
Appeal Decision

Site visit made on 12 May 2026 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 June 2026

Appeal Ref: 6002664

Ivy Bank, Walmersley Old Road, Walmersley, Bury BL9 6RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Ian Alexander against the decision of Bury Metropolitan Borough Council.
 - The application Ref is 72530.
 - The development proposed is for one dwelling.
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Decision

1. The appeal is allowed and permission in principle is granted for one dwelling at Ivy Bank, Walmersley Old Road, Walmersley, Bury in accordance with the terms of the application reference 72530.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters & Main Issue

3. The reason for refusal refers to the proposed development being for four dwellings on a 0.48-hectare site. However, these are typing errors as confirmed by the main parties. This has not changed anything fundamental nor prejudiced the ability of any party to make their case in respect of the appeal.
4. This way of obtaining planning permission for housing development has two stages. The first establishes whether a site is suitable in-principle. The second is Technical Details Consent (TDC). This is where the detailed development proposals are assessed. This appeal relates to the first stage. The scope of the considerations thereunder is limited to location, land use and the amount of development. All other matters are considered as part of a subsequent TDC application should one for the principle stage be successful. The Council has found no harm with regard to location and land use, and I have no reason to disagree. Therefore, the main issue is whether the site is suitable for residential development having regard to the amount thereof.

Reasons for the Recommendation

5. The appeal site is a grassed plot located on the outer edges of Walmersley. It is accessed from Walmersley Old Road and raised higher than other housing development to the southern side. There is a row of stone cottages located alongside the site and some other sporadic detached dwellings. Otherwise, the site

is surrounded by open countryside. Alongside Walmersley Old Road, the site is bordered by a stone wall and protected mature trees that screen it from wider views. These factors combine to create a pleasant sense of rurality around the site.

6. Policy JP-H4 of the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2024 (LP) is concerned with ensuring that new housing development is delivered at a density appropriate to its location. For the appeal site, the policy states that there should be a minimum net residential density of 35 dwellings per hectare. There is a dispute between the main parties of 0.01 hectares as to the actual area of the appeal site. Whichever measurement is correct, when rounded to the nearest whole number, both plot sizes would equate to a housing density requirement of two. That being said, the policy also states that lower densities may be acceptable where they can be clearly justified by site-specific issues such as the design context and any potential impact on the wider landscape.
7. The land levels are substantially raised from within the site and gradually rise from Walmersley Old Road. The land is also bordered by a large number of mature protected trees, the crowns of which stretch into the site. Both of these matters could restrict the developable space available. The site is located within a rural setting, and it is typical here for detached dwellings to be set-in good-sized plots. The dwelling would be one of the last properties heading out of Walmersley where the existing housing density appears to be much lower. Therefore, subject to a TDC, the proposal could reflect the wider landscape. Furthermore, the policy position would only technically require one more dwelling than the appeal scheme which would not amount to an extensive difference in housing numbers for the purposes of the policy. Nonetheless, in broad terms there would be no reason why another dwelling could not come forward in the future separate to the appeal scheme before me. With this and the above in mind, a lower density would be acceptable in this instance. The proposal would therefore comply with Policy JP-H4 of the LP. The aims of which I have set out.
8. Baldingstone House is a Grade II listed building sat a short distance west of the appeal site. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard be had to preserving the listed building or its setting or any features of special architectural or historic interest. The appeal site is visually distinct from Baldingstone House. It is screened heavily by mature trees and the listed building's wider setting is already influenced by a number of other dwellings of low density and mixed sizes/designs. The principle of a dwelling at the site could therefore preserve the setting of the listed building, with detail to be set out in any future TDC.

Recommendation

9. The appeal scheme would comply with the development plan. I therefore recommend that it should be allowed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, and permission in principle is therefore granted.

John Morrison

INSPECTOR