

DELEGATED REPORT

Report by Helen Leach	Date of report: 13/04/2026	Ref: 72944/FUL
Registration: 10/03/2026	LDFC: 10/04/2026	Expiry Date: 05/05/2026
Site Visit: 18/03/2026	Site Notice: 18/03/2026	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Demolition of 2 no. existing outbuildings and erection of single storey triple-bay carport structure

Location: Ferns Farm, Turton Road, Tottington, Bury, BL8 3QH

Description

The application site contains a dwelling, known as Ferns Farm, two outbuildings, a stables and a outdoor riding arena. The site is accessed via a tarmac lane, which leads off Turton Road.

There is a dwelling to the east (Fern Cottage), which is accessed from the same lane as Ferns Farm. There are open fields to the remaining boundaries.

The proposed development involves the demolition of 2 outbuildings and the erection of a detached garage. The proposed garage would accommodate 3 vehicles and would be located to the west of the main dwelling. The proposed garage would be constructed from timber cladding with a slate roof. The proposed garage would be accessed from the existing driveway.

Relevant Planning History

69172 - Demolition of stables and erection of 1 no. dwelling at Ferns Farm, Turton Road, Tottington. Refused - 6 March 2023.

71688 - Replacement dwelling with associated landscaping, servicing and incidental residential use of existing outbuildings at Ferns Farm, Turton Road, Tottington. Approved with conditions - 10 July 2025.

72265 - Application to discharge condition 4 (construction traffic management plan (CTMP)) on planning permission 71688 at Ferns Farm, Turton Road, Tottington. Approved with conditions - 26 September 2025.

72459 - Application to discharge condition 14 (materials schedule) on planning permission 71688 at Ferns Farm, Turton Road, Tottington. Approved - 19 November 2025.

72468 - Non-material amendment following grant of planning permission 71688 (Replacement dwelling with associated landscaping, servicing and incidental residential use of existing outbuildings): Changes to external fenestration, including a new side access door at Ferns Farm, Turton Road, Tottington. Approved - 26 November 2025.

Publicity

The neighbouring properties were notified by means of a letter on 18 March 2026 and site notices were posted on 18 March 2026.
There has been no response.

Statutory/Non-Statutory Consultations
GM Ecology Unit -

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
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '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 regards the construction of new buildings in the Green Belt as inappropriate development. 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) 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 a 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.

A statement has been submitted, which details the volume of the existing outbuildings and the volume of the proposed garage. The volume of the existing outbuildings is 195.8 cubic metres and the volume of the proposed garage would be 192 cubic metres. As such, the proposed garage would involve the replacement of a building in the same use and would not be materially larger than the buildings it is replacing. Therefore, the proposed development would not have a significant adverse impact upon the openness of the Green

Belt 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 garage would be located to the west of the existing dwelling, which would be at a much lower level than the road. The proposed garage would be constructed from timber with an open front with a slate roof. The proposed design would resemble an agricultural building, which would not be out of place within a rural setting. The proposed materials would be acceptable and would complement or match the existing dwelling.

Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies H2/3 and EN1/2 of the Bury Unitary Development Plan.

Residential amenity - The proposed garage would be located to the west of the dwelling. The nearest residential dwelling is Fern Cottage and would be over 48 metres away. As such, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties. Therefore, the proposed development would be in accordance with Policy H2/3 of the Bury Unitary Development Plan and SPD6.

Highways issues - The proposed garage would be accessed via the existing driveway off Turton Road. There would be adequate space to turn a car around in front of the proposed garage. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policy EN1/2 and H2/3 of the Bury Unitary Development Plan.

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 24103_P01B, NA(-1)000, NA(-1)001, NA(-2)000, NA(-2)001, NA(-4)000, NA(-4)001, NA(-4)010, NA(-4)011 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 shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as Ferns Farm.

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Reason. To ensure the proposed use remains ancillary to the principle use on the site.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 13/04/2026		DM 17.04.2026	