

DELEGATED REPORT

Report by Helen Leach	Date of report: 25/06/2025	Ref: 71951/CONDIS
Registration: 20/05/2025	LDfC:	Expiry Date: 15/07/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: NREQ

Proposal: Application to discharge condition 3 (materials) on planning permission 70222

Location: Holcombe Mill, Bridge Street, Ramsbottom, Bury, BL0 0BS

Description

The applicant seeks the discharge of condition 3 (materials) of permission 70222.

Relevant Planning History

70222 - Erection of 57 no. dwellings, the retention of a chimney and the demolition of 3 existing buildings, together with engineering operations to create a development platform, public car park, substation, public open space, landscaping, drainage, the layout of internal estate roads and footways and other associated works at Former Mondi/Holcombe Mill, Bridge Street, Ramsbottom. Approved with conditions - 30 September 2024.

Publicity

None required.

Statutory/Non-Statutory Consultations

Conservation Officer - No objections.

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.

Condition 3 - The proposed exterior stone would be Newlay Calder Buff Weathered, which is an artificial stone and the proposed headers, cills and jambs would be Yorkshire Cast Stone Ltd. The proposed materials have been constructed in a sample panel on site and would be acceptable in terms of appearance and coursing.

The proposed roof tile would be Weinerberger danum dual thin leading edge dark grey, which would be acceptable in terms of appearance and the course pattern.

The proposed front door would be from C & W Berry Ltd and would be of an acceptable design. The Conservation Officer has confirmed that the doors should be either traffic black (RAL 7043) or signal white (RAL 9003) with a matt finish.

The design of the proposed windows would be acceptable and must have a 50mm - 70mm reveal/set back.

The proposed materials would be acceptable and would preserve the character of the Conservation Area and would be in accordance with Policies EN1/2, EN2/1 and EN2/2 of the Bury Unitary Development Plan.

Recommendation: Approve

Conditions and Reasons:

- 1 The following conditions have been approved:
Condition 3 - Materials schedule, Materials & enclosure plan (103 R)

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>

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