

DELEGATED REPORT

Report by Helen Pressley	Date of report: 10/09/2025	Ref: 72026/FUL
Registration: 30/06/2025	LDFC: 06/08/2025	Expiry Date: 25/08/2025
Site Visit: 16/07/2025	Site Notice: 16/07/2025	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: PI
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: COUS

Proposal: Change of use of dwelling (Class C3) to 5 no. holiday let units

Location: Brook Bottom Farm, Bury Old Road, Shuttleworth, Ramsbottom, Bury, BL0 0RZ

Description

The application relates to a detached dwellinghouse on Bury Old Road. The site is accessed from Bury New Road with parking located to the north of the detached property. The site is located within the Green Belt. The site is currently utilised for various different uses which do not benefit from planning permission including holiday lets, and businesses within the existing outbuilding.

Planning permission is sought for the subdivision of the existing dwelling house into 5no. holiday lets. The holiday lets would comprise 3no. 1 bed apartments, and 1 no. 2 bed apartment. No external changes are proposed to facilitate the development. The site is accessed via Bury Old Road and parking for the apartments would be located to the rear and side of the building.

This application would not address the use of part of the site utilised as a detached holiday let, the hydrotherapy pod or the 2no. hot tubs. This is being assessed under application 72027. The use of the detached outbuilding for a salon has is also not assessed within this application.

The proposed alterations have been completed and the application is therefore retrospective.

Relevant Planning History

02990/E - Single storey house extension, beauty salon, 5 holiday lets and associated facilities - Enquiry completed 05/09/2024

64744 - Lawful development certificate for a proposed detached outbuilding - Refused 02/12/2019

65025 - Erection of outbuilding - Approve with Conditions 18/02/2020

65601 - Single storey at rear & raised patio following removal of existing kitchen - Withdrawn by Applicant 24/08/2020

71297 - Variation of condition no. 2 (approved plans) following approval of planning permission 65025: (Erection of outbuilding) - alterations to the fenestration of the existing outbuilding - Approve with Conditions 16/12/2024

71469 - Single storey extension at rear and raised patio - Approve with Conditions 12/03/2025

72027 - Detached holiday let unit, hydrotherapy pod & 2 no. hot tubs - Pending

Publicity

Site notice posted 16th July 2025

No responses received.

Statutory/Non-Statutory Consultations

Traffic and Public Rights of Way Officer - Condition requesting parking and bin storage to be implemented.

Waste Management - No response

Drainage Section - No response

United Utilities (Water and waste) - No response

Greater Manchester Ecology Unit - Condition requested in relation to the installation of a house sparrow terrace and one bat box

Rossendale Borough Council - No response

Pre-start Conditions - Not relevant

Development Plan and Policies

JP-G9	The Green Belt
OL1/4	Conversion and Re-use of Buildings in the Green Belt
H2/5	Conversion of Residential Property to Hotels
RT4	Tourism
RT4/3	Visitor Accommodation
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
HT2/4	Car Parking and New Development
RT3/3	Access to the Countryside
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-S2	Carbon and Energy
JP-S5	Clean Air
SPD11	Parking Standards in Bury
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Principle (Green Belt)

Paragraph 153 of the NPPF states that inappropriate development in the Green Belt is by definition, harmful and should not be approved except in Very Special Circumstances (VSC). Planning Authorities should ensure that substantial weight is given to any harm in the Green Belt. VSC 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.

Paragraph 154 of the NPPF states that the construction of new buildings in the Green Belt should be regarded 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), including buildings, 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 (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

UDP Policy OL1/4 states that the conversion of and re-use of buildings in the Green Belt is not inappropriate and will be permitted providing that:

- It does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;
- any extension of re-used buildings, and any associated uses of land surrounding the building do not conflict with the openness of the Green Belt and the purposes of including land in it (e.g. because they involve extensive external storage, or extensive hardstanding, car parking, gardens, boundary walling or fencing);
- the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; the form, bulk and general design of the buildings are in keeping with their surroundings; suitable access and likely traffic generation can be accommodated without creating a traffic hazard or the need for major road improvements or lengthy new routes;
- all the necessary services can be provided without extensive works; it can be established by the applicant, to the satisfaction of the local planning authority, whether or not the building contains any protected species, such as bats or barn owls. Where it is shown such species are present, measures to prevent damage to habitats will be required.

PfE Policy JP-G9 - The Green Belt confirms the extent of the Green Belt within the Borough and confirms the five purposes of including land within the Green Belt. 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. In particular, the enhancement of its green infrastructure functions will be encouraged, such as improved public access and habitat restoration, helping to deliver environmental and social benefits for our residents and providing the high quality green spaces that will support economic growth.

The site was previously a dwelling house with a cattery business within the grounds however no plans have been submitted in relation to how the site was previously subdivided. The dwelling had a single storey rear extension and single storey side conservatory extension that have subsequently been removed. A single storey rear extension, patio, and single storey outbuilding in association with the dwelling have subsequently been approved.

The conversion of the main dwelling into 5no. holiday lets has not lead to any external alterations to the property, or any additions to the dwelling house. The property is of substantial/permanent construction. Aerial photography also confirms that there were areas

of hardstanding previously to the west and north of the property that were used for parking and what appears to be a patio area. As such the re-use of these areas for parking in association with the various uses on site is considered to be acceptable. The conversion is therefore considered to be acceptable under exception 154h) iv. - the re-use of buildings provided that the buildings are of permanent and substantial construction and would therefore be appropriate development within the Green Belt.

Principle (Use and Conversion)

UDP Policy H2/5 seeks to ensure that the amenity of local residents and the local character of areas (where important) are not harmed by the conversion of existing residential buildings to hotels/guest houses.

UDP Policy RT4 states that The Council will promote and facilitate the development of tourism in the Borough. This is further supported by UDP Policy RT4/3 – Visitor Accommodation states that The Council will encourage and support proposals for development which would extend the range of visitor accommodation in the Borough. Any development proposals will be assessed and considered against the following factors:

- a) the appropriateness in terms of the design, scale and setting and the effect on the character, quality and visual amenity of the locality;
- b) the provision of satisfactory access;
- c) ability to accommodate the necessary car parking, service areas and landscaping within the site;
- d) the satisfactory compliance with development control policies for Green Belt areas and other open land policies where appropriate.

Within the justification for Policy RT4/3 the UDP confirms that conversion of existing buildings to provide further bedspaces will be viewed favourably, where other development criteria are met. Conversion of buildings in the Green Belt may allow accommodation to be provided in areas where new build would not be appropriate. The proposal has already been assessed in terms of the principle of development within the Green Belt and was found to be acceptable. The impact of the proposal in terms of visual and residential amenity and parking will be assessed in the remainder of the report.

Layout and Design

Policy EN1/2 - Townscape and Built Design seeks to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area. PfE Policy JP-P1 Sustainable Places seeks to create a city region that consists of a series of beautiful, healthy and varied places. High quality design is fundamental to achieving this. No external changes have been made to the dwelling house to facilitate the change of use.

No external alterations have been made to the dwelling house to facilitate the development.

The hardstanding to the north and west of the dwelling has been replaced with black tarmac, however a central drive has been created and constructed from a sandstone coloured paving/block that replicates the stone work of the main dwelling. This same sandstone coloured material has also been utilised to mark out individual parking spaces, rather than paint. It is therefore considered that the material palette of the overall development has been replicated within the parking areas and are therefore acceptable.

Amenity

Given the location of the site no residential amenity issues are foreseen.

Access and Parking

UDP Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. PfE Policies JP-C5 and JP-C6 requires streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport. UDP Policy RT3/3 is also

applicable as it requires the Council to seek to improve and extend the existing network of Public Rights of Way.

Public Footpath Number 177, Ramsbottom (Hollins Lane) runs along the southern edge of the red edged site, but a stream separates the path from the proposed development.

Access to the site is gained from Bury New Road which is an adopted highway. The access to the site has not been amended from when the property was a
In terms of parking standards UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 (SPD11) provides parking standards for developments. The site is located within Zone 4 as set out within SPD 11.

The applicant has provided a parking plan, and statement that relates to all uses on site including the salon use which has yet to be applied for so that the parking needs for all development within the wider site can be assessed.

SPD 11 does not include parking standards for short term lets. These would be located adjacent to the holiday lets to which they are associated. It would appear to be reasonable to expect that the holiday lets would require one car parking space per bedroom. A site plan confirms that this can be achieved with a total of seven spaces. Two spaces are also allocated for staff although they are only likely to be on site for limited periods.

For the Salon use SPD 11 requires 1 space per 2 staff, and 4 spaces per consultancy room. Application 71297 confirmed there were 3 treatment rooms within the salon building and therefore it appears that this use would be expected to provided 13 spaces in total. The applicant however has confirmed that the salon has an appointment system with treatments lasting at least half an hour reducing the demand for parking. Six spaces have been allocated within the proposed parking plan, three each for customers and staff.

The car spaces have a minimum size of 2.5 by 5 metres as required by SPD 11.

Given the way the site is run it is considered that the parking requirements for the various uses on site have been met. The applicant has confirmed that one EV chargepoint would also be installed at the site.

Ecology and Biodiversity Net Gain

PfE Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by UDP Policy EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 187 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment.

Wildlife Issues

Any disturbance to bats or nesting birds would have occurred at the time of the conversion and refurbishment of the building around 5 years ago. There is no way of knowing what if any bat or bird interest was present. No further information is therefore required.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 187 of the NPPF 2024 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021).

The development is restricted to the existing building. There are no vegetated habitats associated with the development. Wildlife Issues are restricted to theoretical loss of bird nesting and bat roosting opportunities. GMEU recommend as mitigation/enhancement for

potential loss of bird and bat opportunities, one house sparrow terrace and one bat box. The bat box should be south facing and the bird box east or west facing. The details can be provided via condition.

The development is exempt from mandatory biodiversity net gain under the de minimis rule, because it likely occurred prior to the date where degradation of habitats can be taken in to account and because the application is retrospective.

Carbon and Energy

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions. The Planning Statement confirms that the thermal efficiency of the renovation and conversion of the house and the new buildings complies with or exceeds the Building Regulations current at the time of the work. An electric vehicle charging point has been ordered.

Digital Connectivity

PfE Policy JP-C2 requires all new development to have full fibre to premises connections unless technically infeasible and / or unviable.

The units have full fibre connectivity.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 This decision relates to drawings numbered Location Plan, LF/AS/3501, PL110 Rev A Revised 30/06/2025, PL100 Rev A and PL100 Rev B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.
- 2 A minimum of 1 no. electric vehicle (EV) charging point (minimum 7kW*) shall be installed withing 3no. months of the date of this decision.

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and operational in perpetuity.

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and

quality of life with respect to Local Air Quality, in accordance with paragraphs 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

- 3 Within 3 months of the date of the decision the applicant shall install 1no. bat box on the south facing elevation and 1no. house sparrow terrace on the east or west facing elevation.

Reason. To secure the satisfactory development of the site and ensure enhancements and net gains for biodiversity pursuant to policies JP-G8: A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 4 The parking, turning and bin storage arrangements indicated on the approved plans shall be implemented within 3 months of the date of the decision and thereafter maintained.

Reason. To minimise the standing of vehicles on the highway and to ensure adequate off-street car parking provision and adequate bin storage arrangements are provided within the curtilage of the site, in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	10/09/2025		10/09/2025