



Appeal Decision

Site visit made on 27 November 2025

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 December 2025

Appeal Ref: APP/T4210/W/25/3374284

EI Carnero, 13 Peel Brow, Ramsbottom, Bury BL0 0AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr M Oliver against the decision of Bury Metropolitan Borough Council.
 - The application Ref is 72100.
 - The development proposed is retention of timber outbuildings for use as outdoor bar/seating areas and pizza bar.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form, decision notice and appeal form all utilise different property names. During my site visit, it was noted that signs had been erected at the premises which match those used on the appeal form. I have therefore utilised the address given on the appeal form.
3. The evidence before me indicates that the appeal is retrospective. This was confirmed during my site visit, and the development appears to conform with the plans before me. I have assessed the appeal on this basis.
4. The appeal site lies within the Ramsbottom Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area. I have had due regard to this duty within my decision.

Main Issues

5. The main issues are:
 - whether the proposed development would preserve or enhance the character or appearance of the Ramsbottom Conservation Area and the wider area; and,
 - the effect of the development on highway safety.

Reasons

Conservation area

6. The site lies within the Ramsbottom Conservation Area (CA). The CA is situated on the lower slopes of the Irwell Valley where historically, the rivers and streams of the surrounding West Pennines provided water for textile processes. Its significance is derived from a dense and compacted urban form, typically

constructed from stone, which centres around the market area of the town against this natural backdrop of in an otherwise industrial context.

7. The appeal site is host to a semi-detached building which has been extended at single storey level to the side with a glazed addition which is visible from Peel Brow. Nevertheless, the predominant use of stone and overall traditional appearance of the host building within the CA provides a positive contribution to it. This is due to its overall visual similarity with the other buildings on the lower slopes of the Irwell Valley within Ramsbottom.
8. The development subject to this appeal comprises a substantial, dark, flat-roofed timber structure positioned parallel to the rear boundary of the site. A smaller, yet similar structure accommodates a pizza oven and kitchen area. Taken together, their combined scale in terms of length, height, and width, alongside the low boundary wall at the front of the site, results in a pronounced level of visibility from Peel Brow and the wider CA. The dark finish of the structures does little to mitigate their prominence within this open and exposed setting.
9. The materials used in the construction of the development stand in stark contrast to the light-coloured stone characteristic of the Irwell Valley. This discordance is further accentuated by the application of a dark finish across the full width of the structure. In addition, the flat-roofed design fails to integrate or harmonise with the host stone building on the appeal site, or with the prevailing architectural character of the CA, where pitched slate roofs are typical. Consequently, the development appears as an incongruous intervention, markedly at odds with the established materials and built forms of the CA and its wider setting. It therefore fails to preserve, or enhance, the character or appearance of both the CA and the surrounding area.
10. It is contended that a condition could be utilised to stipulate the colour and the materials used on the development. However, whilst these matters would address some areas of concern, it would not overcome my concerns with regard to its overall design.
11. The development is in conflict with Policies EN 1/2, EN 2/1, EN 2/2 and EC4/1 of the Bury Unitary Development Plan 1997 and Policies JP – P1 and JP – P2 of The Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2024. Collectively, these policies seek for development which would be of an appropriate design and appearance which preserves or enhances conservation areas within the borough. They note that regard will be had to the nature of the development in terms of its bulk, height, materials, colour and design.

Highway safety

12. The development is situated on land that previously formed part of the car park adjacent to the main host building. According to the submitted plans, the appeal site originally accommodated six marked parking bays prior to the construction of the development now under consideration. These bays remain positioned behind the boundary wall at the front of the site. In addition, although not formally delineated, the plans indicate that space was available to the rear and along the eastern boundary of the site. This area would have been used to facilitate a vehicle manoeuvring from the front bays, whilst also providing an informal parking area for additional vehicles.

13. The manoeuvring of vehicles into and out of the marked spaces located to the front of the appeal site, adjacent to the single-storey side extension, is impeded by the presence of the development and its associated paraphernalia. This difficulty would be exacerbated in circumstances where all spaces are occupied, a scenario that is likely given the limited parking provision within the site. Consequently, the development diminishes the availability of space for both vehicle manoeuvring and informal parking, thereby eroding the site's overall parking capacity.
14. Furthermore, the Council refer to the guidance contained within Development Control Policy Guidance Note 11: Parking Standards in Bury 2007 (SPD). The SPD specifies the level of parking provision required for a restaurant in this location. I acknowledge that an informal parking arrangement would remain along the eastern boundary of the appeal site, and that this area could be formally marked out through the imposition of a planning condition. This would supplement the six marked spaces already provided to the front of the site. Nevertheless, based on the evidence before me, I am not persuaded that the marking out of these additional spaces would achieve the level of provision required by the SPD.
15. Taking into account both the limited number of spaces and the constrained manoeuvrability of those located to the front of the site, it is foreseeable that drivers would seek alternative parking opportunities on-street, directly outside the appeal site. During busy periods, such on-street parking could result in an accumulation of vehicles in close proximity to the junction of Kenyon Street with Peel Brow, as well as the exit point of the car park.
16. For vehicles turning right from Kenyon Street towards Ramsbottom, visibility of traffic approaching from the direction of Bury New Road would be restricted unless drivers made a significant ingress onto Peel Brow. Similarly, for vehicles exiting the car park, the likely proliferation of on-street parking along Peel Brow during busy periods would further reduce visibility of traffic approaching from Ramsbottom, again necessitating notable ingress onto the highway.
17. Therefore, when considered collectively, the limited number of spaces resulting from the development would lead to the displacement of vehicles onto the highway during busy periods. Such displacement would have an unacceptable impact on highway safety. Moreover, the parking provision retained within the site would remain constrained, with certain spaces offering compromised manoeuvrability for vehicles entering or exiting them.
18. To conclude, the proposed development would conflict with Policies HT 2/4 of the Bury Unitary Development Plan 1997 and JP-C8 of The Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2024. The development would also conflict with the guidance found within the SPD. Collectively, these policies and guidance seek for development to make adequate parking provision that is well integrated and unobtrusive which is reflective of its demand.

Heritage Balance and Conclusion

19. The harm to the CA as a result of the proposed development would be less than substantial in the terms of the National Planning Policy Framework (the Framework). Paragraph 215 of the Framework notes that where a development proposal will lead to less than substantial harm to the significance of a designated

heritage asset, this harm should be weighed against the public benefits of the proposal.

20. It is acknowledged that the development provides additional seating to support a new food offering. Furthermore, economic benefits and employment opportunities would have arisen during its construction. The structure will also provide an employment requirement. This attracts limited, yet positive weight to these public benefits.
21. The Framework makes clear that great weight should be afforded to the conservation of heritage assets. In this case, the identified public benefits, taken together, do not outweigh the harm that would result to the character or appearance of the CA. In the absence of any significant public benefit, I conclude that, on balance, the proposal would fail to preserve or enhance the character or appearance of the CA. Accordingly, the scheme conflicts with the approach to heritage assets set out in Section 16 of the Framework. As such, the Framework does not lend support to the proposal.
22. I consider that the proposal conflicts with the development plan taken as a whole. Material considerations do not outweigh the conflict with the development plan. A decision should therefore be taken in accordance with it. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

J Smith

INSPECTOR