



Appeal Decision

Site visit made on 11 March 2025

by A Veevers BA(Hons) PGDip(BCon) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 April 2025

Appeal Ref: APP/N4205/W/24/3351766

Hilltop Stables, Georges Lane, Bolton

Grid Reference: Easting 365380 Northing 412200

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Emma Higgins against the decision of Bolton Council.
 - The application Ref is 17797/24.
 - The development proposed is demolition of 2no stable blocks together with erection of 1no bungalow, reinstatement of a dry stone wall and the creation of an area for tree planting
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Given no postcode for the address of the appeal site has been specified, I have used the easting and northing coordinates provided on the application form. The coordinates allow for precise identification of the site's location, and they have been used in the Council's decision notice.
3. I have taken the appellant's name from the details set out on the appeal form rather than from the initial planning application form. In doing so I am satisfied that the applicant / appellant is one-and-the-same despite differences in the setting out of the name.
4. The description of development in the banner heading above has been taken from the Council's decision notice. Whilst differing from that provided on the application form, I note this description was accepted by the appellant during the processing of the planning application and has been used in the appeal submission.
5. An amended plan and updated heritage statement¹ has been provided by the appellant with the appeal. The plan indicates the location of a bin store on the site and does not fundamentally alter the proposal. The Council and third parties have had the opportunity to comment upon both the plan and the heritage statement. I am satisfied that no prejudice would occur to any party as a result of my consideration of the amended plan and have determined the appeal on that basis.
6. A new version of the National Planning Policy Framework (the Framework) came into effect in December 2024 and was further revised in February 2025. For the purposes of this decision I have referred to the latest version of the Framework. The main parties have been given the opportunity to comment on the revised

¹ Heritage Statement, Report EH313/01, Eden Heritage, dated May 2024

Framework. Therefore, I am satisfied that no one would be prejudiced by this change to the national policy context.

7. The site lies within the Wallsuchus Conservation Area (CA). In accordance with the statutory duty set out in Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act), I have therefore paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.

Main Issues

8. The main issues are:

- Whether the proposal would be inappropriate development in the Green Belt, having regard to the Framework and relevant development plan policies, including its effects on the openness of the Green Belt; and,
- The effect of the proposal on the character and appearance of the area, with special attention to the CA and landscape setting;

Reasons

Whether inappropriate development in the Green Belt

9. Policy JP-G9 of the PfE sets out the purposes of the Green Belt. It also states that the beneficial use of the Green Belt will be enhanced where this can be achieved without harm to its openness, permanence, or ability to serve its five purposes.
10. Policy CG7AP of the BAP specifies that inappropriate development in the Green Belt will not be permitted. It identifies development that does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt or the erection of new buildings as inappropriate development. The policy also identifies certain forms of development that are not inappropriate within the Green Belt. Of particular relevance to the proposal is the limited infilling or the partial or complete redevelopment of previously developed sites, 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 purposes of including land within it than the existing development.
11. The exception provided by Policy CG7AP is similar to that provided by paragraph 154(g) of the Framework. However, paragraph 154(g) requires proposals for infilling or redevelopment of previously developed land to 'not cause substantial harm to the openness of the Green Belt' rather than a 'greater impact' than existing development. Paragraph 154(g) sets a higher threshold for Green Belt harm than Policy CG7AP.
12. Paragraph 232 of the Framework requires due weight be given to existing development policies according to their degree of consistency with the Framework. Policy CG7AP is not consistent with the Framework as it imposes a more stringent test for development of previously developed land in the Green Belt than Framework paragraph 154(g). Therefore, the weight to be afforded to Policy CG7AP is diminished.
13. Given the existing development on the land, it is undisputed by the main parties that the site qualifies as previously developed land and from the evidence before

me I have no reason to disagree. Therefore, under the provisions of paragraph 154 (g) of the Framework, whether the proposal would constitute inappropriate development will depend on whether it would not cause substantial harm to the openness of the Green Belt.

14. Several factors are capable of being relevant when it comes to applying an assessment of openness to the particular circumstances of a specific case. The matters relevant to openness are a matter of planning judgement and openness has a spatial aspect as well as a visual aspect. The Planning Practice Guidance identifies that openness may be affected by the duration of development and the degree of activity generated.
15. Due to the extent of its built form and intensity of activity and use, the site's existing contribution to Green Belt openness is limited. The appeal site does not strongly contribute to any Green Belt purpose at Framework paragraph 143.
16. From the evidence before me, the proposed dwelling would be of similar footprint, volume and height to the existing buildings. It would also be located in the same position on the site. While the chimney would be an addition to the roof of the proposed dwelling, it would not protrude notably above the ridgeline. Parking for vehicles would be in the same location as is currently the case. In spatial terms, I agree with the Council's view that the effect of the proposal on the openness of the Green Belt would be similar to that of the existing stables and hardstanding.
17. In visual terms, there would be some impact due to the location of the appeal site alongside a PRow and Georges Lane. However, the proposed dwelling would be proportioned in a similar way to replicate the current 'L' shaped stables and the driveway and parking area would not be visibly conspicuous as it already exists.
18. Given that there are several residential properties in proximity to the appeal site which form a cluster of development, the proposed building would not be visually prominent in wider views of the Green Belt. Views of the proposal would be localised. On this basis, the visual effect of the building on the openness of the Green Belt would be similar to that of the existing stables but the proposed garden, were it to contain domestic paraphernalia such as washing lines, play equipment and the like would have a moderate adverse impact on Green Belt openness.
19. Therefore, the redevelopment of the previously developed land would not cause substantial harm to the openness of the Green Belt. Consequently, for the purposes of paragraph 154(g), the proposal would not be inappropriate development.
20. The proposed development would have a marginally greater visual impact on Green Belt openness than existing, and in this regard would conflict with Policy CG7AP of the BAP. However, the Framework is a material consideration and, having regard to the procedures for implementation at Framework paragraph 232 that I refer to above, I consider the proposal's compliance with Framework 154(g) outweighs the conflict with Policy CG7AP. For the reasons set out above, there would be no conflict with Policy JP-G9 of PfE.
21. Since I have concluded the proposal would not be inappropriate development, it is not necessary to apply the grey belt tests at Framework paragraph 155 nor have regard to considerations relevant to the application of very special circumstances.

Character and appearance

Conservation Area

22. The appeal site comprises two blocks of timber stables positioned in an 'L' shape. Vehicular access to the site is along a hardcore track off Georges Lane which leads to an area for the parking of vehicles in front of the stables. Grazing paddocks lie to the south-east of the stables and there is a small paddock to the south-west. Georges Lane, a narrow, unlit rural road forms the northern boundary to the site and a Public Right of Way HOR 147 (PRoW) is adjacent to the west boundary of the site.
23. The site lies within the CA, the northern boundary of which is Georges Lane. The CA is relatively extensive and at its core is a former bleachworks and associated housing, surrounded by open countryside. A small cluster of stone properties and stable buildings are evident on Marklands Road and along part of Factory Hill and a row of properties is located on the north side of Georges Lane, outside the CA. However, the CA is predominantly characterised by a rural hillside where clusters of buildings are largely enveloped by woodland.
24. Part of the special character of the CA is described in the Council's 'Wallsuches Conservation Area' appraisal (undated) (WCAA) as the first phase of the growth of Horwich and an interesting example of where an early industrial process took place. The main focus of the CA is the site of late eighteenth century former bleachworks buildings which sit alongside a watercourse within a wooded valley on the edge of the West Pennine Moors. The main bleachworks building has been demolished and the bleachworks complex ceased operations in 1933. From the evidence available to me, it is now known as Arcon Village, a residential enclave that incorporates some of the former bleachworks buildings and Wallsuches House, constructed in the early nineteenth century as a home for an owner of the factory.
25. Due to the size of the CA, the WCAA divides it into sub-areas. The appeal site falls into sub-area 'Wallsuches Bleachworks and House' which broadly covers the former bleachworks buildings and its rural hinterland. The prominent ridge and the lower slopes of the moors and the disused stone quarries form a dramatic backdrop to Wallsuches. This, along with the traditional design and use of materials in the area, commonly narrow lanes, woodland, open moorland and rough pasture and the steeply sloping topography are defining characteristics of the CA. The WCAA includes reference to the dramatic setting of the northern part of Wallsuches where the appeal site is located.
26. From the evidence and observations at my site visit, I consider the significance of the CA, amongst other aspects, is derived from the historical architectural and social interest of Wallsuches complex as an example of surviving local industrial heritage. Moreover, its physical and functional relationship with the surrounding rural topography underpin and contribute to its historical significance.
27. The appeal site is positioned on the steep slopes above Wallsuches. Woodland to the west of the site and open moorland to the south form an important part of the character of the wider CA. Despite large, wooded swathes, the topography and relatively undeveloped nature of the area enables distant views of the appeal site and associated paddocks from Chorley Old Road to the south. Also, due to the absence of roadside screening, the stables are clearly seen from Georges Lane when travelling westwards and from the PRoW to the west. Whilst there is little to

indicate that these views were designed or were historic views, it is part of the way that the CA is experienced.

28. Given the simple timber utilitarian and modest appearance of the stables, and their functional relationship with that of the neighbouring paddocks, which at the time of my site visit were being grazed by horses, the site currently blends in with the prevailing rural character of the area. Furthermore, the relatively open quality and absence of residential development to the south of Georges Lane means that the appeal site contributes positively to the rural backdrop and thus the significance of the CA.

Proposals and Effects

29. The proposed one-bedroom dwelling would be in the same location and a similar size to the stable buildings. Nevertheless, it would be clad in stone and include three new windows on the rear elevation and one on the east-facing side elevation. The area surrounding the core complex of Wallsuches is predominantly free from built form. The stables are the only buildings within the swathe of land in the CA north of Wallsuches, bound by Georges Lane and woodland alongside Marklands Road.
30. Whilst the materials proposed for the dwelling would reflect those found on properties locally and within the CA, the building would result in a noticeably different form and appearance to the site, which is currently functional timber stables of a kind commonly found in rural areas. Moreover, even though the number of openings would not be increased overall, their design and arrangement together with the light that would emanate from them during hours of darkness would clearly emphasise the residential nature of the appeal site. It would be at odds with the conventional composition of a stable building and the relatively tranquil nature of the current use.
31. I recognise that visits to the site currently take place during hours of darkness and lighting is used during these visits both inside and outside the buildings. There are currently no restrictions on the amount of lighting at the site. Nonetheless, in view of the overall scale of the equestrian facilities, such visits would be limited and unlikely to be for extended periods of time. Whilst external lighting could be controlled by planning condition in the event I were to allow the appeal, it would be unreasonable to restrict lighting inside the building. Having regard to the elevated location of the building and the size and number of openings on the rear facing elevation, which would be the most visible when viewed from lower land to the south, the site would be perceptibly more prominent. Even though lighting would be apparent were the scheme for the conversion of a building under permitted development rights, that is not the proposal before me.
32. The presence of a residential building would be further highlighted by the introduction of a domestic curtilage. I accept this would be at a lower level than Georges Lane, would be small and equestrian-related items are already stored outside the stables and in the paddocks. Nevertheless, due to the limited amount of space within the proposed dwelling for storage, there would be likely to be some domestic paraphernalia placed outside the building. Whilst permitted development rights could be controlled or removed were the appeal to be allowed, this would have little effect on the use of the garden for day-to-day items such as washing lines, or to store bicycles and garden equipment. Such items would create a sense

of domesticity to the site that would be clearly visible from the PRow and would not be typical in this part of the CA, on the south side of Georges Lane.

33. I agree that the quarry activities to the north of the site have somewhat diminished the setting within which the CA is experienced, and there are other residential properties on the north side of Georges Lane. However, the current street scene has its own inherent rural character to the south of the lane which has its own merit. In any event, the buildings and activities on the north side of Georges Lane sit outside the CA. It does not necessarily follow that further residential development would enhance the existing development pattern which has been evolving over the last century.
34. The appellant argues that the proposal would be largely screened to the west by woodland. In wider views of the northern part of the CA I agree. However, the proposed building would be set in a fairly exposed location on the slopes of a hill and would be clearly visible in views from the PRow. I consider the sense of ordered domestic arrangement of a dwelling in place of the existing stables would erode the rural qualities of the CA which are prevalent in views towards the south when taken from Georges Lane as well as in views when walking north from Wallsuches along the PRow. Consequently, the appeal proposal would not preserve or enhance the character or appearance of the CA and the understanding of the significance of the CA would be diminished.

Heritage Balance

35. For the reasons given above, the proposal would harm the significance of the CA and fail to either preserve or enhance its character or appearance. Heritage assets are irreplaceable and great weight should be given to their conservation. The harm would be localised to views along Georges Lane and the PRow. As such, the effects would be less than substantial in the context of paragraph 212 of the Framework. In accordance with paragraph 215, I must balance that less than substantial harm against any public benefits, which includes securing the asset's optimum viable use.
36. It is proposed to reinstate approximately 250 metres of dry stone wall along the northern boundary of the site and adjacent paddocks with Georges Lane which would create a clear boundary to the CA. It is argued that it would be unviable to carry out this work in relation to the current use of the land. However, this claim is unsubstantiated. While the reinstatement of the wall would make a positive visual contribution to the area, the absence of a wall does not in itself detract from the appearance of the CA. Thus, I consider it would be a limited benefit of the scheme.
37. I appreciate the appellant has recently carried out planting on the site and additional tree planting is proposed to the east of a paddock. Whilst this will certainly, in time, provide some biodiversity benefit, the distance between the proposed planting and the building would be too great to offer any direct screening of the building. Nevertheless, I attribute tree planting some, albeit limited, positive weight in favour of the proposal.
38. Both parties agree that the Council is unable to demonstrate five years housing land supply. The contribution that the appeal scheme would make to the supply shortfall is a public benefit of favourable weight. There would also be an economic benefit to the local economy arising at both the construction and occupation of the

dwelling, albeit tempered by the fact only a single additional dwelling is proposed. These matters each weigh moderately in favour of the appeal proposal.

39. The identified heritage harm, whilst less than substantial, nonetheless carries considerable importance and weight against the appeal scheme.
40. Taken together, the public benefits of the scheme would not outweigh the less than substantial harm to the significance of the CA. Therefore, the identified heritage harm is unjustified in terms of the local and national approach to conserving and enhancing the historic environment.

Landscape setting

41. The Council advise the site is within an area designated as Upland Moorland Hills Landscape Character Area in Bolton's Allocations Plan, adopted December 2014 (BAP) and the Open Moorlands and Enclosed Upland Fringes (West/South Pennines) Landscape Character Type in the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan, 2022 to 2039, adopted March 2024 (PfE).
42. On the evidence before me, the Council has not shown the location of the appeal site to be a 'valued landscape' for the purposes of Paragraph 187 of the Framework and little information has been provided with regard to these broad designations. However, from my observations, the key landscape characteristics include, amongst other things, hill summits and steep slopes, open moorland, rough pasture and woodland plantations. Reservoirs are a prominent feature along with some stone walls and boundary hedges, scattered stone farmsteads and localised clusters of roadside cottages. Long, panoramic views are afforded by the high elevation of the landscape and the sloping valleys. Recent and past quarrying works have also shaped the landscape.
43. The existing stable buildings do not detract from the key landscape characteristics and neither would the proposed dwelling. This is due to its limited scale and containment adjacent to a woodland plantation when seen in the context of the wider landscape and the backdrop of the sloping hillside.

Conclusion on Character and Appearance

44. Whilst I find the proposed development would not harm the wider landscape setting of the area, it would have an adverse effect on the character and appearance of the CA, resulting in a loss of significance. It would not preserve or enhance the character or appearance of the CA. This would amount to less than substantial harm that would not be outweighed by public benefits.
45. Consequently, the proposal would conflict with the s72(1) of the Act and Policy OA1 of Bolton's Core Strategy, Development Plan Document, adopted March 2011 (BCS). This policy seeks, amongst other things, that the character of conservation areas is conserved and enhanced. The proposal would also conflict with Policies HP-P1 and JP-P2 of PfE which together, in summary and along with other considerations, sets out that development should conserve, sustain and enhance the historic environment and heritage assets and their settings. The proposal would also conflict with heritage protection guidance in the Framework.

Other Matters

46. Given the shortfall in housing land supply within the Council area that I refer to above, the requirements of paragraph 11(d) of the Framework must be considered. This paragraph provides a presumption in favour of sustainable development, unless certain circumstances apply. One such circumstance at 11(d) i. is where the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed. Footnote 7 of the Framework confirms that the policies referred to within 11(d) i. include designated heritage assets. Given my previous conclusions in respect of the effect of the development on the CA, the presumption given by paragraph 11(d) is not triggered in this case.

Conclusion

47. Overall, and for the reasons given above, the proposal conflicts with the Act, the guidance in the Framework and the development plan when taken as a whole. There are no material considerations either individually or in combination of such weight to lead me to conclude otherwise.
48. I therefore conclude that the appeal is dismissed.

A Veevers

INSPECTOR