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AGENDA FOR PLANNING CONTROL COMMITTEE



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To: All Members of Planning Control Committee

Councillors : G McGill (Chair), C Boles, D Duncalfe,
U Farooq, J Harris, M Hayes, B Ibrahim, D Quinn,
G Staples-Jones, D Vernon and M Walsh

Dear Member/Colleague

Planning Control Committee

You are invited to attend a meeting of the Planning Control Committee which will be held as follows:-

Date:	Tuesday, 24 March 2026
Place:	Council Chamber, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.

AGENDA

4 PLANNING APPLICATIONS (*Pages 3 - 12*)

Reports attached.

BURY COUNCIL
DEPARTMENT FOR BUSINESS, GROWTH AND INFRASTRUCTURE
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

24 March 2026

SUPPLEMENTARY INFORMATION

**Item:01 Halter Inn Works, 11 Redisher Croft, Ramsbottom, Bury, BL0 9SA
Application No. 72678**

Variation of condition 2 (approved plans) on planning permission 69702 (Demolition of existing industrial buildings and erection of 3 no. detached dwellings): Revision to elevations and design

Extension of Time - Yes - 27/3/26

Publicity

One representation received with the following issues -

- In the response from the Developer it is stated that there are no dormers in the design when there clearly are to the rear of all 3 properties. Consider these have a big impact on my outlook.
- It is stated there is no increase in height from the previous application. Dimensions have been removed from the current plans and an increase to the roof pitch so would contest this assertion.
- The developer details about screening provided by conifers on Redisher Croft, reducing the impact. He has already, illegally, trimmed these trees back, so the tree screening cannot be relied on in future.
- The developer also details that there is another application that resolves our issues regarding access, and vehicle turning etc on the bridleway. We have not seen this.

Response

- The 2nd floor window would be positioned within the main rear elevation and not in a separate rear projecting rear dormer.
- The previous application had a bedroom in the roofspace. The additional space in the roof would be created by the increase in the gable.
- The trimming or pruning of trees in the Conservation Area would require a notice to the LPA, not an application for consent. Such notices are not often refused as a refusal means the tree would be worthy of a TPO and conifers are considered not to be of such significant value to warrant TPO status.
- To date, the LPA have not received an application for access works. Residents would be notified should an application be submitted.

**Item:02 Land at junction of Hollins Brook Way & Pilsworth Road, Bury, BL9 8RR
Application No. 72656**

Erection of leisure pavilion including canteen and gym facilities, together with external works including multi-use games area and 2no. padel courts along with associated parking provision, landscaping and ancillary works.

Extension of Time - No

Nothing further to report

Item:7 Tree Preservation Order Confirmation – Ramsbottom

Further objections received in relation to:

- The site is a previously developed former ambulance station which is suitable for redevelopment.
- Tree is not very prominent in the street scene as it is largely screened by the mature oak at the front, partially obscured by the existing building, only intermittently visible from within the cemetery and barely visible from Hazel Street.
- Tempo scoring does not justify a TPO
- Tree is prolific for self-seeding and dense shade casting
- Conflict with the adjacent property (which is located within 6 metres of the tree) is likely within 20 – 40 years.
- Tree is not rare and is not of exceptional form and does not justify a TPO.
- The Royal Borough of Kensington and Chelsea identify sycamore as an invasive species and their biodiversity action plan identifies that it is dominating landscapes.
- Wider street scene context incorrect relies on group value. T13 is under TPO 336 has been removed for several years but is still referenced.
- Tree is not located at the head of a cul-de- sac. It is not a focal point.
- The full definition of a Category B2 tree under BS 5837:2012 is as follows: "Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality."
- The tree is not under immediate threat. The applicant has no intention to remove the tree and the tree would only be removed if planning permission is granted for a scheme that requires its removal.
- Section 197 Duty: Under Section 197 of the Town and Country Planning Act 1990, the Council already has a statutory duty, when granting planning permission, to make adequate provision for the preservation of trees. This duty applies regardless of whether a TPO exists.
- TPOs are overridden by Full Planning Permission - if the Council were to grant planning permission for a scheme that includes removal of this tree, the TPO would afford the tree no additional protection whatsoever.
- The Council has the power to impose conditions on any planning permission to secure tree retention or replacement planting. This provides a more proportionate and targeted mechanism than a permanent TPO.
- Government guidance requires that the Council be able to explain to landowners why their trees have been protected, and that all duly made objections be properly considered.
- The site is underlain by high plasticity clay (PI ~50%), corresponding to a high shrinkability classification. Such soils are highly susceptible to volumetric change due to moisture variation. Existing buildings may be susceptible to subsistence damage from the tree. Retention of the tree under a TPO would knowingly preserve a feature that poses a foreseeable risk to third-party structures
- Proposed dwellings would be constructed utilising piled foundations, eliminating risk.
- Tree is fast growing and will outgrow its setting. It's not an ornamental maple.
- The scores on the TEMPO sheet should be adjusted. The tree is not suitable for retention for 20 – 40 years, the tree would cause foreseeable nuisance, there is risk of structural harm, the tree is not rare or unusual, does not demonstrate exceptional form and the overall score should be 0.
- Sense of enclosure, loss of light, ongoing maintenance issues with leaf fall and debris.

Response to Representations

The retention of the tree does not prevent the site from being redeveloped.

TPO 336 is a group order that covers a number of individual trees within Bramble Place and Ramsbottom Cemetery not just a single tree as suggested by the objector. T13 has never specifically been referenced within the supporting Officer Report.

There is a difference of opinion between the Council and objector in relation to the visibility of the tree, and the need to TPO the tree. This does not mean that the Council have been misleading. Photographs of the tree within the context of the street scene have been added below.

The objector has also questioned the outcomes of the TEMPO sheet. For clarity the TEMPO sheet scores for the assessment undertaken by the Council's Senior Arboricultural and Sports Pitch Officer for the tree are as follows:

- Condition– 3 (fair/satisfactory)
- Retention span – 2 (20-40 years suitable)
- Relative public visibility – 3 (medium trees, or large trees with limited view only)
- Other factors – 2 (trees of particularly good form, especially if rare or unusual).
- Foreseeable threat to tree – 3.

The tree scored 13. A score of between 12 and 15 on a TEMPO sheet confirms that a TPO is defensible. The objector has confirmed that the tree is visible from public vantage points, as such even if the visibility score was lowered to 2 (young, small, or medium/large trees visibly only with difficulty) a TPO would still be defensible. It also needs to be acknowledged however that it cannot be argued that the tree is visible only with difficulty as the photos, including those submitted by the application, show that it can be easily seen from a number of vantage points.

As with any other tree, a TPO tree would need to be managed and maintained effectively. It is unclear why conflict with the adjacent property (which is located within 6 metres of the tree) within 20 – 40 years should prevent a TPO now particularly considering the retention span on the tree.

The Royal Borough of Kensington and Chelsea biodiversity action plan has no relevance for a site in Ramsbottom. For clarity the Bury Council Biodiversity Strategy does not include this element, indeed the Bury Climate Action Plan (March 2024) Priority Area 6 – Natural Environment No. N.4 seeks to *Protect existing trees, hedgerows, and peatlands throughout the borough* including details that this would be achieved protecting important trees.

The objector has confirmed that the applicant seeks to remove the tree should planning permission be granted, as was proposed within application 72695. The applicant is correct TPOs are overridden by Full Planning Permission and conditions can be utilised. However, as set out within the Officer Report for application 72695, *The tree to be removed is a category A condition tree, that is approximately 12 metres in height. Replacement with 5no. trees of 3 - 3.5 metres in height would not be adequate mitigation for the loss of a healthy tree that the Council considers worthy of a TPO.* Even if there was no TPO on the tree there would need to be adequate mitigation and adequate reasons to remove a Category A tree. Replacement trees would also need to be maintained, would drop leaves etc.

No evidence has been submitted to suggest that the existing tree has caused any structural damage to the existing rows of terraces. The structural report submitted by

the objector states that existing buildings may be susceptible to subsistence damage from the tree. However, it is unclear if any structural surveys have been undertaken of these dwellings to substantiate this statement. The tree in any event is located to the south of a ginnel between Hazel Street and Cemetery Road rather than directly adjacent to the gables of these terraces, with an intervening wall. The Root Protection Areas (RPA) indicated with the Arboricultural Impact Assessment under application 72695 suggests there is presently sufficient space between these properties and the RPA of existing tree. Managed maintenance of the canopy of the tree can also potentially reduce the rate of future root growth. A conflicting objection has also been received, on behalf of the landowner by an arboriculturist that states that the tree would cause conflict with the adjacent property within 20 – 40 years which ties in with the Council's assessment of the retention span of the tree and does not identify an immediate risk of damage. As stated in the original report maintenance of the tree, as with any tree, is the landowner's responsibility. Should the tree need to be removed in the future as there is evidence of damage to the neighbouring properties, then an application would be required.

The Council have not suggested that the tree is an ornamental maple. Maples vary significantly in size depending on the type. The tree is clearly in good form, the photographs below show the form of the tree. The objector has continued to submit multiple objections to preservation of the tree, however these include conflicts with the information submitted by their arboriculturist and their assessment in relation to the ultimate scale and proximity of the tree. The objector has also asked that these objections are presented in full to the Planning Control Committee. The Council have confirmed to the objector verbally that a summary of their objections would be presented to Planning Control Committee, which is the process also undertaken under planning applications.

Photographs on next page



View from Hazel Street – viewed in connection with Oak to front of the street



Second view from Hazel Street



View from Hazel Street - tree in leaf



View from within Cemetery



View from within Cemetery in context of Cemetery Trees – combined value of retention of trees



From within the site showing good form of tree during leaf, and proximity of tree to boundary.



Circled in Blue is the Sycamore Tree - Provisional TPO ref 367
Shown at different times of the year for reference on visibility



Objector photos highlighting the trees visibility from Cemetery Road