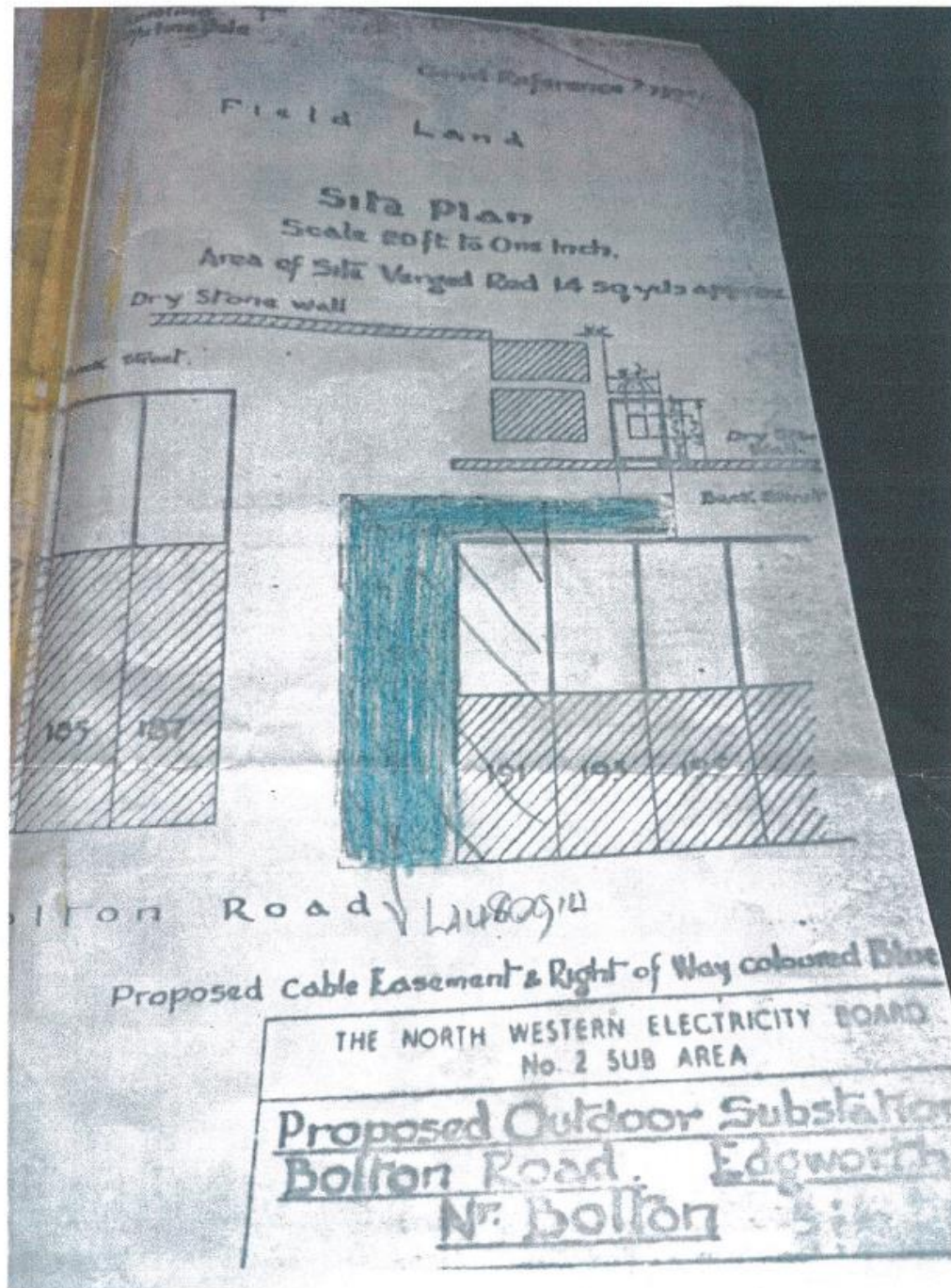
C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 The land is subject to the rights granted by a Deed dated 16 December 1958 made between (1) John Holden and (2) The North Western Electricity Board.
NOTE: Original filed.
- 2 (08.03.2021) REGISTERED CHARGE dated 3 March 2021.
- 3 (08.03.2021) Proprietor: HSBC UK BANK PLC (Co. Regn. No. 9928412) of Mortgage Service Centre, P.O. Box 6308, Coventry CV3 9LB.

End of register

copy



7, Blackburn Rd.

Edgworth.

BLT OBA
9.9.21

Objections to the Planning Application.

Proposed replacement stable & storage block.

- Land to the rear of 191-193

I am the owner of 193, Bolton Rd and I have grave concerns about the proposal to change the use of the garages to a stable and storage block for the following reasons

1. Conservation Area -

The proposed application lies in green belt and conservation area.

2. Traffic Control - there are already existing parking problems with child safety on Bolton Rd

3. Ownership of Land - the street land behind/between No 191 & 193, Bolton Rd is owned by the owners of these two properties and they have control over the present and future access

4. Height - the height of the proposed building would take the light from the existing cottages as well as affecting their privacy

5. Concern over future use - there is concern that the proposed new building is the first stage towards applying for change of use for full planning to change of use for a future house which would need little alteration for a large house.

6. Noise Issue - the field is used for dog exercise every day and some 40 to 50 dogs are exercised with constant barking

7. Storage of animal / dog goods - this would encourage vermin (rats) for local residents

2nd Objection – Mr & Mrs Jack Smith, 205 Bolton road, Received 15.09.21



England ▾



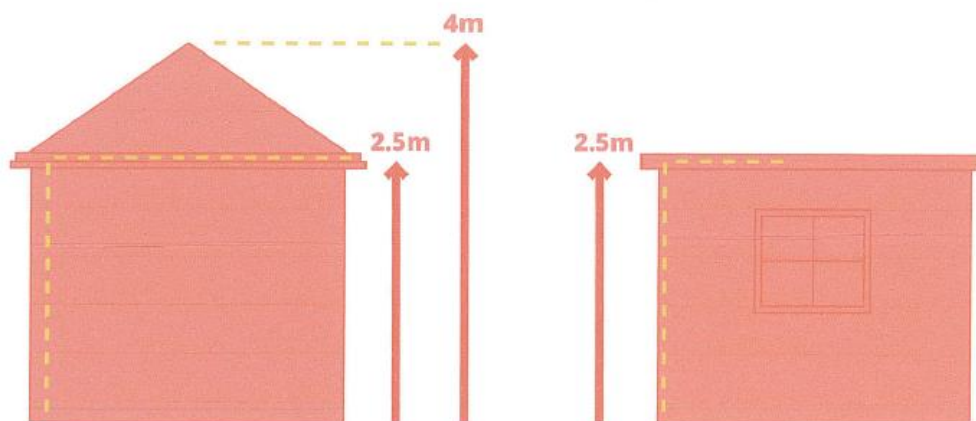
Outbuildings must be single storey with a maximum eaves height of 2.5 metres and maximum overall height of 4 metres with a dual pitched roof or 3 metres in any other

Height limits



Height Limits

Outbuildings must be single storey with a maximum eaves height of 2.5 metres and a maximum overall height of 4 metres, with a dual pitched roof, or 3 metres in any other case.



MENU

Objection – Dr David Rudd, 3 Harbour Lane, Edgworth, Received 17.09.21

Dear Mr Kelly

Objections to Planning Application, ref. 10/21/0859

We are writing to query this planning application on three counts.

First, we would want to know why this extension to the size and height of the existing stables is deemed necessary. What is to be stored within it, requiring such larger premises? The owners of this field already have a large barn-like structure at the top of the field, accessed from Harbour Lane, which has stood largely unused for several years. If storage is needed, why could this existing structure not be adapted (it already stands two storeys high)? It has been an eyesore since its initial construction, fenced off, with building materials (sand, breezeblocks, etc.) and vehicles standing around in the area. Given this history, we are apprehensive about the current stables becoming another such eyesore.

Our second concern relates to the business that is currently operating in the field where the extension is proposed. While we welcome the dog-walking enterprise, 'Go Walkies', we are uneasy about its possible growth. There are already several consignments of dogs arriving each day of the week. Sometimes there is not one vehicle parked in the field but two, with their associated cargo of canines. As said above, we have no problem with this business per se. We are concerned only about its possible expansion. In relation to the proposed extension of the stables, we fear that this planning application might be linked specifically to 'Go Walkies', such that it is not general storage that is being sought, but premises to be used especially for this enterprise, rendering it more intrusive as a business.

Finally, while we sympathise with the concerns of those residents who live on Bolton Road — who would be more directly impacted in terms of loss of natural light, obstruction of their views, noise, pollution and problems relating to the frequent ingress and egress — our concern is more general, in that we are keen that the green belt status of the area is not compromised by what seems to us, given the queries above, an unnecessary development.

Yours sincerely

Objection – John Kearns OBO Sean, 197 Bolton Road, Edgworth, Bolton Received 20.09.21

To whom it may concern

My name is John Kearns I am the Owner / Occupier of 197, Bolton Road Edgworth, Bolton BL7 0AQ .I am known to my neighbours as “Sean”

I am writing to let you that I object to the planning Application 10/21/0859 proposed replacement stable and storage block on the land at the rear of 191-193 Bolton Road I have been the owner of 197 Bolton Road since March 1988 and the structure proposed is not in keeping with the area I live I believe my home is in a conservation area so in my opinion the proposed new building is not right for the area .On site there is currently two garages which was a replacement for garages which were previously there The garages on site have a pitched roof which are different to the garages replaced which had flat roofs, The pitched roofs are already having an effect on the light going into 191-193 Bolton Road The new application being proposed is going to be 2 metres higher which going to make the light situation worse

The new application being proposed is going to have skylight in roof , could this in the future being used for household dwellings ? Surely there must be privacy issues regarding looking over the rear of 191-195 Bolton Road Why does this building need to be 5 metres high are they planning to store plant machinery in the building

The field at the rear of 197 is presently being used as a dog walking business which has increased the amount of traffic in the area When I attended the parish council meeting on 06.09.2021 I was informed by my neighbours that the gate used by the dog walking service was not the correct entrance to the field The correct entrance I believe is off Harbour Lane So why is this gate being used ? was planning permission given for this gate on the land registry documents this wall is solid.

The new proposed building must surely have an effect on the substation located at the rear of 191-195 and the access needed by the electricity company to gain access to the substation In summary this proposed application does not seem to meet with recent government policy on protecting green belt land This new building will be detrimental to the area it will be a large industrial area standing 5 metres tall

Regards

Objection – Mary Bertenshaw, 207 Bolton Road, Edgworth, Turton, Received 20.09.21

We the owners of 207 Bolton Road, Edgworth, Turton, BL7 0AQ object to the planning application submitted. The height of the proposed structure has increased by two metres, an increase of sixty percent, making it more of an industrial building for commercial use?

Parking in the area is already a problem for residents. Edgworth C of E Primary School is in close proximity to the building and road safety issues have to be taken into consideration if there is going to be a further increase in traffic frequenting the area.

Objection – Mr David Ellison, 193 Bolton Road, Edgworth, Turton, Bolton, Received 20.09.21

REF: 10/21/0859

PROPOSED REPLACEMENT OF STABLE AND STORAGE BLOCK

Summary of the Applicants Site referred to in Ordinance Survey Map Eastings 373889. Northings 416340 Identified within Green Belt Constraints.

Historically, the site identified, has for many years been used as garage space by way of two flat roofed garages. Some years ago, the applicants applied to replace the garages with the construction of two similar garages which should have been a like for like replacement this was carried out approximately 6-7 years ago. The original garages had flat roofs. It was quite noticeable that after construction the new garages where of a pitched roof type. In addition, although the replacement garages where built, the garage nearest the field did not have a garage door. I have it on good authority that the planning department visited the site to ensure garage doors were fitted thus fulfilling the consent to replace like for like except for the pitched roof which I might add, exceeded the height of the original.

USAGE.

The proposed site for development has been described as replacement STABLE AND STORAGE BLOCK. The site has never been a Stable and Storage block. Its main purpose was that of Garages for the use of garaging cars. However, the applicants took it upon themselves to use them for shelter, for horses by way of Stable doors on the field side. They have never been used for garage facilities and in fact have caused rat infestations by way of feed stuff being stored. Horses have not been present for a couple of years in the adjacent field. This field is now being used to provide a dog exercise area where approximately 10-20 dogs are on the field at any one time. Signs have been erected on gates advertising these services which I am led to believe requires planning for signs 0.3 metre square and a change of use from Agriculture to Commercial? In addition, and in keeping with environmental good practice can the applicants confirm how and where they dispose of the collected dog waste? As a dog exercising business the waste collected would be covered under "special waste" are they compliant with correct paperwork under the disposal of such waste? How do they dispose of the dog waste currently and who is the Licenced Waste Carrier for such disposal? The Environmental Protection Act and the Controlled Waste Regulations are enforceable by law.

THE PROPOSED BUILDING.

The proposed building exceeds the footprint of the original garages by some margin. The height of circa 5 Metres would considerably impact the natural light and bedroom views enjoyed by mine and my neighbours property. It is proposed that Velux type windows are installed which would impact my privacy tremendously. In any event the applicants have for this purpose used what I describe as "Mission Creep". They have started off many years ago with the intention of developing that site from garage space to Stables and now if this is planning application is passed what I would describe as a house in waiting! Because that's what it looks like.

ACCESS.

Most if not all, of the nearby residence has grave concerns over the legal right of way both to the proposed site and the field that I refer to earlier. The gate way was installed many years ago by the applicant's family, it is not the rightful access to the field nor the proposed development site. From my research the only legal access is for the residents, refuse, fire brigade, ambulance and for building work at the respective residence homes. This is underpinned by way of an access agreement purchased by the then Northwest Electricity Board allowing them to access the electrical Sub Station located directly to the rear of my House 193 Bolton Road BL7 0AQ.

Based on the above I strongly oppose this planning application and would be grateful if you would consider these points during the decision-making process.

Kind Regards,

Objection – Stewart & Vickie Smith, 187 Bolton Road, Edgworth, Bolton, Received 22.09.21

Dear Mr Kenny,

We write to object to planning application 10/21/0859 which pertains to the replacement of a storage building on land adjacent to our property. Whilst we have only resided in our property for around 6 months, we have lived in Edgworth for almost 7 years, and chose to do so in part due to its' status as a conservation area. The decision to purchase 187 Bolton Road was made after many years of viewing houses in the area, and we made a conscious and deliberate decision to buy a property which met our needs, of course amongst other considerations, in terms of noise, privacy and view. We believe the proposed building will cause an overshadowing of our outside space, and will also result in some loss of outlook.

In our opinion, the planning application contains a number of statements which do not accurately reflect the current use of the site from our perspective as neighbouring residents.

These points are covered below:

- In Part 6, the current use of the site is described as 'equestrian'. The storage units presently in place do appear to enable stabling, however in the 6 months since we moved into our property, we have not witnessed the land or building be used for this purpose.
- Part 8 deals with rights of way – however while the points answered may be technically correct, there is not necessarily in our view a prescriptive easement in place between the applicants and either ourselves, or the new owners of 191 Bolton Road. This is due, amongst other things, to there being no reasonable indication on inspection prior to purchase that land shared between our property was in constant use by the applicants to access their land, and no indication of the same on any of the title deeds or inspections carried out prior to purchase. Indeed, documents held with our title deeds indicating boundaries show no access into the field in question – there is access on the other side of the field and so it is unclear at what point this gate was added and when the applicants began to utilise the land belonging to us and 191 Bolton Road for access.
- Part 9 states that the current site does not have any current provision for parking. However, the entrance to the present structure has 2 spaces laid to concrete, one of which is currently rented to a neighbour. They will now be displaced to park elsewhere in the already overcrowded village, and furthermore, should the replacement storage building be visited frequently by the applicants or their agents, some of the land in between 187 and 191 Bolton Road will no doubt be utilised to park either cars or agricultural vehicles, which has the potential to interfere with the full use and enjoyment of our properties due to increased traffic to and from the land in question.
- The answers to part 12 of the application indicate there is no likelihood of the proposed development impacting protected or priority species. However, in the time we have lived in our property, we have observed on a number of occasions bats in flight in our garden and

the surrounding area. As the current structure is highly likely to be able to provide roosting opportunities for bats, we would suggest that any assertion that there is no protected species present is at best nebulous.

- The answers provided to questions 18-20 do not seem to represent the current activity which is taking place on the site. Firstly – that there are no employees on site – there is a dog walking business on site which has grown in scale in the 6 months since we moved into our property. Therefore although the business ‘Go Walkies’ may not be registered to this piece of land officially, there are employees utilising the site; and commercial activities are clearly taking place there. Indeed, an advertising hoarding has been installed on the gate to the field advertising the business and their contact details – this is not contained within the land and is clearly visible from land shared by 187 and 191 Bolton Road as well as the highway. We believe no permission was sought to erect this sign, which exceeds 0.3 square metres in size and therefore it is our understanding this permission should have been sought. Part 19 states that hours of opening are not relevant to the application – however again if we are to discuss the actual use of the land versus that purported by the application – the applicants would need to declare the site in use from early morning and on occasion in the evening when weather is not conducive to dog walking during the heat of the day. The nature of the business is such that it involves some noise encroachment and as such we believe that opening hours are a relevant concern within this application.

In addition to the points raised above more specifically related to the transparency of the application being made, we have further concerns about the true intended use of the site going forwards:

- The height of the proposed structure is significantly more imposing than the current buildings. Whilst we appreciate the benefit of a change in the materials used on the façade of the building, we believe this takes the proposed structure closer to a potential residential dwelling rather than a storage unit for use for equestrian purposes, as a 5.25m height would be around the minimum required to create a two-storey dwelling. The addition of 6 Velux windows also seems excessive. Whilst we appreciate there is currently no electricity to the building, and so the natural light these provide would potentially be useful, they would also be there to utilise in the event of a change of use application to turn this storage building into a residential dwelling and minimise the future cost of conversion.
- The width of the proposed building is also 0.5m in excess of the current footprint – the plans are drawn in such a way as to divert the readers’ attention from this fact. There is a stone wall to the right of the current structure which, unless the intention is to build further into the field, would need to be moved or removed entirely, further encroaching on the shared land between the properties on Bolton Road. If the new structure is not to contain any parking provision, any vehicle utilising it will block the use of the land in between 187 and 191 Bolton Road. We would seek to understand the proposed position of the new structure on the plot as well as its’ elevations.
- We are concerned about the increase in traffic through our private land both for the construction of this site as well as the potential increased usage once any building was completed. Our daughter is due to learn to drive and so we will likely have the need to park a 3rd vehicle on our land, which could become difficult with a simultaneous increase in ancillary traffic utilising our land. It is already difficult to exit onto Bolton Road due to parked

vehicles either side, and therefore we do not believe it is right to allow development which has the potential to increase the number of vehicles in use, especially in proximity to a primary school.

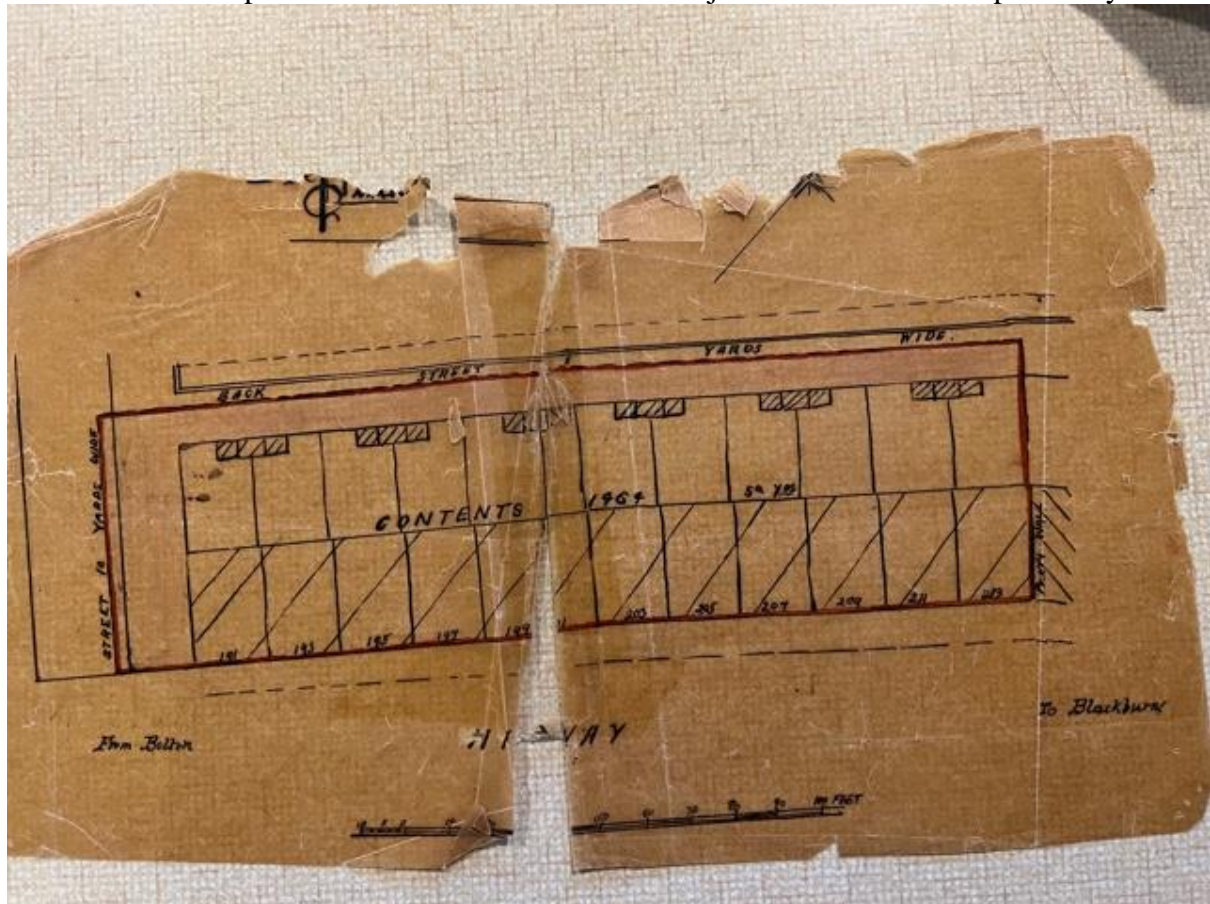
Unfortunately we were not approached by the applicants to explain their intentions and so we have felt the need to place our objections in writing. We hope that you are able to fairly consider our points, and those raised by our neighbours, to enable the enjoyment of our environment to continue unabated.

Yours Sincerely,

2nd Objection – Mr S Cunliffe, 199 Bolton Road, Edgworth, Turton, Bolton Received 10.01.22

Dear Ismail, I have spoken to Christian Barton this morning regarding the above planning application. I absolutely object to the revised application which requests access to the stable/storage block across the land adjacent to 187 Bolton Road Edgworth because the land across which vehicle access is requested belongs to the owners of 187 Bolton Road Edgworth & thus it is the owners right to use it for their sole purpose. In the Title Deeds for our property dated 12th March 1897 there is a statement which reads "any Noise or offensive trade business or employment whatsoever or permit anything to be done thereon which shall grow to be or become a nuisance damage or annoyance to the Lessor or her Lessees" The stable/storage block is an imaginary concept. As intelligent beings we see each day the dog business which is developing on the said site & field. Currently two vans & additional cars visit the field 3 x daily. Sometimes there can be 36 dogs being exercised. Therefore I have attached the Title Deed statement which supports my objection and also a map of the cottages

involved in the dispute. I will also submit a letter of objection in the next couple of days.



not only of the Lessee but also of the Lessor and her Lessees and tenants of the adjoining lands and premises And also when thereunto required by the Lessor or by the competent Local authority for the time being make form sewer/^{level}pave metal flag channel sough and drain at his own expense the said portions respectively of the said streets respectively in a good and sufficient manner and to the satisfaction of the Lessor or competent local Authority as aforesaid and at all times thereafter repair and amend the same until the same shall become repairable by the local Authority aforesaid And also will on demand pay to the Lessor a due proportion (to be paid by the Lessor or her Surveyor) of the expense of making and maintaining any main sewer or drain which now is or which hereafter shall be made under the said streets respectively so far as the same streets respectively are coextensive with the land hereby demised or under the back yards of the premises hereby demised And also will permit the Lessor or her Surveyors Agents or workmen at convenient times in the daytime twice in every year to enter upon the said premises and inspect the condition thereof and of all such decays defects and wants of ~~repairs~~ repair as shall be then and there ~~within three calendar months then next following within which time the Lessee will repair and amend the same~~ found to give to the Lessee notice in writing to repair and amend the same ^{accordingly} AND FURTHER that the Lessee will not without the previous consent of the Lessor use or exercise or permit to be used or exercised upon the said demised premises or any part thereof the trade or business of a Licensed Victualler or Beerhouse Keeper or dealer in any way whatsoever in intoxicating liquors or any noisome or offensive trade business or employment whatsoever or permit anything to be done thereon which shall grow to be or become a nuisance damage or annoyance to the Lessor or her Lessees or tenants or to the neighbourhood And also will observe and perform all other if any the covenants on the Lessees part and conditions contained in two several Indentures of Lease (inter alia) parts of the plot of land ~~whereinbefore~~ described and intended to be hereby demised the one dated 22nd day of January 1823 and made between William Woodcock of the first part James Elton of the second part and Giles Ashworth of the third part and the other dated the 7th day of May 1885 and made between John Woodcock and Thomas Woodcock of the one part and the Lessor of the other part so far as the same remain and ought henceforth to be observed and performed in respect of the plot of land and premises hereby demised (except the covenant for payment of the rent by the said lease of the 22nd day of January 1823 reserved) PROVIDED ALWAYS that if the yearly rent hereby reserved

Regards
Stephen Cunliffe

2nd Objection – Dominic Halliday, Received 19.01.22

Thank you Christian,

Could you please now advise directly on the following statements which are contained within the original planning application, "Application form NPD" (the document available online, and received 28/7/2021) - they are not accurate or factual, and directly impact the planning application ref 10/21/0859.

Section 6 of the application - Existing Use

Please describe the current use of the site - "equestrian"

The site and the adjacent land is currently being used to run a commercial dog walking business, (see attached photos) please can you clarify how this falls within the category of use - equestrian?

Section 8 - Pedestrian and Vehicle Access, Roads and Rights of Way

"Are there any new public rights of way to be provided within or adjacent to the site? - No"

"Do the proposals require any diversions/ extinguishments and/or creation of rights of way? - No"

The site is currently accessed through land shown on land registry documents as belonging to the property 191 Bolton Road. This access has never been agreed upon or established. The only easement or grant of access which exists is between ourselves and North Western

Electricity board, this was granted in 1958 - should they ever need to repair / replace cables etc for the electricity substation, situated to the rear of 191,193 & 195 Bolton Road. **(Please see attached extract from property deeds)**

This commercial dog walking business should not be operating on the land associated with ours or the neighbouring property. **(Please see attached an extract from our property deeds stating no trade, business or employment whatsoever, should take place on the land or the surrounding neighbourhood, which should grow to become a nuisance, damage or annoyance, without our previous consent)** - We have never given any form of consent, and with 2 commercial vans, 3-4 employees and up to 20 dogs visiting 4 - 5 times a day, this is certainly causing annoyance and is a nuisance to ourselves and other neighbours.

Section 9 - Vehicle Parking

"Does the site have any existing vehicle/ cycle parking spaces or will the proposed development add/ remove any parking spaces? - No"

Currently 2 commercial vans relating to the dog walking business park on the site up to 10 times a day. **(please see attached photographs)**

There is also a parking space - leased to local residents of 185 Bolton Road for an annual fee.

Section 14 - Waste storage and Collection / Section 15 - Trade Effluent

Do the plans incorporate areas to store and aid the collection of waste? - No"

Does the proposal involve the need to dispose of trade effluents or trade waste? - No"

The site is not currently being used for equestrian purposes, it is being used to run a commercial dog walking business, with 20 - 100 dogs per day creating an obvious amount of harmful animal waste. This commercially produced animal waste is currently being disposed of by employees in one of the villages public refuse bins, situated on Bolton Road **(see attached photographs)**

Section 18 - Employment

"Are there any existing employees on the site or will the proposed development increase or decrease the number of employees? - No"

The Dog walking business which is operating every day on this site, currently employs 3-4 individuals. **(Please see attached pictures)**

Section 20 - Industrial or Commercial Processes and Machinery

"Does this proposal involve the carrying out of industrial or commercial activities and processes? - No"

As mentioned, the site is currently being used for commercial purposes - in the form of a dog walking business.

I look forward to hearing from you soon regarding the above matters.

Best Regards,

2nd Objection – John Kearns, 197 Bolton Road, Edgworth, Bolton, Received 21.01.22

To whom it may concern

My name is John Kearns I am the Owner / Occupier of 197, Bolton Road Edgworth, Bolton BL7 0AQ .I am known to my neighbours as "Sean"

I am writing to you for a second time to let you know that I object to the planning Application 10/21/0859 proposed replacement stable and storage block on the land at the rear of 191-193 Bolton Road

I have been the owner of 197 Bolton Road since March 1988 and the structure proposed is not in keeping with the area I live I believe my home is in a conservation area so in my opinion the proposed new building is not right for the area .On site there is currently two

garages which was a replacement for garages which were previously there In my opinion the proposed new structure does not belong in Edgworth village, I believe they are proposing to use the back road of the rear of my cottage for an entrance , it is my understanding that the back road is owned by the residents of each address where it is mentioned in there house deeds Why should my neighbours have this proposed building at the rear of their homes its just not acceptable

This planning application needs to be rejected

3rd Objection – Mr & Mrs Jack Smith, 205 Bolton Road, Turton, Received 24.01.22

Planning reference: 10/21/0859

Application 1: proposed development to the rear of 191 Bolton Road, Turton.

Our original objections still stand, letter dated 13th September 2021. Copy attached.

Application 2: Access request on land adjacent to, and belonging to 187/191 Bolton Road. Including land to the rear of 191/193 Bolton Road.

Access to the existing garages and field where Mrs. Ramwell's advertises her Dog daycare, walking and boarding business (photograph enclosed). At present she only uses the field for access for her dog carrying vans and dog exercising in the field. As many 17 per van.

Should this application be granted we fear that the proposed building will be used for (ie application 1) dog day care and boarding.

No business usage should be allowed on this site. Additionally there are two more alternative access gates to the field.

Yours sincerely Mr and Mrs Jack Smith

205 Bolton Road,
Edgworth,
Bolton, BL7 0AQ
Lancashire.

13th September 2021

We the property owner's of 205 Bolton Road, Turton, Bolton, BL7 0AQ, Lancashire wish to lodge our strong objection to the Planning Application ref: 10/21/0859 for a replacement stable/storage block (i.e. replacing two existing garages).

The aforesaid garages being a valuable asset to the village.

The proposed increased footprint in width (0.5 metres) and height (2 metres) a 66% increase.

Since the block should be considered to be an outbuilding the maximum height limits are single storey. Eaves height 2.5 metres and maximum overall height 4 metres with pitched roof, or 3 metres in any other case.

We and a number of local residents are concerned about future use of the above proposal, in a conservation area.

Yours faithfully
Mr and Mrs Jack Smith



3rd Objection – Mr Stephen Cunliffe, 199 Bolton Road, Edgworth, Received 20.01.22

Reference: 10/21/0859

Application 1: proposed development to the rear of 191 Bolton Road Edgworth
Application 2: access request on the land adjacent & belonging to 187 Bolton Road including access to the land at the rear of 191 & 193 Bolton Road.

My wife & I categorically object to both applications submitted by Mr C Ramwell.

The latest application for access will become another nuisance for the residents.

Our cottages were built two hundred years before the school, yet we are subjected daily to the inconvenience of having cars parked outside our homes, the slamming of doors, barking dogs Skateboards rumbling along the pavements and lack of parking for our vehicles.

Over the past twelve months Mrs C Ramwell has set up a dog walking business on the field behind our homes. This is the said field to which the access application applies.

Presently there are two vans which transport the dogs to the field three times daily with as many as 36 dogs being walked and toileted on the field.

If planning is granted for Application 1 there will most certainly be heavy duty construction vehicles also accessing the field increasing nuisance, noise and emissions pollution.

If planning is granted for Application 2 the dog vans will occupy parking for vans & vehicles on land that has been used for vehicles of the residents of Bolton Road for the past fifty years that we are aware of.

On the original deeds for our property there is a statement which was made by the original landowners that protected future use of the land and houses for any new owners or renters.

“any noise or offensive trade, business, or employment whatsoever or permit anything to be done thereon which shall grow to become a nuisance damage or annoyance to the Lessor or her Lessees”....

The land agreement 1887 for the land and properties 191 – 213 thirteen properties in total also stipulates that the rear ‘street’ of the said properties is to be used for access of the property owners for waste disposal, deliveries and maintenance of the properties and land.

As with our objections to Application1 we continue to object because of:

Our legal right as described in the Deeds of our property.
Aggravation caused by a business using land prescribed and owned for use of the residents.
Nuisance by increased traffic.
Danger to the children who attend the primary school parallel to our houses.

Noise pollution.
Dog waste pollution.
Damage to the flora and fauna of the area.

Yours sincerely
