

**Proposed development: Full Planning Application for Demolition of existing outbuildings and erection of a detached eco-home with associated parking, landscaping, garden area and attached single garage**

**Site address:**

**Land adjacent to Horrobin Fold  
Turton  
Bolton  
BL7 0HL**

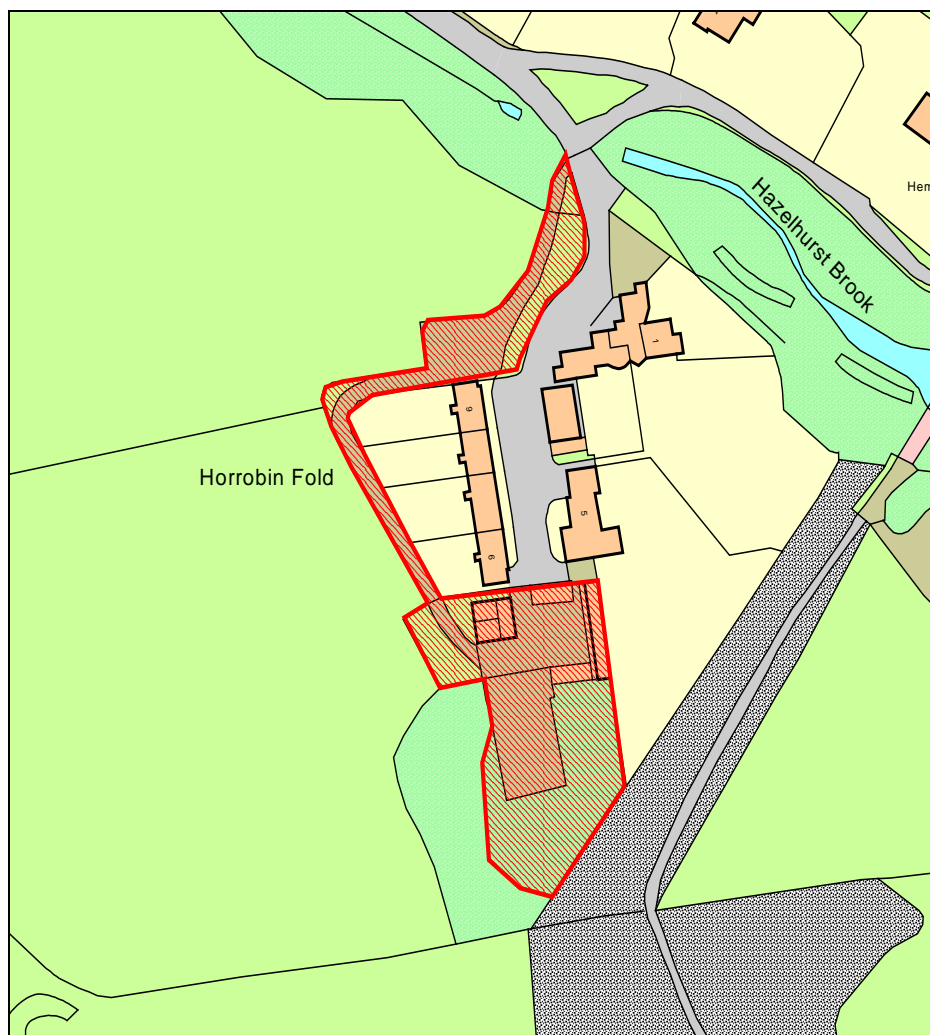
**Applicant: Mr Brian Newman**

**Ward: West Pennine**

**Councillor: Colin Rigby OBE**

**Councillor: Jean V Rigby**

**Councillor: Julie H Slater**



## **1.0 SUMMARY OF RECOMMENDATION**

### **1.1 APPROVE – Subject to conditions; as set out in paragraph 4.1.**

## **2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE**

- 2.1 The application is in the form of a full planning application. It is presented to Committee on account of the application being a resubmission of the previously withdrawn scheme 10/19/0813, and due to the application receiving 10 letters of objection in accordance with the Council's Scheme of Delegation (Chair Referral Scheme).
- 2.2 The proposed development is consistent with the Borough's strategic aims and objectives, in that it corresponds with the Council's overarching growth strategy, through delivery of quality housing which will assist in widening the choice on offer for families in the Borough, in a sustainable location on previously developed land. This is in accordance with the Local Development Plan. The proposal is also satisfactory from a technical point of view, with all issues having been addressed through the application, or capable of being controlled or mitigated through planning conditions.
- 2.3 Approval of the application will allow positive progress to be made towards demolition of the dilapidated buildings present on site. The refusal of the scheme would allow the negative impact of the existing site on the area to grow over time, as the buildings continue to deteriorate. It is, therefore, necessary to advance a high quality development on the footprint of the previously developed land which makes up the application site.

## **3.0 RATIONALE**

### **3.1 Site and Surroundings**

- 3.1.1 The site comprises an area of previously developed land located in Turton, Bolton. The site is situated circa 1km south of Chapeltown, 1.7km east of Egerton and 150m west of Jumbles Reservoir.
- 3.1.2 The site is located within the West Pennine Moors on land within the defined Green Belt. Public Right of Way (PROW) Footpath 20 runs approximately 40m to the west of the site highly utilised by walkers following the trail around Jumbles Reservoir. PROW Footpath 21 runs to the north of the site along part of the access track.
- 3.1.3 The site is in a semi-rural area located to the south of an existing cluster of dwellings known as Horrobin Fold. To the south and west of the site are open fields and to the east is Jumbles Reservoir. The dwellings known as Horrobin Fold were granted permission in 1979 under planning application 10/79/0800 and consisted of the renovation and conversion of existing stables and ancillary buildings to form 6 dwellings, some of which were semi-derelict. The dwellings are all 2 storey in nature clad in stone with render panels and are

clustered around a courtyard with their principal elevations facing into the courtyard.

3.1.4 Access is taken from Horrobin Lane off Chapeltown Road. The application site will be accessed via a private track off Horrobin Lane which will run down the west of the dwellings known as Horrobin Fold.

3.1.5 The application site is currently vacant but has previously been used as a stable yard until early 2019 when the current tenancy ended. The site is now in a poor dilapidated condition. The site contains an L shaped stable block of 8 stables; a rectangular block of 2 stables, a storage building associated with the stables, and a ridging ménage.

## **3.2 Proposed Development**

3.2.1 The proposal is a full planning application for the demolition of the existing outbuildings and the erection of a detached eco-home with associated parking, landscaping, garden area and attached single garage.

3.2.2 The scheme as originally submitted incorporated a red edge which included the area of land to the south of the previously developed land. The submitted details confirmed that the appellant intended to convert this area into a wild garden. It was considered that this would be an extension to the residential curtilage and in turn would be of detriment to the Green Belt as it would set a precedent for the land to be developed for future residential developments. This has subsequently been removed from the application and the red edge amended to include solely the previously developed portion of land.

3.2.3 The proposed dwelling has been designed as a single storey property with a lower level built into the natural slope of the site. The height of the dwelling from the ground floor level is 650mm lower than the most prominent existing building on the site which is to be demolished as part of this application.

3.2.4 The total volume of the existing buildings to be demolished is 820m<sup>3</sup> and the ground floor of the existing buildings is 258m<sup>2</sup>. The proposed volume of the new property is 784m<sup>3</sup> and the ground floor footprint is 209m<sup>2</sup>.

3.2.5 The dwelling is a 5 bedroom, single storey property with a sunken basement level. The form of the building and positioning of internal spaces has been derived from designing an energy efficient building. The form of the living spaces is rectangular orientated East to west with a shallow plan to allow South light to enter the spaces and warm the internal thermal mass. The living spaces are located to the South with the services and circulation to the North. The central vaulted ceiling above the family room with rooflights above acts as a ventilation chimney.

3.2.6 The entrance level incorporates a porch entrance, a kitchen-dining room, utility, 5 bedrooms (2 of which have en-suites), a family bathroom, a WC and access to the lower level. The lower level includes a second living room, a games room, a gym and a plant room. The upper level provides access to the

patio, whilst the lower level provides access to the sunken garden level which is hidden from view.

3.2.7 The L shaped courtyard layout is common within rural clusters, and provides all of the required accommodate for outdoor amenity space.

3.2.8 The proposal incorporates a single car garage with a drive/parking courtyard behind. The courtyard is accessed via car port which attaches the garage to the main dwellinghouse.

### **3.3 Development Plan**

3.3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.

#### **3.3.2 Core Strategy**

- CS1 – A Targeted Growth Strategy
- CS5 - Locations for New Housing
- CS7 – Types of Housing
- CS14 – Green Belt
- CS16 – Form and Design of New Development
- CS18 – The Borough’s Landscapes

#### **3.3.3 Local Plan Part 2**

- Policy 3 – Green Belt
- Policy 7 – Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 9 – Development and the Environment
- Policy 10 – Accessibility and Transport
- Policy 11 – Design
- Policy 18 – Housing Mix
- Policy 41 – Landscape

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

#### **3.4.1 Residential Design Guide Supplementary Planning Document**

This document provides targeted advice to ensure high quality new homes. It aims to ensure that new development reflects the individual and collective character of areas of the Borough and promotes high standards of design. The document also seeks to ensure a good relationship between existing and proposed development in terms of protecting and enhancing amenity.

#### **3.4.2 National Planning Policy Framework (The Framework) (2019)**

The Framework sets out the government’s aims and objectives against which planning policy and decision making should be considered. The following

sections of the Framework are considered relevant to assessment of the proposal:

- Section 2 – Achieving sustainable development
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and Enhancing the Natural Environment

### **3.5 Assessment**

3.5.1 In assessing this application there are a number of important material considerations that need to be taken into account, as follows:

- Principle of residential development;
- Trees;
- Ecology;
- Highways;
- Amenity;
- Design;
- Drainage;

#### **3.5.2 Principle**

3.5.3 Policy CS5 supports new housing in accessible locations within the urban area of Blackburn and Darwen. It is acknowledged that the site is not sited within an Urban Area. The policy goes on to further state that over the life of the Core Strategy some housing development may take place in planned small scale urban extension. The development as proposed is considered to be a small scale extension to the existing cluster of dwellings known as Horrobin Fold. Policy CS7 supports a range of new housing, including the delivery of family housing. The proposal in this regard is considered to be consistent with these policies.

3.5.4 Paragraph 144 of the National Planning Policy Framework (2019) NPPF specifies that 'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'

3.5.5 Inappropriate development is, by definition, harmful to the Green Belt. Paragraph 145 of the NPPF states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;

- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do 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;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

3.5.6 The application site is currently occupied by a number of buildings and a ménage. Annex 2 of the NPPF defined previously developed land as, “*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.*” It is, therefore, considered that the application site is previously developed land.

3.5.7 Paragraph 118 of the NPPF states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land. Therefore, significant weight should be given to the fact that the site is brownfield land.

3.5.8 Paragraphs 7 and 8 of the NPPF tell us that the three dimensions of sustainable development are economic, social and environmental which should not be considered in isolation. Paragraph 78 of the NPPF also tells us that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

3.5.9 The nearby villages of Turton, Egerton, Edgworth and Chapelton contain a number of amenities and facilities such as shops, public houses, restaurants, schools and takeaways. The nearest key settlement to the site is Darwen

which can be reached by public transport where one can access a wider range of amenities and facilities.

3.5.10 Whilst the erection of one dwelling may not have an economic benefit to the area it would however have an economic benefit through the construction and subsequent maintenance of the dwelling. Further to this, the environmental dimensions of sustainable development seek to promote the reuse of Brownfield Lane. This is a core planning principle, it is far better to bring forward development on acceptable brownfield land than build on undeveloped green fields within the Green Belt.

3.5.11 It is acknowledged that the policies within the NPPF are Government policies, however, these are still a material consideration which carries significant weight. Policy CS14 of the Core Strategy and Policy 3 of the LPP2 reiterate the importance of protecting the green belt by the reuse of previously developed land.

3.5.12 Accordingly, Members are advised that the development is considered to be acceptable in principle, on account of the reuse of the brownfield site for the development constituting a significant environmental benefit; in accordance with the aims and objectives of the Local Development Plan and the NPPF; subject to assessment of additional matters set out in paragraph 3.5.1.

#### 3.5.13 Trees

3.5.14 Policy 9 requires that development will not have an unacceptable impact on environmental assets or interests, including but limited to trees. The submitted details confirm that all existing trees along the eastern boundary will be retained as is. Further to this, additional planting is proposed to screen the development.

3.5.15 The additional planting will be secured by condition to ensure that the planting is appropriate for the area and thereafter maintained. The scheme is considered to demonstrate support for the proposal from an arboricultural perspective; in accordance with the requirements of Policy 9 and The Framework.

#### 3.5.16 Ecology

3.5.17 Policy 9 with regard to ecology assessment emphasises that development likely to damage or destroy habitats or harm species of international or national importance will not be permitted. That development likely to damage or destroy habitats or species of principal importance, Biological Heritage Sites or habitats or species listed in the Lancashire Biodiversity Action Plan will not be permitted unless the harm caused is significantly and demonstrably outweighed by other planning considerations and an appropriate mitigation strategy can be secured; and that development likely to damage or destroy habitats or species of local importance will not be permitted unless the harm caused is outweighed by other planning considerations and an appropriate mitigation strategy can be secured.

- 3.5.18 A Preliminary Ecological Appraisal has been submitted to supplement the application. It has been peer reviewed by an officer at Greater Manchester Ecology Unit (GMEU), who has confirmed that the reduction in the site area has also reduced the ecological risks and opportunities.
- 3.5.19 No significant ecological issues were identified by the developer's ecological consultant. The officer confirmed that the issues relating to bats, nesting birds, invasive species, and proximity to a local site and landscaping can be resolved via condition and or informatives.
- 3.5.20 The buildings on site were assessed for bats. All were assessed as having negligible bat roosting potential. The officer confirmed that they have no reason to doubt the findings of the report. Whilst the buildings are in a high risk location, they are of a very low risk design and adjacent to much higher risk buildings. No trees on the site were assessed as having bat roosting potential, though trees on the wider site outside the development were. The GMEU officer who recommended that an informative be attached ensuring that should any bats be found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).
- 3.5.21 Potential bird nesting habitat was identified on the site including the buildings, trees and scrub. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. The officer has recommended attaching a condition ensuring that no works to trees or shrubs shall occur or demolition commence between the 1<sup>st</sup> March and 31<sup>st</sup> August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present.
- 3.5.22 Himalayan balsam is abundant in the vicinity of the development, though in general just outside the footprint of the proposal. Given the proximity of the Himalayan balsam the officer has recommended that resurvey prior to commencement of any development be carried out.
- 3.5.23 The development is immediately adjacent to Jumbles Reservoir Biological Heritage Site (BHS). The development appears to be located 15m at its closest point away from this boundary and the main value of the BHS the reservoir is around 100m from the water. The officer has confirmed that they are satisfied that the proposal will not have a negative impact on the BHS.
- 3.5.24 Section 170 of the NPPF states that the planning system should contribute to and enhance the natural and local environment. No significant features of ecological value will be lost and the development proposes additional tree planting; a pond and restoration of the ménage to grassland. The officer has confirmed that they are satisfied that net gain will therefore be achieved,
- 3.5.25 In order to maximise the level of enhancement that the boundary tree/hedge planting will have a condition will be attached ensuring the submission of a landscape plan prior to commencement of the development.



3.5.26 The assessment is considered to demonstrate support for the proposal from an ecological perspective subject to the attachment of the aforementioned conditions; in accordance with the requirements of Policy 9 and the NPPF.

### 3.5.27 Highways

3.5.28 Policy 10 requires that road safety and the safe, efficient and convenient movement of all highway users is not prejudiced, and that appropriate provision is made for off street servicing and parking in accordance with the Council's adopted standards.

3.5.29 In accordance with adopted parking standards, the 4bed property proposed would require 3 car parking spaces within the curtilage. The Council's highways consultee has reviewed the submitted detail and confirmed that adequate parking has been provided.

3.5.30 The site will be accessed via an unadopted single narrow track. As originally submitted the scheme included details of widening the track. Due to officer negotiation with the appellant this has subsequently been removed. Should the applicant wish to make any amendments to the track a further details will be required. A condition will be attached ensuring that such details are submitted to the local authority prior to any works taking place on the track.

3.5.31 Application of a condition to require the submission of a 'Construction Management Statement' is necessary for approval, prior to commencement of development.

3.5.32 The assessment is considered to demonstrate support for the proposal from a highway efficiency perspective; in accordance with the requirements of Policy 10 and the NPPF.

### 3.5.33 Amenity

3.5.34 Policy 8, supported by the SPD, requires a satisfactory level of amenity and safety is secured for surrounding uses and for occupants or users of the development itself; with reference to noise, vibration, odour, light, dust, other pollution or nuisance, privacy / overlooking, and the relationship between buildings.

3.5.35 The proposed layout of the development incorporates appropriate separation standards between the proposed dwelling and those adjacent to the site; as advocated by the Residential Design Guide SPD; ie. a minimum of 21 metres between facing windows of habitable rooms of two storey dwellings and 13.5 metres between habitable rooms and a blank wall / non-habitable rooms.

3.5.36 The side north facing gable elevation of the garage will be located 3m from the side elevation of No. 9 Horrobin Fold. However taking into consideration that the proposed gable will be located 2m from the boundary wall which will divide the proposed dwelling from the cluster of dwellings to the north it is considered that the proposal would not result in a loss of privacy. Further to

this, given that the proposal is single storey it would not result an overbearing over dominant addition.

3.5.37 The side elevation of the main part of the dwellinghouse which faces towards the side gable of No. 9 Horrobin fold would be sited circa 12m away. The side elevation of No. 9 contains a first floor window. However, taking into consideration the separation distance and that the proposed dwelling is single storey it would not result in a loss of privacy or outlook to the occupiers of the aforementioned dwelling.

3.5.38 The side elevation of the main dwelling which would offer oblique views towards the side gable of No. 5 Horrobin Fold will be sited 15m from the gable of the abovementioned dwelling. The proposed dwelling contains window opens in the elevation which faces towards the gable elevation of No. 5. However, it is considered that given the proposed dwelling is single storey along with the separation distance which will be achieved that the proposed dwelling will have a negligible impact upon the amenity of the occupiers of No. 5 Horrobin Fold. Further to this, the separation distance along with the proposed planting to the northern boundary will ensure that the amenity of the occupiers of the proposed dwelling is maintained.

3.5.39 Acceptable levels of mutual amenity are, therefore, achieved. The proposal accords with Policy 8 of the LPP2.

#### 3.5.40 Design

3.5.41 Policy 11 requires a good standard of design and will be expected to enhance and reinforce the established character of the locality and demonstrate an understanding of the wider context towards making a positive contribution to the local area.

3.5.42 The proposed dwelling will be sited adjacent the existing wall which creates the end of the courtyard of the dwellings known as Horrobin Fold. It would read in association with the existing dwellings albeit it will consist of a single storey dwelling and not a two storey one. A site section has been provided by the appellant which shows that only a small proportion of the roofscape will be seen above the existing boundary wall.

3.5.43 On account of the sloping nature of the site the dwelling will appropriately sit within the topography, the development will appear well-integrated and proportionate to its surroundings. Moreover, the roof form and fenestration proposed suitably responds to the character of the area. The materials proposed would reflect those of the existing dwellings present in the area maintaining coherence between the proposed dwelling and the surrounding area.

3.5.44 The proposed development contains a large expanse of glazing to the rear south elevation. This elevation will face away from the existing dwellings towards the open fields. The additional planting which is proposed to the west of the site would create a natural barrier between the green belt and the

proposed dwelling, thus, further reducing the visibility of the dwelling from the surrounding area.

3.5.45 Accordingly the development is considered to accord with the high standard of design principles set out in Policy 11 and the Residential Design Guide SPD of the Development Plan, and the NPPF.

#### 3.5.46 Drainage

3.5.47 The Local Lead Flood Authority (LLFA) has confirmed they have no objections to the proposed development subject to the attachment of a condition requiring the submission of a drainage scheme prior to commencement of the development.

3.5.48 The proposal therefore accords with Policy 9 of the LPP2.

#### 3.5.49 Summary

3.5.50 This report assesses the full planning application for the erection of an eco-home on land adjacent to Horrobin Fold, Turton. In considering the proposal, a wide range of material considerations have been taken into account to inform a balanced recommendation that is considered to demonstrate compliance with the aims and objectives of the Local Development Plan and the NPPF.

## **4.0 RECOMMENDATION**

### **4.1 Approve subject to Conditions which relate to the following matters:**

- Commence within 3 years
- Materials to be implemented as agreed subject to the approved drawings/details
- Highways – standard conditions
- Submission of a drainage scheme
- Submission of a scheme for proposed works to the access track
- Submission of a Construction Management Statement
- Contaminated land - submission of detailed proposals for site investigation
- Contaminated land – submission of validation report demonstration effective remediation
- Unexpected contamination
- Submission of site investigation works
- Provision of air quality mitigation in the form of dedicated motor vehicle charging points and boiler emissions
- Limited hours of construction:
  - 08:00 to 18:00 Mondays to Fridays
  - 09:00 to 13:00 Saturdays
  - Not at all on Sundays and Bank Holidays
- Permitted Development Rights to be removed
- Development in accordance with submitted details / drawing nos.

## 5.0 PLANNING HISTORY

- 10.81/0462 – Erection of farmhouse (Refused 5<sup>th</sup> May 1981)
- 10/82/1768 – Proposed farmhouse (Refused 4<sup>th</sup> October 1983)
- 10.86/1535 – Replacement of existing stable block by single dwelling (Refused 11<sup>th</sup> November 1986)
- 10.87/1355 – Proposed Dwelling to Replace Stable Block (Refused 3<sup>rd</sup> December 1987)
- 10.98/0434 - Extension to existing stable block - parking, menage, indoor arena, saddlery, extra stables (Refused 30<sup>th</sup> November 1998)
- 10.98/0878 – Equestrian Centre (Permit 2<sup>nd</sup> May 2000)
- 10/19/813 - Outline planning application with all matters reserved except for access, appearance, layout and scale for demolition of out-buildings and erection of 5 dwellings with associated parking and landscaping (Withdrawn 12<sup>th</sup> September 2019)

## 6.0 CONSULTATIONS

### 6.1 Strategic Housing

Housing Growth would have no objection to the above application subject to it meeting planning policy and building regulations

### 6.2 North Turton Parish Council

North Turton Parish Council has no objection in principle to application 10/19/1100 for the demolition of existing outbuildings and erection of an eco home with associated parking, landscaping, garden area and attached single garage on land adjacent to Horrobin Fold, Chapelton, but has **concerns** about the proposed access, the extension of the curtilage into the Green Belt, and the effect of the proposed basement on existing drainage.

### 6.3 Neighbours

17 neighbouring properties were consulted during the consultation process relating to the initial scheme and the amended details, in addition a site notice was posted. A press notice was advertised in the local newspaper on the 16<sup>th</sup> December 2019. As a result of this, 10 letters of objection have been received (see summary of representations).

### 6.4 GMEU

No objection subject to conditions:

- No works to trees or shrubs or demolition to commence between 1<sup>st</sup> March and 31<sup>st</sup> August
- Prior to earthworks a re-survey for Himalayan balsam
- Submission of a landscaping scheme

### 6.5 PROW

Should the applicant wish to make amendments to the access track approval should be sought prior to any works commencing. The appellant will also need to apply for a temporary closure whilst works which affect the PROW are underway.

6.6 Drainage Section

No objection subject to a pre-commencement drainage schemes condition.

6.7 Coal Authority

The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment (BEK/19533/191029/ZMA, 29 October 2019) based on the professional opinions made by bEk Enviro Limited; that coal mining legacy currently poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority recommends a planning condition be imposed requiring site investigation works to be carried out prior to commencement of development.

6.8 Public Protection

No objection subject to the imposition of the standard contaminated land condition.

6.9 Highways

No objection subject to the imposition of a pre-commencement condition requiring the submission of a construction method statement.

6.10 Environmental Services

No objection.

6.11 Network Rail

The appellant is to ensure that the materials being brought to the site do not impact the railway infrastructure to the south of the site by striking the bridge.

**7.0 CONTACT OFFICER: Rebecca Halliwell – Planner, Development Management.**

**8.0 DATE PREPARED: 30<sup>th</sup> January 2019**

## **9.0 SUMMARY OF REPRESENTATIONS**

### **Objection – Joanne Lias, 6 Horrobin Fold. Rec 22.01.2020**

For the Attention of Rebecca Halliwell

Reference: Full Planning Application No: 10/19/1100

Details of Planning Application ( AMENDMENT )

Planning Application near and Adjoining 6 Horrobin Fold, Turton

I write in reference to the above application and recent documentation and illustrations regarding the progress and amendment of this current submission.

All aspects of this further application have been reviewed and I am highlighting areas that I feel should be challenged fairly, questioned and in some cases totally opposed in connection with the effects this proposed re-vamped development proposal will have directly on my home No 6 Horrobin Fold.

Reference Section 3.8

Regarding the suitable access to the proposed development, which will include surface, gateposts: mostly I would like to bring your attention to the inclusion of “general pruning of overgrown vegetation that extends over the drive/track.” and areas of green belt that will be sliced into to enhance the access at the bottom of the lane and for the widening of the current lane to the new proposed site. The hedgerow at the bottom of my garden I have manicured for the 8 years I have owned this property and lived at No 6. This includes both sides to ensure ample and clear vehicular access to the rear of my garden via the lane and a standard of upkeep in keeping with the rest of the Folds cottage gardens. I clearly request that “general pruning” does not interfere with my garden shrubbery as this is an integral part of the garden which is encouraged to attract wild birds and flora and which I do not allow to grow over 6ft to ensure neither view or the access to the back of my property by vehicle or on foot is obstructed I maintain clear access and full privacy to my garden and house and I suggest that this the term “ general pruning” insinuates without discussion and by an inexperienced hand, therefore I request that I am fully consulted before this wide-ranging cropping takes place and to have absolute clarity on boundary ownership and quality control prior any of this improvement work be undertaken. This must be highlighted that the widening of the existing lane by general pruning of garden hedgerows, cutting down trees or cutting into the existing green belt boundaries are not acceptable pitches to allow increased access to the proposed site.

Reference Section 3.9

The Figure 2 illustration: Proposed Site Layout

This emphasizes as “heavy planting ” on the full boundary internally on the site. The definition of the term heavy is mass and weight – in this proposal it lends itself to trees / foliage which will develop with substantial bulk and volume – being allowed to plant and without strict control measures in place to restrict heights and density, this heavy planting will rapidly block light, view

and be a danger to the already delicate drainage systems of the folds cottages due to extensive heavy rooting systems and subsequently influence damage to adjoining walls and the No 6 property.

I completely challenge this proposal on the following clear grounds

- Heavy planting typically in planning and landscaping categorizes trees which will create a solid boundary and barrier – these will immediately affect all light and clear view of the moor and meadows into and out of all aspects of the rear of my property from the upstairs landing window, the rear bedroom 2 windows and garden. This will directly effect natural light to No 6 and the established plant and lawn growth to my garden
- Heavy planting immediately to the rear of the fence of my garden and dividing wall will have a direct impact through heavy root growth to my property and drainage system
- Heavy planting will block the view and light to the Folds Courtyard planting to the rear of the dividing wall to the Folds courtyard –will effect the underpinning of the dividing wall through heavy root growth and the pressure of the trees directly onto the dividing wall itself

All of the above points are genuine areas of concern and I object strongly to this this aspect of the application.

However I suggest that to create a barrier and boundary more appropriate lower shrubs and trees are planted which would not restrict light or view and be in keeping with the original plan of a wildflower garden but more importantly, in keeping with the meadow and green belt of the area and fitting to the surrounding similar low level manicured hedgerows that the folds cottages on the lane currently own and maintain to a very high standard.

I also request that any planting on the boundary of the proposed site has control measures stipulated as part of the planning process. All should be regularly maintained and kept to a suitable and fully agreed maximum 6ft height limit to the complete boundary and not planted immediately to the rear of my dividing wall or fence. This would ensure there would be no long-term obstruction of view of the meadow and green belt or loss of light to my garden and upstairs to my home ; furthermore, I suggest it only reasonable that any vegetation would not overgrow either the wall height adjoining the side of my property or my garden fence and be the responsibility of the owners of the site to fully adhere to the height restriction and maintenance of any trees and vegetation.

I am requesting that the “ heavy planting “ is challenged on the above issues and that the request for restriction of height, type of planting and distance to existing property and boundaries to No 6 and the Folds Wall be a stipulation and prerequisite of any development or future developments on the proposed site.

Relocation of Single garage

I raise concern and would like full clarification reasoning for the relocation of the single story garage to the wall adjoining my property. This relocation is directly in view of my upper bedroom therefore

should this location be confirmed, I am directly requesting that this building not be allowed to extend, elevated or converted to another dwelling at any stage and this be documented as a stipulation and condition of this planning application.

I object to the major changes from Original Plan proposed at the Planning Meeting for the Residents to the revised plan with the issues listed in this document. The proposed plan at the meeting had many positives, both aesthetically and practically – the changes and proposals are subtle but detrimental long term.

The Ménage and what was proposed as the Wildflower Meadow garden and pond and large garden to support the family home and the wildlife has been very concerningly disconnected from this plan.

The original scheme identified aspects that were in keeping with the current green belt and to support the wildlife in the area, have either been removed or totally changed which will clearly affect the what is already sensitive drainage of the area, aesthetics, adjoining property ( No 6 ) and create a long term block of natural light and view and create a substantial visible barrier not in keeping with the green belt or meadow due to the 'heavy planting'.

I am asking the question why has this large plot and proposed garden has been purposely removed from the original eco-home family home plan? Does Mr Newman plan for this remaining plot to be left abandoned intentionally in preparation for another planning proposal at a later date and apply for further development?

To conclude:

The issues raised in this document directly affect my home No 6 and I feel that my objections, review and comments are fair, open minded, justified and reasonable in how this plan openly impacts the long term habitation and physical and mental wellbeing of living in my home and garden adjacent to this amended construction, dwelling and planting proposal.

Kind regards

Joanne Lias

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### Objection – Susan & Walter Gray, 3 Horrobin Fold. Rec 13.01.2020

Dear Rebecca Halliwell

Having already objected to the original application we would like to again emphasise our very strong objections to the revised application. We would refer you to our original email outlining our objections and asked these be considered anew. Briefly these are as follows.

1. Viability of access to the site for construction traffic.
2. The suitability of the existing road and surrounding infrastructure for free passage of the heavy construction vehicles which will be required. This particularly includes damage to an already poorly



maintained cobbled lane and to the existing fragile embankments, damage to which runs the risk of precipitating worse flooding in an area already prone to do so.

3. Drainage to the surrounding properties is already suspect with incidents of burst pipes and main drainage problems indicating the setup is already overloaded. What risk again to increased drainage problems and also environmental damage in digging out the basement area proposed?

4. The access to the site/development is in a potentially dangerous situation with respect to other vehicles passing up and down the lane. The increase in the number of cars using the development will increase the possibility of accidents.

5. A lot of the buildings on the proposed site are of a temporary, not permanent, construction. This means that the footprint of the development as proposed will be in excess of the present one as represented by the PERMANENT BUILDINGS!

6. The surrounding area is home to a diverse range of wildlife. Some quite rare and others more common. This development will obviously impact on their environments.

7. There is a major concern as to how large emergency vehicles i.e fire engines would access the development given that these vehicles will be unable to turn from Horrobin Lane onto the access road to the said development. This would pose a major threat to the residents of the proposed development and those in surrounding properties if a fire or other major event was to occur.

Our other objections contain some of the applicants claims regarding Horrobin Fold and its village status. This is totally erroneous. These matters have been covered in an email sent by Emma Burke and we would like her observations included in our objections.

The public consultation section(4) is factually incorrect in a number of paragraphs. Again, this has already been highlighted by Emma Burke and since we totally agree with her observations we would like these included as part of our objections.

8. The development closely abuts onto green belt zones. Some of the surrounding land is not owned by the applicant. This makes alleviation of many of our concerns improbable if not impossible to remedy without breaking green belt legislation.

Please take into account our concerns.

Yours sincerely

Susan & Walter Gray

(3 Horrobin Fold)

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Objection – Rob & Jan Porter, 2 Horrobin Fold. Rec 13.01.2020

Rebecca,

We have looked at the amended application, & have 2 comments.

1. The position of the bin store will block the view of any cars leaving the site from cars leaving Horrobin Fold. This is a health & safety issue, and is a crash waiting to happen (it is already a problem as cars leaving the stables were partially hidden by the trees/plants). The additional risk introduced by this application would be mitigated by placing the bins on the other side of the access road.

2. The changes to the fence/gateposts does not address the issue of the actual access from Horrobin Lane, as they are sited several yards into the access road. The land at the actual entrance to the access road is owned by United Utilities on one side and by us (Rob & Jan Porter) on the other side. This cannot therefore be widened, and emergency vehicles would not be able to easily enter the access road. Again, I would have thought this is a real health & safety issue as, for example, a fire engine would struggle to get to the new property in the event of a fire.

Regards,

Rob & Jan Porter

2 Horrobin Fold

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### Objection – Rob Porter, 2 Horrobin Fold. Rec 03.12.2019

Dear Sir/Madam,

We have the following comments against the above-referenced planning application.

1. The application states that this is a "C3" development. It is clearly not. This is a single house which will be very expensive and sold at market values, and should be classified as "A1"

2. There are several references to anti-social behaviour and this being a problem site. We have lived in Horrobin Fold for over 35 years, and have never encountered any problems. We are confident that no other neighbours have had issues or have had to report problems to the police in the recent past.

3. The report states that the site is "barely visible" from the footpath. This might be true for the footpath through the field, but it will be very visible from the path around the Jumbles reservoir.

4. Access is a major concern. The access to the proposed site is via a very sharp bend. Large emergency vehicles such as fire engines will not be able to gain access and approach the house in the case of an emergency. At a consultation meeting the architect said that she could widen the access, but Mr Newman does not own the land on either side of the start of the access road - it is owned by United Utilities on one side, and by us on the other side.

5. The land is highly unstable. There is already a large sinkhole less than 4 yards from Horrobin Lane which has been cordoned off for safety. In addition, the banking at the bottom of the Lane (directly opposite the site access) has collapsed in the past and has had to be shored up by United Utilities.

6. Damage to Horrobin Lane by site traffic. Horrobin Lane is an unadopted, unmaintained road in a poor state of repair. United Utilities attempt to repair the drains several times a year. The lower

third of the lane has had many of the cobbles washed away by excess water from overflowing drains. It is very close to disintegrating altogether. Heavy site traffic would render this part of the lane unusable. If the development goes ahead, then as a minimum the contractor needs to replace and re-lay the cobbles on the bottom third of Horrobin Lane BEFORE the work commences. Otherwise people living in Horrobin Fold will not be able to get in and out of the Lane.

7. Although the access road no longer runs through the field, there is still a concern that the site works will cause danger and distress to the badgers, deer and birds of prey that inhabit the field. Deer are seen on a weekly basis, and badgers are spotted on rare occasions.

8. There is no public parking for site vehicles in Horrobin Fold. The areas for parking are all privately owned by the householders.

Please take these comments into account.

Yours,

Rob Porter

2 Horrobin Fold

Turton BL7 0HL

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### Objection – Susan & Walter Gray, 3 Horrobin Fold. Rec 16.01.2020

Dear sir/madam

Please find comments regarding the above application

1. Access is a major concern of ours. The access to the proposed site is a very sharp bend with a steep incline. Large emergency vehicles i.e fire engines will not be able to approach the house in the case of an emergency. This poses a serious risk to life both to the occupants of any house built on the site as well as residents in adjacent properties. At a meeting with the architect she suggested the access could be widened but Mr Newman does not own the land on either side of the start of the access road, it is owned by United Utilities and owners of number 2 Horrobin Fold.

2. The land is highly unstable. Drainage problems are a major issue and there is already a sink hole less than 4 yards from Horrobin Lane which has had to be cordoned off for safety. In addition to this, the banking at the bottom of the Lane (directly opposite the access road) has collapsed in the past. The lower third of the lane has had several cobbles washed away due to over flowing drains.

3. There are several references to anti-social behaviour and this being a problem site. We have lived in Horrobin Fold for 30 years and we have never encountered any problems.

4. Damage to the Lane by site vehicles. Horrobin Lane is an unadopted, unmaintained road owned by United Utilities which is already in a state of disrepair. United Utilities attempt to repair the drains several times a year. Heavy site vehicles are going to add massively to the damage already there.

5. Although the road is no longer going through the field, there is still concern that the site work will cause distress to the wildlife in the field i.e deer, rabbits and badgers.

Please take into account our concerns.

Walter & Susan Gray

3 Horrobin Fold

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### Objection – Emma & Lee Burke, 5 Horrobin Fold. Rec 16.12.2019

Dear Ms Halliwell

Objection against outline planning application for land adjacent to Horrobin Fold

We wish to object against the outline planning application for the development of a detached eco-home with associated parking, landscaping, garden area and attached single garage on the land adjacent to Horrobin Fold. We understand from discussions with the planning office that applications have been submitted in respect of the land adjacent to Horrobin Fold 23 times prior to 1999 and these have been rejected. Another application was withdrawn in September of this year following numerous objections. Given the date of the previous applications, the reasons for refusal are not available on the planning portal. Our grounds for objection are stated below.

Grounds for Objection

#### 1. Harmful development on Green Belt site

We understand that whilst the access road is no longer through the Green Belt field, we are aware that the development will still encroach on the Green Belt. Policy CS14 regarding Green Belt states the general extent of the Borough's Green Belt will be maintained and any change will need to be justified in regards to future development requirements. We cannot see a justifiable reason for converting the site from Green Belt. We acknowledge the need for some growth in the Borough into Green Belt however as identified within Policy CS14 this should be growth to extend the urban boundary to allow the strategic objectives to be met and not conversion in an already rural location such as Turton. The policy clearly states there should be

'... robust evidence of the need for the development in question, that it will contribute to

achieving the objectives of the relevant strategies ....’

No such evidence is given in the Design and Access Statement or further documents as submitted by the applicant.

This is supported by the National Planning Policy Framework (NPPF), the development falls to be considered as inappropriate as it does not meet any of the exceptions set out in s145 of the policy. The exceptional circumstances stated in the DAS is that the existing buildings will be demolished and replaced with reduced volume than previous buildings. This is not an exceptional circumstance per s145 of the NPPF. We assume the applicant is referring to s145(d) however the building is not in the same use. Or they are referring to s145(g) however the proposed development will have a greater impact on the Greenbelt than the existing buildings. The proposed development is much larger in volume than the permanent stables on the current site.

Redeveloping a few single storey stables which are not all permanent construction with a large, permanent dwelling and redevelopment of the road to the rear of a number of properties on Horrobin Fold, which is currently inaccessible and unsatisfactory for vehicular use, would undoubtedly have a significant and harmful impact on the openness of the green belt.

The development, and therefore the harmful impact, would be visible to the public from the public right of way that crosses the fields and the proposed access road and also from the public right of way and other publicly accessible areas of the Jumbles Country Park.

The images below show the proposed site is visible from both the public footpath and from Chapeltown Road, impacting our view of the character and openness of the rural surroundings. This will only be exacerbated in the winter months when there is no longer the natural foliage as shown in the images below.



View from Chapeltown Road, Horrobin Fold can be seen along the field line as would the proposed development to the right of the Fold.



View from the public footpath. The stable which will be demolished is clearly visible as would the proposed development.

The Design and Access Statement also makes reference to Anti-Social behaviour requiring police presence. This is factually incorrect as no such behaviour has been apparent during the past 35+ years that some residents have been at Horrobin Fold.

## 2. A serious hazard to safety

The proposed access is via a concealed, sharp narrow bend and steep incline This is likely to be dangerous for the residents of the proposed development and current residents of Horrobin Fold should there be any emergencies at the proposed

development. The access is so restrictive that large emergency vehicles such as ambulances and fire engines would not be able to attend the proposed property. There is also no parking for such vehicles, or site vehicles, on Horrobin Fold as parking is very restrictive and privately owned.



Image shows the concealed entrance to the proposed access road, egress from Horrobin Fold



Image shows the concealed entrance to the proposed access road, access to Horrobin Fold, and the current damage and flooding

### 3. In contrary to Core Strategies

The Vision underpinning the Local Development Framework as dictated in the Core Strategy (adopted in 2011) states

‘Our rural area’s will remain unspoilt by substantial new development’

In our opinion, the development of the land adjacent to Horrobin Fold will spoil the rural environment which the local community currently enjoys.

Secondly, we understand the Borough's strategic objectives include increasing the levels of demand both for existing housing stock and for new developments in inner urban areas. By definition, Turton is not an inner urban area and therefore a development within this community does not align to the strategic objectives identified for the Core Strategy.

#### 4. Other local issues

##### Wildlife

The Vision underpinning the Local Development Framework as dictated in the Core Strategy (adopted in 2011) states

'The unique landscape setting will have been preserved and its upland areas managed in ways which promote biodiversity and protect important habitats.'

The residents of Horrobin Fold currently enjoy the local wildlife, this includes deer which are often seen in the exact location of the proposed development, bats and badgers can also be seen in the local area. We believe if the planning application is successful this will no doubt have an adverse impact on the local wildlife and be a contradiction to the above Vision.

##### Flooding and Unstable Ground

The area of Horrobin Fold, in particular, 5 Horrobin Fold has been subject the significant flooding in the past. There is natural surface water drainage running under the land belonging to 5 Horrobin Fold. The flooding was so severe in recent years that the natural



stream which acts as surface water drainage had to be uncovered. This still did not stop some flooding and only a couple of months back the garden exploded in a number of areas causing sinkholes and severe flooding. The residents are concerned any development could increase the present flooding risk. There is also a large sinkhole on Horrobin Lane which is currently a safety concern and the banking at the bottom of Horrobin Lane has collapsed in the past and had to be repaired by United Utilities. These points clearly emphasise the unstable ground in and around the proposed development. Further state of disrepair may occur from heavy work vehicles during the development and could impact on access and egress for current Horrobin Fold residents.

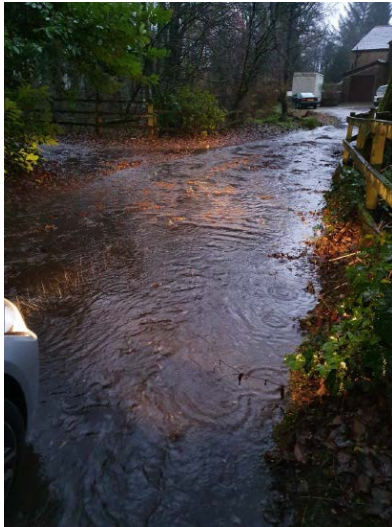


Image shows flooding on Horrobin Lane last week



Image shows garden flooded at number 5 Horrobin Fold in September 2019 (see giezer to left of image).

#### 5. Loss of privacy (Applicable to 5 Horrobin Fold)

Whilst our objections are concerned with the impact on the community as a whole we (as the residents of 5 Horrobin Fold) would like to take this opportunity to raise our concerns of the direct impact on our enjoyment of the property. We only moved into the property on 26 July 2019 and the first planning application (which was withdrawn) was submitted approximately 2 weeks later once the sale on the property had been completed. This outlined planning was subsequently submitted just a few months later.

It is with absolute certainty that I can say that we would not have completed the purchase of the property if we had any awareness of the potential development in the land adjacent to our new home. The main reason for buying the property was to enjoy and raise our two young children in this unspoilt rural setting. Our balcony on the rear of the property currently enjoys views over the farmland and surrounding areas on which the development has been proposed.

The proposed plans show that the combination of the property position and proximity to the mutual boundary would lead to a serious loss of privacy. As the proposed

development would be constructed on land which is raised above our property (see images), this means the residents would have direct sight of our bedroom balcony. The applicant's proposal is that the garage and associated parking is directly adjacent to our property compounding the loss of privacy.

The images below show the view of the proposed development site from the balcony of 5 Horrobin Fold and the proximity of the boundary of 5 Horrobin Fold. The stable can clearly be seen which will be replaced by the new development.



View from the balcony of 5 Horrobin Fold, which would become obstructed by the proposed development.



The top of the outbuilding which is to be demolished can be seen, this will be replaced with a dwelling.

The above images reference the rear of the property, however, it should be noted the proposed dwelling would also have a direct view of the front of 5 Horrobin Fold, the image below shows the view of the development site from the front bedroom. The

window frame has been left visible for point of reference The Design and Access Statement mentions that there are no first-floor windows to the front of number 5 Horrobin Fold when in fact there are three.



View from front bedroom of the proposed development site and building to be demolished.

The Design and Access Statement references the Community Consultation Exercise.

We attended the exercise and while some of these points are correct, others are entirely inaccurate and noted below:

- Regarding the negative visual impact and loss of privacy, whilst the proposed height is lower than the existing barn the development will still be visible from public footpaths and from the horrobin fold properties and therefore this concern has not been satisfactorily resolved
- Loss of privacy and overlooking concerns regarding number 5 Horrobin Fold has also not been appropriately addressed. Whilst the property is single story the position will still mean the privacy of number 5 is compromised. The greatest concern being the fact that the new residents will have sight of the private bedroom balcony from areas of the development. At the very least these privacy issues need to be addressed by further screening.
- Regarding future development, these concerns have not been addressed, the residents have asked for clarification on this issue on more than one occasion

and the architect has refused to respond. Whilst we understand the volume allowance of the existing buildings has been utilised it does not answer our concerns as to why this would not prevent further developments on the grazing field and to the rear of the new development

- The consultation did not address the residents concern over the impact on wildlife other than bats.

- Flooding. Whilst we understand the site does not lie in a flood risk zone this does not mean the local site is not susceptible to flooding. See notes in Flooding and Unstable Ground mentioned above

- The impact on the views is entirely subjective and whilst the architect believes the development will improve the impact on views the residents, who daily enjoy such views, believe the proposed development will have a significant impact on the views.

We would also like to note that we have attempted to open the lines of communication with the applicant to understand the proposal in more detail and how we can resolve some of our concerns and following the consultation meeting the applicant has been entirely silent on these matters much to our disappointment. Secondly, we approached the applicant to discuss purchasing the land from them in order that we can protect our communities Green Belt. Again the applicant refused to respond to our offer.

We ask that all the aforementioned points are taken into consideration and are more than enough to justify our grounds for objection.

Kind Regards

Emma and Lee Burke

5 Horrobin Fold

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Objection – Emma Burke, 5 Horrobin Fold. Rec 06.01.2020

Dear Rebecca,

> Please can you advise when this was published on the portal? It was not online when I drafted my objection, was there a delay in uploading this?

> The public consultation section (4) is factually incorrect in a number of paragraphs. This would have been highlighted in the objections from all the residents had this document been available.

> As such we would ask this document is not relied upon for the purposes of any decision.

> The arguments put forward regarding the greenbelt development would have been useful when drafting our objection as we did question why this would be considered appropriate under the nppf.

> The applicants comments seem ridiculous in parts, for example the references to horrobin fold and a village status. Secondly suggesting one of the exceptions apply (6.18) 'in part' when the exception is an 'and' exception and therefore if both conditions are not satisfied the exception can not apply, there is no 'in part' qualification for the satisfaction of the exception. The analysis put forward on behalf of the applicant is very worrying and I would have considerable concern if any reliance was to be placed on this document.

Please advise to what extent this document will be used for the purposes of the planning application decision. If this will be used in the decision making process we request additional time is given for the residents to revise their objections in light of the factually incorrect information in this document and the statements regarding the green belt development.

Regards, Emma Burke

5 Horrobin Fold

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Objection – Jo Lias, 6 Horrobin Fold. Rec 17.12.2019

For the Attention of Martin Kelly - Director of Growth and Development

Reference:

FULL PLANNING APPLICATION No: 10/19/1100

Land Adjacent to Horrobin Fold, Turton, Bolton BL7 0HL

Planning Application near and Adjoining 6 Horrobin Fold

Outline Planning Application:

I write in connection with the above planning application.

I have examined the plans in depth and know the site very well as my property is adjoining the Stable Buildings, I have been resident at No 6 since 2012 and lived in the Turton and Chapeltown district most of my life.

Horrobin Fold is a small country hamlet safely nesting in Turton, part of the West Pennine Moors, comprising of 6 dwellings. Any development proposals should be considered very carefully and where appropriate and in this instance, supported but challenged in certain aspects, which I request, deserves complete consideration for in this application process.

The planning application with all facts and data presented I ask that my comments and clarifications be considered and measured during this process and I would request absolute confirmation and clarity on finalisation.

I have concerns over my current position in having full access to the rear of my property through my rear garden gate : 6 Horrobin Fold either on foot or by car by use of the current road to the rear of the properties of Horrobin Fold. I would request transparency and clear guidelines of what is currently full access and request that this full vehicular and pedestrian access is maintained and preserved by all parties involved. I have concerns that as this is currently a single access road and how access for all will be accommodated.

My concerns extend to the proposed new-detached eco-home being fully accessible by all emergency services. The entrance to the road and proposed site from Horrobin Lane is particularly narrow, uneven, heavily prone to flooding on the cobbles with trees and green belt adjoining the access area. This is a particularly difficult access point for residents currently living in the folds and the damage and drainage of the road is already extensive so the additional traffic and maintenance including refuse collection and bin removal needs to be carefully considered and clarified. The access point and road to the new proposed development is very narrow and on a bend in the road uphill so I would suggest all these factors are clear areas of concern to ensure the safety of the properties in the Folds and the waste removal and refuse collection and bin queries are clarified managed appropriately.

Another area of concern is to protect green belt land in Turton. The field at the rear of my property and what will face the new development is green belt and the preservation of this is paramount.

There is a need to also raise awareness to protect and safeguard wildlife in and around the Folds and vicinity of Horrobin Lane. There are families of deer in the field that are seen daily, alongside owls and birds of prey who have this area as their natural regular habitat on this pasture land. Their needs have to be taken into consideration with regards to any future development to this hidden gem of natural territory. It is an eco system of its own and domain for wildlife. It should be paramount to all to support this environmental habitat by preserving and encouraging this physical environment to attract, sustain, support and protect this natural territory for animals, trees and flora.

## Conclusion

The plans for this development have been considered and challenged appropriately and accurately.

I believe that this development could benefit the current status of the site and bring a more aesthetic presentation to the current area as long as they are in line with the planning application and with consideration of the requests that I have stated in this document.

I simply request that the above concerns are considered with complete respect for the development, environment and full access to the rear of my property.

I also request that all parties regarding this planning application support total transparency and regular communication with myself regarding any changes and any damages that my home and property including fencing and foliage during the building or foundation preparation of this development could incur should be replaced by the contractors or developers with no cost to myself.

Kind regards

Joanne Lias

6 Horrobin Fold

Turton

BL7 OHL

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**Objection – Hilary & Jon Silvester, 9 Horrobin Fold. Rec 17.12.2019**

Dear Martin Kelly

Re: Planning application number 10/19/1100

Land adjacent to Horrobin Fold, Turton, Bolton, BL7 OHL

As long-standing residents of Horrobin Fold, where we have lived for the past 13.5 years, we would like to object to the recent planning application submitted for the development of a detached eco-home on the land adjacent to our home, which has long served as a stables for horses (until the past 8-9 months when it has been used for breeding fowl).

Since we live at the opposite end of the fold to the intended development, our main objections focus on Horrobin Lane, the access road to the site, and the issues of poor drainage in the area on Horrobin Lane, around the proposed site and from the fields at the back of our property.

Firstly, we would like to point out that, in the past, we have had considerable issues resulting from poor drainage in the greenbelt location behind our property. This has been due to changes in the water courses through the grazing land in question and it has been exacerbated by heavy amounts of rainfall coursing down to the Jumbles from the land on the other side of Chapeltown Road. Drainage and a potential flood risk in our garden, as well as in the garden of the adjacent property (8 Horrobin Fold), had to be rectified at considerable cost to ourselves three years ago. We fear that



further disruption of the water courses could well occur should the proposed planning application be successful.

In recent months, we have noticed a hole on the track to the side of our garden which, upon further investigation, exposes an open water pipe running beneath the track and down the slope towards Horrobin Lane. Please see the photos below.



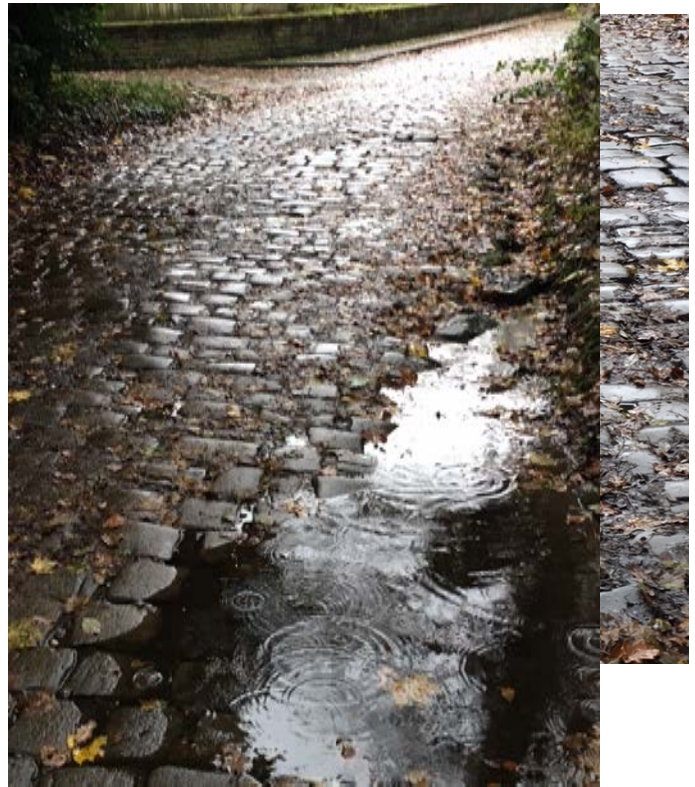
The above photographs were taken on the track which leads around the back of the mews houses on Horrobin Fold. This hole has opened up on the length of track running parallel to the outer edge of the garden of our property, 9 Horrobin Fold. It has, without doubt, been caused by rainwater running off the field; during heavy rainfall, the track becomes like a river and water courses down to cause a mini-flood at the bottom of the concrete slope (the start of the driveway to the eco-home). This is the proposed access to the eco-home and it would inevitably be used by heavy plant machinery bringing materials to the site. One serious concern is that this will affect the stability of the underground drainage and that the pipes beneath the ground could be badly damaged and collapse under the weight of the lorries/diggers etc. We seriously fear that damage to culverts and field drains could potentially cause further movement in the water courses and subsequent risk of flooding to our gardens and, indeed, our properties. Please note that, in the past, flooding has also been an issue on the site of the stables itself.

An additional concern for us living at 9 Horrobin Fold is that we live in the end property with a large open tarmacked area to the side of our property; indeed, our back door opens on to this land. We would consider it to be a serious health and safety issue should this become the turning and storage area for heavy machinery. Since there is no public parking for site vehicles in Horrobin Fold and all of

the parking areas are privately owned by the residents, it begs the question as to how and where vehicles would be parked.

The new proposed access to the eco-home would be via Horrobin Lane, an unadopted and unmaintained cobbled road in a poor state of repair. Despite some attempts by United Utilities to repair the drains over the past few years, the surface of the lane deteriorates year on year. Furthermore, the lower third of the lane has lost many of its cobbles which have been washed away by excess water and overflowing drains. Without doubt, the weekly bin wagons to residences on Horrobin Lane and, until the past 12-15 months, tractors and horseboxes, accessing the stables via the concrete slope and rough track around the back of the mews houses, have also contributed to the deterioration of the cobbles. If the proposed development were to go ahead, the lower section of the lane, leading into Horrobin Fold, would become unusable! It is already necessary to drive out of Horrobin Fold right against the shrubs of the triangle at the bottom of Horrobin Lane in order to avoid damaging car tyres.

Please see the photographs below.



Cobbles have either sunk or been washed away in heavy rain at the bottom right-hand side of Horrobin Lane.

Another issue with regards to access to the proposed dwelling is the fact that the access track is very narrow and it would not be easy for emergency vehicles to reach it. It remains a mystery as to how the access track would be widened (despite the architects stating that this would happen at a meeting with residents in October); it is not clear that the owner of the land upon which the eco-home would be built actually owns the land on either side of the bottom section of the access road.

Also, on the subject of Horrobin Lane, it is questionable as to how stable the land is to the right of the lane as you turn off the main road. Several years ago, a large sinkhole opened up in the trees, adjacent to the stream running down to the Jumbles Reservoir. This has been cordoned off for safety but it remains a serious concern given that Horrobin Lane and its environs are so prone to overflowing water from the main road and the fields and land on higher ground resulting in flooding.

Finally, this development will have a considerable impact on the habitat of a variety of wildlife which are regularly spotted on this green-belt land, including deer, barn owls, foxes, bats and buzzards. The beauty of living in such a desirable rural setting is to enjoy being close to nature and this development will only serve to disturb the habitats of our native wildlife.

In conclusion, we oppose the planning application for the development adjacent to Horrobin Fold on numerous grounds and we hope that serious consideration will be given to our views. It is hoped that our beautiful unspoilt greenbelt land will remain as such and that the Borough's strategic objective for "increasing the levels of demand both for existing housing stock and for new developments in urban areas" will do just that, so avoiding the need to target the **rural** area in which we choose to live and to avoid any planning application which may impact on the issues raised in this objection. Despite meeting with the architects in October, there also remains a fear that, should this application actually be passed, there are no guarantees to residents that additional changes could be made to the proposed construction of one detached eco-home in the future.

Yours sincerely

Hilary & Jon Silvester

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### Objection – Emma Burke, 5 Horrobin Fold. Rec 13.01.2020

Hi Rebecca

Following the amendment to the applicants submission I assume they have removed the ménage from the site plan so they can later submit a new application for another dwelling/ dwellings. And secondly to try and get around the greenbelt exceptions.

The draining pond in the initial application was to soak away the water during the seasons the fold experiences high levels of flooding (details in our previous objections and you are more than welcome to visit our property to view the damage caused from this winters flooding). No doubt if there is no soak away the water will deviate into our rear garden where the natural stream flows which already floods regularly. We realise we are not in a registered flood risk zone but we can confirm we have a serious problem with flooding, the impacts are visible on our land and images have been provided in the last objection.

Obviously our objections still stand and we would like to draw your attention to the behaviour of the applicant. This is another example of their attempt to persuade the planning office into allowing them to achieve their end goal which we believe is a full development of the entire site including the greenbelt grazing land.

There have been so many applications to develop this land which is unspoilt greenbelt forming part of our local community.

If the applicant wanted to utilise the land for an eco house (i.e. to get within the nppf greenbelt exceptions) surely they would have submitted this initially or in any of the previous applications. Or if they had any concern to the community and environment they would have continued dialogue with us when we attempted to purchase the land.

Thank you, Emma

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**Objection – Pete Stott, Unknown Address. Rec 18.12.2019**

I write with reference to an amended application for the erection of one property on the site of existing stables. I object to the planning application because the proposed access is a lane at the rear of our property via a lanthat is unregistered and not owned by the applicant. The lane is narrow and would not accommodate emergency vehicles without it being widened, which would require the consent of the owner. Furthermore the applicant has, as per the land registry title, only got vehicular access down Horrobin Lane and onto their land with no vehicular access to the lane at the rear of our property.

Regards,

Pete Stott  
The Restore Finance Team

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