

Application Number:	2025/0148	Application Type:	Full
Proposal:	Change of use from restaurant/hospitality venue to 18 residential apartments with associated works (including completion of part-built external part of southern extension with fenestration changes) to facilitate change of use.	Location:	The Fishermans Retreat Riding Head Lane Ramsbottom Bury Lancashire BL0 0HH
Report of:	Head of Planning and Building Control	Status:	For Publication
Report to:	Development Control Committee	Date:	03.03.2026
Applicant:	The Fishermans Retreat Ltd	Determination Expiry Date:	09.07.2025
Agent:	Wake Morley Architects Ltd		

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	Major Application
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	
Other (please state):	

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

That Members resolve that they would be minded to grant planning permission and that the determination of the application hereafter be delegated to the Head of Planning as follows:

- (1) To complete a suitable Section 106 Agreement to secure:
 - A financial contribution of £48,709 towards public open space / playing pitch provision / sports facilities (final location of spending to be agreed).
 - A financial contribution of £22, 500 to compensate for Green Belt release / development.
 - A financial contribution of £81,800 or £97,664 towards primary school places.
 - A financial contribution for affordable housing in lieu of providing it on site (to be calculated).
 - Off-site Biodiversity Net Gain (BNG) in connection with a specific proposal, that can be allocated to this development and to other developments to fulfil a requirement to create or enhance biodiversity under Schedule 7A of the Town and Country Planning Act 1990.
- (2) To carry out drafting amendments to, or delete, any planning condition, insert any other required planning conditions, and to carry out any further amendments, variations or alterations to the S.106 Agreement.
- (3) To have to discretion to refuse planning permission in the circumstance that the Section 106 Agreement is not completed within six months of the resolution to grant planning permission.
- (4) That upon satisfactory completion of the above legal agreement that planning permission be granted subject to the conditions contained within this report and the S.106 Agreement, or as amended by (2) above.

APPLICATION DETAILS

2. SITE

The Fisherman's Retreat is located within an area of countryside designated as Green Belt.

Originally constructed as a small angler's clubhouse, the property has expanded significantly over the years through numerous extensions and alterations, and is now a substantial stone and slate building comprising of a function room, restaurant and bar, with associated kitchens and preparation areas.

The site has several car parking areas associated with the facility.

The site is located immediately off Riding Head Lane which connects to Bury Old Road. It can be accessed via Whalley Road (the A56) and Bye Road. Access can also be taken from Rochdale Road and Bury Old Road to the north. Bury Old Road is an unadopted road which also serves Bleakholt Animal Sanctuary and other properties.

Development has commenced on the scheme approved under application number 2017/0637 which was for a large extension to the existing restaurant and bar to form 10no.

bedroom overnight accommodation, including car parking, alterations to access road and landscaping.

There are a number of public footpaths and bridleways in proximity to the site.

3. RELEVANT PLANNING APPLICATION HISTORY

1990/130- Erection of Anglers Clubhouse (190 sq m)- Approved 19/06/1991

1992/053 - Retention of Partially Angler's Retreat with Reduced Floor Space (171 sq m) and elevation changes- Approved 09/02/1994

1997/266- Retention of Patio and Construction of First Floor Balcony - Refused 08/09/1997

1997/453- Retention of Ground Floor Patio (230 sq m) Approved 08/04/1997

2000/335- Outline Application for the Erection of a 40 Bed Hotel/lodge, 150 person conference suit/leisure facilities with swimming pool creche/visitor centre and erection of 6 self-catering accommodation units - Refused by GONW following call in.

2004/849- Replacement of Marquee Extension with Single Storey Building to Form Function Room - Approved 05/04/05

2005/026- Change of Use of Part of Building from Fish Hatchery to Shop (Class A1) with associated Storage and Offices- Refused 12/05/2005

2005/375 - Extension to form Staff Room and Farm Shop – Refused 15/08/2005

2006/023- Erection of Single Storey Extension to Contain Shop and Staff Facilities- Approved 08/03/06

2006/439- Erection of 2 Storey Restaurant/Function Suite Extension - Withdrawn 29/09/2006

2007/166- Two Storey Restaurant and Function Suite- Refused 18/05/2007

2008/0538- Erection of One and Half Storey Extension to Create New Restaurant Area and Function Suite – Approved 08/12/2008

2010/0612- Erection of a two-storey extension (retrospective) – Approved 21.01.2011

2011/0590: Construction of timber framed managers dwelling and 3 bedroomed bed & breakfast, 10 bay stables, menage and altered access road. The site in respect of this application is located along Bury Old Road to the west of the Fisherman's Retreat and within the Twine Valley. At the time of the application (November 2011), the land was within the ownership of the applicant. Members voted to approve the application contrary to Officer's recommendation.

2014/0334- Erection of stone building to provide 19no. rooms for short stay / overnight accommodation at Fisherman's Retreat (Use Class C1) and associated car parking and landscaping – Refused 06.01.2015

2016/0002- Erection of extension to existing restaurant and bar to form a 10no. bedroom overnight accommodation, including car parking, alterations to access road and landscaping – Approved 26.07.2016.

2017/0636- Approval of Details Reserved by Conditions 3 (materials), 5 (landscaping), 7 (construction method statement), 8 (highway condition survey), 10 (surface water drainage), 12 (drainage management), 13 (Shuttleworth Brook ecology) and 14 (proposed levels) pursuant to Planning Approval 2016/0002 – Split Decision (Conditions 3, 5, 7, 8, 13 and 14 details approved. Conditions 10 and 12 not discharged) 06.03.2018

2017/0637- Variation of Condition 2 (approved plans) pursuant to Planning Approval 2016/0002, to enable the construction of a dual pitched roof and to enable alterations to fenestration. – Approved 20.03.2018

2018/0243- Approval of Details Reserved by conditions 7 (full details of directional signage), 8 (sustainable drainage) and 10 (management and maintenance plan for the sustainable drainage system) pursuant to Planning Approval 2017/0637 – Approved 04.07.2018

2018/0614- Proposed agricultural building for housing animal feed and machinery. - Prior Approval not required 11.01.2019

2019/0558- Installation of heat pump system comprising of 2 x Stiebel Eltron WPE-I 87 H 400 heat pumps and associated collector – Approved 17.01.2020

2019/0600- Application for prior notification of agricultural or forestry development - proposed building – Refused 15.01.2020

4. PROPOSAL

This application is for a change of use of the property from a restaurant/hospitality venue with overnight accommodation (unfinished) to residential apartments with associated works (including completion of part-built external part of southern extension with fenestration changes) to facilitate the change of use.

The proposals allow for 18 (eighteen) new residential dwellings. These dwellings range from one to four bedrooms and range between 56m² to 108m². All new apartments will utilise the shell of the building and upgrades will be made to the fabric of the building as required.

The breakdown of apartments is as follows:

One bed dwellings – 2
Two-bed dwellings – 15
Four bed dwelling – 1

All apartments are in accordance with the Nationally Described Housing Standard.

5. POLICY CONTEXT

National Planning Policy Framework

Section 2	Achieving Sustainable Development
Section 4	Decision Making
Section 5	Delivering a sufficient supply of homes
Section 6	Building a strong, competitive economy
Section 9	Promoting Sustainable Transport
Section 11	Making Effective Use of Land
Section 12	Achieving Well Designed Places
Section 13	Protecting Green Belt Land
Section 14	Meeting the challenge of climate change, flooding and coastal change
Section 15	Conserving and enhancing the natural environment

Development Plan

Local Plan Policies

Policy SS: Spatial Strategy
Policy SD1: Presumption in Favour of Sustainable Development
Policy SD2: Urban Boundary and Green Belt
Policy SD3: Planning Obligations
Policy SD4: Green Belt Compensation
Policy HS3: Affordable Housing
Policy HS5: Housing Standards
Policy HS6: Open Space Requirements in New Housing Developments
Policy HS7: Playing Pitch Requirements in New Housing Developments
Policy HS8: Private Outdoor amenity space
Policy HS12: Conversion and Re-Use of Rural Buildings in the Countryside
Policy EMP3: Employment Sites and Premises
Policy ENV1: High Quality Development in the Borough
Policy TR4: Parking

Other material considerations

National Planning Practice Guidance.
Climate Change SPD.
Conversion and re-use of buildings in the countryside SPD.
Open Space and play equipment contributions SPD.
Compensation Measures for Green Belt Release document.

6. CONSULTATION RESPONSES

Consultee	Response
LCC Highways	No objection subject to conditions.
RBC Environmental Health	No comments.
LCC Rights of Way	No objection subject to informatives.

Consultee	Response
LLFA	No objections.
LCC Education	Objection. Development requires a contribution towards school places.
GMEU (Ecology)	No objections subject to conditions and informatives.
Bury MBC	No objections subject to informative.

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 17.06.2025 and neighbour letters were posted out on 09.06.2025. A notice also appeared in the Rossendale Free Press on 20.06.2025

There were 3 representations made as follows:

Support the application despite the roads to the site are in a poor state of repair
Concerns in relation to the state of the roads
Increase in vehicles using Bye Road will result in a serious accident
Traffic calming measure required near junction with Richard Street
Point of access constrained by parked cars
Passing bays are required to reduce conflict between vehicles and pedestrians

8. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle;
- 2) Visual Amenity;
- 3) Neighbour Amenity;
- 4) Access, Parking and Highway Safety
- 5) Planning Contributions
- 6) Ecology

Principle

Green Belt

The building was operational as a venue for food and drink on the premises and also weddings and other functions. The footprint of the building is approximately 1,046m² with three floor levels and a small storage space at a lower level. The site is located wholly in the Green Belt.

Paragraph 154 of the NPPF states as follows:

Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- 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;*
- h) *Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
 - iv. *the re-use of buildings provided that the buildings are of permanent and substantial construction;*

There are changes proposed to fenestration and doors, however there are no extensions proposed to the building, as the extension that is partly built was already previously approved under a previous application, and a lawful start to that development has taken place (2017/0637).

The existing building was in use as a restaurant and function space until very recently and it is evident that the building is of permanent and substantial construction.

The proposed development is therefore not inappropriate development in the Green Belt and the principle of the development is considered acceptable.

Residential Development

The latest Housing Delivery Test results (published December 2024) show that the Council delivered 82% of its housing requirement for the 3-year period 2020/21 to 2022/23.

As a result of not meeting the requirement in full, the Council must add a buffer of 20% buffer to the local authority's 5-year land supply and an action plan must be produced to demonstrate how it will increase housing delivery. This is in accordance with paragraph 79 of the National Planning Policy Framework (December 2024).

The Council has published its Five-Year Housing Land Supply report as of October 2025. This shows that Rossendale can only demonstrate a 4.6-year supply against the housing requirement of the Local Plan at 185 dwellings per annum inclusive of the backlog and 20% buffer.

As a result of not meeting the housing requirements in full and not being able to demonstrate a 5-year housing land supply position, the Council must apply the tilted balance in line with paragraph 11(d) of the framework when determining planning applications for new housing.

Paragraph 11 of the Framework states:

:

- "c) Approve development proposals that accord with an up to date development plan without delay; or*
- d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:*
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

- ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

Sustainable Development and Benefits of the Proposed Scheme

The Framework contains a presumption in favour of sustainable development, and as such, a key consideration in this case is whether the proposed scheme represents sustainable development or not.

The site is located a significant distance from schools and services; however, it is an existing building that would be re-used for residential development.

The proposed development would deliver a significant number of new residential units on previously developed land - a benefit to which appropriate weight must be afforded in the planning balance, as it will help to address a recognised borough-wide housing need.

Policy HS12 relates to the conversion of rural buildings in the countryside and states as follows:

Proposals for the conversion of an existing building in the countryside will be permitted where:

- *The proposal does not have a materially greater impact on the openness of the area and the proposal will not harm the character of the countryside;*

The extension to the building has already been approved and is lawful and extant. The works proposed by this application are minor changes to the fenestration. The proposed development will not have a materially greater impact on the openness of the area, nor will it harm the character of the countryside.

- *The building is of a permanent and substantial construction, structurally sound and capable of conversion without the need for more than 30% reconstruction;*

The existing building is of structurally sound and of permanent and substantial construction.

- *The conversion works and facing materials to be introduced would be in keeping with the original building, and important architectural and historical features would be retained. Particular attention will be given to curtilage formation, including appropriate boundary treatments and landscaping, which should be drawn tightly around the building footprint and the requirement for outbuildings, which should be minimal;*

The conversion works will not introduce any new facing materials. The materials previously approved for the extension are natural stone and natural slate to match the existing building. There will be no individual boundary formations and there is no requirement for outbuildings.

- *The building and site has a satisfactory access to the highway network and the proposal would not have a severe impact on the local highway network;*

The current building has satisfactory access to the highway and LCC Highways have no concerns in relation to the development (See Access Parking and Highway Safety section below).

- *Satisfactory off-street parking, bin storage and bin collection points can be provided without adversely impacting on rural character and mains services are available for connection into the scheme;*

The development provides sufficient parking for the proposed apartments, in addition to providing a bin storage area. Mains services are already provided to the building, and there will be no adverse impact on rural character.

- *The development does not require the removal of, or damage to, significant or prominent trees, hedges, watercourses, ponds or any other natural landscape features;*

There are no trees to be removed.

- *The development would not have an unacceptable impact on nature conservation interests or any protected species present;*

The application is subject to the Statutory 10% biodiversity net gain. This is to be provided off-site on land adjacent. There will be no adverse impact on nature conservation or protected species. (See Ecology section below).

- *Drainage and sewerage requirements are met to the satisfaction of the relevant agencies;*

The Lead Local Flood Authority (LCC) have advised that they have no objections to the proposed development.

- *If an agricultural building, it is not one substantially completed within ten years of the date of the application;*

Not applicable.

- *The proposal would not harm the agricultural or other enterprise occupying the land or buildings in the vicinity; and*

The proposal would not harm any agricultural or other enterprise.

- *The re-use of the building must not be likely to result in additional farm buildings which would have a harmful effect on the openness of the area.*

The reuse would not result in the need for additional farm buildings.

The proposed development is in principle acceptable and in accordance with the NPPF and the Rossendale Local Plan.

Visual Amenity

Policy ENV1 of the Local Plan seeks to promote high quality design in the Borough, and includes a varied set of criteria with which development proposals need to comply.

Paragraph 135 of the Framework states that planning decisions should ensure that developments:

“a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

The proposed scheme includes the completion of the part-built extension and several alterations to the fenestration in both the aforementioned extension and the existing building, and the demolition of a small extension to the existing building which is considered to be redundant.

The proposed alterations to the building are considered to be acceptable, and it is considered that the completion of the part-built extension would provide significant improvement to the site.

This is acceptable in terms of visual amenity. The proposal is in accordance with the NPPF and Policy ENV1 of the Rossendale Local Plan in respect of visual amenity.

Neighbour Amenity

One of the key objectives of the Framework is *“a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being”*

The Rossendale Local Plan advises that *“The NPPF identifies as one of its core planning principles, that planning should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*

Policy HS8 of the Local Plan states:

“All new residential development should provide adequate private outdoor amenity space. This should be in the form of gardens unless the applicant can demonstrate why this is not achievable and proposes a suitable alternative. “

Policy ENV1 (c) requires development to be *sympathetic to surrounding land uses, avoiding demonstrable harm to the amenities of a local area*; and (d) states that the *scheme will not have an unacceptable adverse impact on neighbouring development by virtue of it being over-bearing or oppressive, overlooking, or resulting in an unacceptable loss of light;-nor should it be adversely affected by neighbouring uses and vice versa*;

The closest residential property is Lee Mill House adjacent to the site. As there is no extension proposed it is not considered that the proposal will have any detrimental effect on the amenity of the neighbouring property.

The location of the building is surrounded by farm and moorland. Shuttleworth Brook flows East to West channelling directly through the existing footprint of the building.

Whilst no formal gardens are to be provided, the site is located in extensive landscaped open space areas that can be used as outdoor amenity space. Given the existing layout of the site, it is not considered that any further private outdoor amenity space can be achieved.

Policy HS5 relates to Housing Standards and requires 20% of dwellings on developments of 5 or more dwellings to meet Optional Standards M4 (2) of the Building Regulations. Four dwellings would need be provided to meet M4(2) standards and this can be secured by condition.

In view of the above it is considered that the proposals will safeguard the residential amenities currently enjoyed by the occupiers in the area and provides a suitable amenity for future occupiers. It is therefore considered that the proposal satisfies the requirements of Policies HS8, ENV1 and ENV6 of the Rossendale Local Plan in neighbour amenity terms.

Access, Highway Safety and Public Rights of Way

LCC Highways has raised no objection to the scheme subject to a condition relating to the provision of a construction management plan.

Bury MBC Highways have also raised no objection to the development.

With regards to LCC Rights of Way Team, comments have been received as follows:

Footpath FP1403185 is recorded as running along Riding Head Lane, the access track to the proposed development, as shown by the indicative line on the attached overlay.

The Public Right of Way team is responsible for the surface being in a condition that is safe and fit for pedestrians, it does not maintain the route to a standard that is appropriate for vehicle use, nor does the Lancashire County Council Public Right of Way team wish to see the route deteriorate because of an increase in vehicle usage on the surface.

The Lancashire County Council Public Rights of Way team have no record of any public vehicular rights along Riding Head Lane. The applicant should be certain that they have private vehicular rights along this public path before driving on it either during construction or for subsequent access. Without private vehicular rights or permission from the owner it is a criminal offence to drive a motor vehicle on the public path.

It is for the applicant to check whether they have right of access along the Public Right of Way (this is separate to the planning process and not a matter for consideration with the planning application). In relation to the use of the access road, it is not considered the change of use to apartments will cause an increase in vehicular movements over and above the existing lawful use, as a restaurant/bar/function room.

The proposed development is in accordance with the Rossendale Local Plan and the NPPF in terms of highway access, safety and parking and Public Rights of Way.

Planning Contributions

In accordance with the requirements of Policy SD3, SD4, HS3, HS6 and HS7 of the Rossendale Local Plan and the Open Space and Play Equipment Contributions SPD and the Affordable Housing SPD, several contributions have been calculated as follows:

Open Space

A contribution of £20,376 has been calculated as follows towards open space provision

Open Space	Floorspace Requirement	On-site or Contribution
Parks and Gardens	10 sqm * 18 dwellings = 180 sqm	Contribution of £288 (£16 * 18 dwellings)
Natural and semi-natural greenspace	Not required	Not required
Urban/amenity greenspace	48 sqm * 18 dwellings = 864 sqm	Preference for on-site which can also help with BNG or contribution of £12,096 (£672 * 18 dwellings)
Allotments	1 sqm * 18 dwellings = 18 sqm	On-site residents growing space which can help with BNG or contribution of £288 (£16 * 18 dwellings)
Children and youth play provision	2 sqm * 18 dwellings = 36 sqm	Contribution of £7,704 (£428 * 18 dwellings)
Total	1,098 sqm	Up to £20,376 (if no on-

Open Space	Floorspace Requirement	On-site or Contribution
		site provision planned)

Playing Pitch Contribution:

The proposed development is likely to result in an additional demand for playing pitches. In order to compensate for this extra demand, a financial contribution of up to £18,686 has been calculated using Sport England's Playing Pitch calculator.

Indoor Built Sports Facilities:

The proposed development is likely to result in an additional demand for built sports facilities (such as swimming pools). In order to compensate for this extra demand, a financial contribution of up to £9,647 has been calculated using Sport England's Built Sports Facilities calculator.

Green Belt Compensation

Policy SD4: Green Belt Compensatory Measures in the Rossendale Local Plan 2019 to 2036 states that "where land is to be released for development, compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land will be required".

Planning Practice Guidance (PPG) on Green Belt states "*compensatory improvements may be informed by supporting evidence of landscape, biodiversity or recreational needs and opportunities including those set out in local strategies, and may include:*

- a) *new or enhanced green infrastructure*¹;
- b) *woodland planting*;
- c) *landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal)*;
- d) *improvements to biodiversity, habitat connectivity and natural capital*; e) *new or enhanced walking and cycle routes*; and f) *improved access to new, enhanced or existing recreational and playing field provision*.

It should be noted that there are specific measures that will be necessary in order to make developments acceptable, and these will not be considered for Green Belt compensation. These Green Belt compensatory measures relate to making improvements to the remaining Green Belt."

This development should provide contributions for Greenbelt compensation to comply with Policy SD4 of £1,250 per dwelling (totalling £22,500). This can be secured by S.106 Agreement, along with the other necessary contributions.

Education

A contribution has been requested by Lancashire County Council to supplement education provision.

Based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 4 primary school places. LCC are not currently seeking a contribution for secondary school places. Calculated at the current rates, this would result in a claim as follows:

Permanent expansion

Primary places:

= £20,450 per place

£20,450 x 4 places = £81,800.00

Or

New build

Primary places:

= £24,416 per place

£24,416 x 4 places = £97,664.00

Affordable Housing

Policy HS3 states that residential development of 10 or more dwellings is required to provide 30% on-site affordable housing. In exceptional circumstances off-site provision or financial contributions of a broadly equivalent value instead of on-site provision, will be acceptable where the site or location is unsustainable for affordable housing.

Considering the more remote location of this development and thereby its appeal to limited purchasers, as well as the plans for the development, following extensive dialogue and due consideration, the Council's Head of Housing & Regeneration has confirmed that the Council would accept an off-site monetary contribution in lieu of on-site provision, in this particular case.

Such payment will be secured by S.106 Agreement should Members be minded to grant planning permission.

The Affordable Housing SPD Affordable Housing SPD sets out a formula for calculating the commuted sum payment. This is based on an affordable housing requirement of 30%.

The total expected scheme is represented as below:

*Total Scheme (TS) = Market Homes (MH) + Affordable Housing (AH),
Where MH is $TS \times 0.7$ (i.e. MH is 70% of the overall housing scheme, TS).*

In order to provide on-site 18 MH, the calculation would be re-written then TS would be $18/0.7$ as the 18 MH provided should be 70% of the overall TS.

The TS, in order to achieve 18 MH would be 25.7, rounded up to 26. This equates to 8 AH (based on $26-18$) which would be provided off-site (by contribution).

However, this site is located within the Green Belt. The NPPF under the 'Golden Rules' specifies that more affordable housing should be provided for sites in the Green Belt.

Para 157 of the 2024 NPPF states: "Before development plan policies for affordable housing are updated in line with paragraphs 67-68 of this Framework, the affordable

housing contribution required to satisfy the Golden Rules is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%". For Rossendale, where the affordable housing target is 30% this would increase to a requirement of 45% of affordable housing.

For a scheme of 18 units, this would require 8 units to be provided. However, where these units are to be provided off-site, in line with the formula discussed above as set out in the Council's adopted Affordable Housing SPD, this would mean that the commuted sum payment should be comparable to the cost of delivering 10 affordable units.

The commuted sum will be based on the Open Market Value of the apartments to be calculated at a later date, and secured by S.106 Agreement.

Ecology

This application is subject to the 10% statutory Biodiversity Net Gain. The Biodiversity Gain Plan (March 2025) and the Biodiversity Metric both identify a net loss in biodiversity due to the development. The Biodiversity Gain Plan states as follows:

6.2 Units obtained for the site post-development, based on retained habitats and habitat creation / enhancement included within the landscape proposals (Appendix 02) indicate that a net gain in respect to habitat areas is unlikely to be achieved with the current scheme with a potential biodiversity net loss of -0.11 habitat units (-8.07% net change). In addition, the Metric's trading rules have not been satisfied.

6.3 Proposals include, the conversion of the existing structure into residential flats, construction of a southward extension from existing site structure and culverting of the underlying on-site watercourse, the demolition of the adjoined patio and outbuilding at the western elevation and east of the site structure, respectively, the homogenisation on on-site ruderal other neutral grassland and mixed scrub to formal modified grassland and the construction additional car parking west and east of the proposed extension.

6.4 Further survey during the optimal season for botanical survey would enable confirmation of the species occurrences within grassland habitats on site and corresponding distinctiveness value etc.

6.5 Under the development proposals, the on-site watercourse will be culverted resulting in a loss of -0.05 of watercourse units. Mitigation is not possible on-site, however enhancement of a nearby off-site watercourse generates enough biodiversity units to successfully offset the watercourse deficit (plus the mandatory 10% uplift) resulting in a total net unit change of 0.15 watercourse units (equating to 94.93 % net change).

The Council's Ecology Consultant has commented as follows:

Biodiversity Net Gain

The development will result in the culverting of a small section of stream. The applicant is proposing to enhance a stream to the east of the development to mitigate for the loss and meet the required 10% net gain for linear water course units. This is an acceptable approach but the applicant should be made aware that the offsite mitigation/enhancement is outside of the redline boundary and will need to be secured

via a section 106 agreement or conservation covenant. I would ask them if they are still happy to proceed on this basis, before they go too far down the line of arranging the working. They also have a deficit of area habitat units. The two deficits could potentially be met via the same agreement on the same area of land, but this is decision for the applicant.

Securing the off-site units will be included in the proposed Section 106 agreement.

In relation to the Preliminary Ecological Appraisal submitted alongside the application, the Council's ecology consultant has commented as follows:

Bats

The information submitted with the application includes a Preliminary Ecological Appraisal (Smeeden Foreman – May 2025), undertaken by an experienced ecological consultant. The survey considered the building to have high bat roosting potential. As such, and in line with national guidelines, the Assessment recommends that three dusk/dawn surveys survey be undertaken on the building. The report also state “A single tree on site offers bat roost suitability, with a ground level tree assessment (GLTA) and an aerial PRF inspection recommended to establish presence/absence of roosting bats and assess potential impacts within the context of the development.” Such surveys do not appear to have been carried out.

Great Crested Newts

The Preliminary Ecological Appraisal (Smeeden Foreman – May 2025) states “A total of 10 ponds are located within 500m of the site, with 9 of these located within a 250m radius and 5 ponds identified as potentially suitable for supporting breeding GCN. Optional eDNA surveys (14th April – 30th June) of suitable ponds within 250m are recommended to establish presence/likely absence in area and inform District Level Licencing requirements. I cannot see the results of these investigations on file. Please could you ask the applicants ecologist if these surveys have been completed and how they would suggest the applicant proceeds, in relation to Great Crested Newts.

Since these comments were received, the required bat surveys have been undertaken and a revised report submitted which states as follows:

5.3.12 A detailed inspection was carried out of B1 proposed for renovation and partial demolition. Although no evidence of bats was found, B1 was identified as having high potential to support roosting bats due to the nearby local records for bats, suitable foraging and commuting habitat on site and in the surrounding area, and potential roosting features on the building including gaps beneath/between tiles and missing mortar beneath ridge tiles.

5.3.13 A total of three emergence/re-entry surveys were carried out by Smeeden Foreman Ltd. within the appropriate survey season in accordance with the Bat Conservation Trust guidelines (2023).

5.3.14 Up to seven individual bats (common and soprano pipistrelles) were observed emerging from building B1 from five different roost points.

5.3.15 The full scope of the roof works required to facilitate the proposed change of use of B1 has yet to be determined. Once the extent of the roof works have been confirmed, the licensing requirement of the proposed works should be subsequently reviewed. If impacts to identified roosts can be prevented, works may proceed under a

Precautionary Working Methods Statement (PWMS), if not then a European Protected Species Mitigation Licence (EPSML) or a registration under the Bat Earned Recognition Scheme (BER) / Bat Mitigation Class Licence (BMCL) will be required to permit the proposed works.

5.3.16 If any works proceed under a PWMS and evidence of use by bats is discovered, works must cease immediately and cannot proceed until a protected species licence has been granted by Natural England.

In relation to the comments relating to Great Crested Newts, the agent for the proposed development, has confirmed that District Level Licensing of activities is being undertaken, which will address the above comments.

Therefore, there is unlikely to be any impact on protected species and the proposal includes biodiversity enhancement and is in accordance with Policy ENV4 of the Rossendale Local Plan.

9. CONCLUSION

There is no significant detrimental impact on visual amenity, neighbour amenity, highway safety, or ecology from the proposed development. The development is considered acceptable and in accordance with the Rossendale Local Plan and the NPPF.

10. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.

2. The development shall be carried out in accordance with the application form received following plans and documents unless otherwise required by the conditions below:

Drawing No: 1760 00_01 R04 - Location Plan 1 of 2 received 09.04.2025

Drawing No: 1760 00_02 R04 - Location Plan 2 of 2 Redline to Highway received 09.04.2025

Drawing No: 1760 00_03 R03 - Existing Site Plan received 09.04.2025

Drawing No: 1760 00_04_R01 - Existing Plans received 09.04.2025

Drawing No: 1760 00_05 - Existing Elevations received 09.04.2025

Drawing No: 1760 00_06 - Existing Sections 1 of 2 received 09.04.2025

Drawing No: 1760 00_07 - Existing Sections 2 of 2 received 09.04.2025

Drawing No: 1760 01_01 R02 - Site Plan received 09.04.2025

Drawing No: 1760 02_01 R02 - Floor Plans received 09.04.2025

Drawing No: 1760 03_01 R01 - Elevations received 09.04.2025

Drawing No: 1760 04_01 R01 - Sections 1 of 2 received 09.04.2025

Drawing No: 1760 04_02 R01 - Sections 2 of 2 received 09.04.2025

Drawing No: 1760 05_01 - Bin Store Details received 30.06.2025 Public

Design and Access Statement received 09.04.2025

21159 Statutory Biodiversity Metric Calculation received 09.04.2025

Fishermans Climate Change Statement received 09.04.2025

SF21159 Preliminary Ecological Appraisal received 09.04.2025

SF21159 Riding Head Lane Ramsbottom Biodiversity Net Gain Plan March 2025
received 09.04.2025
The Fishermans Retreat Affordable Housing Statement received 09.04.2025
Ecological Impact Assessment received 04.11.2025
Flood Risk Assessment and Drainage Strategy received 01.12.2025.
Drawing No: 1276-001 P1 (Watercourse Diversion GA and Section)
Drawing No: 1276-002 P1 (Drainage Strategy)
Drainage Condition Report (ref. 1300)

Reason: Reason: To define the permission and in the interests of the proper development of the site.

3. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:
 - Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures.
 - Measures to protect vulnerable road users (pedestrians and cyclists).
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
 - Wheel washing facilities.
 - Measures to deal with dirt, debris, mud, or loose material deposited on the highway as a result of construction.
 - Measures to control the emission of dust and dirt during construction.
 - Details of a scheme for recycling/disposing of waste resulting from demolition and construction works.
 - Construction vehicle routing.
 - Hours of construction-related deliveries.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: - In the interests of the safe operation of the adopted highway during the demolition and construction phases.

Note: Construction Management Plan.

- *There must be no reversing into or from the live highway at any time – all vehicles entering the site must do so in a forward gear and turn around in the site before exiting in a forward gear onto the operational public highway.*
- *There must be no storage of materials in the public highway at any time.*
- *There must be no standing or waiting of machinery or vehicles in the public highway at any time.*
- *Vehicles must only access the site using a designated vehicular access point.*
- *There must be no machinery operating over the highway at any time, this includes reference to loading/unloading operations – all of which must be managed within the confines of the site.*
- *A licence to erect hoardings adjacent to the highway (should they be proposed) may be required. If necessary, this can be obtained via the*

- County Council (as the Highway Authority) by contacting the Council by telephoning 01772 533433 or emailing lhsstreetworks@lancashire.gov.uk*
- All references to public highway include footway, carriageway, and verge.*

- The elevations of the extension (as previously approved under 2017/0637) shall be constructed of natural coursed stone to match that of the existing building, and the roof shall be constructed of natural slate to match that of the existing building.

Reason: In the interests of visual amenity.

- Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction works shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: To safeguard the amenities of nearby residential properties.

- All hard and soft landscape works forming part of the development hereby approved shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 10 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity

- Prior to the first use of the accommodation hereby approved a post-development highway condition survey of Bye Road, Turn Road, Bury Old Road and Riding Head Lane (including photographs) shall be submitted to and approved in writing by the Local Planning Authority.

The submitted information shall include a scheme and timetable to reinstate any damage which has occurred between the pre-commencement condition survey and the post development condition surveys. The highways shall be reinstated to their pre-commencement condition thereafter in accordance with the approved scheme.

Reason: In the interests of highways safety.

- Within three months of the date of this permission full details of directional signage, including the locations of signage on Rochdale Road to direct future vehicles to the site, shall be submitted to and approved in writing by the Local Planning Authority (the signage shall conform to the Traffic Signs Regulations and General Directions 2016). Prior to the first use of the dwellings hereby approved the signage shall be erected in accordance with the approved details, and it shall be retained in perpetuity thereafter.

Reason: In the interests of highways safety.

- The surface water drainage scheme shall be implemented in accordance with the details approved on application reference: 2018/0243 including Drawing: 1276-

001 P1 (Watercourse Diversion GA and Section) and Drawing: 1276-002 P1 (Drainage Strategy) and the Drainage Condition Report (ref. 1300), to the satisfaction of the Local Planning Authority. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reasons: In the interests of securing proper drainage, mitigating flood risk and avoiding harm to water quality.

10. The management and maintenance plan shall be implemented in accordance with the approved details prior to the completion of the development. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reasons: In the interests of securing proper drainage for the lifetime of the development, and mitigating flood risk.

11. The development hereby permitted shall not be occupied until the sustainable drainage scheme for the site has been completed in accordance with the approved details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reasons: In the interests of securing proper drainage and mitigating flood risk.

12. The parking and associated manoeuvring areas shown on the approved plans shall be surfaced or paved, drained, marked out and made available for use prior to first occupation of the development hereby approved. The parking and manoeuvring facilities shall thereafter be permanently retained for that purpose.

Reason: To ensure provision of adequate off-street parking facilities.

11. INFORMATIVES

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be Rossendale Borough Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

2. 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.

3. During the period of construction, should contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate mitigation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed mitigation scheme.
4. The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2018 and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.
5. Please remove all highway signage relating to the Fisherman's Retreat as a commercial venue
6. The granting of planning consent does not entitle the developer to obstruct the Public Right of Way. Therefore, the infringement or obstruction of the footpath would be a criminal offence and one that would be subject to enforcement should it be impeded. To prevent this occurring the right of way should always remain accessible and not used to park or store materials, vehicles or machinery during or proceeding construction.
7. If works relating to the proposed development are likely to cause a health and safety risk to users of a public right of way a Temporary Traffic Regulation Order (Temporary Closure Order) must be made and in effect prior to commencing those works. Applications should be made 8 weeks before commencement to avoid delay to the works. Further details on closures can be found at Request a temporary closure of a public right of way - Lancashire County Council. A Temporary Closure Order cannot be made unless the proposed works are lawful. To justify a temporary closure, evidence of a 'confirmed diversion Order' must accompany an application to permanently obstruct the right(s) of way.



SCALE 1:200

General Notes

THIS DRAWING HAS BEEN PREPARED FROM SURVEY INFORMATION SUPPLIED BY OTHERS AND IS FOR INFORMATION PURPOSES ONLY. DO NOT SCALE FROM DRAWING. USE FIGURED DIMENSIONS ONLY.

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ALL DIMENSIONS MUST BE CHECKED AND VERIFIED ON SITE PRIOR TO COMMENCEMENT OF WORK AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES.

THE PARTY WALL ETC ACT 1996 CAME INTO FORCE ON 1ST JULY 1997 THROUGHOUT ENGLAND & WALES. IF YOU INTEND TO CARRY OUT BUILDING WORK WHICH INVOLVES ONE OF THE FOLLOWING CATEGORIES:

- WORK ON AN EXISTING WALL OR STRUCTURE SHARED WITH ANOTHER PROPERTY (SECTION 2 OF THE ACT)
- BUILDING A FREE STANDING WALL OR WALLS OF A BUILDING UP TO OR ACROSS THE BOUNDARY WITH A NEIGHBOURING PROPERTY (SECTION 1 OF THE ACT)
- EXCAVATING NEAR A NEIGHBOURING BUILDING (SECTION 6 OF THE ACT)

YOU MUST FIND OUT WHETHER THAT WORK FALLS WITHIN THE ACT (YOUR PROJECT MANAGER WILL BE ABLE TO ADVISE YOU ON THIS). IF IT DOES, YOU MUST NOTIFY ALL AFFECTED NEIGHBOURS. A NOTICE MUST BE GIVEN EVEN WHERE THAT WORK WILL NOT EXTEND BEYOND THE CENTRE LINE OF A PARTY WALL.

ALL CONSTRUCTION PROJECTS, COMMERCIAL OR DOMESTIC, ARE SUBJECT TO THE CDM REGULATIONS (2015). IT IS THE RESPONSIBILITY OF THE CLIENT TO ENSURE THAT WHERE MORE THAN ONE CONTRACTOR IS INVOLVED IN THE PROJECT THAT A 'PRINCIPAL DESIGNER' IS APPOINTED TO UNDERTAKE CDM RESPONSIBILITIES ON THEIR BEHALF. ANY PROJECT REQUIRING MORE THAN 30 DAYS WORK AND 20 OR MORE WORKERS ON SITE SIMULTANEOUSLY AT ANY GIVEN TIME, OR WHICH REQUIRES MORE THAN 500 WORKING MAN HOURS MUST BE NOTIFIED BY THE CLIENT TO THE HSE USING AN F10 NOTIFICATION PRIOR TO WORK COMMENCING ON SITE.

BEFORE STARTING WORK YOU NEED TO CHECK IF ANY ASBESTOS IS PRESENT. IN COMMERCIAL PROPERTIES THERE SHOULD BE A PLAN/REGISTER ASK TO SEE IT. YOU NEED TO CHECK THAT THE PLAN COVERS THE AREA OF THE BUILDING THAT YOU WILL BE WORKING IN AND IF YOU ARE DOING REFURBISHMENT WORK THAT IT INCLUDES A SURVEY THAT TELLS YOU WHAT TYPES OF ASBESTOS IS PRESENT AND ITS CONDITION. IF THERE IS NO REGISTER OR SURVEY OR THE REPORT IS NOT CLEAR-DO NOT START WORK.

NO WORKS ARE TO START ON SITE PRIOR TO DISCHARGE OF ANY / ALL PRE-START PLANNING CONDITIONS.

THE CLIENT IS AT RISK IF ANY WORKS ARE STARTED PRIOR TO APPROVAL BY APPOINTED BUILDING CONTROL BODY.

Key Plan

Total Existing
Building Footprint: 1,084.1m²

Total Proposed
Building Footprint: 1,047.3m²

35 no. Parking bays Total inc.
4 no. Electric Vehicle Charging
Points
4no. Accessible Parking Bays

Plus
2no. Motorcycle Spaces

Revisions

R02 Redline & parking updated	AM	13/03/2025
R01 Site plan & Redline updated	AM	21/10/2024

Rev	Description	Drw	Chk	Date
Drawing Status: PLANNING				
Client: MR H & J MAGNALL				
Project: FISHERMANS RETREAT, RIDING BEAD LANE, RAMSBOTTOM, BLD 0HH				
Drawing: SITE PLAN.				
Project No:	Drawing No:			
1760	01_01 R02			
Scale: (BA1)	Date:	Drawn by:	Checked by:	
1:200	MAY '24	SH	AM	

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