

DELEGATED REPORT

Report by Claire Booth	Date of report: 09/09/2025	Ref: 71705/FUL
Registration: 31/03/2025	LDfC: 09/05/2025	Expiry Date: 26/05/2025
Site Visit:	Site Notice: 17/04/2025	Press Date: 17/04/2025
Objections: 0	Con Area: RAMS	Adv Type: CA
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIOT

Proposal: Proposed new air conditioning condenser unit to side elevation; alterations to shop front and installation of louvres to the rear elevation.

Location: 46-48 Bolton Street, Ramsbottom, Bury, BL0 9HX

Description

The application relates to Nos 44 - 46 Bolton Street, which forms part of the retail unit, formerly known as Isherwoods and is located in the Ramsbottom Conservation Area. The units have 2 shop fronts - the door is located centrally with windows on either side. The building is constructed from stone at the front and is rendered at the rear. The windows are timber and there is a slate roof. Pedestrian access is from Bolton Street and servicing takes place at the rear on Central Street.

There is a bar and hair dressers located to the south and a retail unit (also part of the former Isherwoods shop) to the north with Markland Street beyond. The site is located in Ramsbottom town centre and there are various commercial and business uses in the vicinity.

The proposed development involves the painting and repair of the existing shop front framing on the front elevation, the relocation of an air conditioning unit to the side elevation at the rear and the installation of louvres on the rear elevation.

Relevant Planning History

42483 - New shop front at 44 - 48 Bolton Street, Ramsbottom. Approved with conditions - 28 June 2004.

69820 - External works/alterations including replacement/ new windows and doors at 44 - 48 Bolton Street, Ramsbottom. Refused - 14 September 2023.

69955 - Prior approval for change of use of first and second floors from commercial (Class E) to 7 no. residential units (Class C3) and part of the ground floor to create separate residential access and bin storage at 44 - 48 Bolton Street, Ramsbottom. Withdrawn - 15 September 2023.

71706 - 1no. externally illuminated fascia sign and 1no. externally illuminated projecting sign at 46 - 48 Bolton Street, Ramsbottom. Received - 26 May 2025.

Publicity

The neighbouring properties were notified by means of a letter on 11 April 2025 and a press notice was published in the Bury Times on 17 April 2025. Site notices were posted on 17 April 2025.

There has been no response.

Statutory/Non-Statutory Consultations

Traffic Section - Object to any doors opening onto the highway.

Conservation Officer - No objections.

Pre-start Conditions - Not relevant.

Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/8	Shop Fronts
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN7/2	Noise Pollution
S1/2	Shopping in Other Town Centres
HT5/1	Access For Those with Special Needs
Area	Bolton Street/Bridge Street
RM3	
JP-S2	Carbon and Energy
JP-P1	Sustainable Places
JP-P2	Heritage
JP-C2	Digital Connectivity
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 - Policy S1/2 states that the Council will seek to maintain and strengthen the retail roles of Ramsbottom, Radcliffe and Prestwich town centres. The Council will support modest increases in shopping floorspace, however, the main emphasis will be on consolidation and enhancement.

The proposed development involves the provision of new shop fronts and the relocation of air conditioning units and condensers for the units, which will be in use as a banking hub. The change of use to a banking hub would be permitted development and would not require planning consent. The banking hub use would generate footfall and would contribute to the vitality and viability of the town centre. Therefore, the proposed development would be in accordance with Policy S1/2 of the Bury Unitary Development Plan.

Design and layout - The existing windows and doors to both units (Nos 46 & 48) would be cleaned and painted. Revised plans have been received, which confirm that the fanlights above the two doors would be retained, which is welcomed. The two doors would be replaced and the proposed doors would be acceptable. The door to No. 48 Bolton Street would be the main entrance. The existing entrance step would be removed to allow a flush entrance, which would be accessible for all. The step would be retained on No. 46 as this door would not be in use.

The part translucent treatment to the display windows has been removed, which would preserve the external appearance of the building and would ensure an active frontage is maintained.

The proposed air conditioning unit would be located at the rear on the gable elevation and the proposed louvres would be located on the rear elevation. These would represent minimal alterations and would not be a prominent feature in the streetscene.

The Conservation Officer has no objections to the proposed development.

Therefore, the proposed development would preserve the character of the conservation area and would not be a prominent feature in the streetscene. Therefore, the proposed development would be in accordance with Policies EN1/2, EN1/8, EN2/1 and EN2/2 of the Bury Unitary Development Plan, Policies JP-P1 and JP-P2 of the Places for Everyone Joint Development Plan and the NPPF.

Noise - The proposed development would involve the installation of an air conditioning unit on the rear elevation. The application site is located in the town centre and the nearest residential dwellings are located in Callendar Court, which is 17 metres away. Given the distance and the orientation of the residential dwellings, it is considered that 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 EN7/2 of the Bury Unitary Development Plan.

Highways issues - The previous retail unit was serviced from Central Street. The permitted change of use to a banking hub would reduce the number of vehicles and servicing required. Pedestrian access would be maintained via Bolton Street. The step would be removed from the door to No. 48, to provide a level access to ensure the proposed development is accessible for all.

The Traffic Section have objected to any doors that would open onto the adopted highway. The only doors that do open onto the adopted highway form part of No. 44 Bolton Street, which is not part of this application. All of the doors on Nos. 46 - 48 Bolton Street would open inwards and would be acceptable.

Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2 and HT5/1 of the Bury Unitary Development Plan.

Carbon and Energy - Policy JP-S2 of the Places for Everyone Joint Development Plan Document states that Development proposals should set out how they intend to minimise energy demand and maximise energy efficiency unless it can be demonstrated that it is not practicable or financially viable.

The proposed air conditioning unit has been designed with advanced technology that optimizes cooling efficiency, which reduces the energy consumption. In addition, the air conditioning unit would use smart technology such as temperature control, which would ensure that the system will only be in operation when required. Therefore, the proposed development would be in accordance with Policy JP-S2 of the Places for Everyone Joint Development Plan.

Digital Connectivity - Policy JP-C2 states all new development should have access to a full fibre connection.

The proposed development would have access to a fibre connection and as such, would be in accordance with Policy JP-C2 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 Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered 000100 C01, 010103 C03, 010201 C03, 010501 P03, 010502 P01 and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 09/09/2025		DM - 10/09/2025	