

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 22/04/2026	Ref: 72827/FUL
Registration: 20/02/2026	LDFC: 01/04/2026	Expiry Date: 17/04/2026
Site Visit: 04/03/2026	Site Notice: 11/03/2026	Press Date: 05/03/2026
Objections: 0	Con Area: RAMS	Adv Type: CA
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIOT

Proposal: Variation of condition 6, 7, 11 & 12 (approved plans) of planning permission 63702 (Conversion of former mill to 14 no. apartments and erection of 4no. dwellings): Amendments to Mill Building approved plans to include addition of rooflights, a third floor juliet balcony to front elevation; addition of sun tunnels along ridge of rear elevation; amendments to front and rear fenestration and change to parking layout including reduction from 12 to 11 parking spaces

Location: The Mill, Cobden Mill Court, Ramsbottom, BL0 9GG

Description

The application relates to a re-developed Mill building, on the western side of Square Street which is now of residential use. Kay Brow borders the southern side of the site, with properties on Square Street/Damar Court bordering the northern side. Residential dwellings border the western side of the site, separated by hedging and brick walls.

Initial application 57570 sought to convert the former mill to 11no two bedroom apartments and 3no 1 bedroom apartments together with 1no 3 bedroom dwelling and 3no four bedroom townhouses in the former mill yard. The application was approved subject to conditions on 7th August 2014.

Following this, application 63702 was submitted to vary conditions 2, 13 and 14 of initial planning permission 57570 to reduce the number of apartments from 14 to 13, add a weather vane to the roof, amend the dormers on the rear and front elevations and amend the turning head and parking layout. This application was also approved subject to conditions on 21st March 2019.

Following application 63702, it was noted that the proposed was not built in accordance with the approved plans conditioned under application 63702 and therefore this application (72827) seeks to vary the plans further in order to reflect what has been built at the site. The application is therefore retrospective.

This application therefore seeks to vary conditions 6, 7, 11 and 12 of planning permission 57570 to include the addition of rooflights to both the front elevation and the rear outrigger side elevations, a third floor Juliet balcony to the front elevation as well as the addition of sun tunnels along the ridge of the rear elevation. Furthermore, amendments are proposed to both the front and rear fenestrations and changes are proposed to the parking layout including the reduction of parking spaces available in the courtyard from 12 to 11 spaces.

The Juliet balcony is featured on the largest dormer on the front elevation and features a glass balustrade. It is sited approximately 12m in height. The additional rooflight to the front elevation is approximately 0.9m x 0.9m and is sited next to the Juliet balcony, to the south.

The additional rooflights to the rear outrigger would be sited on the side elevations and

would each be approximately 0.9m x 0.6m. The sun tunnels are sited on the ridge of the rear elevation and are each approximately 0.4m x 0.4m in size.

The amendments to the front fenestration include changes to the window and door types, with the same being the case for the rear fenestration. The amendments to the parking layout is shown on the submitted plan, titled parking and landscaping plan, and indicates the 11 car parking spaces as proposed.

Although the site is residential, the surrounding area is mixed use including commercial and industrial uses. Parking in the locality is mainly off street, with large car parks being a prominent feature in the surrounding area, and other residential properties featuring private driveways.

The site is located within the Ramsbottom Conservation Area.

Relevant Planning History

35627 - Rebuilding of part of front elevation at Cobden Mill, Square Street, Ramsbottom. Approved with conditions - 26 August 1999

36326 - Conversion of mill to form 6 self contained flats at Cobden Mill, Square Street, Ramsbottom. Approved with conditions - 18 April 2000.

38806 - Conversion of part of existing mill to 6 apartments and car parking at Cobden Mill, Square Street, Ramsbottom. Approved with conditions - 19 March 2000.

41873 - Change of use from former mill building to 24 self contained flats, 15 new build flats and car parking at Cobden Mill, Square Street, Ramsbottom. Approved with conditions - 30 June 2005.

46105 - Conversion into 6 no. apartments at Cobden Mill, Square Street, Ramsbottom. Approved with conditions - 30 May 2006.

52669 - Application for a new planning permission to replace an extant planning permission in order to extend the time limit for implementation - Change of use from former mill building to 24 self contained flats, 15 new build flats and car parking (application no. 41873) at Cobden Mill, Square Street, Ramsbottom. Approved with conditions - 22 September 2010.

54816 - Conservation area consent for demolition of Square Street boundary wall at land adjacent to Cobden Mill, Square Street, Ramsbottom. Approved with conditions - 20 March 2012.

57570 - Conversion of former mill to 11 no. two bedroom apartments and 3 no. 1 bedroom apartments along with 1 no. three bedroom dwelling house and 3 no. four bedroom town houses in the former mill yard - Approve with Conditions 07/08/2014

63702 - Variation of condition Nos 2, 13 and 14 of planning permission 57570 for the reduction in number of apartments from 14 to 13; addition of weather vane to roof; amendment to dormers on rear elevation; addition of dormers to front elevation; amendments to turning head and car parking layout - Approve with Conditions 21/03/2019

Adjacent site

54815 - Residential development of 4 no. 3-storey townhouses at land adjacent to Cobden Mill, Square Street, Ramsbottom. Approved with conditions - 21 March 2012.

Publicity

72 neighbouring properties were consulted on 25/02/2026. A press notice was published on

05/03/2026, and a site notice erected on 11/03/2026. No comments have been received.

Statutory/Non-Statutory Consultations

Traffic Section - no objections

Borough Engineer - Drainage Section - no comments received

Environmental Health - Contaminated Land -

- raised points that there had been issues with the contaminated land condition included previously.
- the completion report made no reference to soft landscaping in the form of raised beds, however these are on the current plan for the parking and, from Historical Imagery, these have been present since 2023.
- the discharge of the contaminated land condition was recommended under the previous application 63702 and so, given this, the imported soil for the planter is not worth raising.

Conservation Officer - no objections

Pre-start Conditions - Applicant/Agent [Not relevant/has/has not] agreed with pre-start conditions

Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/1	Visual Amenity
HT2/4	Car Parking and New Development
JP-C5	Streets For All
JP-C8	Transport Requirements of New Development
JP-P1	Sustainable Places
JP-P2	Heritage
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

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.

Design and layout and impact upon conservation area

The national legislative framework for development affecting listed buildings and conservation areas is provided by the Planning (Listed Buildings and Conservation Areas) Act 1990. This imposes a duty on local planning authorities to have regard to listed buildings and any buildings or land within a conservation area, when determining applications for planning permission. It is essential that these legal duties are considered, alongside the contents of the NPPF and other planning policies and guidance.

The Town and Country Planning (Listed Building and Conservation Area) Act 1990 imposes a duty under Section 72 on Local Planning Authorities to pay 'special attention to the desirability of preserving or enhancing the character or appearance of that area' (section 72(1))

Paragraph 210 of the NPPF states that when determining planning applications, Local Planning Authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make sustainable communities including their economic vitality;
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 214 of the NPPF states that where a proposed development would lead to substantial harm or total loss of significance of a designated heritage asset, local planning

authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

In terms of the additional rooflights, only one extra rooflight has been added into the roof space of the front elevation and two rooflights added to the side elevations of the rear outrigger. These are considered minor amendments, and do not have a detrimental impact on the street scene or Conservation Area. Furthermore, it was noted within the previous application 63702 that the proposed rooflights were conservation rooflights. The rooflights are matching other rooflights proposed under the previous applications and as such are considered acceptable.

The third floor Juliet balcony is sited within the largest dormer to the front elevation, and is sited approximately 12m off of the ground level. Given the height, and that the balustrade used is glass and therefore transparent, it does not represent an intrusive addition within the area and as such is considered acceptable.

The sun tunnels that have been added to the ridge are not visible from the street scene and therefore have no impact.

The amendments to the front and rear fenestrations have amended the window and door types. The window types on both elevations are now consistent, with top opening single hung windows now characterising the building. Door types included at the property are now metal, painted white to match the window frames.

Given the above, the development as amended would not be a prominent feature in the streetscene and would preserve the character of the conservation area. Therefore, the proposed development would be in accordance with Policies EN1/2, EN2/1, EN2/2, H2/1 and H2/2 of the Bury Unitary Development Plan and the NPPF.

Impact on Residential Amenity

SPD6 provides guidance on aspect standards between residential properties. Residential neighbours would retain a minimum of 40m between the amendments, compliant with that outlined within SPD6. The amendments introduce no additional habitable windows closer to residential properties than that previously approved.

Given the above, this is considered acceptable.

Highways Issues

This application does not seek to vary Condition 10 and therefore the approved vehicular access into the site from Kay Brow would be unaffected by the proposed development.

The Traffic Section has no objections to the proposed and therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Parking

SPD11 states that the maximum number of parking spaces is:

- 1 space per 1 bed dwelling;
- 1.5 spaces per 2 bed dwelling;
- 2 spaces per 3 bed dwelling; and
- 3 spaces per 4 bed dwelling.

This equates to a car parking provision at the site for 26 spaces.

Previously approved application 63702 proposed 26 spaces in total, including at basement level, to comply with SPD11. This application seeks to vary that to 25 total spaces.

This would include 10 car parking spaces at basement level, remaining unchanged with 15 spaces (unrelated to specific properties) within the courtyard. Although this would be one car parking space short of that required under SPD11, the site is located within a sustainable location, approximately 200m to public transport links, and therefore the shortfall of one car parking space would be considered acceptable in this instance.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 This decision relates to drawings numbered TDS-25-196-06 Rev /, TDS-25-196-05 Rev /, TDS-25-196-04 Rev /, TDS-24-196-01 Rev / and TDS-24-196-07 Rev / 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 listed.
- 2 All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:
 - Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
 - A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
- 3 The external finishing materials shall be those materials approved as part of

condition 7 of permission 57570.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

- 4 The development hereby approved shall only be carried out in accordance with the window frames marked on approved plans TDS-25-196-06 Rev / and TDS-25-196-04 Rev /.

Reason. In order to preserve the special architectural or historic interest of the building pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN2/1 - Character of Conservation Areas
Policy EN2/2 - Conservation Area Control.

- 5 The conservation roof lights shall be those as detailed on approved plans TDS-25-196-04 Rev / , TDS-25-196-05 Rev / and TDS-25-196-06 Rev /.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN2/1 - Character of Conservation Areas.
Policy EN2/2 - Conservation Area Control.

- 6 The development hereby approved shall be carried out in accordance with the drainage scheme approved as part of condition 10 of permission 57570.

Reason. To reduce the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site pursuant to Policy EN5/1 - New Development and Flood Risk of the Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework.

- 7 The turning area indicated on approved plan reference TDS-24-196-07 Rev / shall be provided and maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.

- 8 The car parking indicated on plan reference TDS-24-196-07 Rev / shall be surfaced, demarcated and made available for use and maintained at all times.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

<u>Case Officer</u> CO 22/04/2026	<u>Date</u>	<u>Sign off Officer</u> DM 22.04.2026	<u>Date</u>
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