

DELEGATED REPORT

Report by Helen Leach	Date of report: 21/10/2025	Ref: 72179/FUL
Registration: 28/08/2025	LDfC: 13/10/2025	Expiry Date: 23/10/2025
Site Visit: 03/09/2025	Site Notice: 03/09/2025	Press Date: 04/09/2025
Objections: 5	Con Area: N/A	Adv Type: ARW
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Completion of existing detached outbuilding to form ground floor double garage for domestic use and first floor office accommodation with side balcony

Location: Abbots Hall, Woodhey Road, Ramsbottom, Bury, BL0 9RD

Description

The application site is located to the east of Woodhey Road and is within the Green Belt. Planning permission was granted for the erection of an agricultural building for rabbit breeding and an associated farmhouse in 1992 and works commenced on the two buildings soon after. The dwelling, which is located adjacent to Woodhey Road, was not completed until 2012 and the agricultural building is located at the eastern end of the site. The dwelling and the agricultural building are linked by a access track, which passes through the curtilage of the dwelling house.

There are open fields to the east of the site and residential dwellings some 140 metres to the south west. Woodhey High School is located to the northwest and there are two residential dwellings some 95 metres to the north.

The proposed development involves the erection of a building to house a double garage on the ground floor and first floor office accommodation with a balcony. The proposed building would be located to the east of the dwelling and would be constructed from stone with red roof tiles and a glazed balustrade. The proposed building would be 7.1 metres by 11.1 metres and would be 6.1 metres in height. It would be accessed via the existing driveway from Woodhey Road.

Relevant Planning History

C/23055/89 - Erection of rabbit farm buildings and farmhouse at land at Woodhey Road, Holcombe Brook. Approved with conditions - 14 September 1989.

C/27209/92 - Approval of reserved matters: erection of rabbit farm building and farmhouse at land at Woodhey Farm, Woodhey Road, Holcombe Brook. Approved with conditions - 9 July 1992

52941 - Application for non material amendment following grant of planning permission 27209 for change of window openings and door and alterations / infill to south elevation at Abbots Hall, Woodhey Road, Ramsbottom - Refused - 14 September 2010

54822 - Variation of conditions. New conditions to read No. 3. The occupation of the dwelling shall be limited to a person solely or mainly employed in the locality in aquaponics and/or agriculture. No. 5. The agricultural buildings hereby approved shall be used exclusively for aquaponics and/or agriculture at land at Woodhey Farm, Woodhey Road, Ramsbottom. Approved with conditions - 20 March 2012.

66045 - Extension to dwelling to provide quarantine area for fish in connection with existing

business and a garage at Abbots Hall, Woodhey Road, Ramsbottom. Withdrawn - 25 January 2021.

68483 - Prior approval for new agricultural building for the storage of hay and equipment at land off Woodhey Road, Ramsbottom. Prior approval required and refused - 8 July 2022 (residential amenity and lack of information).

69054 - Removal of condition 3 of planning permission ref. 54822 - to remove the occupancy restriction at Abbots Hall, Woodhey Road, Ramsbottom. Approved 22/11/2023.

69509 - Prior approval of proposed change of use of agricultural building to 3 no. dwellinghouses (Use Class C3) at Abbots Hall, Woodhey Road, Ramsbottom. Prior approval required and granted - 20 July 2023.

70330 - Removal of conditions 1 (parking and servicing facilities), 2 (landscaping), 4 (restriction of building for agricultural/aquaponics), 5 (foul and surface water) and 6 (highway improvements) of planning permission 69054. Withdrawn by applicant - 2 February 2024.

70937 - Retention of section of existing unauthorised access track; retention of public right of way; creation of a new section of permissive footpath; retention of pet memorial; new bin and cycle storage; 9no. additional parking spaces, vehicular manoeuvring area and associated hard and soft landscaping, including fencing and new access gate to facilitate access to/from adjacent field for maintenance purposes at land adjacent to Abbots Hall, Woodhey Road, Ramsbottom. Approved with conditions - 29 January 2025,.

Enforcement

13/0327 - Change of use to business - Case closed - no breach - 01/08/2013

13/0348 - Construction of a dwelling - Case closed - no breach - 28/10/2013

13/0569 - Occupancy Condition - Case closed - no further action - 01/01/2014

14/0237 - Breach of agricultural occupancy condition - Case closed - no breach - 27/02/2017

21/0114 - Unauthorised parking on land and caravan storage. Enforcement notice served - 27 March 2023.

23/0022 - Storage of caravans at Abbots Hall, Woodhey Road, Ramsbottom. Enforcement notice served - 27 March 2023.

24/0192 - Unauthorised building work at Abbots Hall, Woodhey Road, Ramsbottom. Case closed - 15 July 2025.

Publicity

The neighbouring properties were notified by means of a letter on 1 September 2025 and a press notice was published in the Bury Times on 4 September 2025. Site notices were posted on 16 September 2025.

7 letters were received, which have raised the following issues:

- Abbots Hall has been changed from agricultural to domestic use.
- A double storey building with an office and a two storey area for a hydraulic lift is obviously meant for business use.
- The two storey building is not in keeping with the rural surroundings especially with a public footpath just outside the boundary of the property.
- The road from Abbots Hall to Woodhey Road is full of pot holes and not fit for existing traffic, let alone any new traffic created by a business venture on a domestic site.

- Abbots Hall is a residential property and should not be used for business purposes.
- A two storey building would be intrusive in the Green Belt surrounding it.
- Woodhey Road is a single lane and has a shared public footpath and there are increasing traffic problems.
- The application provides no justification for this development on the Green Belt.
- There is already a half built garage attached to the property (apparently built without planning consent). Previous planning applications relating to the property have advised that the applicants are an elderly couple, so why do they need a large double garage with inbuilt ramp together with an office and viewing platform? To many it appears more likely to be a further cynical attempt at green belt erosion where a future application of the development into a separate property can be anticipated.
- The property already has a partially complete garage. Why do they not just complete that rather than seek permission for a further large double garage and office?
- Any commercial garage would be totally out of character with the Green Belt nature of the area.

The neighbouring properties were notified of revised plan by means of a letter on 2 October 2025.

2 letters have been recieved, which have raised the following issues:

- The revised description and plans show a substantial building which appears to be intended to continue commercial use of the property to which many previous objections have been made in planning applications and enforcement action taken. The inclusion of a hydraulic lift is particularly objectionable.
- Abbots Hall is within green belt and next to a public footpath. This new building is out of character and access is also inadequate.
- The amended drawings still show a two storey hydraulic vehicle lift and office which suggest the property is likely to be used for vehicle business use.
- As has been pointed out in previous objections Abbots Hall has been granted residential property status which is not compatible with the above description.
- The road leading up to the main section of Woodhey road is not suitable for any more private or business use and as it is a public foot path could potentially lead to accidents with the extra traffic.

Statutory/Non-Statutory Consultations

Public Rights of Way Officer - No response.

Pre-start Conditions - Not relevant

Development Plan and Policies

H2/3	Extensions and Alterations
EN1/2	Townscape and Built Design
OL1/2	New Buildings in the Green Belt
HT2/4	Car Parking and New Development
RT3/4	Recreational Routes
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework
JP-G9	The Green Belt

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.

Policy OL1/2 - New Buildings in the Green Belt states that the construction of new buildings in the Green Belt is inappropriate unless it is for agriculture and forestry; essential facilities for outdoor sport and recreation; limited extension, alteration or replacement of existing dwellings provided that this would not result in disproportionate additions over and above the size of the original dwelling; and limited infilling in existing villages as set out under Policy OL1/3.

The proposed building would be a garage and a home office. The agent has confirmed that the applicant owns vehicles that would be too tall to fit into the existing garage for repair. The double height space within the proposed garage would give sufficient headroom to allow access and the hydraulic lift would be used to access the underside of the vehicles for maintenance. As such, the proposed garage would be used for domestic purposes and this would be secured via a condition.

The proposed development would result in an extension of the existing dwelling, which would be appropriate development providing it does not result in a disproportionate addition over and above the size of the original building. SPD6 states that proposals for domestic extensions in the Green Belt should not normally exceed a third of the volume of the original dwelling.

The proposed development would be located at the side of the property. The volume of the original dwelling is 1139.7 cubic metres and the volume of the proposed garage would be 398.9 cubic metres. This would equate to a 35% increase, which would be slightly above the 33% increase in SPD6. As such, it is considered that the proposed development would not be a disproportionate addition over and above the size of the original dwelling and would be in accordance with Policy OL1/2 of the Bury Unitary Development Plan and the NPPF.

Visual amenity - SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the

character and appearance of neighbouring properties and the general street scene.

The proposed building would be 7.1 metres by 11.1 metres and would measure 4.4 metres to the eaves and 6.1 metres to the ridge. The height of the eaves of the proposed garage has been reduced by 0.5 metres during the course of the application, which has improved the appearance. The proposed garage would be constructed from stone with red roof tiles, which would match the existing dwelling. A streetscene plan has been provided and indicates that the proposed development would be subservient to the existing dwelling. Therefore, the proposed development would not have a detrimental impact upon the character of the dwelling, and would not be a prominent feature in the streetscene and would comply with Policies H2/3 and EN1/2 of the Bury Unitary Development Plan and SPD6.

Residential amenity - SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- There would be over 80 metres between the proposed garage and the residential curtilage to Wood Hey, which would be in excess of the 6.5 metre aspect standard.
- There would be over 100 metres between the proposed garage and Woodhey Farm, which would be in excess of the 6.5 metre aspect standard.
- The balcony in the proposed garage would overlook the residential curtilage to Abbots Hall and would not have an adverse impact upon the amenity of the neighbouring properties.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

Highways issues - The proposed development involves the erection of a garage, which would be used for domestic purposes in connection with an existing dwelling. As such, the proposed development would not increase the numbers of vehicles using Woodhey Road, which is a Public Right Of Way. Therefore, the proposed development would not be detrimental to highway and pedestrian safety and would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

Response to objectors

- The original permission granted permission for an agricultural building and a dwelling. As such, the use of the dwelling has always been a dwelling.
- The agent has confirmed that the building would be used for domestic purposes and this would be secured via a condition.
- There are several two storey dwellings in the vicinity and as such, the proposed garage would be in keeping with the rural surroundings.
- The proposed garage would be used by the existing dwelling and as such, would not increase the number of vehicles using Woodhey Road.
- The principle of the development has been addressed in the main report above.
- The proposed development would use the existing part built garage and there would not be a second garage.

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 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 DA14-00-1A, DA14-00-2A, DA14-01, DA14-02, DA14-03A, DA14-04A, DA14-05A, DA14-06 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 Notwithstanding the details submitted, the external finishing materials for the proposal hereby approved shall match those of the existing dwelling.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- 4 The garage hereby permitted shall be used for the domestic purposes only. They shall not be used in part or whole for any commercial or other use.
Reason. In the interests of amenity having regard to the location of the site pursuant to Policy OL1/2 – New Buildings in the Green Belt of the Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 21/10/2025		21/10/2025	