

DELEGATED REPORT

Report by Tom Beirne	Date of report: 30/10/2025	Ref: 72359/FUL
Registration: 09/09/2025	LDFC: 24/10/2025	Expiry Date: 04/11/2025
Site Visit: 21/10/2025	Site Notice: N/A	Press Date: 02/10/2025
Objections: 0	Con Area: HOLC	Adv Type: CA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Variation of condition 2 (approved drawings) of planning permission 71313 to amend walling material of annex to burnt wood vertical cladding

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. On the highest terrace, adjacent to the rear boundary wall is a steel framed open side outbuilding with a corrugated concrete panelled roof sitting on an area of hardstanding. 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 this year.

This proposal seeks to amend the external finish of the smaller of the two outbuildings from stone to vertical timber effect cladding.

Relevant Planning History

02981/E - Increase in size of the dwelling footprint; increase in the roof pitch and ridge height; construction of an annex to contain a home office; construction of an annex to contain 1 bedroom accommodation ancillary to the enjoyment of the dwelling. - Enquiry completed 02/07/2024

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

Publicity

Immediate neighbours notified by letter dated 23/09/2025. Site and press notices posted. No objections received.

Statutory/Non-Statutory Consultations

Conservation Officer - Recommends refusal as outlined the Analysis section below.

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.

Heritage - The justification of a reduction of weight, by allowing inappropriate materials, due to poor foundations is neither credible nor justified. The original material of natural

stone was originally proposed and approved in order to retain the character of the conservation area.

Timber cladding would be an incongruous and contemporising feature within the conservation area, in which its architectural grain is characterised by vernacular materials and form, ie particularly natural stone and slate. As such it would represent an erosion of the character and appearance of the conservation area that would neither preserve or enhance that character or appearance.

The harm identified would equate to less than substantial harm requiring a balancing of that harm against public benefit. As a private residence with a private ancillary use there would be no public benefit that would outweigh the harm identified. As such the variation of condition is not supported in heritage conservation terms and the original consent should be adhered to.

The proposal therefore would be unacceptable and conflict with the National Planning Policy Framework and UDP Policies EN1/1 Visual Amenity, EN2/1 Character of Conservation Areas and EN2/2 Conservation Area Control.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed cladding would be an incongruous and contemporising feature within the conservation area, in which its architectural grain is characterised by vernacular materials and form, particularly natural stone and slate. As such the proposed cladding would represent an erosion of the character and appearance of the conservation area that would neither preserve or enhance that character or appearance. The proposal therefore would be unacceptable and conflict with the National Planning Policy Framework and UDP Policies EN1/1 Visual Amenity, 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>
Tom Beirne	30/10/2025	DM	30/10/2025