

## **PLANNING STATEMENT**

- 1. Change of Use of dwelling to 4 holiday let units and 2 bedroom farmhouse holiday let**
- 2. Detached holiday let unit, hydrotherapy building and two hot tubs**  
**Brook Bottom, Bury Old Road, Ramsbottom BL0 0RZ**

### INTRODUCTION

This Statement relates to two associated planning applications which are being submitted to legitimise development that has taken place without the benefit of planning permission. This has been the subject of a Planning Contravention Notice (PCN) in April 2024 and more recently an Enforcement Warning Notice. The Planning Officer responded to a Pre Application Enquiry in September 2024 (ref 02990E). Her helpful comments have helped to establish what is needed to support the two applications.

Brook Bottom is a former farmhouse which was purchased by the applicants in 2019. The surrounding land contained old buildings previously used as a cattery in accordance with planning permissions number 14256 and 18159 granted in 1983 and 1986 respectively. I do not have any details of what was approved.

The house and land have been transformed from their former dilapidated state. An extension to the dwelling, which was constructed without permission, was approved in March this year (application number 71649). A detached building (shown on the submitted site plan as Building 3) was approved under application number 64744. Alterations to the elevations of this building were approved in December 2024 (71297). The use of this building as a beauty salon is likely to be the subject of a separate, future, applicati

The first application is for the establishment of holiday let units within the original dwelling shown on the submitted Site Plan as Building 1. Four single bedroom units have been created. The applicant and his partner ended their relationship in April this year and no longer live in the remaining part of the house. Its use as a holiday let does not change its use as a dwelling (Class C3) but its status needs to be clarified for business and tax purposes.

The second application relates to the detached buildings. The single holiday let unit is shown on the submitted site plan as Building 2. A hydrotherapy pool building is number 4. The location of two hot tubs is also indicated. The two applications include the same site plan with soft and hard landscaping, retaining walls and car parking for 12 cars plus a disabled space.

The property was purchased in 2019 and the short term let business commenced in July 2022. The detached fifth holiday let was completed in August 2022. The hydrotherapy bath building was completed in June 2023.

## PLANNING POLICY

### National Planning Policy Framework

The NPPF supports sustainable development in accordance with the development plan and encourages local planning authorities to be positive in their decision making on planning applications.

The NPPF supports a prosperous rural economy. Paragraph 88 is as follows:-

*“Planning policies and decisions should enable:*

- a) The sustainable growth and expansion of all types of businesses in rural areas both through conversion of existing buildings and well-designed new buildings:*
- b) The development and diversification of agricultural and other land-based-based rural businesses:*
- c) Sustainable rural tourism and leisure developments which respect the character of the countryside:”*

Paragraph 89 states that *“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that the development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot by cycling or by public transport).”*

The property is in the Green Belt where, in most cases, the construction of new buildings is considered to be “inappropriate development” (para 153). Exceptions are set out in paragraph 154. They include the extension or alteration of a building, which was accepted in the granting of permission for the extension to the house.

Other forms of development include *“the re-use of buildings provided that the buildings are of permanent and substantial construction”*. The conversion of the 4 units within the house falls within this definition. This was accepted by the Planning Officer in the response to the pre application enquiry.

The recently introduced paragraph 155 helps to justify the fifth unit and the other structures. *“The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where...the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan”*.

“Inappropriate development” is, by definition, harmful to the Green Belt (para 153). “Very Special Circumstances” need to be argued to prove that *“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”*.

### Bury Unitary Development Plan

The property is just within the Bury MBC area, with the boundary with Rossendale on the opposite side of Bury Old Road. The UDP was adopted as long ago as 1997 but it is still relevant.

UDP Policy RT4 – Tourism states that *“The Council will promote and facilitate the development of tourism in the Borough”*, particularly in the upper Irwell Valley.

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;*

UDP Green Belt Policies (OL1/2 and OL1/5) are similar to those of the NPPF including the need to justify inappropriate development by proving Very Special Circumstances. The property is also within a Special Landscape Area (EN9/1)

UDP Policy EN8/2 – Woodland and Tree Planting encourages new woodland and tree planting.

UDP 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.

UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements which would include the existing dwelling, the 5 smaller holiday let units and the beauty salon. Based on the LPA's parking standards 12 parking spaces is acceptable.

## Places for Everyone

Places for Everyone (PfE) is a Joint Development Plan Document for all Greater Manchester (apart from Stockport). It was adopted in March 2024 after the development at Broad Bottom Farm was completed. It is not clear how relevant it is to retrospective planning applications.

PfE Policy JP-G9 confirms the extent of the Green Belt in the Borough and confirms the five purposes of including land in the Green Belt. The beneficial use of the Green Belt will be enhanced where this can be achieved without harm to its openness.

PfE Policy JP-P1 seeks to create a city region that consists of a series of beautiful, healthy and varied places.

PfE Policy –JP-G1: Landscape Character Areas follows the guidance of an earlier Greater Manchester Landscape Character and Sensitivity Assessment. The property is within an area defined as the Pennine Foothills (West/South Pennines). It is within an area characterised by open grazing land but with more trees than the surrounding land.

PfE Policies JP-C5: Streets for All and JP –C6: Walking and Cycling require streets to be well designed and managed to make a positive contribution to the quality of place and support high levels of walking, cycling and public transport.

PfE Policy JP-G8 seeks a net enhancement of biodiversity and geodiversity. The planning applications are retrospective and there is no requirement for a formal Biodiversity Net Gain (BNG) assessment.

Policies JP-S1: Sustainable Development and JP-S2: Carbon and Energy set out the vision for Greater Manchester to be carbon neutral by 2038. This has implications for design, construction and energy efficiency of new and existing buildings. There is a requirement for electric vehicle charging points.

PfE Policy JP-C2: Digital Connectivity requires all new developments to have full access to the latest technology.

## Justification

### *Green Belt/Principle*

Both the NPPF and the Bury UDP encourage tourism development in rural areas. Inevitably, most of the rural areas in Bury are protected by Green Belt. The site is not remote, being close to a main road and within easy walking distance of facilities and bus routes in Edenfield.

Two planning applications are submitted, one for the holiday units in the house (Building 1). The second application is for the detached unit (Building 2), the hydrotherapy pool (Building 4) and the hot tubs.

The holiday units within the existing house represent the re use of part of an existing substantial building. Green Belt policy and guidance confirms that this is not inappropriate development. The appearance of the building is the same as it would be if it was still in use as a single dwelling and there would therefore be no harm to the openness of the Green Belt. There appear to be no reasons why, in principle, planning permission should not be granted for the first of the two applications.

It is accepted that the applicant will need to prove “Very Special Circumstances” to justify “Inappropriate development” in the Green Belt in the case of the second application for the single unit and the associated buildings. Inappropriate development may be, by definition, harmful to the Green Belt but, in this instance, the development will cause no actual substantial harm.

There are no plans of the buildings that constituted the cattery but photographs of the buildings will be forwarded separately. The new buildings are in a similar location..

The hydrotherapy pool building and the 2 hot tubs would be garden buildings which would be “permitted development” not requiring planning permission if the whole house had remained in residential use. Similarly, the detached holiday unit would be permitted development if it was used by a householder, for example as a garden room or gym, rather than as a letting unit.

The property is within a wooded valley and the buildings are wholly screened by trees to the south and west. They are lower than the land to the north and not visible from there. The house screens the buildings from Bury Old Road and only the detached unit (Building 2) is visible in a fleeting view from the gateway. Building 3 is more prominent visually but planning permission was granted without Green Belt being an issue. The three smaller structures are hidden away.

### *Layout and Design*

The development focuses on the original house which is adjacent to the road with new parking areas to the rear and side. The detached holiday unit (Building 2) accessed from the car parking area with land dropping away at the rear. The hydrotherapy building and the hot tubs are at a lower level.

The Landscape Character and Sensitivity Report stresses the open character of the area on the fringe of moorland. It does also mention woodland in valleys such as the one which borders the Brook Bottom site and softens its character.

The development as a whole has been carried out to the highest possible standards, using natural materials including local stone for the buildings and retaining walls. The single holiday unit has a low profile and little visual impact. The car parking area is partly sett paved.

### *Ecology*

Biodiversity Net Gain is not applied to retrospective planning applications but local planning policies require biodiversity to be enhanced. There is no record of the property before work commenced but it is evident to anyone viewing the site how much new planting has been carried out.

### *Access and Parking*

The vehicular access is an existing gateway from an adopted highway, Bury Old Road. Hollins Lane is a public footpath (number 177 Ramsbottom) to the south. It is separated from the development site by the brook and will not be affected.

It is not possible to speculate on the traffic movements generated by the cattery. The small holiday units each have only one bedroom. Even when all are let there will be only five visitors' cars. Twelve car parking spaces (plus one disabled space) is in accord with the Council's standards and adequate for the uses taking place.

Vehicles can turn within the site to enter and leave in forward gear. There is access to a covered bin store next to Building 3 with separate bins for waste and recyclable materials. They are emptied by the local authority.

All construction work has been completed and there is no need for a Construction Management Plan.

#### *Amenity*

There are no immediate neighbours whose residential amenities might be affected. The nearest neighbour is the covered reservoir on the far side of Bury Old Road.

#### *Drainage*

The drainage is sustainable. Foul drainage is to a private treatment plant which discharges into the brook. Surface water also drains to the brook through a loose stone filled retention tank to control the outflow during periods of heavy rainfall.

#### *Flood Risk*

The brook does not appear on the Environment Agency map as a source of flood risk. The buildings are well above the water level in the brook and there is no history of flooding from the brook or surface water runoff.

#### *Carbon and Energy*

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*

The units have full fibre connectivity

### *Conclusion*

The two applications have regard to the issues highlighted by the Planning Officer in her response to the pre application enquiry.

The National Planning Policy Framework, the Unity Development Plan and Places for Everyone all promote tourism development in rural areas provided that it does not harm the openness of the Green Belt. The holiday units within the main house and the associated activity are not “inappropriate development” and there is no evident harm to the openness of the Green Belt.

The single unit and the hydrotherapy building and hot tubs represent inappropriate development that requires the justification of “Very Special Circumstances”. They replace buildings used as a cattery. The holiday unit is a low profile building constructed in natural materials. The hydrotherapy pool and the hot tubs are associated with the holiday lets and are not visible from outside the site.

The business was operating for nearly two years before the Council served a Contravention Notice, proving its low impact. The applicants should be commended for promoting tourism in the Borough. The development does not harm the openness of the Green Belt and planning permission should therefore be granted for both applications.