

DELEGATED REPORT

Report by Helen Pressley	Date of report: 03/02/2026	Ref: 72638/AG
Registration: 05/12/2025	LDFC: 02/02/2026	Expiry Date: 15/01/2026
Site Visit: 07/01/2026	Site Notice: 12/01/2026	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: NREQ

Proposal: Prior approval for proposed agricultural building

Location: Land west of Croft Lane, Bury, BL9 8QH

Description

The application is for the Prior Approval of the Local Planning Authority for a non-livestock agricultural building, under Part 6, Class A of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The site is located within Flood Zone 3. The site is located to the West of Croft Lane. Access is gained via an existing access and associated track from Croft Lane.

The application is a resubmission following a refusal, on a separate parcel of land to the east of the current proposal site.

Relevant Planning History

72492 - Prior approval for proposed agricultural building - Prior approval required and refused - 19/11/2025

Publicity

Applicant site notice posted 12th January 2026. No representations received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Development Plan and Policies

EN1/2	Townscape and Built Design
OL4/5	Agricultural Development
JP-G1	Landscape Character
JP-G9	The Green Belt
JP-G1	Landscape Character
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.

Permitted development

A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of—

(a) works for the erection, extension or alteration of a building; or

(b) any excavation or engineering operations,

which are reasonably necessary for the purposes of agriculture within that unit.

Development not permitted

A.1 Development is not permitted by Class A if—

(a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;

(b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;

(c) it would consist of, or include, the erection, extension or alteration of a dwelling;

(d) it would involve the provision of a building, structure or works not designed for agricultural purposes;

(e) the ground area which would be covered by—

(i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations [would exceed 1,000 square metres]; or

(ii) any building erected or extended or altered by virtue of Class A [would exceed 1,500 square metres], calculated as described in paragraph D.1(2)(a) of this Part;

(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

(i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming;

(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—

(i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or

(ii) is or would be within 400 metres of the curtilage of a protected building; or

(l) the erection or extension of a building would be carried out on land or a building that is, or is within the curtilage of, a scheduled monument.

Part 6 Class A.

Evidence has been submitted to show that the site is part of an agricultural unit greater than 5 Hectares (Ha) in area, and on a parcel of land within that unit that is greater than 1 hectare.

The LPA must also make a determination as to the siting, design and external appearance of the proposed agricultural building.

In this respect, the following policies are considered relevant -

Policies

The site is not located within the Green Belt.

PfE Policy JP-G1: Landscape Character Area states that development within a Landscape Character Type should reflect and respond to the special qualities and sensitivities of the key landscape characteristics of its location, including having regard to:

- Topography, geology and drainage;
- Land use and field patterns;
- Semi-natural habitats and woodland cover;
- Archaeology and cultural heritage;
- Settlement, road pattern and rights of way; and
- Views and perceptual qualities.

Under this policy the site is identified as being located within the River Roch (Incised Urban Fringe Valleys) character area. The narrow incised valleys are typically wooded and have a natural character, with areas having a strong sense of seclusion and relative tranquillity, contrasting with surrounding densely populated urban areas. Their character is influenced by a complex mix of land uses and variations in topography. Traditional farming practices with enclosed pastures and areas of rough grazing land are intermingled with pony paddocks, recreation grounds, golf courses, industrial sites and large scale utility infrastructure forming a juxtaposition of scale and form.

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. 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.

UDP Policy OL4/5 - Agricultural development require buildings to be sited and designed in such a manner as to minimise visual impact to the landscape having regards to height, materials, landform and landscaping; relate well to existing farm buildings and not have an unacceptable impact on the amenity of any neighbouring properties.

SPD 8 provides guidance on the construction of new buildings in the Green Belt and specifically to agricultural buildings which would be applicable in this instance. This guidance states new buildings should normally form part of a group rather than stand in isolation and relate to existing in size and colour. The site should be selected close to a highway for access purposes and relate to landscape features so as not to harm views of the skyline.

Careful consideration should be given to the impact of a new building when viewed from several locations in both the immediate and wider countryside, with significant weight given to views from main roads, public footpaths and settlements. There should be an emphasis on materials and colours that have the least visual impact on the surrounding area. Consideration should also be given to the best way of integrating the building with its immediate surroundings.

Assessment - Siting, design and appearance

The proposed building would be accessed via an existing unmade track utilised as an existing farm access to the site that is located adjacent to the gable of No. 89 Croft Lane. The proposed agricultural building would be sited within the existing farm unit, on an area of relatively flat land approximately 55 metres from Croft Lane to the east. The proposed building would be constructed from concrete panels to the lower walls, yorkshire boarding and fibre cement panels for the roof. The building would reach a maximum height of 6307mm, an eaves height of 4570mm, and would be approximately 12190mm deep and 90480mm long. The proposed building would have a relatively open frontage along the eastern elevation with access gates.

The site is separated from Croft Lane by Hollins Brook. Due to the location of the brook, distance from Croft Lane, undulating topography and dense vegetation the site is relatively well screened from Croft Lane. The site at present is untidy, with adhoc temporary buildings

and storage of materials visible from the access. The Statement submitted by the applicant in support of the prior approval confirms that the land is utilised for hay and silage production which are stored on site in bales, and the applicant is now seeking a multi purpose building on site for both hay, straw, fertiliser and feed as well as machinery.

The proposed building would consolidate the existing adhoc temporary structures on site and accommodate the storage needs of the applicant. The scale of the building is considered to be appropriate, given the need to enter with and store machinery. The use of concrete panels to the lower walls would ensure the building would be watertight at ground floor level from rain and surface water run off from the land, and is not an uncommon material used for these types of buildings, particularly for the purposes of storing machinery and hay which need to be kept dry. Similarly yorkshire boarding, and fibre cement roof panels are considered to be appropriate proposed materials for agricultural buildings and would sit within the surrounding landform less obtrusively than other types of material.

It is considered that from the information submitted, the design of the proposed building would be acceptable. The proposed materials, and dimensions suggest a functional agricultural building to be sited within an agricultural unit which would be appropriate in this location. The supporting information sets out that the proposal is reasonably necessary for the purposes of agriculture within the unit.

Siting and impact on public amenity

The proposed building would be located approximately 76 metres from the rear boundary of 89 Croft Lane, and 50 metres from the rear boundary of 8 Alnwick Drive which are the nearest residential properties to the north and south of the site. Given the distances involved to the existing boundaries, and the proposed storage use within an existing agricultural unit it is considered that the proposal would not have a detrimental impact on the amenity of the neighbouring properties.

Recommendation: Prior Approval Required and Granted

Conditions and Reasons:

- 1 This decision relates to drawings numbered 002-C-98 Rev A and 001-C 98 A 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	03/02/2026	DM	04/02/2026