

DELEGATED REPORT

Report by Tom Beirne	Date of report: 30/06/2026	Ref: 73218/FUL
Registration: 29/05/2026	LDfC: 26/06/2026	Expiry Date: 24/07/2026
Site Visit: 23/06/2026	Site Notice: 04/06/2026	Press Date: 04/06/2026
Objections: 0	Con Area: HOLC	Adv Type: CA
Reason for Delay: N/A		EIA: NA Dec Level: DEL Stat Class: HOUS

Proposal: Removal of existing storage container; Rebuild of existing stone retaining wall at rear and excavation works to form covered storage space/area with new window/door/gate and resiting of existing steps to upper landscaped area; Replacement of existing hardstanding with decked area

Location: Meadow Heys, Moorbottom Road, Ramsbottom, Bury, BL8 4NS

Description

The application relates to a small detached red brick bungalow sited within a large garden on the lower slopes of Holcombe Hill. The plot is made up of a series of terraces, stabilised by gabbions, with the house in the lower section. The site is within the Green Belt, West Pennine Moor and Holcombe Village Conservation Area where there is an Article 4 restriction and permitted development rights have been removed..

A previous application for the extension of the house and the construction of two outbuildings within the terraced garden area was approved in February 2025.

This proposal seeks to removal of existing storage container to the side of the house and currently being used as a garden shed, rebuild the existing stone retaining wall at rear and excavation works to form a small covered storage space (4.5m by 4m) with new timber framed window/door/gate and re siting of existing steps to upper landscaped area; Replacement of existing hardstanding with a timber decked area.

Relevant Planning History

71313 - Single storey rear extension; Rear dormer; Erection of 2 no. outbuildings; Installation of gates to existing stone pillars - Approved 05/02/2025
71649 - Non-material amendment following the grant of planning permission 71313 (Single storey rear extension; Rear dormer; Erection of 2 no. outbuildings; Installation of gates to existing stone pillars): Increasing the roof pitch over the annex (gym and media room) from 15 degrees to 25 degrees. - Approved 12/03/2025
72359 - Variation of condition 2 (approved drawings) of planning permission 71313 to amend walling material of annex to burnt wood vertical cladding - Refused 30/10/2025
72862 - Single storey rear extension with timber cladding; new facing brick to external walls; new black upvc windows and doors and installation of solar tiles to roof at front - Approved 16/04/2026

Publicity

Immediate neighbours notified by letter dated 01/06/2026. Site and press notices posted 04/06/2026. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection.

Public Rights of Way Officer - No objection received.

Pre-start Conditions - N/A

Development Plan and Policies

EN1/1	Visual Amenity
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors

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.

Policy Background - EN1/1 - Visual Amenity - Development will not be permitted where proposals would have a detrimental effect on:

- a) public views of prominent or important buildings, especially those in areas of architectural or historic interest;
- b) the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

EN2/1 - Character of Conservation Areas. The Council will take action as appropriate to preserve or enhance the character or appearance of the Borough's Conservation Areas. The Council will be especially concerned with encouraging and, where appropriate, implementing measures to:

- a) retain, replace and restore features of historical and architectural interest;
- b) retain and enhance existing landscape features including trees, parks and gardens;
- c) initiate and promote environmental improvement/enhancement schemes such as landscaping, refurbishment of street furniture, traffic management and pedestrian schemes;
- d) remove dereliction and bring unused land or buildings back into beneficial use;
- e) prepare and promote design guidelines to ensure sympathetic development.

EN2/2 - Conservation Area Control. Development within a Conservation Area will only be acceptable if it preserves or enhances the special character or appearance of the area. In considering proposals for development in Conservation Areas, regard will be had to the following criteria:

- a) the nature of the development in terms of its bulk, height, materials, colour, design and detailing;
- b) the relationship between the proposed development and the architectural and visual qualities of the surrounding area;
- c) where demolition is proposed, the contribution of any proposed new building to the character or appearance of the area as compared to the building to be demolished;
- d) in the case of the re-use of buildings or the introduction of new uses, the impact of the proposal on the character or appearance of the area and the fabric of the existing building.

UDP Policy OL1/2 - New Buildings in the Green Belt

The construction of new buildings inside the Green Belt is inappropriate development, unless it is for one or more of the following purposes:

- a) agriculture and forestry (except where permitted development rights have been withdrawn);
- b) essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of Green Belt and which do not conflict with the purposes of including land in it;
- c) limited extension, alteration or replacement of existing dwellings, provided that this would not result in disproportionate additions over and above the size of the original dwelling, or, in the case of replacement of existing dwellings, the new dwelling is not materially larger than the one it replaces;
- d) limited infilling in existing villages as set out under Policy OL1/3.

H2/3 - Extensions and Alterations. Applications for house extensions and alterations will be considered with regard to the following factors:

- a) the size, shape, design and external appearance of the proposal;
- b) the character of the property in question and the surrounding area;
- c) the amenity of adjacent properties;
- d) visibility for pedestrians, cyclists and drivers of motor vehicles.

Green Belt and visual amenity - The removal of the rather unsightly storage container would have a positive impact visually. The proposed works, including the creation of a small

storage area behind the new stone retaining wall, would be relatively modest in scale and, situated to the side/rear, would not have a significant impact on openness or character of the Green Belt. The stone finish would be appropriate to the site and surroundings.

The related works including the decked area and railings would be modest in scale and would not impact on the green belt or wider visual amenity.

Given the siting, scale and nature of the works, the proposal would not have a significant impact on the openness and character of the Green Belt and complies with the NPPF, Places for Everyone and UDP Policies EN1/1 Visual Amenity and OL1/2 New Buildings in the Green Belt and OL7/2 West Pennine Moors.

Heritage - A heritage statement has been submitted with the application and addresses the impact on the conservation area. The existing stone would be used for the new wall and the railings would be powder coated black. The window, door and new gate would be timber. Given the nature and scale of development, the proposal is acceptable in terms of heritage and there is no objection from the Conservation Officer.

The proposal complies with the NPPF, Places for Everyone and UDP Policies EN2/1 and EN2/2 in relation to the conservation area.

Residential amenity - Given the nature and scale of development and separation distances to the nearest neighbour, there are no residential amenity issues arising. It is noted that there have been no objections received. The proposal is acceptable and complies with UDP Policy H2/3 Extensions and Alterations.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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 PK4-00, 01, 02, 03B, 04 and 05 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>
Tom Beirne	30/06/2026	DM	06.07.2026