

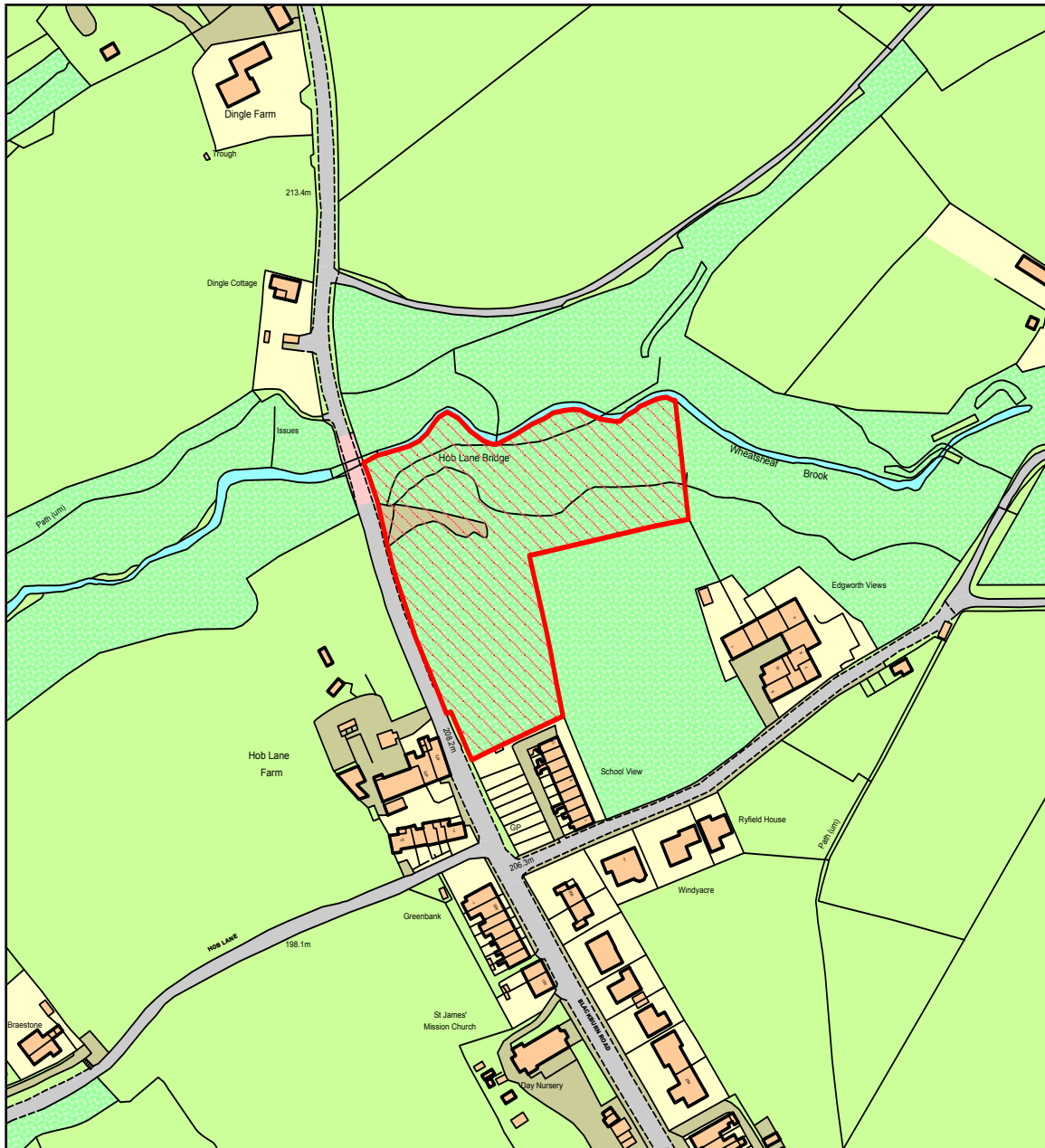
**Proposed development: Full Planning Application for Erection of a single dwellinghouse (C3 Use Class) with associated access, parking and landscaping (resubmission of 10/17/0278)**

**Site address:  
Old School Grounds  
Edgworth  
BL7 0PU**

**Applicant: Mr Shaun Readey**

**Ward: West Pennine**

**Councillor Colin Rigby  
Councillor Jean Rigby  
Councillor Julie Slater**



## 1.0 SUMMARY OF RECOMMENDATION

- 1.1 The proposed development is **recommended to be refused** 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 through the Chair Referral process in accordance with the Scheme of Delegation. The proposed development has been the subject of wide publicity with the local community. As a result, a total of 13no. objections have been received relating to the proposal. A summary of the objections is provided at 6.1 below.
- 2.2 The key issue to be addressed is whether the house would be appropriate development in the West Pennine Moors Green Belt, with particular reference to the following:
- Local and national planning policy considerations – impact on the Green Belt
  - Is the design truly outstanding or innovative and does it represent the highest standards of architecture?
  - Would the design significantly enhance its immediate setting?
  - Would the design be sensitive to the defining characteristics of the local area?
  - The Ecological context
  - Highways considerations
  - Drainage and related issues
- 2.3 At the outset, Members are advised that on 24<sup>th</sup> July 2018, the Government replaced the original NPPF with a revised version. Central to the applicant's rationale for the proposed dwelling and to the objections raised against it is Paragraph 55 of the NPPF (March 2012).
- 2.4 Paragraph 55 stated: "Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:
- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
  - where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
  - where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
  - *the exceptional quality or innovative nature of the design of the dwelling*. Such a design should:
    - be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
    - reflect the highest standards in architecture;
    - significantly enhance its immediate setting; and

- be sensitive to the defining characteristics of the local area.”

- 2.5 In the new NPPF (July 2018), these issues are dealt with in Paragraph 79, which states: “Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
  - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
  - c) the development would re-use redundant or disused buildings and enhance its immediate setting;
  - d) the development would involve the subdivision of an existing residential dwelling; or
  - e) the *design is of exceptional quality*, in that it:
    - is truly *outstanding or innovative*, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
    - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area”.[author’s emphasis]

2.6 It is considered that for the purpose of this assessment, the rationale behind the application remains unchanged, and that the only criterion in both the original and the new NPPF that the proposed dwelling could aspire to meet would be the quality of its design. But to ensure that this report is in accordance with latest policy, it will be referring to Paragraph 79 rather than Paragraph 55.

2.7 Where Paragraph 79 is referenced already in objectors’ letters, they are referring to the paragraph in the original NPPF (March 2012) where the purpose of the Green Belt is set out as follows: “*The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*”. This wording is incorporated into the new NPPF, unchanged, in Paragraph 133.

### **3.0 RATIONALE**

#### **3.1 Site and Surroundings**

3.1.1 The site of the proposed development is located alongside Blackburn Road, between School View to the south and Wheatsheaf Brook to the north. The land lies outside the Edgworth village boundary and within the West Pennine Moors, on land designated as Green Belt.

3.1.2 School View, to the south of the site, is comprised of a row of modest stone-fronted terraced cottages, presenting their rear elevations to Blackburn Road,

most of these rear elevations being rendered and having single storey extensions. The cottages are set back from Blackburn Road and separated from the main highway by long strips of garden in between. School View is located on the northern-most tip of the village boundary.

- 3.1.3 Wheatsheaf Brook, to the north of the site, runs through a narrow, steeply-sided valley, with a dense covering of trees and vegetation on both banks. The course of the brook, along with the woodland on both banks, forms an eastern limb to the Wayoh Reservoir Biological Heritage Site. This watercourse, although not in the ownership of United Utilities, feeds the Wayoh Impounding Reservoir. The south bank of the Brook and its woodland lie within the ownership of the applicant, although this is excluded from the proposed curtilage area. The land rises steeply from the Brook towards the south and the proposed site for the dwelling.
- 3.1.4 The application site is not the original school grounds, but land adjacent to the school grounds. Access is by way of a rough track that climbs up a steep slope from Blackburn Road onto the land proposed for the dwelling.
- 3.1.5 To the rear of the site is located Edgworth Views, a modern housing development off School Lane, also located within the Green Belt. This development was formed from buildings that had previously served as a school, and therefore represented the redevelopment of a previously developed site which, whilst pre-dating the NPPF, accords with Paragraph 145 of the new Framework.

## **3.2 Proposed Development**

- 3.2.1 The proposal is for full planning permission to be granted for a detached dwelling.
- 3.2.2 The proposal is the resubmission of planning application 10/17/0278 for two detached dwellings which was withdrawn by the applicant on 21<sup>st</sup> September 2017.
- 3.2.3 The rationale for the new application is that the design of the dwelling has been “set to meet the criteria of outstanding design under Paragraph 55 (now 79) of the NPPF (National Planning Policy Framework)”. Members are advised that Design Review Panels are set up for the purpose of reviewing proposals for Paragraph 79 applications prior to those applications being submitted to the Local Planning Authority. A presentation is made to the panel of proposals and advice is given both verbally at the presentation and later in a formal written form to the applicant. The proposed dwelling before the Committee has been through such a process (Places Matter Design Review), and the matter is discussed further under 3.5.8 below.
- 3.2.4 The proposed dwelling is comprised of modular box units sunk into the hillside on the east of the application site and emerging towards the west in widening arc formation. The building is single storey with a flat roof characterised by undulating gradual pitches. The grass covering is designed to provide a

continuation of the landscape when viewed from the east. The west-facing elevations are characterised by glazed frontages, each modular unit comprising of two floor-to-eaves windows/French windows. The proposed dwelling's total floor area including the garaging, plant rooms and corridor links amounts to approximately 745 square metres (8,019 square feet).

- 3.2.5 The dwelling is designed in such a way that the dwelling can be occupied either as a single dwelling, or as a dwelling with a 'granny annex' that can have a measure of privacy from the main house. At the outset to this application, the main house was to have been made up of four modules comprised of an open plan kitchen and communal living space, with separate dining room and five en-suite bedrooms. The annex was to have been made up of three modules, with similar internal layout but three bedrooms.
- 3.2.6 Throughout this application process on-going discussions have been taking place between the LPA and the applicant and his agent, mainly centred around the principle of residential development in the Green Belt and the potential impact of the dwelling on the Green Belt – and this issue is addressed further on in this Report. In response to the concerns expressed by the LPA, the original proposals have been modified, with one module being removed from the main house thereby reducing the number of bedrooms from five to three. The communal living space and the annex remain as originally proposed. It is these amended plans that are before the Committee.
- 3.2.7 The main garden area is to the west of the dwelling, between the modules and Blackburn Road. Parking is provided to the rear for both the main dwelling and the annex, with a large central courtyard to the rear of the main dwelling and two smaller grassed areas behind the annex.
- 3.2.8 Access from Blackburn Road utilises the existing opening, with the driveway being located above the southern bank of Wheatsheaf Brook, approaching the property on its eastern aspect. There is also a proposed footpath leading from the dwelling to Blackburn Road close to existing residential terrace off School Lane.

### **3.3 Development Plan**

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

Policy 3: The Green Belt  
Policy 6: Village Boundaries  
Policy 9: Development and the Environment  
Policy 41: Landscape  
Policy 10: Accessibility and Transport  
Policy 11: Design

#### **3.3.2 Blackburn with Darwen Borough Local Plan Part 1 – The Core Strategy (January 2011)**

Policy CS5: Locations for New Housing

Policy CS14: Green Belt

Policy CS15: Protection and Enhancement of Ecological Assets

### **3.4 Other Material Planning Considerations**

#### **3.4.1 National Planning Policy Framework (NPPF) (July 2018):**

Section 13: Protecting Green Belt Land

Section 15: Conserving and Enhancing the Natural Environment

Section 5: Delivering a Sufficient Supply of Homes

Section 12: Achieving Well-Designed Places

### **3.5 Assessment**

There are seven issues for Members to consider relating to the proposed development. These are:

- Local plan and National planning policy
- Is the design truly outstanding or innovative and does it represent the highest standards of architecture?
- Would the design significantly enhance its immediate setting?
- Would the design be sensitive to the defining characteristics of the local area?
- Ecological context
- Highway considerations
- Drainage and related issues.

#### **Local Plan Policy Considerations.**

3.5.1 The application site is situated outside the Edgworth village boundary and is designated in Policy 3 of the Local Plan Part 2 as being located within the Green Belt. Policy CS 14 of the Core Strategy (2011) indicated that the general extent of the Borough's Green Belt would be maintained. The adoption of Local Plan 2 in December 2015 following consultation on minor alterations to its boundaries, amongst other policy issues, left the application site unaffected by the changes and still within the Green Belt.

#### **National Planning Policy Framework (NPPF) Considerations (2018).**

3.5.2 The National Planning Policy Framework describes the fundamental aim of Green Belt policy as being 'to prevent urban sprawl by keeping land permanently open' – and stating that it is their openness and permanence that are the essential characteristics of the Green Belt (NPPF Paragraph 133). The NPPF (Paragraph 145) states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt except in the following cases:

- buildings for agriculture and forestry;

- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

These requirements are enshrined in Policy 3 of the Local Plan Part 2. The proposed development does not conform to any of these categories in particular the latter two elements relating to “infilling”. The application site is located outside the main body of the village and there is a clear definition on the ground, between the edge of the settlement and the loose arrangement of buildings to the south-west, north-west and south-east along Blackburn Road and School Lane. The greener surroundings in which the application site is located sets the area apart from the main built-up area and the existing buildings along Blackburn Road. Members are therefore advised that the proposal would be inappropriate development in the Green Belt.

#### *Impact on the openness of the Green Belt*

- 3.5.3 The fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The application site lies behind a roadside dry stone wall and undulating elevated land with pockets of landscaping. Paragraph 3.1.1 to 3.1.5 describes in detail the context of the application site with its surroundings. The application site is at a higher level to the road level along Blackburn Road and is partly obscured by the undulating land, however the site is visible from the wider area to the west and east. The proposal would result in the introduction of a substantially proportioned dwelling and areas of hardstanding (driveway, turning area) that is at odds to the immediate surrounding area (745 square metres in total). Whilst the proposed design of the dwelling aims to reduce its visual impact by utilising the topography of the land and introducing a “green roof” and landscaping, it is considered that the proposed dwelling would still introduce a prominent substantial presence of a building in an otherwise open landscape. As such, Members are advised that the proposal would result in the loss of a substantial part of an open area of land to built development, thereby harming the openness of the Green Belt.
- 3.5.4 In Paragraph 79, the revised NPPF addresses the issue of the development of isolated homes in the countryside generally and states this:

- 3.5.5 *“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
  - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
  - c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
  - d) the development would involve the subdivision of an existing residential dwelling; or*
  - e) the design is of exceptional quality, in that it:*
    - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
    - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.”*
- 3.5.6 The term ‘*isolated homes in the countryside*’ was recently defined in the Court of Appeal (*Braintree District Council v Secretary of State for Communities and Local Government 2018*). In his judgement, Lord Justice Lindblom stated that the term “*simply differentiates between the development of housing within a settlement – or village – and new dwellings that would be ‘isolated’ in the sense of being separate or remote from a settlement*”.
- 3.5.7 The first four statements of Paragraph 79 would not be relevant to the proposal before the Committee. For consideration, then, are the criteria at point ‘e’, and whether or not the proposed dwelling “*is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas*” and, “*would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*”

*Is the design truly outstanding or innovative and does it represent the highest standards of architecture?*

- 3.5.8 The design of the proposal has been peer reviewed at the pre-application stage by Places Matter Design Review Panel, which is a respected method of improving the quality of new development by offering constructive, impartial and expert advice. Design Review Panel meetings allow local planning authorities, clients, developers and design teams to present their schemes at the pre-planning stage to a panel of experts from the built environment sector and benefit from the discussion and constructive advice of the panel. Specifically, the Places Matter Design Review consists of a panel of respected built environment professionals providing expertise from a range of fields including: Development, Architecture, Engineering, Planning, Landscape Architecture, Urban Design, Public Art and local planning.



3.5.9 The Review Panel's final response dated 19<sup>th</sup> January 2018, encouraged the applicant to take a step back, to clearly define the narrative of the proposition, and then to ensure that they take the design development a stage further on to create a more delightful and detailed approach. It went further by advising the applicant *"that there needs to be a real understanding of the landscape, which must not be treated as cosmetic, but as a defining feature of the proposition"*. At that time the Panel felt the proposal was a *"RIBA Stage behind that required for a detailed planning submission, particularly a paragraph 55 (now 79) application."*

3.5.10 The proposed design is explained in the architects' amended supporting statement dated 5<sup>th</sup> September 2018 in the following manner:

*"Feedback following the Design Review solidified some of the exceptional design features previously proposed. In particular the design was commended for the courtyard which "opens to the sky" breaking the traditional garden typology, re-locating the garden to the heart of the home, providing a close connectivity to the outdoors and promoting an exceptional quality of health and well-being. Another aspect of the design that impressed the Design Review panel - the "Slip views" that provide a progressional movement throughout the building. Upon arrival, access to the main dwelling is through the open courtyard that presents a series of internal vistas that lead the occupants around the home.*

*"In response to 'Paragraph 79e' of the NPPF, the proposed dwelling has a strong environmental remit. A Septic Tank will be installed, constructing a bore hole too, that recycles grey water into fresh water for the family and reducing the dependency on the local utility infrastructure. Another environmental design aspect is the installation of a Ground Source Heat Pump, which will heat the home using the substructure. Despite a need for electricity to be supplied to the new dwelling, the ground source heat pump will reduce the overall electricity consumption.*

*"The proposed dwelling provides a range of thermal properties, both natural and man-made. Firstly, the home is naturally insulated as one side of the building is built into the embankment. Secondly, the dwelling is to be constructed out of ICF - Insulated Concrete Formwork. This allows the home to be constructed rapidly, reducing construction time and minimising disruption to the neighbouring properties. This highly innovative form of construction is 40% more efficient than conventional construction. The central courtyard allows the home to be naturally ventilated and heated with cross flow ventilation throughout the building and solar gain. The proposed renewable energies will 'raise standards of design more generally in rural areas' and make people aware of the possibilities of dwellings that can be environmentally friendly using natural assets of these rural areas.*

*"An important aspect of the design is to ensure it harmonises with the existing local vernacular and aesthetic. The external finishes have taken precedent from the existing immediate context. Local stone will be applied to the dwelling, promoting local businesses, reducing travel*

*distances of loading on site and ensuring the dwelling is 'sensitive to the defining characteristics of the local area...'*

*"The proposed dwelling merges the roof into the existing topography, lowering the building into the ground and allowing a minimal impact to the immediate properties with NO visual intrusion, yet creates landmark architecture on the peninsula outcrop".*

- 3.5.11 It is considered that the design is in accordance with the requirements of Policy 11 of the Local Plan 2 in expressing a high quality architectural style. The proposal is a bespoke response to the site and the surroundings. The structure is considered to work well, splaying out from the hillside, the modular structure and grassed-roof form integrating well. The insulated concrete structure is proposed for giving efficiency of construction and minimising disruption to neighbouring properties. The finished building includes dry stone wall cladding, a material that takes account of the surrounding vernacular. Glazing is of good proportion and sufficient to allow light into the interior of the dwelling, which is additionally lit – and ventilated – by the open central courtyard.
- 3.5.12 The assessment, however, is not whether the proposal is vernacular or modern/incongruous, but rather whether it is a truly outstanding or innovative design and helps raise the standard of design more generally in the rural area. More specifically, the assessment must determine whether or not the design is of such outstanding quality as to negate the general presumption against inappropriate development in the Green Belt.
- 3.5.13 Whilst submission documents describe the building as 'innovative', the dwelling is not considered to be so. The modular style of the living accommodation, the materials proposed to be used in the dwelling's construction, and the use of renewable technologies are known and used in the construction industry, and therefore not considered to be innovative. The employment of the sloping landscape into which to insert the building has been previously used also; and although providing a high quality design response to the question of integrating a new dwelling into the Green Belt site, the proposal is not considered to be so outstanding or innovative as to outweigh the harm to the Green Belt.
- 3.5.14 In considering an appeal against a refusal for a Paragraph 55 (now 79) house in Solihull, an Inspector noted the evolution of the design following analysis and critique from a design review panel; and although there were strong positives in the proposal, found that the design "*would not elevate the building to such a level that it would clearly outweigh the harm to the Green Belt by reason of inappropriateness*" (decision dated 8<sup>th</sup> May 2018 - appeal reference APP/Q4625/W/17/3189652). Similarly in the application before Committee, it is considered that there are strong positives within the design that, in a countryside area might tip the balance in favour of the proposal. However, given the status of the application site as Green Belt, it is considered that the harm accrued would not be outweighed by the design.

Would the design significantly enhance its immediate setting?

- 3.5.15 The immediate setting is comprised of a wide expanse of unimproved grassland habitat. The land banks up towards the site from Blackburn Road on its western side. To the east the land continues in open vein across the former school playing field to Edgworth Views. To the south the land is bounded by School View, a small row of terraced dwellings whose gable end abuts the northern boundary of the village of Edgworth. To the north the land drops steeply to Wheatsheaf Brook. The application site, with its relatively wide frontage set above Blackburn Road, represents a definite visual break, marking a point where the village of Edgworth tapers out at School View and giving way to open countryside that drops down on the northern side of the site to Wheatsheaf Brook.
- 3.5.16 The Design Review Panel expressed a view that there needed to be “*a real understanding of the landscape, which must not be treated as cosmetic, but as a defining feature of the proposition*”. The submitted Ecological Management Plan demonstrates to a degree that this advice has been acted upon. The woodland, which lies outside the designated curtilage, is proposed to have bird and bat box provision installed. The grassland upon which the proposed dwelling is to be sited is to remain in situ and is designated as an ‘enhanced grassland management’ area, with the sowing of appropriate wild flower grassland seed, and with native fruit trees and hedgerow marking the eastern boundary of the site.
- 3.5.17 However, a fundamental aim of Green Belt policy, as set out in Paragraph 133 of the NPPF, is to prevent urban sprawl by keeping land permanently open, with openness and permanence identified as being two of the essential characteristics of Green Belt.
- 3.5.18 To this extent, introducing a dwelling to this site would result in built development where there is presently none. Even with the proposal to merge the dwelling into the hillside and to manage the landscape around it, the emergence of the dwelling on its western aspect, and the projection of the building and roof above, is considered to have an unacceptable impact on the openness and permanence of the Green Belt, notwithstanding the presence of the ribbon of terraced dwellings to the south of the site. Consequently, it is considered that the design fails to significantly enhance the immediate setting, contrary to Policies 3 and 8 of Local Plan Part 2 and the NPPF.

Would the design be sensitive to the defining characteristics of the local area?

- 3.5.19 Earlier this year, a subterranean dwelling house in a field in Egerton, Bolton, was dismissed at appeal (decision dated 15<sup>th</sup> May 2018 – appeal reference APP/N4205/W/18/3192935). The design was found to have won the Northern Design Awards 2016, that it would take into account the topography of the site, the materials would take into account those used in the setting, and that it

would be carbon neutral and eco-friendly. However, the proposed dwelling was not considered by the Inspector to be isolated, in that its site, although lying in Green Belt, was also located close to a settlement. She considered that the bullet point allowing for 'exceptional or innovative design' was therefore not relevant and the development remained inappropriate. What is considered of particular relevance in this case is that, where a development site is located within the Green Belt, but is also in close proximity to a built-up area, the site's defining characteristics is drawn from both, and the proposed development must take account of both.

- 3.5.20 The wider context in which the application site is located encompasses the northernmost tip of the village of Edgworth, the woods along the watercourse that feeds into Wayoh Reservoir and open countryside to the east and west.
- 3.5.21 Paragraph 79 of the NPPF relates to isolated dwellings in the countryside. In geographical terms, the proposed dwelling is not isolated, but is proposed for land that abuts the village boundary and the terraced dwellings on School View. The context required to be assessed by Policy 11 of the Local Plan Part 2 therefore includes taking into account the built and landscape features in which the development is to be set (11. 2.i)) and the long distance views of and into the development (11. 3.vii)).
- 3.5.22 The village boundary is drawn in such a way that, journeying northwards along Blackburn Road, the village of Edgworth integrates gradually into the surrounding countryside – the School View properties being set above the main road to the east, and the village boundary projecting further out on the west side to encompass the buildings at Hob Lane Farm. The fields then fall away to W heatsheaf Brook. And so the vista currently looks over the dry stone walling, with unimpeded views of the tops of the trees that line the Brook. The proximity of the proposed dwelling to the village is such that it changes the nature of the relationship between the site and Edgworth. Notwithstanding the proposal to utilising stone as a vernacular material in the dwelling's construction, it is considered that the proposal fails to connect with the movement from the newer dwellings located further into the village, to the more traditional rural cottages and farm buildings that stand against its northern boundary.
- 3.5.23 Moreover, it is considered that the proposed new dwelling would have a greater footprint and be higher and bulkier than the buildings within the immediate setting. On that basis, it would result in the introduction of a significant quantum of development into what is currently a relatively development-free area, resulting in loss of openness contrary to the exceptions regarding development in the green belt set out in the NPPF. It is considered that introducing the urban form of the building and its environs into the landscape compromises the village boundary and significantly harms the Green Belt landscape as it stretches away from the village towards the Brook and encroaches into the Green Belt gap between Blackburn Road and Edgworth Views. It is therefore considered that the proposed development fails to be sensitive to the defining characteristics of the local area. The incongruous nature of the form of the development is insensitive to the

manner in which the village tapers off into countryside and to the setting of Wheatsheaf Brook.

3.5.24 Approaching the site from the north, Blackburn Road drops down from Dingle Farm to Hob Lane Bridge, where the road crosses Wheatsheaf Brook. The road bends slightly eastwards, with the trees thinning out beyond the Brook. The vista encompasses Hob Lane Farm at the top of the rise to the west, with the application site being on the hillside to the left (east) of the highway. Currently, the village opens gently, with the School View cottages being visible only above their eaves level. It is towards the North and the Brook that the proposed dwelling presents the most prominent aspect of its form, with the roof being a rising feature that breaks into the vista. Irrespective of the landscape proposals, it is considered that the urban form would be an abrupt interruption in the landscape, in the open skyline and the open approach to Edgworth. Moreover, it is considered that the urbanisation of the site would be detrimental to the setting and experience of Wheatsheaf Brook.

3.5.25 Existing views along School Lane to the east provide an open vista between Edgworth Villas, adjacent to the Lane, and the terraced dwellings along School View in the background. The view for walkers through the gap provided by the original playing fields and the application site is of the woodland that lines the course of Wheatsheaf Brook and the hills beyond. The proposed dwelling would be substantially screened from view, although it is not considered likely that the developed site would fully integrate with the wider field network. However, this openness of the land formed part of the reason for the Inspector upholding the Council's decision to refuse a planning application for two dwellings on land to the south side of School Lane (Application reference: 10/16/0134, Appeal Reference: APP/M2372/W/16/3150769, dated 8th September 2016). The proposed dwelling, if approved, may add to the pressure to continue development into the Green Belt along School Lane as an 'infill' up to Edgworth Views.

3.5.26 With regards to the built characteristics of the setting: the immediate area to the south of the site comprises the end of the village envelope and is characterised by a small cluster of stone built dwellings around Hob Lane and School lane which contribute to a distinctive village townscape representing a former pre-industrial hamlet. The proposed dwelling would have a significantly larger footprint and mass and in its emergence from the hillside would appear dominant in the countryside setting which would be at odds with the tight grain and modest proportions of the existing buildings and detract from the openness of the Green Belt. The use of modular buildings splaying out across a wide footprint within this context is considered at odds with the simpler proportions and modest character of the rural Pennine vernacular. In this respect they are considered to fail the criteria set out in Policy 11 of Local Plan 2 in that they fail to complement local character.

3.5.27 Paragraphs 5.10 and 5.11 of the Supporting Planning Statement make the case that the proposed dwelling represents infill dwelling and therefore has limited impact on the Green Belt. Paragraph 3.5.2 above illustrates why it is considered that the proposed development is not "infill development". It is

considered that infill development is applicable to village development only and does not constitute an exception to Green Belt development, either in the NPPF or the Local Plan Part 2. The land is open to the north, east and west of the application site. Development therefore would not represent infilling but, by its proximity to Edgworth, it would appear as an extension to the village boundary (rather than being an isolated dwelling in the Green Belt). Paragraphs 133 and 136 of the NPPF emphasise the permanence of Green Belt and that 'Green Belt boundaries should be altered only in exceptional circumstances'.

3.5.28 In these respects, the proposal is considered to be insensitive to the defining characteristics of the area, contrary to Policies 3, 8 and 11 of the Local Plan 2 and the NPPF.

Ecological context:

3.5.29 Policy 9 of the Local Plan Part 2 sets out specific considerations in terms of the ecological context of the development if the proposed dwelling is to significantly enhance its immediate setting in accordance with Paragraph 79 of the NPPF.

3.5.30 The Preliminary Ecological Appraisal submitted with the application indicated that the development will result in the levelling of areas of unimproved grassland habitat (Paragraph 4.1), which would represent a net loss of biodiversity on site and would therefore be contrary to the aims of the National Planning Policy Framework (NPPF) in aiming to achieve sustainable development and the obligations on public bodies to conserve and enhance biodiversity as required by the Natural Environment and Rural Communities (NERC) Act 2006.

3.5.31 However, the Ecological Management Plan' referred to at 1.4 and 3.96 of the Appraisal has since been submitted. Principle in its summary of the site's significance is the potential of the woodland and brook on the northern boundary of the development to provide habitats for various species. The semi-natural woodland is part of the Biological Heritage Site providing 'high' bird nesting potential, and 'low' to 'moderate' bat roosting potential. The woodland and watercourse provide a potential 'dark corridor' for commuting otters, whilst the Brook itself offers 'good habitat for white-clawed crayfish due to lack of disturbance from humans/livestock, the rocky substrata and good water clarity' (paragraphs 5.3, 5.2, 5.7 and 5.8). Badger paw prints were noted in the north-east corner of the site.

3.5.32 The Ecological Management Plan (EMP) has been assessed by Capita Ecology on behalf of the Council. The EMP has demonstrated that development mitigation proposals would result in a positive management and enhancement of areas of unimproved grassland habitat and enhancement to the Biological Heritage Site. This is therefore considered to be a net gain for biodiversity on the site and therefore in accordance with both the NPPF and Policy CS15 of the adopted Core Strategy, which requires the Borough's ecological assets to be protected, enhanced and managed with the aim of

establishing and preserving functional networks which facilitate the movement of species and populations, and so helping achieve sustainable development. The Ecological Management Plan would need to be secured by condition, should the Committee approved the application, along with the requirement to plan for the eradication of Japanese knotweed.

- 3.5.33 The proposed site for the septic tank, received only on the 5<sup>th</sup> September, appears to be right on or outside of the curtilage of the proposed dwelling, on the edge of the woodland to the north-east of the development site. This proposal is considered to be contrary to Policy 9 of Local Plan 2. Capita Ecology have provided additional comments on this. The presence of the septic tank and road curtilage immediately adjacent to the Wayoh Reservoir Biological Heritage Site represents an indirect and direct risk to ground water, disturbance and increased pressure upon the habitats through access, light spill, nutrients, and water quality. Its current siting is considered to be an infringement of a buffer area between the development and the Biological heritage Site. According to the design the septic tank is located under a tree. There are concerns as to the practicalities of installation and access during normal operations due to the location and long-term survival of the tree.
- 3.5.34 The Environment Agency have refrained from commenting directly on this matter, but advise that the operator of a septic tank or small sewage treatment plant must check to see if they meet the General Binding Rules, and if not must then apply for an Environmental Permit from the Environment Agency. Further comments on the proposed siting of the septic tank from the Council's Drainage Engineers will be reported in the Update Report.
- 3.5.35 It is noted that septic tank is located under a tree. The proposal fails to consider the practicalities of installation and access during normal operations, and would result in interference in the root protection area and potential root perforation of the tank. The proposal is therefore considered to undermine the Ecological Management Plan. If the Committee is minded to approve the application, it is advised that the decision be deferred to allow time for negotiating a more acceptable site for the septic tank.

Highways considerations:

- 3.5.36 Policy 10 of Local Plan 2 requires development to ensure that the safe, efficient and convenient movement of all highway users is not prejudiced and that appropriate provision is made for vehicular access and parking in accordance with the Council's adopted standards. Measures are required by the policy to encourage access by foot and bicycle.
- 3.5.37 The existing vehicular access currently allows for irregular access into the field which forms the application site. It is noted that this gated entrance requires vehicles to turn into and pull out of the site at a point along the highway located in a valley between steep gradients where vehicle speeds are permitted up to 40mph. The entrance to the site is not clearly visible from the northern approach until Hob Lane Bridge is reached. Adequate sightlines have not been demonstrated on the plans, and visibility for drivers exiting the

application site is likely to be difficult. The requirement to improve sightlines is considered likely to compromise the trees and natural habitats along the Brook. It is considered that road safety and the safe, efficient and convenient movement of all highway users is not secured, and the proposals therefore not in accordance with Policy 10 of the Local Plan 2.

3.5.38 The Council's parking standards requirements associated with the application are based on the number of bedrooms. The property is to have three bedrooms in the main area and three in the annex. Highways comments treat the dwelling as two dwellings, which would equate to an allowance of three spaces per property. However, the application is being assessed as a single dwelling (and would be conditioned to remain as such if being recommended for approval). The details offer four parking spaces to the rear of the site, (the space dimensions being adequate). Parking arrangements are considered satisfactory and in accordance with Policy 10.

3.5.39 The lack of footpath alongside the highway between the site and the village is to be mitigated by a proposed pedestrian walkway along the walled embankment that fronts the site. Whilst this is considered to be in accordance with Policy 10 lack of detail as to how the path will visually affect the embankment and how it will break out of the site to join the highway makes an assessment of its impact on the setting difficult.

#### Drainage and related issues.

3.5.40 The watercourse adjacent to the proposed development site feeds Wayoh Impounding Reservoir and it is critical that water quality is protected, in accordance with Policy 9 of the Local Plan 2. It would appear that appropriate protection measures have been identified and agreed directly between the applicant and United Utilities (confirmed by both). The applicant has forwarded a list of catchment provisions that United Utilities would expect them to follow. These are general provisions dealing with fuel, plant and machinery, pesticides, and spillages. United Utilities have confirmed that they are happy with the proposals.

3.5.41 Whilst the amended plans show water run-off being directed down the driveway to a soakaway, general details relating to drainage have not been provided, although requested. However, the Committee is advised that a request for more detailed information can be conditioned should the Committee decide to approve the application.

3.5.42 Details have been provided in regards to the discharge of human waste into a septic tank, and have been assessed at 3.5.32 and 33 above.

#### Conclusion

3.5.43 To conclude: Paragraph 133 of the NPPF states that "*The Government attaches great importance to Green Belts. The fundamental aim of Green belt policy is to prevent urban sprawl by keeping land permanently open; the*



*essential characteristics of Green Belts are their openness and their permanence”.*

3.5.44 Paragraph 79e of the NPPF requires decisions to avoid the development of isolated homes in the countryside unless the design is of exceptional quality, in that it:

- *is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
- *would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

3.5.45 It is considered that:

- whilst being a high quality design, the proposed dwelling does not meet the criteria for being truly outstanding or innovative;
- that the immediate setting is not enhanced in that, whilst the proposals provide mitigation for the impact of the setting, the proposed dwelling would lead to the loss of openness and permanence to land in the Green Belt;
- that, whilst showing awareness of local materials, the dwelling fails to be sensitive to the overall defining characteristics of the local area as set out in 3.5.19 above.

## **4.0 RECOMMENDATION**

4.1 The proposed development is **recommended to be refused** planning permission for the following reasons:

- The proposal is considered to represent inappropriate development in the Green Belt as defined by Paragraph 145 of the NPPF. There are no special circumstances that would outweigh the harm caused to the Green Belt by reason of inappropriateness, and the harm caused to the openness and permanence to the of the Green Belt. As such, the proposal would be contrary to the requirements of Paragraphs 143, 144 and 145 of the National Planning Policy Framework (NPPF 2018) and Policy 3 of the Blackburn with Darwen Borough Local Plan Part 2.
- The proposed dwelling fails to meet the criteria within Paragraph 79 of the NPPF by virtue of it not being a truly exceptional, outstanding or innovative design and which would harm the defining characteristics of the local area due to it being detrimental to the character and visual amenity of the surrounding area, contrary to Paragraph 79 of the NPPF and Policy 11 of the Blackburn with Darwen Borough Local Plan Part 2.
- The proposed dwelling, by virtue of its scale and position in relation to both the adjacent built and natural environment, has failed to adequately address the connection between the development, the Green Belt and the end-of-village setting, contrary to Paragraphs 127 and 131 of the NPPF (2018) and Policy 11 of the Local Plan Part 2.
- The proposed dwelling, by virtue of the characteristics of Blackburn Road and its position in relation to the bend to the north of Hob Lane Bridge, has failed to demonstrate adequate sightlines to ensure clear

visibility is achievable when exiting the site. Furthermore, to achieve the required site lines would require the removal of trees along the Blackburn Road frontage which would cause further harm to the visual amenities of the area contrary to Policies 10 and 11 of the Blackburn with Darwen Local Plan Part 2.

- The proposed dwelling, by virtue of the position of the septic tank, has failed to adequately address the potential harm to the trees and adjacent watercourse of the development, contrary to Policies 8 and 9 of the Local Plan Part 2.

## **5.0 PLANNING HISTORY**

- 5.1 10/17/0278 - Proposed erection of 2no. detached dwelling houses and new access road. Application withdrawn 21st September 2017.
- 5.2 10/87/1713 - Construction of a vehicular access off Blackburn Road. Refused under delegated powers 16<sup>th</sup> December 1987.

## **6.0 CONSULTATIONS**

- 6.1 30 neighbouring properties were consulted and a site notice was erected. 13 letters of objection have been received (Copies of the objection can be found in Section 9). The objections can be summarised as follows:
- Land is in the Green Belt and development would harm its openness.
  - Land is beyond the recognised limits of the village.
  - Access is on a dangerous bend and close to a dangerous rise.
  - Application form and documentation wrong or misleading.
  - Danger of Wheatsheaf Brook being contaminated by construction materials and chemicals.
  - Ownership of land adjacent to the Wheatsheaf Brook disputed ( the applicant has responded by providing land registry documents to illustrate that they are the owners of the application site as defined within the red and blue boundaries).
  - Development site is not infill but outside the development boundary of Edgworth Village.
  - Construction of oversized dwelling on the site would result in development where currently there is none.
  - Development is not affordable housing.
  - Development is contrary to fundamental aim of keeping the Green Belt open – the loss of openness would be significant. The introduction of access gates and the domestication of the countryside harmful to visual amenity.
  - Design and layout not in keeping with adjoining dwellings due to size and modern appearance.
  - Size of the development dwarfs School View.
  - Site overlooked by windows in Edgworth Views.

- The proposed building would be detrimental to a footpath across the field.
- Detrimental to wildlife – bats, owls, badgers and deer.
- Access onto Blackburn Road from the property dangerous owing to bend and trees obscuring view. The proposal would aggravate traffic congestion.
- Design does not conform to Paragraph 55 (now 79) of the NPPF – does not raise standards of design, nor be sensitive to or significantly enhance the immediate setting.
- If approved, a precedent could be set, making further Green Belt development difficult to resist.
- A clear statement needs to be made about the safe or allowable distance that a dwelling can be erected in relation to a Biological Heritage Site. What will the long term effects of a building so close to a BHS be on wildlife and on the watercourse?
- The legality of building on a BHS.

6.2 Public Protection. No objections on environmental health grounds.

6.3 United Utilities. The proposed development is on water catchment land that is not in the ownership of United Utilities. The watercourse adjacent to the proposed development site feeds Wayoh Impounding Reservoir and it is critical we protect water quality. To afford appropriate protection to water quality, United Utilities require additional information to inform their formal response to the application. Matters for discussion would include potential site drainage and potential construction methods.

6.4 Arboricultural Manager. Trees along Wheatsheaf Brook have protected status. Therefore a tree survey would normally be required prior to determination.

6.5 Drainage. We have no objections to the proposals but require the following condition: “Prior to commencement of the development a drainage scheme shall be submitted and approved in writing by the Local Planning Authority. The drainage scheme must include detailed design of any soakaway which must be compliant with BRE Digest 365. The drainage scheme shall be implemented in accordance with the approved details, prior to occupation of the development. REASON: To ensure a safe form of development that poses no unacceptable risk of flooding and water pollution in accordance with Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.”

6.6 North Turton Parish Council. The Parish Council has no objection in principle to the erection of a dwelling on this site, but *objects* to the siting of the proposed access, on the grounds that it is unsafe, located in a dip on a blind bend within a 40mph section of road.

6.7 Highways. Although the description suggests a single dwelling house, the drawings depict 2 properties. The parking requirements associated with the

application are based on the no of beds. Each property is to have 4beds+ which would equate to an allowance of 3 spaces per property. The details offer two parking spaces within a double garage, (the space dimensions are adequate). There is no mention on where the third parking space is to be accommodated. Vehicular access to the site is form an existing gated farm entrance. No details of sightlines have been offered. These need to be received to ensure clear visibility is achievable when exiting the site. Any gates to be located should be set back at least a car width in from the edge of the carriageway. The most crucial aspect of the site is safety of vehicles when exiting the site. This has not been presented within the details received with the submission.

6.8 Ecology. No objection is held in relation to ecological receptors. The proposals offer compensation and enhancement for the Wayoh Reservoir Biological Heritage Site and provide potential gains for biodiversity through the sympathetic management of the land. However, encroachment on the Green Belt will be a consideration, Green belt being essential in managing growth and preventing urban sprawl. If the application is to be approved, the Environmental management Plan should be reinforced by condition to ensure its recommendations are carried out. Non-invasive plant species should be remediated. The septic tank location is close to a brook and reservoir and represents a risk to groundwater. Its proximity to a tree risks interference in the root protection area and potential root perforation of the tank.

**7.0 CONTACT OFFICER: John Wilson, Planner. 01254 585142.**

**8.0 DATE PREPARED: 11<sup>th</sup> September 2018**

## 9.0 SUMMARY OF REPRESENTATIONS

### Objection Mr Andrew Tighe, 1 School View, Edgworth, Rec - 28/03/2018

FAO Mr John Wilson.

Dear Mr Wilson,

Thank you for your recent letter dated 13/3/18 and the opportunity to comment on the above referenced planning application, which as you rightly state in your letter is a resubmission of application reference 10/17/0278.

I and my partner Joanne Ordish object to this i.e. permission should not be granted.

It is my recollection that last year application 10/17/0278 was withdrawn by the applicant Mr. Ready at pretty much the last minute because it was apparent that that application would be rejected for numerous reasons, including that the land is protected green belt, there were misleading claims that the land is 'former school grounds', which it is not, and because the application absolutely did not meet the environmental aspects/criteria, which this new application also doesn't. Furthermore I do not believe this new application meets the strict NPPF criteria.

I believe that many of my previous objections are still relevant and so would ask that you continue to take them into account.

I must also point out that this new application is supposedly for 'a single dwellinghouse' yet numerous times in the many documents submitted by the applicant it states that it is 2 houses/homes. The application is clearly for 2 very large houses, so once again the applicant is being deliberately misleading/deceptive.

I would also like to make the point that a turfed/grassed roof inevitably will require regular maintenance i.e. routine gardening activities. The CDM 2015 regulations require that safe & practicable maintenance access & activities are taken into account in new designs. Therefore I would expect as a minimum some form of access & a protective barrier would be needed on the perimeter of those roofs, but they would then result in an increase in the overall height & be an additional eyesore.

Finally I'd like to again emphasise the proposed access to the site is on a 40mph dangerous bend in the road & vehicles such as rubbish carts and delivery vans would be introducing & indeed having to contend with regular hazardous traffic situations.

I trust that you will again take my comments into account during the review process.

Yours sincerely,

Andrew Tighe of 1 School View, BL7 0PP.

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Objection (2) Mr Andrew Tighe, 1 School View, Edgworth. Rec - 15/08/2018

Having reviewed the recent re-submitted application details and other info that I have become aware of I have the following comments that are additional to my previously submitted objections:-

-- The proposed access from Blackburn Rd is extremely unsafe, such that everyday activities such as emptying the rubbish bins, delivering the post etc would put the relevant personnel at significant risk, which in this day and age of litigation could potentially result in a lawsuit against the planning dept.

Furthermore, the existing 'access track' was built totally in contravention of a previous planning application that has been refused by the planning committee - WHAT DOES THIS TELL US ABOUT THE HONESTY AND INTEGRITY OF THE APPLICANT?

-- The ecological impact will be significant loss, damage and detriment to the habitat of wildlife such as dormice, bats, reptiles, badgers, curlews, barn owls. This general area of Green Belt land is precious and treasured and should be protected for future generations to enjoy.

Furthermore I must say that the submitted ecology documentation is woefully inadequate in its scope and the extent of meaningful surveying. It is also noticeable that the author of the ecology documents is age 22, not a chartered engineer and of very limited experience. Elements of the documents seem to be a 'cut & paste' from another document, which if so suggests to me a lack of real acceptance of the importance of this aspect.

-- There are significant similarities between this application and application 10/16/0134, which was refused and the refusal was upheld by appeal ref APP/M2372/W/16/3150769 e.g the effect on the openness of the Green Belt and the proposed development not justifying such detrimental impact.

-- Whilst I acknowledge that the proposed design is totally different to any other property in the village, I do not consider it to be 'truly outstanding nor innovative' - all of the building features and materials have been used around the world for many years! It is definitely not in keeping with the local vernacular.

It is also fundamentally clear that this is a development of 2 properties not 1 (there are many occurrences in the application that state this) and the scale is grossly disproportionate to the existing School View and Edgworth Views properties.

-- The amended diagram of the road elevation (dated 2/8/18) clearly shows a significant line of trees that would hide much of the properties from being seen from the road. These trees would of course also obstruct the views from the properties, so realistically we all know that those trees would not be implemented or if they initially were they would not be retained/maintained, thereby the properties would become highly visible and an eyesore.

Please ensure that these new objection comments are taken into consideration.

Thank You in advance,

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Objection K & S Naylor, Ryfield House, School Lane, Edgworth. Rec – 03/04/2018

**For Attention of Mr John Wilson**

Please find our written and formal objection to the proposed new build at:-

**Old School Grounds**  
**Edgworth**  
**BL7 0PU**

Following receipt of your letter dated 19<sup>th</sup> March 2018 reference the resubmission of full planning application for erection of single dwelling house (C3 Use Class) with associated access, parking and landscape, I refer to the first submission against reference **10/17/0278** which was already rejected by Blackburn with Darwen council.

We hereby submit our strong objection to this second application for the following reasons:-

Our first objection is that this situated within a green belt area, which as a resident of this area we would ask the council to strongly consider the impact this new build will have on the surrounding countryside.

**Description of Proposed Build & Design**

The design intention is to produce a contemporary scheme that is part of the surrounding landscape, considering orientation, massing, materiality and building function. The proposed redesign of single storey building, housing 2 families, is completely out of context with surrounding properties in and around the immediate area.

The proposal quotes 'Site is located from and runs adjacent to Blackburn road, continuing on from the end row of terraces at the same postcode, the suggest materials for the build do not blend with the authenticity of these terraces.

**Accessibility to Site**

The access point from both the left and right hand side is in our opinion considered unsafe, whereby the approach is in the bottom of an incline, with no street lighting is, and can be considered an unsafe access, considering speeds of vehicles, motor cyclists and regular bike users who frequent this road on a regular basis.

This is also compounded by the comment stating that large waste bins, that would be stored in garage in the property would be taken down from the property to the roadside and we are aware of how local council workers would be put in jeopardy.

These bins, being the large industrial and not domestic size, what impact will these larger bins have on the rotation of consumer waste and hygiene in the property?

This picture from the PDF files on submission clearly show the elevation left and right of exit and the trees blinding the exit on right.





The blind spot in the road for access to the right and left as shown by photo – no street lighting



No direct view on the entrance approaching from right or left as shown on aerial view





Quote from application

'Space has been provided for 4x240L bins in both garages to aid the storage and separation of recyclable waste'

Question also associated with comment that consideration was given to the health of the 'deteriorating householders over time', how can these larger industrial size bins be taken to and from the property safely and in very inclement weather which is frequent in this area and be stored safely and carefully in this section of the road without impact on and HSE concerns.

If the bins were to be collected from the property, application suggests not, what impact will these larger bins have on the hygiene of waste whilst being stored.

View of the incline to bring down the 240 L bins to the roadside?



There is no mention on how foul sewage will be disposed of and the box is ticked that they will not be connecting to the local sewage systems.

### **Building Materials**

There is mention of the preferred environmental friendly material of Hempcrete mentioned, I took this extract from the Financial Times which mentioned the following,  
Extract.

Hempcrete — which is weaker than concrete and non-structural — is made by mixing the woody hemp fibres, called shiv, with lime binder and water to form a porridge-like consistency. This is poured into wooden shuttering over a timber frame and tamped down by hand. Yet this method can be problematic. Hempcrete takes several weeks to cure and wet weather hampers construction  
This is a very new product in the market place including UK, Europe & America, this adds evidence to the product not fitting the construction products used in the surrounding areas.

**Trees on the site**

What effect could roots have on the foundations of any building in the future? If root growth begins to undermine the structure of a building after a number of years, could this lead to requests for their removal, how much research has been given to buildings using Hempcrete with trees located directly and adjacent to the site. These trees currently would be the drainage for the water table rolling down the incline of the hill.

The property is being built into a sloping hill, we have concerns about the impact the proposed works could have on the stability of the property, any excavation work could have serious impact on the stability of the higher ground in the old school playing fields which have remained untouched for over 4-5 generations.

We ask that you take our objection to this new build on the greenbelt land that with the proposal of this build will change the outlook feature on this rural community in Turton & Edgworth.

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**Objection (2) K & S Naylor, Ryfield House, School Lane, Edgworth. Rec – 16/08/2018**

Objection to the Application Ref 10/18/0230,

These are my additional objections to the previous submission made by Kim & Simon Naylor, Ryfield House, 6 School Lane Edgworth BL7 0PR .

**Old School Grounds, Blackburn Road, Bolton, BL7 0PR.****Application Number: 10/18/0230.****Review of Preliminary Ecological Appraisal (PEA) -**

The ecology document was not available for viewing until beginning of August, however the report says the findings were revised 21<sup>st</sup> Feb 2018, submission made on this application on 12<sup>th</sup> Mar 2018.

I do not recall seeing this environmental document on the first submission and as I understand from any planning application the Ecology report forms part of the documentation.

How did the Planning committee allow the re-application to even be put forward and presented without this key document or indeed sufficient time for residents to review when it only came to the public portal less than 2 weeks.

Is the correct legal protocol being followed on this application?

I also viewed the Blackburn website for the overview, why are the

The CHECKS stating the following, this is misleading and data is not up to date.

Pending NO !

Env Assessment NO !

## Planning application search

Checks Page for Planning Application - 10/18/0230	
Site Address	Old School Grounds Edgworth BL7 0PU
Checks	
Pending?	No
Permitted Development?	
Site Notice Required?	
Encroachment?	
Press Advert Required?	
Time Extension?	
Readvertise?	
Constraints?	
Env Assesment	No
Required?	Site History?
Env Statement Required?	
App Owns Adjoining	
Land?	

In view of the fact that the land, environment and ecology in this area is of significant importance on this Green Belt land, my initial view of the submitted Ecological Report appeared to be vague in its appearance, and missing paramount features, on this basis I chose to take out an independent review of the report once uploaded to the Blackburn portal.

This ecology document was not available for viewing until beginning of August, however the report says the findings were revised 21<sup>st</sup> Feb 2018?

I do not recall seeing this document on the first submission and as I understand from any planning application the Ecology report forms part of the documentation, how has the Planning committee given permission for the application to even be put forward?

We have had little time to review the ecology report and with very limited time to review the ecological impact.

These items listed below were the findings of a qualified, practising UK Senior Ecologist and if an ecology investigation were to be carried out by other approved Ecologist the comments I received back were the same 'obvious failings' would be found. The Senior Ecologist is happy to submit his name and qualification if requested.

The Planning Committee must review all the elements and object this planning application as this any approval will have lasting and damaging impact on this Greenbelt

### **1. Green Belt (Policy 3)**

Firstly, the application falls within Green Belt and as such falls under Policy 3 of the Adopted Policies of the Local Plan for Blackburn and Darwen (2015), which states; *...Within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances or where another policy in the Local Plan specifically supports a proposal. The construction of new buildings is inappropriate development except:*

- a) Buildings for agriculture and forestry;*
- b) Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*
- c) The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- f) Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. □*

*Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:*

- g) Mineral extraction;*
- h) Engineering operations;*
- i) Local transport infrastructure, which can demonstrate a requirement for a Green Belt location;*
- j) The re-use of buildings provided that the buildings are of permanent and substantial construction; and*
- k) Development brought forward under a Community Right to Build Order.*
- l) Development in the Green Belt will only be granted planning permission where it is demonstrated that it will preserve the openness of the Green Belt and will not give rise to a conflict with the purposes of including land within it.*

The proposed development clearly does not fall within these categories.



## 2. Habitats

### Woodland

Of note is the Wayoh Reservoir Biological Heritage Site (BHS), which falls within the northern perimeter of the site application. The riparian woodland corridor of the Wheatsheaf Brook flows from east to west into the Wayoh reservoir.

The PEA identifies the riparian woodland as semi-natural woodland, a UK Habitat of Principal Importance (UKHPI) in its own right, however the northern bank of the brook is also identified as **Ancient Semi-Natural Woodland** (ASNW) and is ecologically important not only locally but also on a national level ([www.magic.defra.gov.uk](http://www.magic.defra.gov.uk)).

The PEA (**Section 3.12**) gives no reference to the ASNW within its appraisal, however ancient woodland species are cited (wood anemone, hazel under-storey), which could indicate that the woodland that falls within the site boundary could also be categorised as ASNW.

If so, there should be a minimum of a 30m buffer between the woodland edge and the development footprint.

It is recommended that a full NVC Phase 2 botanical survey be undertaken to determine if the woodland that falls within the application boundary can be classified as ASNW.

### Grassland

The PEA describes the southern part of the site to be unimproved grassland (**Section 3.7**), a UKHPI and Lancashire Biodiversity Action Plan (BAP) - Unimproved Species Rich Grassland.

Under NPPF all LPAs have a duty to make sure that there is no net loss of habitat, however the recommendations given within the PEA does not mention any form of mitigation or compensation for the loss of species-rich unimproved grassland to development.

The description of the grassland in Section 3.7 is vague and species composition does not constitute unimproved grassland, moreover it is more akin to woodland ground flora. Meadow foxtail as mentioned within the report would not create the tussocky formation of the unmanaged grassland as described, a valuable habitat for protected species such as reptiles, foraging birds such as barn owl and foraging bats and small mammals.

It is recommended that a full NVC Phase 2 botanical survey be undertaken at an appropriate time of year to determine if the grassland that falls within the application boundary can be classified as species-rich unimproved grassland and, if so, recommendations should be given as to mitigation and potential compensation for the loss.

## Running Water

Wheatsheaf Brook falls on the northern boundary of the site application, which forms part of the Wayoh Reservoir BHS. Although mentioned within the PEA no recommendations have been given with regards to Pollution Prevention methods to be put in place during development.

*\*My comment to this observation - this oversight could have serious HSE issues if not challenged, the site being on an incline would mean any run off would be toward the stream, into the water table and potentially into the water system?*

## 3. Protected Species

### Bats

The PEA has taken into account any trees that fall within the development boundary and has excluded them from further surveys, however the stone culvert identified as **Target Note 5** (T5) has not been taken into consideration for potential bat roosting. The supporting photograph clearly shows the culvert to be dry and has numerous features to support roosting bats.

The unimproved tussocky grassland offers suitable commuting and foraging habitat for bats, and development and management would result in the loss of valuable connectivity. The desk study clearly identifies bats active within the wider landscape.

It is recommended that a preliminary roost assessment (PRA) be undertaken of the culvert (T5) for the potential for roosting bats. If the level of potential is sufficient to support roosting bats additional activity surveys should be undertaken at an appropriate time of year (May – September).

It is also recommended that a bat transect and static monitoring of the site is undertaken to determine the level of use of the site by commuting bats, in particular the unimproved grassland and riparian woodland corridor.

### Barn Owl

The PEA clearly identifies the unimproved grassland to be unmanaged and tussocky with thick underlying thatch. This is perfect habitat for small mammals such as field vole. Barn owl (Schedule 1 (WCA) protected species) has been identified within the desk study and the grassland is suitable habitat for barn owl foraging.

Although barn owl are only protected from disturbance whilst nesting, good practice would recommend that a grassland habitat management plan is put in place to retain/restore this valuable foraging habitat for barn owl.

*To support these findings, I as resident on School Lane which overlooks the planned application, I have seen a white barn owl in the area daily, this bird has been seen on a daily basis both at nightfall and early morning.*

## Additional Objections

### Single Dwelling

The initial application states 'contemporary' in the design, the concept even after resubmission does not fit the surrounding properties and is completely out of context, with no other design of this feature seen across the borough.  
2 separate halves suggest 2 buildings, independent of each other.

The design intention is to produce a contemporary scheme that is part of the surrounding landscape, considering orientation, massing, materiality and building function. Consisting of one complete dwelling that can act as two separate halves for both the clients family and his parents to live in, maintaining independence for both families whilst allowing for necessary care and attention to be accessible as health deteriorates. The scheme is to consist of a modular design to integrate different family functions with the views of the landscape surrounding it, whilst being respectful and conscious of the surrounding dwellings. Our scheme is set to meet the criteria of outstanding design under Paragraph 55 of the NPPF and has been taken to MADE Design Review Panel to be assessed as such.

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### Foul Sewage

Based on the review of the ecology report, the tick box shows 'Unknown' and connecting to existing drainage system NO  
What and how is this going to controlled and managed if outside the regular options

#### 11. Foul Sewage

Please state how foul sewage is to be disposed of:

Mains sewer	<input type="checkbox"/>	Package treatment plant	<input type="checkbox"/>	Unknown	<input checked="" type="checkbox"/>
Septic tank	<input type="checkbox"/>	Cess pit	<input type="checkbox"/>	Other	<input type="checkbox"/>

Are you proposing to connect to the existing drainage system?  Yes  No  Unknown

### Trees

On the initial application the 2<sup>nd</sup> option has been ticked as NO.  
Had the Ecology report submitted looked at this feature in more depth, clearly the feedback from the findings on the review of the ecology report do show Trees & Hedges can influence the development.

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#### 15. Trees and Hedges

Are there trees or hedges on the proposed development site?  Yes  No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?  Yes  No

If Yes to either or both of the above, you may need to provide a full Tree Survey, at the discretion of your local planning authority. If a Tree Survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

This overview shows 2 access points to the site, one with vehicular and the 2<sup>nd</sup> with 'footpath' that leads to the main road. Is this access outside the boundary of the property? See the right bottom of this picture. This suggest that further removal of tress, flora and fauna to the greenbelt would be necessary next to the terrace properties. There is no footpath on this side of the main Blackburn road and entering to and from via this exit brings further opportunities to accidents.

The layout places a clear divide on the property, one to the left with garage with what looks like 6 rooms and the 2<sup>nd</sup>, another garage and 4 rooms.



The Planning Committee need to recognise that this application does not meet the criteria laid out for building on Green Belt and to seriously consider the overall impact this single dwelling will have to this area, the environment, ecology and how any approval will lay a precedent to other developments.

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Objection Hannah & James Stokes, 5 Edgworth Views, School Lane, Edgworth. (On behalf of 16 residents). Rec – 05/04/2018

Objection to Planning Application at Land at Old School Grounds BL7 OPU

Application Reference: 10/18/0230

Dear Mr Prescott

I write to you as a resident of Edgworth Views and in response to receipt of your letter dated 19th March 2018 which provides notice that you are considering planning permission at the land referenced above.

I write to you as a resident of Edgworth Views and in response to receipt of your letter dated 19th March 2018 which provides notice that you are considering planning permission at the land referenced above.

The use of the access road coming off the main road to access the new property (not school lane), if you actually go and look at it, it a dangerous spot for pulling out and will cause further road accidents in the village. The current bridleway of School Lane is not fit for purpose for the existing properties and therefor could not to be used as an alternative access and not for builders/contractors access. If they join up the 2 access roads and plan to use The School Lane bridleway , it is far too narrow meaning that any dwellings on the land referenced would encroach far too intrusively onto the current residences of Edgworth Views. Increased traffic on the bridleway will lead to further erosion of School Lane, the main road and the access road, some of which is already in a very poor state of repair.

Vulnerable wildlife are resident in this area will be put at risk and the residents do not want to see the pair of nesting Barn Owls, which use this land to hunt, driven away from the area along with deer, and several other bird species.

The residents unanimously feel that building new residencies would increase the ambient noise levels to unacceptable levels despite the plans for it being 'eco-friendly'

Those residents immediately facing this piece of land would have an open aspect removed which is the main attraction of being resident in this location not withstanding the eco design element.

This land is 'greenbelt' land and any building of dwellings would detract from this status and all of the residents feel strongly that this would be extremely detrimental and will lead to an influx of further properties being built on greenbelt within the village which is already facing overcrowding etc. If this planning were to be accepted the flood gates would open and our beautiful village will become full of new buildings at a detriment to the open countryside

For your information, I have listed below the names and addresses of each of the Co-Directors of Edgworth Views Management Limited who are unified in this objection and extremely concerned about the possible outcome. This letter is written for and on behalf of all of the following;

Margarent and Terry Whittaker, 1 Edgworth View:

Ian and Mandy Parkinson, 2 Edgworth Views

David and Lucy Kenyon, 3 Edgworth Views

Bryce and Brenda Lea, 4 Edgworth Views

James and Hannah Stokes, 5 Edgworth Views

Nick Guy and Hannah Jones, 6 Edgworth Views

Julie.Tod and Phil Young, 7 Edgworth Views

John Harwood, 8 Edgworth Views

Paul Smedley, 9 Edgworth Views

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Objection (2) Hannah & James Stokes, 5 Edgworth Views, School Lane, Edgworth. Rec – 08/06/2018

Thank you. Also please to add to our appeal against building we have recently discovered that there are crested newts in the pond at no 3 edgworth views and therefore i suspect also in the river alongside the plot, once again raising the issue of protecting the local endanged wildlife.

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Objection Mrs Michele Openshaw, 3 School View, School Lane, Edgworth. Rec – 06/04/2018

Dear Mr Prescott,

**RE: Planning Application 10/18/0230**

**Old School Grounds Edgworth BL7 0PU**

I am writing in connection to the above planning application. I have examined the plans and know the site well as I have lived at my current address for over 20 years.

I wish to **STRONGLY OBJECT** to the development of this property in this location.

My reasons are as follows;

The application site is still in the Green Belt. Whilst I acknowledge that Blackburn with Darwen has an undersupply of housing, it is my understanding that the National Planning Policy Framework categorically states that when housing policies are out of date planning permission, developments in certain areas should be restricted, and Green Belt land is specifically one of these areas, see Footnote 9 of paragraph 14 of the NPPF.

Paragraph 89 of the NPPF is clear that;

*"A local planning authority should regard the construction of new buildings as inappropriate in Green Belt".*

One of the few exceptions is the limited infilling of villages and limited affordable housing. This proposal is neither and it would remain that it would result in an extension to the village boundary. It is apparent therefore that the proposal is clearly contrary to local and national green belt policy and should be refused on this basis. This proposed structure would erode the contribution that the existing field makes to the open countryside on the outskirts of the picturesque village of Edgworth.

The design and layout of the property does not appear to integrate well with the appearance of other adjoining dwellings due to its significant size and modern appearance. The very presence of a house on that field would have a significant negative impact for those walking/riding/cycling on the local footpaths which adjoin the plot.

Having read the submission, it is clear that the applicant is trying to override Green Belt policy (NPPF Section 9) by attempting to say that this proposal constitutes a paragraph 55 dwelling.

Paragraph 55 of the NPPF deals with the dwellings in the countryside. It is clear that national policy states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. One such thing is the exceptional quality or innovative nature of the design of the dwelling. It advises such a design should:

- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- reflect the highest standards in architecture;
- Significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.

The design of the dwelling utilises the topography of the site so that it is set within the sloping site. This together with the green roof would assimilate the dwelling in to the countryside. However, these grass roofs are no longer seen to be outstanding or innovative or exceptional design. This therefore fails the first requirement of the last bullet point of paragraph 55.

Importantly, the visuals in the submitted Design and Access Statement and the Proposed Elevations drawings illustrate the house would have extensive glazing. In views from Blackburn Road when travelling towards the village the glazing in the side elevation will be visually prominent and would appear completely at odds with the rural appearance of the locality. In views, travelling in the opposite direction, the rising land marked on the drawing by grey hatching, caused by the introduction of the dwelling proposed and the introduction of double gates set on rising land would be extremely visible in the landscape and would result in the marked domestication of the countryside. This would be seriously harmful to the rural appearance of the village. Moreover, the transition from the village to the countryside and vice versa is abrupt and in the interests of protecting the visual qualities of the area this should be retained.

It is asserted that the main area of glazing in the front elevation would not be seen. However, this would not be the case. There will be views of this glazing from the public footpath/bridleway on School Lane to the east of my house and also in view from the public footpaths which run across the moor located also to the north-east of my property.

The extent of domestic curtilage is also very concerning and would be very visible in the landscape. The domestication of the countryside by both the introduction of the dwelling, its associated parking area, hard landscaping and associated domestic items which come with houses, for example, washing lines, garden furniture, solar lights, and plants and will all domesticate this field to the detriment of the areas visual amenity.

Overall it is my opinion that the proposal cannot be considered to be a paragraph 55 dwelling as this house would not 'significantly enhance its immediate setting' and would not 'be sensitive to the defining characteristics of the local area'. For this reason I urge you to recommend refusal of the application on this basis also.

It is also noted, the Committee Report recommending the previous proposals for refusal states in paragraph 3.5.12;

"The impact of the proposed development on the natural environment. Paragraph 79 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open – the essential characteristics of the Green Belt being its openness and its

permanence. Paragraph 55 does not supersede this, but requires exceptional development to 'significantly' enhance the immediate setting and to be sensitive to the defining characteristics of the local area."

This proposal in no way addresses this aspect and should therefore be refused by the Council.

Another matter of great concern, is the precedence the allowance of this dwelling would set in the village. As I am sure you are aware, the whole village is surrounded by Green Belt land. The approval of this would render the resistance of other similar proposals impossible to the detriment of the proper planning of the area and the visual amenities of the village.

As stated previously I have lived at my current address on school view for over 20 years and there has never been an access road to this plot until the applicant excavated access without seeking planning permission. This was done in a very underhand way with the long term goal of building on this piece of land. The site is accessed from a dip in the road and safety is a major concern. The visibility in this area is dangerous and there is no getting away from this. The visibility is very poor due to the many trees which obscure the view and cars approach this dip at high speed. The plan on the internet titled 'site visibility' appears to be incorrect. Please will you check this?

The huge red edge illustrating the proposed curtilage illustrates trees on the banking from Wheatsheaf Brook. He may say some of these can be felled. The removal of trees will further harm the rugged rural landscape and due to the access being in a dip their removal would assist little in providing sufficient visibility. The safety of all users of that road will be compromised by the allowance of a domestic access here. Please say no to this development.

My final point takes into consideration the family of barn owls that reside in the barn opposite the plot on Blackburn Road. These owls have been thriving in this location for many years and spend every evening catching prey on this piece of green belt land. I am sure a property on this site would have a detrimental impact on their feeding patterns and their ongoing breeding success.

To conclude, I believe the proposals should be refused for the following reasons:

1. The sites location is the Green Belt. Paragraph 89 of the NPPF clearly states development in the Green Belt should be treated as **inappropriate**.
2. The dwelling fails to accord with paragraph 55 of the NPPF as the dwelling would in no way 'significantly enhance its immediate setting' and would also not 'be sensitive to the defining characteristics of the local area', both of which are required by paragraph 55 of the NPPF.
3. The design of the dwelling, the introduction of access gates, and the domestication of the countryside would be seriously harmful to the visual amenities of the area.
4. The access in bottom of the dip is extremely dangerous.

Many thanks for taking the time to consider my objections; I trust you will do you upmost to refuse this application for the above reasons.

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Objection Mr & Mrs Kenyon, 3 Edgworth Views, School Lane, Edgworth. Rec – 08/04/2018

Reference 10/18/0230, Planning Application - Erection of a single dwelling house with associated access, parking & landscaping at Old School Grounds, Edgworth BL7 0PU

I am writing in reference to the above application, to put forward my absolute objection for this project.

I would like to object for the following reasons:

1. The proposed development remains on greenbelt. Recent applicants have had planning applications refused on the basis of them being on greenbelt land. My understanding is that a local planning authority should consider the construction of new buildings on greenbelt land as inappropriate. The family who have submitted this application already have two very large purpose built dwellings in the heart of the village. I see no benefit to any other families or residents of the village if this development goes ahead.
2. The applicant has stated that he feels his development reflects the highest standards in architecture, will enhance the views and is so innovative that the planning authority should basically disregard the greenbelt land and allow this to go ahead. Please could you give some attention to appendix one. This is the house that the 'Teletubbies' live in. It looks remarkably like the project proposed by the applicant. I see no place for this in this beautiful village. It is not in keeping with any of the local houses, stonework or other buildings. I do not feel it will enhance in any way the views I paid for when I purchased my house. Our garden will be looking directly at this monstrosity for years to come.
3. Access to this house is on a very dangerous dip in the road, which is already hazardous to turn out of school lane onto Blackburn Road. Having another entrance here would pose a risk to motorists, people riding horses, cyclists and pedestrians
4. There is a lot of precious local wildlife. Including bats and barn owls. The local barn owls can be seen usually on a daily basis hunting and nesting around this area. A sudden onset of noisy building works and destruction of this ground does not in any way care for this protected wildlife.

5. Further to point 1. A local man who recently applied to build a single storey building for his disabled wife in the field on School Lane was refused. Whilst I agreed with the refusal, I could understand that this was a genuine case of him trying to improve his life and that the building would help him do this. If the application above is agreed - I believe there should be an investigation. There is evidence that Councillor Rigby, for reasons unbeknown to the people of Edgworth - seems to approve of this. Despite the potential harm it would do to the local environment he proposes to care so passionately about. I have some questions about this. I understand that Mr Rigby is in fact very close to the family who have put forward this application and I would like these questions answered if this application is approved. Please see appendix 2.

I really hope on the basis of the above, you consider the impact this will have on the local residents of Edgworth. It is an unnecessary project. Not only will this project cause stress and concern for local residents and wildlife. There are many surrounding areas of green belt land that are privately owned. This could mean that we could be seeing lots of successful planning applications. Destroying our wildlife and the beauty of our currently unspoiled village. The local amenities are already overstretched. This can be evidenced in a lack of local school places. So I would like to ask you to think about the future implications should this planning application be approved.

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### Objection Mr & Mrs Whittaker, 1 Edgworth Views, School Lane, Edgworth.

We have lived within 300 yards of the proposed site for 30 years, firstly at 1 Hob Lane and then Dingle Cottage, now we are at 1 Edgworth Views, School Lane. So as 'villagers' there are specific points we would address.

1 GREENBELT reference paragraph 79 of the NPPF is to prevent urban sprawl, the building of this massive property would mean that the openness and permanence of the greenbelt in this location would be lost forever!

2 SIZE and STRUCTURE the proposed building for 1 family is larger than All the cottages in School View.

The ultra contemporary design is not in keeping with the picturesque village of Edgworth, all surrounding properties are stone or red brick.

3 Mr. Readey is trying to use Paragraph 55 of the NPPF, but we strongly disagree that this build would enhance its immediate setting and is insensitive to surrounding areas and adds nothing to the attractive village of Edgworth.

4 Safety aspect for access and exit of site.

Over the last 10 years traffic from the M65 motorway to Bolton and Bury via Blackburn Rd., has increased immensely.

After living for 20 years within 200 yards from the proposed site (Dingle Cottage) I can vouch for the volume and speed of passing traffic. Many motorists called at Dingle Cottage when they had caught the curb edge avoiding on coming traffic and suffered tyre and wheel damage.

No mobile phone signal in the dip so they would ask for use of our landline and await recovery vehicle.

Pedestrians, dog walkers, hikers and cyclists risk serious injury on that stretch of dangerous road, even more so if vehicles are braking to enter suggested site.

5 The wild life, deer and owls are often to be seen over this field.

6 If planning is allowed on this GREENBELT area it would then open all the other greenbelt areas in Edgworth for similar unattractive designs, even where planning has been previously refused.

We hope that you take these points into consideration and refuse planning on this contemporary glass design and help us keep Edgworth proud of our traditional village.

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Objection G Gardner-Boyes, School View, Edgworth. Rec – 10/04/2018

**RE: Planning Application 10/18/0230**

**Old School Grounds Edgworth BL7 0PU**

I am the owner of a property located on School View, Edgworth and am aware of the planning application referenced in the header to this letter (the "Application").

My preliminary observations regarding the Application are as follows: -

1. The site's location is within the "Green Belt". Paragraph 89 of the National Planning Policy Framework ("NPPF") clearly states development in the Green Belt should be treated as inappropriate.
2. The dwelling fails to accord with paragraph 55 of the NPPF as the dwelling would in no way 'significantly enhance its immediate setting' and would also not 'be sensitive to the defining characteristics of the local area', both of which are required by paragraph 55 of the NPPF.
3. The design of the dwelling, the introduction of access gates, and the domestication of the countryside would be seriously harmful to the visual amenities of the area.
4. The access in bottom of the dip is extremely dangerous.

#### **Green Belt**

The application site is still in the Green Belt. Whilst I acknowledge that Blackburn with Darwen has an undersupply of housing, it is my understanding that the NPPF states that housing policies and developments in certain areas should be restricted notwithstanding the shortage. Green Belt land is specifically one of these areas.

I believe that the construction of new buildings is inappropriate in Green Belt. One of the few exceptions is the limited infilling of villages and limited affordable housing. The Applications contains a proposal that is neither of those.

#### **Design and Layout**

The design and layout of the proposed property does not appear to integrate well with the appearance of other adjoining dwellings due to its significant size and modern appearance. In my view the very presence of a house on that field would have a significant negative impact for those walking/riding/cycling on the local footpaths which adjoin the plot.

I understand the national policy demands that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. One example is the exceptional quality or innovative nature of the design of the dwelling. I am not aware of any element of the proposal which is of exceptional quality or innovative in its design.



The extent of the proposed curtilage is also very concerning. Not least the visibility within the landscape. The domestication of the countryside by both the introduction of the dwelling, its associated parking area, hard landscaping and associated domestic items which come with houses, for example, washing lines, garden furniture, solar lights, and plants and will all domesticate this field to the detriment of the visual amenity of the area.

My belief is that the proposed dwelling will not 'significantly enhance its immediate setting' and would not 'be sensitive to the defining characteristics of the local area'. For this reason I urge you to recommend refusal of the application on this basis also.

I am now aware that the NPPF (paragraph 79) provides a cornerstone of Green Belt policy being the prevention of urban sprawl. Land is to be kept open and where appropriate accessible. I understand a prior application has been refused because of the possibility of "urban sprawl". I do not see how the position has altered in any way at all and reiterate my earlier comments as to the requirement for exceptional development to enhance the setting.

### **Adverse Precedent**

Edgworth is surrounded by Green Belt land. Those of us fortunate enough to live here enjoy those surroundings.

I do not advocate a view that says no development in my area. Indeed in some respects the village would be further advantaged by sympathetic development or re-development (one example being the works undertaken to the former school at Crowthorne). However, the Application (if approved) opens the council to further applications which might have to be granted to the detriment of the proper planning of the area and the visual amenities of the village.

### **Conduct**

I have lived in Edgworth for almost a decade. I have never noticed or been aware of any access road to the proposed development land until the applicant excavated an access without seeking planning permission.

In my assessment this was done with the long term goal of building on this piece of land. This type of conduct ought to be sufficient to justify a rejection of the Application. It offends common decency.

### **Access**

The access to the site is at a dip in the road and safety to road users and the ultimate home owner/occupier ought to be a major concern. The visibility of traffic when exiting the proposed development land is limited and presents a clear and present risk. This cannot be ignored.

### **Tree Felling**

The huge red edge illustrating the proposed curtilage illustrates trees on the banking from Wheatsheaf Brook. The applicant and/or his representative may aver that some of these can be felled. Why should that be permitted?

The removal of trees will further harm the rugged rural landscape. Moreover I am sceptical about a removal assisting in giving sufficient visibility of the existence of the "driveway" or the possibility of motorised traffic being visible either travelling along Blackburn Road or indeed accessing or leaving the proposed dwelling.

The safety of all users of that road will be compromised by the allowance of a domestic access here.

## Summary

I have set out a series of my concerns. I am not alone in being troubled by the Application and what might follow its approval.

Thank you for taking the time to consider my objections; I trust you will reach a reasonable and rational decision which in my view leads to the refusal of the Application.

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## Objection Jack Shaw, 5 School View, Edgworth. Rec – 12/04/2018

### **Planning Application 10/18/0230**

### **Old School Grounds Edgworth BL7 0PU**

Dear Sir/Madam,

My reasons for objecting to the planning on the Old School Grounds are as follows:

- I am a first time buyer and i spent all my savings on purchasing my home, if this plan goes ahead which I strongly believe it should not. I know my house will be significantly devalued and I will have lost a significant sum of money which I will not be able to recoup from.
  
- I am a Paramedic and work night shifts and the building work in the area will significantly disturb my sleep which will affect my mental and physical health and will make me very tired for work which is very dangerous in Emergency Medicine.
  
- The local wildlife of the area will suffer, specifically a family of Barn Owls that live in a barn opposite the proposed development site. These owls have been using this Green Belt land for years to catch prey and this property would have significant negative impact on their survival and breeding success. This should be taken into consideration.
  
- I believe the allowance of this application will set a precedences for building on green belt land and will eventually lead to Edgworth losing the "charm" it had.
  
- "A local planning authority should regard the construction of new buildings as inappropriate in green belt" - NPPF paragraph 89. The exception to this is limited infilling of villages and limited affordable housing. This proposal is neither and it would remain that it would result in an extension to the village boundary. It is apparent therefore that the proposal is clearly contrary to local and national green belt policy and should be refused on this basis. This proposed structure would erode the contribution that the existing field makes to the open countryside on the outskirts of the picturesque village of Edgworth.

- Whereas I recognise that Blackburn with Darwen Council has a housing problem I do not believe that building on green belt land when there has already been significant development in the area already, with the construction at Crowthorn, on Blackburn Road and more land for sale throughout Edgworth.
- NPPF section 9 paragraph 55 states that local planning authorities should avoid new isolated homes in the countryside unless the design is able to be:
  - truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
  - reflect the highest standards in architecture;
  - Significantly enhance its immediate setting; and
  - be sensitive to the defining characteristics of the local area”

This house will use a grass roof to help it assimilate into the countryside, however grass roofs are no longer seen as outstanding, innovative or exceptional in design. therefore fails the requirements of paragraph 55.

- Paragraph 55 also states that the house should be sensitive to the defining characteristics of the area, the glass frontage of the building is completely at odds with the rural appearance of the locality. This glazed front will be visible from Blackburn Road when traveling towards the village. In views, travelling in the opposite direction, the rising land marked on the drawing by grey hatching, caused by the introduction of the dwelling proposed and the introduction of double gates set on rising land would be extremely visible in the landscape and would result in the marked domestication of the countryside. This would be seriously harmful to the rural appearance of the village. Moreover, the transition from the village to the countryside and vice versa is abrupt and in the interests of protecting the visual qualities of the area this should be retained.
- It is stated that the main area of glazing on the front of the property would not be seen. However, this would not be the case. There will be views of this glazing from the public footpath/ bridleway on School Lane to the east of my house and also in view from the public footpaths which run across the moor located also to the north-east of my property.
- It is also concerning that the curtilage of the proposal would be visible. Domestication of this countryside would have a detrimental effect on the visual amenity of the area because of the house itself, the parking area, garden furniture, plants, solar lights and washing lines to name a few.
- The proposal cannot be considered to be in accordance with paragraph 55 as the house would not “significantly enhance its immediate setting” and would not “be sensitive to the defining characteristics of the local area”
- I strongly urge you to recommend refusal of the application on this basis and also.
- The new proposal does not address the previous ruling by the committee, and therefore should be refused.

“The impact of the proposed development on the natural environment. Paragraph 79 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open – the essential characteristics of the Green Belt being its openness and its permanence. Paragraph 55 does not supersede this, but requires exceptional development to ‘significantly’ enhance the immediate setting and to be sensitive to the defining characteristics of the local area.”

Edgworth is a picturesque village which has been made so by being surrounded by fields and countryside. This proposal will further erode Edgworth as village and as a community.

Edgworth is haven for walking, cycling and riding. This house would have a negative impact on the rural setting of the village. Many businesses in the area rely on trade from these groups and “building up” the area will have a detrimental effect on the trade of these businesses.

- Acceptance of this application would set a precedence that would make any resistance to future proposals to build on green belt surrounding the village impossible, which will harm proper planning of the are and the visual amenities of the village.
- I am also concerned about traffic in the area, with planning permission already given to 98 new home to be built in Bromley Cross (the neighbouring area) and congestion into Bolton (the nearest town to the proposal) is already a great concern, I believe traffic will be further congested by this dwelling long term and by its building process and by subsequent proposals should this be accepted.
- The site access to this dip was taken without planning permission. The access is also situated on a road that cars approach at high speed. The dip also impedes visibility and is dangerous, safety of road users will be compromised. This will be compounded during construction of the dwelling with the use of plant vehicles gaining access to the site. The proposer has stated that he felling some trees to make visibility better however this will further damage the rural landscape and not have a significant impact on visibility.

In conclusion, this proposal should be rejected for the following reasons

1. The detrimental impact on house values in the area
2. The site is on Green Belt land and thus the development should be treated as inappropriate (NPPF, paragraph 89)
3. The dwelling does not comply with paragraph 55 of the NPPF as it does not ...  
“...– Significantly enhance its immediate setting; and  
– be sensitive to the defining characteristics of the local area”



4. The design of property specifically the introduction of access gates, the domestication of the countryside would be extremely damaging to the visual amenities of the area.
5. Traffic congestion in the area is already a problem, the building of the dwelling (both the building process and the long term structure) and subsequent dwelling (due to the erosion of proper planning laws) would further aggravate an already major issue in the area and its surroundings
6. The access to the property (in the dip) would put road users at risk and is extremely dangerous

Thank you for considering my objections and I trust the committee will do their best to refuse this application.

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Objection Mrs G Curtis. 17 School View, Edgworth. Rec – 16/04/2018

Dear Mr Wilson

My reasons for above application being turned down.

As in a previous planning application on this site nothing has changed for the reasons to refuse planning permission for building.

The site is outside the village boundary and therefore on green belt land, see paragraph 89 of the NPPF "A local planning authority should regard the construction of new buildings as inappropriate in Green Belt" It also states in paragraph 55 which deals with countryside dwellings clearly states that new isolated homes, unless there are special circumstances should be avoided.

The layout of the proposed property does not fit in well with the surrounding dwellings and as it comes very close to my boundary they should be aware that two of my side windows overlook where the proposed house will be sited.

There is a public footpath across the field and the proposed building would hinder walkers or riders.

I have lived in the village for the past 5 years and have noticed that traffic coming along the Blackburn road is extremely busy and fast coming into the village. It is very difficult leaving School Lane and can be quite dangerous therefore for any vehicle coming out the proposed entrance from the field would be even more dangerous as it is very obscured by the bend and trees.

A family of barn owls who nest in a nearby barn use the field for their prey therefore building on this field would be very detrimental to their wellbeing.

Thank you for taking time to read and consider my objections and I sincerely hope that you will do your utmost to refuse the application

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## Objection Colin John Wilkinson, 7 School View, Edgworth. Rec – 16/04/2018

I would like to object to the planning application above for the following reasons.

This new application is still in the Green Belt area and it is my understanding that the National Planning Policy Framework categorically states that developments in certain areas should be restricted with Green Belt land being specifically one of these areas.

Paragraph 89 of the NPPF is clear on this point stating that; "A local planning authority should regard the construction of new buildings as *inappropriate* in Green Belt".

I understand, from talking to neighbours, that the applicant is trying to bypass Green Belt policy (NPPF Section 9) saying that this proposal will fall underneath a paragraph 55 dwelling.

Paragraph 55 of the NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. I do not believe that this design conforms to these special circumstances and should be refused as it does not help to raise standards of design in our very rural area, nor does it significantly enhance its immediate setting, or is it sensitive to the defining characteristics of the local area of Hob Lane. It is completely out of character.

I live on the very outskirts of Edgworth Village and understand that this application would be

- a. Outside of the current development zone of Edgworth and
- b. Go against Paragraph 79 of the NPPF which states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

If this land is built on it would be a clear contradiction of the local and national policy.

The Hob Lane area is a very open region of the village and would not benefit in any way from the erection of any new houses, especially any planned in the existing Green Belt. The people in the area would lose the openness of the land which will be eroded away and the small hamlet would also lose its character.

The plans submitted do not seem to be in keeping with any of the houses in our area, it has a modern appearance and is very large in size. The proposed site is next to our tiny row of cottages and opposite a row of cottages belonging to the old farm. It is certainly not in keeping for the area.

The access road planned is also in a very dangerous area and has only recently been opened as an access by the applicant. It is on a very fast moving section of the main Darwen to Edgworth road which has seen many traffic collisions over the years.

I have lived in School View for many years with my children attending Hob Lane School some 50 years ago. The piece of land referred to has always been used as an agricultural field for livestock. It has never been used as part of the school grounds and is incorrectly being referred to as such.

And finally, one major point to consider is the precedence which could be set if this application was to be allowed. I have major concerns that someone may then want to build on the field directly in front of my row of houses and this is something we also do not want to happen in our lovely part of the village. A recent application was refused on School Lane as it was deemed inappropriate and also not being an infill site within the village. Surely this point has to be remembered when considering the new application.

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### Objection Paul Smedley, 9 Edgworth Views, School Lane, Turton. Rec – 16/04/2018

Dear Mr Prescott,

I wish to object to the application referenced above with the following points.

- The development proposed is in a Green Belt area which is located across an open field (also Green Belt) opposite my house. The plans submitted show one huge dwelling which will in my opinion take away the openness of the countryside where I live. The extent of domestic curtilage at the property raises concerns being very visible on the landscape. I believe the design would be seriously harmful to the visual amenities of the area.
  - The proposed application also does not fall within the development boundary for Edgworth.
  - Paragraph 79 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open – the essential characteristics of the Green Belt being its openness and its permanence. The reason for me choosing to live in School Lane was for myself and my young son to be able to enjoy the openness and beauty of the countryside. We will lose this forever if the plans are passed.
  - Paragraph 55 requires exceptional development to ‘significantly’ enhance the immediate setting and to be sensitive to the defining characteristics of the local area.” This application fulfils neither of these criteria.
  - The plans submitted are not in keeping with local buildings in the area. The shape and style will in my opinion take away the character of the local area of Hob Lane and School Lane. The design is very modern and contains an excessive amount of glazing which is certainly not in keeping with the area.
  - The access road planned is located on a dangerous part of Blackburn Road and will inevitably cause traffic disturbance issues, especially when the bad winter weather hits the outskirts of the village
  - I would also not like to see this proposal accepted as it might set a precedence which could mean the building of properties on the ex-playing field in front of my house along with all other land deemed as Green Belt.
  - A similar application was made on land directly facing my home and it was deemed that this was in Green Belt and was an inappropriate development as it did not constitute infill within the village. This must surely be the case with this application too.
-

## Objection Neil Isherwood, 9 School View, Edgworth. Rec – 17/04/2018

I recently received notification of the planning application referenced above.

Please find below my comments which make up myself and my partners objections to the application.

Firstly, the proposed development and it's new access is wholly located in a Green Belt area and as such should immediately be treated as inappropriate as set out in Paragraph 89 of the National Planning Policy Framework.

1. The proposed site lies just to the north of School View, but is outside of the development boundary of Edgworth Village. The development site cannot be regarded as an infill site as it is at this point where the character of School View changes from village to open countryside.
2. The construction of an oversized dwelling on the site, albeit partially underground, would result in built development where there is presently none. The construction can by no means be identified as affordable housing.
3. Looking at the footprint of the dwelling, the resultant bulk, scale and massing, would therefore lead to a loss of openness. This is particularly the case as the site currently has no buildings or other development on it.
4. The fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open, with openness identified as one of the essential characteristics of the Green Belt. The framework policy clearly states this. This development would erode the contribution that the existing field makes to the open countryside on the outskirts of the village.
5. The proposed site forms part of a predominantly open landscape, viewed from Edgworth Views and School Lane to the West and with School View southerly adjacent to its boundary, with the land rising within the site toward the backdrop of further open countryside. The loss of openness arising from the development would, therefore, be significant.
6. The design and layout of the property is not in keeping with adjoining dwellings due to its significant size and modern appearance. These factors would have a significant negative impact for those walking/riding/cycling on the local footpaths which adjoin the plot.

It is apparent therefore that the proposal is clearly contrary to local and national green belt policy and should be refused on this basis.

I understand from reading the planning application that the applicant is trying to somehow bypass Green Belt policy (NPPF Section 9) saying that this proposal constitutes a paragraph 55 dwelling. Please also find my comments about the paragraph 55 proposal.

It is clear that the national policy clearly states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. One special circumstance being the "exceptional quality or innovative nature of the design of the dwelling".



It advises such a design should:

- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- reflect the highest standards in architecture;
- significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.

Looking at the plans I am not personally aware of any aspect of design which shows exceptional quality or innovative nature of the design of the dwelling. The sheer size of the modern design along with its extensive use of glazing, which will be seen from all directions, are not in keeping with the old stone cottages of Hob Lane. The applicant has stated that the main area of glazing in the front elevation would not be seen. However, this would clearly not be the case. There will be views of this glazing from the public footpath / bridleway on School Lane (east of School View) and also from the public footpaths which run across the moor (north-east of School View).

The views of the property would result in the marked domestication of the countryside. This would be seriously harmful to the rural appearance of the village. Hob Lane is a very rural area and the introduction of a modern design will have a serious negative impact on the quaint area.

Paragraph 55 requires any exceptional development to ‘significantly’ enhance the immediate setting and to be sensitive to the defining characteristics of the local area.” This development will do exactly the opposite. I reiterate point 2 from earlier where I stated that this would result in built development where there is presently none.

I have been told on good authority that whilst this new design is using the natural slope of the site (partially built in) and has a green/grass roof to try and blend into the countryside, that grass roofs are no longer seen to be “outstanding or innovative or exceptional design”.

Domestic curtilage is also an issue and would be highly visible in the landscape. This along with the house itself, the introduction of associated lighting, will seriously impact the visual amenity of the field. When looking north towards Blackburn from School View, no lights can be seen at the moment and this will change for the worse if the proposal is allowed to go ahead.

In allowing this proposal, the local planning authority will effectively be opening the door for any piece of Green Belt land to be built on. I have lived in this village for 52 years and know personally people who have bought up pieces of Green Belt land, which are outside the development area of Edgworth, with the sole intention of building future dwellings wherever possible.

One such application in 2016, off School Lane, was rightly refused at Appeal level as it was deemed inappropriate under Green Belt. Allowing the proposal would surely mean that this proposal will be re-submitted to the detriment of School Lane and School View.

The precedence set by allowing the proposal to be passed would be catastrophic for the village of Edgworth with the resistance of other similar proposals being impossible to the detriment of the proper planning of the area and the visual amenities of the village. Every piece of open land would effectively be available to build on as long as it passes the criteria set out in Paragraph 55.

I have lived in School View for 12 years and lived in the village for 52 years. I know that there has never been an access road on to this land in the proposed place until the applicant created an access without seeking planning permission. Blackburn with Darwen Council decided not to fight this access issue on the grounds that it might lose a costly case. This was done in a very underhand way with the long term goal of building on this piece of land.

The access to the land is situated at the bottom of a blind bend in a valley with very little visibility and is subject to fast moving traffic passing by from both directions. The access road is therefore at an extremely dangerous point in the road and would create potential disturbance on an already busy stretch. In fact on Friday 13th April at 2 pm there was a serious road traffic crash 100 metres away from the proposed site, demonstrating the speed and danger associated to this part of the road. The safety of all users of this road will be compromised by the allowance of a domestic access here.

To conclude, I believe the proposals should be refused for the following reasons:

1. The sites location is the Green Belt. Paragraph 89 of the NPPF clearly states development in the Green Belt should be treated as **inappropriate**.
2. The dwelling fails to accord with paragraph 55 of the NPPF as the dwelling would in no way 'significantly enhance its immediate setting' and would also not 'be sensitive to the defining characteristics of the local area', both of which are required by paragraph 55 of the NPPF.
3. The design of the dwelling, the introduction of access gates, and the domestication of the countryside would be seriously harmful to the visual amenities of the area.
4. The access in bottom of the dip is extremely dangerous.

I trust this information is of assistance to you with your decision.

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**Additional comments and objections to be taken into consideration from Neil Isherwood and Shameem Ahmad of 9 School View, Edgworth, Bolton BL70PP against:**

**Application Number: 10/18/0230.**  
**Old School Grounds, Blackburn Road, Bolton, BL7 0PR.**

After reviewing the ecology report that was sent to me and subsequently added to the revised submittal document and also after reviewing the additional recent document submittals from the applicant, I have the following additional comments.

Looking at page 41 of the ecology report, Appendix 3 LERN Biological Heritage Site (Wayoh Reservoir – forming part of the application site) shows the site boundary of the Wayoh Reservoir Biological Heritage Site shaded in red. In this Appendix the red shaded area overlaps onto the land which is proposed by the applicant for development. This suggests that part of the applicants land is indeed a Biological Heritage Site and as such might be subject to conditions included in the 115 page Biological Heritage Site Document which is widely available from the Lancashire County Heritage Sites Scheme.



This information is hugely important and I think many points need to be clarified on this point:

eg.

1. A clear statement needs to be made about the safe or allowable distance that a dwelling can be erected in relation to a BHS.
2. What are the long term effects of building a dwelling so close to a BHS and is it allowable. (taking into account change of land use, effect on wildlife, effect on land, effect on streams/rivers, drainage, pollution)
3. Is the applicant actually allowed to build on a piece of land designated as BHS even if they own it?
4. Is it legal to change the status of this piece of land from a BHS to a site fit for dwellings?



### Primary Site Access

It cannot be stressed enough how dangerous the approach to the proposed site is. Living just around the corner from this entrance and regularly walking my dog on the nearby footpath down to Edgworth reservoir I am regularly forced into the bushes by cars passing at high speeds, especially when two cars are passing each other in opposite directions.

The site access lies in the bottom of a dip on Blackburn Road which is used daily by a huge number of varying types of vehicles (Cars & Vans, Wagons & Farm vehicles, Council vehicles) which on the whole do not adhere to the recommended speed limit for the area. Whilst the area is well sign posted with speed limit signs, these restrictions are never followed resulting in this particular stretch of road being one of the most dangerous in the area. There have been accidents on this stretch of road before.

Although I cannot submit video evidence in my comments, I have witnessed, on most occasions that I walk this road with my dog, that vehicles persistently drive in excess of the speed limit.

It is impossible to enforce any type of speed calming prevention (sleeping policemen, chicane bollards) at this part of the road due to the fact that road follows a very short but steep gradient from both directions and also a sideways gradient which naturally forces cars to cross over the white lines in the middle of the road.

In the winter time, this part of the road is always subject to flooding and becomes even more dangerous during this period. When we have a significant snowfall, the road also then becomes even more dangerous than usual.

It should be noted that street lighting in this area is very poor and taking into consideration the amount of light we have in early morning during winter months in an already dark section of the road, I would suggest any vehicles turning into this access along with the drivers/staff (Council vehicles – Refuse collections) are at a high risk of collision with oncoming, fast moving vehicles.

I believe there would be a significant and constant risk to the public, be it drivers or pedestrians, should an entrance be allowed on to the field where the applicant seeks to build. As I have said, it is already hazardous walking to the nearby public footpath, when cars are rushing along the narrow, kerbless, section of the road when both carriageways have cars on them.

### Secondary Site Access

The applicant is proposing an access to the property from an existing style. There is no existing style at the South West part of the property and there is also no existing footpath at the South West part of the property. There is only a wall which is approx. 6 ft in height. The adjoining land to this wall are overgrown garden fronts at the bottom part of School Views back gardens. There is no footpath on this side of the street. This has to be made perfectly clear.

## Design and local vernacular

The submittal documents reference, many times throughout, that the buildings “Incorporate a contemporary striking front that responds to the surrounding context”. The documents also state that the buildings are “respecting and showing influence from the surrounding vernacular”. It should be noted that this area of Edgworth in no way could be considered as an area with buildings including “contemporary striking fronts” as suggested in the plans or should this design be in any way respecting or showing influence from the surrounding vernacular”. This region of Hob Lane is wholly made up of old farm buildings and its cottages (of which some are grade

listed) and the existing mill cottages of School View originally built for the now flooded works at Know Mill. This build will not adapt the countryside or in any way enhance the region. I know of no local buildings that resemble anything referenced on page 33 of the design proposal and suggest that the precedence images included are not from the local area and should be discounted from the proposal.

## Local wildlife

The PEA does mention the fact that there is evidence of Bats, Owls, Badgers and Deer along with smaller types of wildlife species in the local vicinity. It would only take a single visit by any ecological expert now to confirm that we have nesting barn owls who use the field for feeding purposes. These barn owls have been present in the local area for a number of years and have frequently been photographed by local birdwatchers. In early evening/ dusk one can see bats hunting in the applicants field which directly neighbours the nearby woods in which they inhabit.

## Visibility

Whilst the access document 18\_0230 Access Plan Rec 20.04.18.pdf shows a 2.4M x 70M visibility splay, this gives the false impression that the site access is visible. The site access is in fact hidden, being totally set back from the main road, with only a kerb on either side of the bridge to the left of the main access, which actually narrows the road width considerably at its fastest point. There is no kerb on either side of the road in the direction of Edgworth village as road width does not allow this. Nothing can be done to improve visibility on this fast stretch of road and any hesitation driving in or out of the property could result in a serious accident.

Looking at The Highway Code table of stopping distances, there is no way that a car would stop in time or avoid a collision with the current site visibility. A car travelling at 20MPH would take 12 Metres to stop safely, this goes up to 23 Metres at 30MPH and 36 Metres at 40MPH, which is in excess of 50% of the suggested visibility splay. These measurements are average distances recommended for a car and “change depending on the drivers attention, the road surface, the weather conditions and type of vehicle.”

Again, nothing can be done to change this situation.

I hope these comments can be considered and added to your report.

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Objection David & Zoe Greenhalgh, Windy Acre, School Lane, Edgworth. Rec – 17/07/2018

**Re: Old School Grounds Edgworth BL7 0PU - Application No. 10/18/0230**

Further to the above application, we would like to formally object to this application. In particular we are concerned about the access route from Blackburn Road and the nature of the flow of traffic along this section of highway.

The proposed access point to the site is on a 40mph section with blind corners/hills in both directions from the point of access. Traffic coming from the north is typically travelling in excess of the permitted speed limit and vehicles accessing and egressing the site and also service delivery vehicles are extremely likely to increase the risk of a significant accident along this section of road. From the application details we have seen on your website, there is no evidence that a site access assessment or road safety audit has been carried out.

In view of the above, we confirm our objection to this planning application.

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Objection John Richardson, Hill Top Farm. Rec -16/04/2018

John

Enclosed the comment I made on the previous application for the same site. I am dismayed that the latest application still shows a red line ownership down to the Wheatsheaf brook and a Schedule A declaration of ownership of the land. I have challenged the Architect to prove ownership and nothing has been forthcoming apart from confirmation that he believes the boundary is correct. However looking on your planning website at this application the Architect has used a program with overlays. If you look quickly you can see the true land boundary followed by the proposed building then the gap between their clients land and Wheatsheaf brook is filled in with trees making out his client owns the whole land area.

Why is this important, Well the proposed gateway is not actually owned by his clients. They have carved in an access way using fly tip material contaminated with Japanese Knotweed and blocked the Access to Wheatsheaf Brook which goes back prior to the Edgworth Enclosure Act of 1795. I hope the matter can be resolved and the Access to Wheatsheaf Brook reinstated with the contaminated soil disposed of safely. Obviously the Architect could quite easily design a curving access using his clients land.

I am available for a site visit if you think it would help.

**18/05/2017**

I am concerned with the above application as the Northern Boundary is stated to be the river (Wheatsheaf Brook). This is clearly not the case as the land is owned by myself and my neighbor. To confirm this look on the 1890's OS map and you will see two land holdings 184 and 185 which belong to the farm and 264 which belongs to my neighbor. Fast forward to the 1960's OS map found in the Site Map & Contours of the online application bundle and my land is now labelled 5471 and my neighbors 4577. The applicants land was 186 and 154 on the 1890's map and 4464 on the 1960's map.

I am also concerned that the temporary access which was created on Blackburn Road for access to the field is now envisaged to become permanent blocking the access to my land with the contaminated spoil that was used which contained Japanese Knotweed.

May I suggest a site visit to point out the offending spoil heap and access blockage and point out the site boundary marker installed approx 2005 whilst defending another attempt by a developer to obtain the land.

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Objection (2) John Richardson, Hill Top Farm. Rec – 24/04/2018

John

My primary concern is whether they will restore the access down to Wheatsheaf Brook, There is a fallen tree from the storms last year that needs to be removed. It can be tackled by other means but the access track would make life easier. Also concerned if they do restore the track what will happen to the Japanese Knotweed they remove.

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