

DELEGATED REPORT

Report by Mo Warsame	Date of report: 30/07/2025	Ref: 72009/FUL
Registration: 04/06/2025	LDFC: 11/07/2025	Expiry Date: 30/07/2025
Site Visit:	Site Notice: N/A	Press Date: 19/06/2025
Objections: 0	Con Area: RAMS	Adv Type: CA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Replacement of timber windows with UPVc

Location: 177 Bolton Street, Ramsbottom, Bury, BL0 9JD

Description

The property known as the Hope House is a Three-storey detached building. It is located on the southeast side of Bolton Street within the Conservation Area. The building itself is not listed, and there are no nearby Listed Buildings. The surrounding area is residential in nature and there are a mixture of house types

Planning permission is sought for the replacement of existing timber frame windows with UPVc windows.

Relevant Planning History

53225 - Prior approval notification for installation of proposed telecommunications cabinet - Withdrawn - Invalid 01/11/2010

53270 - Openreach Broadband Cabinet - Withdrawn by Applicant 18/11/2010

Publicity

Neighbour letters sent on 18/06/2025. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer - see below in main report

Pre-start Conditions

N/A

Development Plan and Policies

EN2/2 Conservation Area Control

EN2/1 Character of Conservation Areas

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

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.

Conservation principles and Visual Amenity

- UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control takes into account the special character of conservation areas and only seeks to support development which would preserve or enhance their appearance. Regard will be had to the scale, design, and materials, relationship between the proposed development and the architectural and visual qualities of the surrounding area, and the contribution of new buildings to the character of the area.

The main fenestration of the existing property is characterised by timber sliding sash windows, and this approach is generally reflected in the conservation area. As the application involves the replacement of all timber frames, regard would be given to the quality of the design, detailing and appearance of the proposed replacement Upvc frames.

The proposed replacement windows are to replace existing timber frames. The proposed replacement sash windows will be a heritage type 'legacy' upvc sliding sash with run through decorative horns, slim 37mm midrail, mechanical joints to the midrail and authentic putty lines. These will be in a white upvc.

According to the Conservation officer, the proposed UPVc replacements would be of a modern construction with a generic design that is not considered to replicate the existing timber windows. It is not considered that the correct form, design, profile and finish can be achieved with UPVc material when compared to timber. As such UPVc replacement windows would represent an incongruous, contemporising feature on the building directly, causing a loss of significance. This in turn would cause harm to the conservation area neither preserving or enhancing the character or appearance of it, causing incremental erosion of its character and appearance. This would represent less than substantial harm without any public benefit.

As such the replacement of timber windows with UPVc cannot be supported in heritage terms.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed UPVc windows by virtue of their materials and design would have an unacceptable impact on the Conservation Area of which the site forms part. The proposal would neither preserve or enhance the traditional character or appearance of the Conservation Area. The proposal therefore conflict with the following policies of the Unitary Development Plan: EN2/1 Character of Conservation Areas, EN2/2 Conservation Area Control.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	30/7/25	DM	30/7/25