

DELEGATED REPORT

Report by Claire Booth	Date of report: 05/10/2026	Ref: 73139/FUL
Registration: 20/07/2026	LDFC: 21/08/2026	Expiry Date: 14/09/2026
Site Visit: 22/05/2026	Site Notice: 05/08/2026	Press Date: 30/07/2026
17:30:00		
Objections: 0	Con Area:	Adv Type: ASB
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIDW

Proposal: Change of use from summerhouse to dwellinghouse, change of use of adjoining land, including demolition of existing storage containers and formalisation of parking arrangements.

Location: Broad Oak Farm House, Broad Oak Lane, Bury, BL9 7SS

Description

The application relates to a detached outbuilding within the garden of a Grade II listed former farmhouse property forming part of the former Broad Oak Farm site. The application also includes a parcel of land adjacent to the existing garden area which is separated from the adjoining countryside.

The application site is also on land owned by the Council. This application is therefore supported by a Certificate B advising that the applicant has made the Council's Property Management team aware of their proposal.

The site is accessed from Broad Oak Lane. A Public Right of Way - Bridleway (57 BUR) runs along the access track to the application site and through the former farm complex to which this application site forms part of.

The property is located within the boroughs adopted Green Belt, as defined by Policy JP-G2: 'Green Belt' of the PfE, within a Mineral Safeguarding Area. The application site is also located within the Open Moorlands and Enclosed Upland Fringes (West/ South Pennines) Landscape Character Area, as defined by PfE Policy JP-G1: 'Landscape Character'.

Planning permission is sought to change the use of the detached domestic outbuilding to an open-market dwellinghouse (Class C3) and to change the use of the adjoining piece of land to become a garden and parking area for the proposed dwelling.

Relevant Planning History

38796 - Listed building consent – Two storey side extension and erection of detached store at rear - Refused, 25/03/2002

47370 - Front porch and W.C - Approved with Conditions, 07/02/2007

47377 - SUMMER HOUSE/GARDEN STORE - Approved with Conditions 06/02/2007

47378 - FRONT PORCH & WC - Approved with Conditions 06/02/2007

50296 - Listed Building Consent for conversion of conservatory to sun lounge including alterations to roof, windows and elevations - Approved with Conditions, 18/09/2008

51186 - Two storey summer house/ garden store - Refused, 21/05/2009

58954 - Extension to existing summer house - Approved with Conditions, 27/08/2015

58955 - Listed building consent for extension to existing summer house - Approved with Conditions 27/08/2015

Publicity

Letters to neighbours sent: 21/07/2026

Site Notice erected: 22 May 2026 on the fence of the land located adjacent to the authorised garden area of the former farmhouse and on a post at the junction of Broad Oak Lane with

Neighbours were reconsulted for 7 days on the 14/09/2026 when the description of development was amended.

No representations have been received throughout this application.

Statutory/Non-Statutory Consultations

Property & Technical Services - Estates Consultancy - No comments or observations received.

Public Rights of Way Officer - No objections - notes PROW in close proximity to the boundary of the paddock and therefore PROW legislation applies.

Conservation Officer - No objections

Traffic Section - No objections.

Waste Management - No comments or observations received.

United Utilities (Water and waste) - No comments or observations received.

Pre-start Conditions - Not applicable.

Development Plan and Policies

OL1/4	Conversion and Re-use of Buildings in the Green Belt
H2/4	Conversions
H2/6	Garden and Backland Development
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN6/3	Features of Ecological Value
EN8	Woodland and Trees
HT2/4	Car Parking and New Development
EN1/2	Townscape and Built Design
GMMWP	Greater Manchester Minerals and Waste Plan
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G1	Landscape Character
JP-G8	A Net Enhancement of Biodiversity and Geodiversity

JP-G9	The Green Belt
JP-P2	Heritage
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide

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 of Development

Site's Location outside a settlement

The northern/ rear boundary of the site borders dwellinghouses on the Fairfield Housing estate. The application site lies outside a settlement within the Green Belt.

Notwithstanding this, NPPF National Development Management Policy (NDMP) S5: 'Principle of development outside settlements' states that the reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the existing building should be approved outside settlements, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework (NPPF).

The application building was approved by the Council (see planning history section of this report) and is of permanent and substantial construction. No extensions to it are proposed, which can be controlled and restricted by planning condition.

Whether any adverse impacts would arise from the proposed development will be assessed throughout this report.

Sites location within the Green Belt

The site is located within the borough's designated Green Belt. NPPF NDMP GB7 'Development which is not inappropriate in the Green Belt' advises the reuse and alteration of an existing substantially constructed building is not inappropriate in the Green Belt (criteria 1.b.). This requirement reflects the requirement of criteria c of Policy OL1/4: Conversion and Re-use of Buildings in the Green Belt.

The application building is of substantial construction of stone and slate. Therefore, the application building can easily be changed to a dwellinghouse. The proposal does not seek to increase the building footprint or volume in any way. Therefore the proposed conversion of the building itself is acceptable in principle.

The application site contains a plot of land adjacent to the existing garden area of Broad Oak Farmhouse which appears as a paddock area. It has a post and rail boundaries to the land and wider countryside. It contains two steel storage containers and a roof over the area between the steel storage containers. This land is screened from the wider Green Belt as it is enclosed on three sides by Trees, and existing boundary fences to Broad Oak Cottage and the apartment properties on 'Broadoaks', therefore, there would not be any decrease in the openness of the Green Belt as a result of the proposal, particularly if PD rights for any extensions to the building and outbuildings is removed by condition.

The application building is of substantial construction of stone and slate. Therefore, the application building can easily be changed to a dwellinghouse. The proposal does not seek to increase the building footprint or volume in any way. This, added to the prevalence of vegetation along the boundary of the application site with the adjoining countryside/ agricultural land and the nearby residential units on 'Broadoaks', means the proposal is acceptable in principle in the Green Belt.

The other aspects of UDP Policy OL1/4: 'Conversion and Re-use of Buildings in the Green Belt' will be considered throughout this report.

Impact on the Setting of Heritage Assets

NDMP Policy HE4: 'Securing the conservation of heritage assets' of the NPPF states that

Heritage assets, as an irreplaceable resource, that should be conserved in a manner appropriate to their significance. NDM Policies HE4: 'Assessing effects on heritage assets' and HE6 'proposals affecting designated heritage assets' advises LPA of how to assess planning proposals and the steps a decision taker should make where any harm is identified.

The outbuilding seeking to be converted is within the setting of the Grade II listed building(s), as it is located within the rear garden area of Broad Oak Farmhouse, which forms the western end of the listed building(s). The proposed development would see no material change to the appearance of the existing outbuilding.

The main change relates to the proposed change of use of the adjoining plot of land, a paddock/ former farm storage area. The land is bounded by a fruit trees along its eastern boundary timber fence. The northern boundary of this land parcel borders apartments located on Broadoaks, which is accessed off Fairfield Drive.

This plot of land contains 2 x metal storage units which have a roof over. Whilst no planning permission was ever secured for these metal storage areas, which was required due to their degree of permanency, it is clear these have existed on the site for in excess of 10 years and would therefore be immune from enforcement proceedings. Their removal from the setting of the listed buildings would result in a positive enhancement to the setting of the designated heritage assets. This is considered to be a benefit of the proposal.

Design and Layout

The proposal seeks to be a two-bedroom bungalow with a living area and kitchen. One of the proposed bedrooms would have an en-suite bathroom.

The proposed dwelling will be designed and constructed to meet the requirements of Building Regulations Part M4(2): Accessible and Adaptable Dwellings and exceeds the requirements of the Nationally prescribed Space Standards.

The proposal has been developed in accordance with PfE Policy JP-H3: Type, Size and Design of New Housing, which requires new homes to be well designed, inclusive, adaptable and capable of meeting the changing needs of occupants over their lifetime. The dwelling will therefore provide appropriate access arrangements, internal circulation space and adaptable layouts to support accessibility and future adaptation.

Car Parking requirements

Supplementary Planning Document 11 provides parking standards for developments and sets these requirements in zones, based on a sites distance from key transport hubs and towns that are well serviced, with Zone 1 being the most sustainable locations and Zone 4 being the least sustainable locations. The application site is located within Parking Zone 4 as defined within SPD11. The SPD therefore requires 1.5 car parking spaces per dwelling to be provided. The proposal would provide two off road parking spaces. Two car parking spaces would therefore accord with the car parking requirements of SPD11.

Cycle Parking Requirements

SPD11 states covered and secure cycle parking is required for each bedroom proposed. The proposed Site Plan, indicates 2 no. covered and secure cycle parking spaces would be positioned against the proposed new boundary fence seeking to be erected between the existing farmhouse and the application building. Given Broad Oak Farmhouse and the two attached properties are listed buildings and the site is located within the complex of a historic farmstead, it is reasonable to impose a condition to ensure the cycle parking provision would be sympathetic in design and appearance to the sites location within the setting of listed buildings and the Green Belt/ countryside.

Electric Vehicle Charging Provision (EVCP)

The submitted Proposed Site Plans indicate that an EV Charging Point would be provided

on the existing boundary wall. This aspect therefore also accords with this SPD11 requirement.

Overall the design and layout of the proposal is considered to accord with the relevant requirements of UDP policy H2/2 and SPD11.

Visual Amenity and Landscape Character

PfE Policy JP-G1: Landscape Character seeks to ensure development within a landscape character area should reflect and respond to the special qualities and sensitivities of the key landscape characteristics of its location. Settlement, including amongst other things, settlement, road pattern and rights of way; and views and perceptual qualities. The site lies within the River Roch, Incised Urban Fringe Valleys Landscape Character area

The application site is rural in nature with the countryside abutting two sides of the application site and three sides of the forms part of a historic former farmstead, to which the application site forms part. Three of the properties within the former farmstead are designated listed buildings (Grade II).

The impact on the setting of these listed buildings has already been discussed. The application building is faced in new stone, or stone that is certainly newer than the stone of all the properties on the Broad Oak Farm site, were built from. The proposed change of use of the building itself would not cause any harm to visual amenity or the landscape character of this area.

Subject to conditions ensuring no inappropriate boundary treatments, extensions, alterations, outbuildings are erected within the proposed extended curtilage area or within the setting of the listed buildings and the historic farmstead, the proposal is considered to accord with the requirements of UDP Policy OL1/4. A landscaping condition is also recommended to ensure any landscaping and boundary treatments are appropriate/sympathetic to the site's countryside and historic farmstead location. Subject to the recommended conditions, the proposal accords with PfE Policy JP-G1.

Highway Safety

The application site is intersected/bounded by a Public Bridleway [ref no. 57 BUR]. The Local Highway Authority and the Public Rights of Way Team have been consulted in respect of the potential impacts of the development on the route and its users. The consultation response confirms that the definitive alignment of the Bridleway must be protected and kept unobstructed unless otherwise authorised through a separate legal process and have requested the Public Bridleway and its width are shown in context with the proposed development.

Where development affects a public right of way, it is necessary to have regard to the statutory duty to protect and maintain the route for public use. The granting of planning permission does not override the legal status of the Bridleway, and any diversion, stopping up or temporary closure would require a separate order under the Town and Country Planning Act 1990 or Highways Act 1980.

In addition to statutory consultation, the application has been publicised and representations have been received from users and interest groups concerned with the use and enjoyment of the Bridleway. These matters have been taken into account in the assessment of the proposal.

Subject to appropriate safeguards, it is considered that the development would not result in an unacceptable impact on the safety, convenience or amenity of users of the Bridleway. Where necessary, conditions are recommended to secure the protection of the route during construction and its continued availability thereafter.

The proposal also seeks to provide two off road car parking spaces. This amount of

dedicated parking provision accords with the requirements of SPD11.

In terms of the proposed new vehicular access, the submitted plans demonstrate unrestricted visibility splays. This aspect of the proposals is therefore also considered acceptable.

To conclude, the proposals are acceptable from a highway safety perspective and accord with the requirements of PfE Policies JP-C6: Walking and Cycling and JP-C8: Transport Requirements of New Development of the Places for Everyone Plan and SPD11.

Drainage and Flood Risk

The application site is not within an Environment Agency defined Flood Zone.

The application building currently contains both a Jacuzzi and a W.C. The building is thus already connected into a foul and surface water drainage system. The building is also fitted with drainpipes and external drainage.

The drainage required change the use of the building to an open-market dwelling would not materially change as a result of the proposals. The proposals would therefore not cause flooding outside the site or further downstream. The proposal is therefore compliant with PfE Policy JP- S4: Flood Risk and the Water Environment.

Carbon and Energy

PfE Policy JP-S2: Carbon & Energy sets out the steps required to achieve net zero carbon emissions and supports the re-use of buildings.

As the proposal comprises the change of use from a functional domestic outbuilding, with the existing external envelope and principal building elements retained, and only marginally changed, the scheme delivers a robust carbon reduction strategy by minimising up front embodied carbon emissions which would occur from any demolition proposals.

The retention of the existing building avoids the significant environmental impacts associated with demolition, the manufacture of new construction materials, transportation and installation. By preserving the existing structure and fabric, the proposal substantially reduces the embodied carbon that would typically arise during the product and construction stages of a development's life cycle. The limited scope of new construction works means that the quantity of new materials required is minimal, resulting in very low emissions associated with manufacturing, transport and installation of changing the use of the domestic outbuilding, which is already boarded and plastered.

The proposal would re-use a well insulated domestic outbuilding and in accordance with Building Regulations requirements would be further insulated where necessary.

By retaining the existing building and limiting the extent of new construction, the scheme achieves substantially lower up front embodied carbon emissions than either a comprehensive programme of thermal fabric upgrades or the complete demolition and redevelopment of the site.

On this basis, the proposed development is considered to accord with the climate change and sustainable development objectives of the adopted Places for Everyone Joint Development Plan which seeks to minimise whole-life carbon emissions, promote the efficient use and reuse of existing buildings and materials, and support development that contributes to Greater Manchester's transition towards net zero carbon. The proposal would therefore be in compliance with PfE Policy JP-S2.

Digital Connectivity

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

document asserts that the building will be

The submitted details indicate that the dwelling will be designed to include:

- Physical infrastructure to enable connection to full-fibre broadband networks;
- Internal ducting and cabling to support immediate operational internet services upon occupation; and,
- Readily accessible connection points for network providers.

The site is located within an area served by established telecommunications infrastructure, and no technical or viability constraints are anticipated that would prevent the provision of full-fibre connectivity. A planning condition will be imposed to secure this.

Biodiversity

Due to the application site being smaller than 0.2 hectares in size, the proposed development is exempt from the statutory Biodiversity Net Gain requirements.

Conclusions

The proposed change of use of the existing summer house to a dwellinghouse, together with the change of use of the adjoining land for residential curtilage and parking, represents an acceptable form of development. The proposal would make effective use of an existing permanent building, preserve the openness of the Green Belt, enhance the setting of the Grade II listed farmhouse and attached cottages through the removal of unsightly storage containers, and provide satisfactory living accommodation, parking and access arrangements. Subject to the recommended planning conditions, the development is considered to accord with the relevant policies of the adopted Places for Everyone Joint Development Plan, the saved policies of the Bury Unitary Development Plan, and all other material planning considerations. Accordingly, the application is recommended for conditional approval.

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 permission relates to the following plans:

Drawing no. P.001: Scheme Proposal - Site Location Plan;
Drawing no. P.002 Rev. A: Scheme Proposal - Site Block Plan;
Drawing no. P103: Scheme Proposal Proposed Site Plan - Expanded Plan; and,
Drawing no. P.101 Rev. B: Scheme Proposal - Proposed Site Plan, Building Layout and Elevations.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Local Plan, the Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 3 Notwithstanding any details shown on the approved plans and the requirements of condition no. 2 [approved plans] of this permission, within 3 months of development

first taking place a satisfactory hard and soft landscaping scheme which shall include hard surfacing, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of the development, shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented during the first planting season following the completion of development and any tree or shrub planted which dies or is felled, uprooted, wilfully damaged or destroyed in the first five year period commencing with the date of planting shall be replaced by the applicants or their successors in title.

Reason. To ensure a satisfactory form of development and to enhance the visual amenities of the locality, and in order to comply with Policy EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan, Policies JP-G1: Landscape Character and LP-P2: Heritage of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 4 Notwithstanding any details shown on the approved plans and the requirements of condition no. 2 [approved plans] of this permission, within 3 months of development first taking place details of the siting, height, design, materials and finish of all boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in full accordance with the approved details before the building hereby approved is first occupied and shall be retained as such thereafter.

Reason. In the interests of site security and to ensure a satisfactory relationship with the character of surrounding buildings, including listed buildings, and the character and appearance of the countryside in which the site is set, in accordance with the requirements of Policy EN1/5: Crime Prevention, OL1/4: Conversion and Re-use of Buildings in the Green Belt and EN2/3: Listed Buildings of the Bury Unitary Development Plan, Policies JP-G1: Landscape Character and LP-P2: Heritage of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 5 Within three months of development first taking place, a scheme for the provision of a minimum of two (2) bicycle parking spaces on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the siting, size, design and materials to be used in the construction of any bicycle store. The bicycle parking spaces shall be provided and made available for use in accordance with the duly approved scheme before the building hereby approved is first occupied and shall be retained as such thereafter.

Reason. In order to protect the setting of listed buildings, in the interests of visual amenity, safeguarding landscape character and in order to promote modal shift and increased use of sustainable methods of travel in accordance with the requirements of objective 2, policies JP-G1: Landscape Character, LP-P2: Heritage and JP-S5: Clean Air of the Places for Everyone Joint Development Plan and SPD11: 'Parking Standards in Bury'.

- 6 Before the dwelling hereby approved is first occupied, a scheme for the design, construction (including surface treatment) and drainage of its associated parking area(s) shall be submitted to and approved in writing by the Local Planning Authority. The parking areas shall be constructed in accordance with the duly approved scheme before the dwelling is first occupied and retained as such

thereafter for the parking of vehicles.

Reason. In order that there is adequate provision for vehicles to be parked clear of the highway, to ensure appropriate surface treatment of parking areas and that satisfactory provisions are made for the disposal of surface water in accordance with the requirements of Policies HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan, Policies JP-S4: Flood Risk and the Water Environment and JP:C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 7 Notwithstanding the provisions of Schedule 2, Part 1, Classes A - G of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the dwelling hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

Reason. To ensure that future inappropriate alterations or extensions do not occur that would adversely affect the setting of listed buildings, visual amenity, the amenity of neighbouring residents or the openness of the Green Belt, pursuant to policies EN1/2: Townscape and Built Design, H2/1: The Form of New Residential Development, H2/2: The Layout of New Residential Development, and EN2/3: Listed Buildings of the Bury Unitary Development Plan and policies JP-G1: Landscape Character and JP-P2: Heritage of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	05/10/2026	DM	5/10/26