

DELEGATED REPORT

Report by Helen Pressley	Date of report: 16/12/2025	Ref: 72122/FUL
Registration: 29/10/2025	LDfC: 10/12/2025	Expiry Date: 24/12/2025
Site Visit: 19/11/2025	Site Notice: 19/11/2025	Press Date: N/A
Objections: 0	Con Area:	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Erection of two cattery buildings

Location: Bleakholt Farm, Bury Old Road, Ramsbottom, Bury, BL0 0RX

Description

The application relates to an animal sanctuary located on Bury Old Road. The sanctuary is located in a rural setting and within the Green Belt. The wider site comprises a cluster of buildings which includes a variety of animal housing and barns, offices, parking and visitors facilities as well as fields and grazing land. The application relates to an area of soft landscaped land to the west of Bury Old Road, and to the south of the existing car park and cafe. The site was formerly utilised for kennels that were removed as part of application 62009.

Planning permission is sought for the erection of two cattery buildings to the west of the red edge site, adjacent to the existing dog kennels and cattery. The proposed isolation building would be 10500mm long, and 4300mm wide reaching a maximum height of approximately 2725mm. The proposed new intake building is "L" shaped and would be a maximum of 14730mm long, 8610mm wide and 2725mm high.

Relevant Planning History

44416 - Reinforced concrete sectional storage building - Approve with Conditions
23/05/2005

44444 - Free standing advertisement sign - Withdrawn - Invalid 10/08/2005

45564 - New toilet block - Withdrawn by Applicant 23/01/2006

46326 - Erection of new toilet block (Resubmission) - Deemed Withdrawn 25/10/2006

47292 - Erection of new toilet block - Approve with Conditions 20/02/2007

47458 - Extension to existing cattery building - Approve with Conditions 20/02/2007

57591 - Removal of 3 no. field shelters and erection of 4 no. replacement field shelters - Approve with Conditions 14/08/2014

57728 - Prior notification for erection of 1 no. hay barn - Withdrawn by Applicant 10/07/2014

57764 - Erection of 1 no. haylage barn - Approve with Conditions 14/08/2014

58887 - Variation of condition no. 2 (approved plans) of planning permission 57591 to use prefabricated corrugated roofing sheet to match other roofs - Approve with Conditions
04/08/2015

59909 - Proposed 40m x 25m outdoor riding arena & creation of terraced viewing area -

Approve with Conditions 19/05/2016

62009 - Demolition of existing kennel blocks and food store building and erection of new kennels, extension and remodelling of existing cafe building, rebuilding of food store building and erection of donation store building; Alterations to existing car park layout, provision of 2 new footpaths and associated landscaping works - Approve with Conditions 09/01/2018

Publicity

Neighbour letters sent 30/10/2025 and 10/11/2025
Site notice posted 19/11/2025

No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - Do not wish to restrict the grant of planning permission.

Drainage Section - SuDs condition requested.

Environmental Health - Contaminated Land - Conditions requested in relation to unexpected contamination and imported soil.

Environmental Health - Pollution Control - No comment.

Public Rights of Way Officer - No response.

Waste Management - No response.

United Utilities (Water and waste) - no further comment on this application.

Greater Manchester Ecology Unit - There are no significant ecological issues associated with this development proposal.

Rossendale Borough Council - List of Rossendale Addresses to consult provided. Consulted on the 30th November 2025. As above, no representations from these neighbours received to report.

Pre-start Conditions - Agent has agreed with pre-start conditions

Development Plan and Policies

OL1/2	New Buildings in the Green Belt
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN8/2	Woodland and Tree Planting
JP-P1	Sustainable Places
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C2	Digital Connectivity
JP-G9	The Green Belt
JP-G1	Landscape Character
JP-S2	Carbon and Energy
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)

The site is designated as Green Belt under PfE JP-G9.

Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.?

Paragraph 153 states 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.

Paragraph 154 of the NPPF makes it clear that development in the Green Belt is inappropriate unless one of eight exceptions apply:

- 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 OL1/2 states that the construction of new buildings in the Green Belt is inappropriate development, unless it is for one of more of the following purposes: agriculture and forestry essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it; limited extension, alteration or replacement of existing dwellings, provided that this would not result in a disproportionate additions over and above the size of the original dwelling, or, in the case of replacement existing dwellings, the new dwelling is not materially larger than the one it replaces; limited infilling in existing villages.

SPD 8 states that materials should be sympathetic with, and consider the local vernacular. There should be an emphasis on materials and colours that have the least visual impact on the surrounding area. New buildings should normally form part of a group, rather than stand in isolation and should relate to existing buildings in size and colour. SPD8 also notes that landscaping cannot make inappropriate development acceptable, but it can mitigate visual impact.

The proposal would not fall under any of the exceptions listed above. National policy states that inappropriate development in the Green Belt should not be approved except in Very Special Circumstances (VSC). VSC exist where harm to the Green Belt is clearly outweighed by other considerations and the application has submitted a Green Belt Statement that sets out a case for VSC.

This statement confirms Case Law *Basildon District Council v Secretary of State* [2004] EWHC 2759 (Admin) In the High Court Justice Queen's Bench Division The Administrative Court [10], there is no reason why a number of factors ordinary in themselves cannot combine to create something very special.

The Applicant's case for VSC is based around:

- Enhanced animal welfare and improved housing standards.
- Support for a community-serving sanctuary.
- Efficient use of existing infrastructure.
- Minimal harm to openness due to modest scale, screening and clustered layout.

It is acknowledged that the wider site provides a specialist provision, providing rehabilitation and re-homing for vulnerable animals and the proposal would help to meet the demands that the sanctuary provides. The site is an existing facility and use, and whilst not a typical agricultural use it does have farm attributes including the care of animals. The proposal would retain this use on the existing site, within the boundary of the sanctuary without the need for the sanctuary to acquire additional sites and without encroaching further into the Green Belt. The site itself is located within a rural location minimising any noise disturbance from use.

The proposed buildings have been sited in such a way that they would be viewed within the context of an existing cluster of buildings. The new buildings would be no higher than the existing buildings. The proposed buildings are set back from Bury Old Road and the impact on wider views is further mitigated by screening from established trees and proposed new planting, which will soften the visual presence of the buildings.

The aim for development within this site should always be to preserve the openness of the Green Belt and to keep built development to the minimum scale. It is considered that the proposal is of a modest scale, sited in an appropriate location within the existing site whilst allowing the site to continue to operate efficiently and effectively to provide the services required. Given the above matters and the case presented, it is considered that these points do amount to very special circumstances and given the nature of this particular scheme, the site and its context in accepting the development, it is considered that this outweighs the in principle harm to Green Belt.

The proposal would not conflict with the surrounding land uses nor would it create harm to the openness of the Green Belt. It is considered therefore that the proposal would not have an adverse impact on the openness of the Green Belt and therefore it is considered that the proposal complies with UDP Policies OL1/2, SPD8 and the NPPF.

Layout and Design

In addition to the Green Belt Policies set out above. UDP Policy EN1/2 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 aims to promote a series of beautiful, healthy and varied places.

The farm house, located to the west of the site is listed on the Draft Local List and are therefore considered to be a non-designated Heritage Asset (NDHA). In relation to Non-designated Heritage Asset such as this site, Paragraph 216 of the NPPF confirms that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The proposed buildings would be set back within the site, viewed in connection with existing cattery and kennel buildings associated with the wider use. They would be screened from the NDHA by the existing buildings some of which were approved under application 62009.

As such it is considered that the proposal would not have an impact on the significance of the heritage asset.

The proposed buildings would be a minimum of 17 metres from Bury Old Road and the existing trees that front the highway would be retained as existing creating a soft landscaped screen. An Arboricultural Survey has been submitted alongside the proposal and it is considered these trees are a sufficient distance from the development to not require additional protection. Some trees located more centrally within the site would be removed to facilitate the development however these are proposed to be replanted to the east of the proposed buildings, hit and miss fencing and hedging is also proposed providing further screening between the proposed buildings and Bury Old Road. The proposed buildings would be functional in style, replicating the buildings located within the wider site and would be single storey in height. In this instance it is considered that the use of materials to match, or replicate the other buildings within the sanctuary is considered to be acceptable.

Given the above, it is considered that the proposed development would be appropriate to the location and would not have a detrimental impact on the surroundings complying with the Policy considerations set out above.

Amenity

UDP Policy EN1/2 seeks to ensure that the relationship of the proposal to the surrounding area is taken into consideration when assessing proposals.

Due to the location of the site, and the alterations proposed no residential amenity issues are foreseen.

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. UDP Policy EN8/2 supports and encourages new woodland and tree planting within the borough.

Protected Species

It is very unlikely that any protected species will utilise this site, given the lack of habitat and proximity to large numbers of dogs and cats. No further information or measures are required.

Nesting Birds

There are no bird nesting opportunities on the site, with some low potential associated with the adjacent mature sycamore. Greater Manchester Ecology Unit (GMEU) are satisfied that no further information or measures are required.

Invasive Species

GMEU note that Himalayan balsam was present just off-site along the road. GMEU therefore recommend an informative is added to the permission in relation to the Wildlife and Countryside Act 1981.

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

The development will result in the loss of low value habitats primarily amenity grassland to development, there are no wildlife issues that require mitigation.

The development is subject to 10% BNG. A metric has been provided that demonstrates that the planting of three native trees on-site is sufficient to achieve 10% net gain. GMEU have no issues with the BNG assessment or metric.

As rural trees are regarded as significant by defra, a 30 year habitat management and monitoring plan (HMMP) for the rural trees will be required. Given this is for just three trees, only a simple management and monitoring plan would be required, with control via a standard condition.

The statutory biodiversity gain condition will also apply. To discharge they will need to submit:

- A biodiversity gain plan using the defra template,
- Final agreed version of the HMMP and
- Final agreed version of the metric

GMEU also recommend provision of one bird box as enhancement for wildlife on one of the retained sycamore trees along adjacent to the site.

Access

UDP Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. Policies JP-C5 and JP-C6 require 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.

The access to the site would be retained as existing, and the proposal would not increase visitor capacity at the site. As such no access or parking issues are foreseen in relation to this application.

Carbon and Energy

PfE Policy JP-S2 - Carbon and Energy sets out the steps required to achieve net zero carbon emissions.

An Energy Statement has been submitted by the applicant in support of the application confirming that the life cycle carbon cost of the proposed structures will be low resulting from their being sourced from existing prefab buildings for the same purpose. The heating energy demands are reduced due to the layout and design of the enclosures. Future-proofing measure include a conduit for PV connection at later stage if required.

Digital Connectivity

PfE Policy JP-C2 - Digital Connectivity - this policy requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting.

The new buildings will have small office spaces used in the preparation of meals, cleaning & other day-to-day activities of the intake & isolation pens. The sanctuary's requirements for internet connectivity in these spaces will therefore be limited. The applicant has confirmed that it is proposed therefore to connect the new buildings via extending the range of the existing wi-fi network on-site by upgrading or repositioning the existing router or via products such as powerline adapters.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered Site Location Plan, 02, 03 Rev A, 05 Rev A, 06, ARB/3620/Y/100 Sheet 2 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.
- 3 The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 4 Any soil or soil forming materials to be brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use.

Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to the Local Planning Authority for approval prior to any soil or soil forming materials being brought onto site.

The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc.) submitted to Local Planning Authority for approval prior to the development being brought into use.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 5 The development shall not commence unless and until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the statutory Biodiversity Gain Plan and including:
 1. a non-technical summary;
 2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;

3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
4. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
5. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

has been submitted to, and approved in writing by, the local planning authority.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

- 6 The development hereby approved shall not be occupied unless and until:

1. the habitat creation and enhancement works set out in the approved HMMP have been completed; and

2. a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

- 7 Prior to occupation of the development hereby approved the applicant shall install one bird box on one of the retained sycamore trees adjacent to the site.

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.

- 8 Development shall not commence until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. The scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or subsequent revisions of it. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Design details should comply with guidance contained in the Greater Manchester's Sustainable Drainage Design Guide, March 25. Details of proposed maintenance arrangements should also be provided

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN7/3 - Water Pollution, EN7/5 - Waste Water Management Places for Everyone Joint Development Framework Policy JP-S4 - Flood Risk and the Water Environment and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

DELEGATED REPORT

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	16/12/2025	DM	16/12/25