

# Public Document Pack

## AGENDA FOR

## PLANNING CONTROL COMMITTEE



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**To: All Members of Planning Control Committee**

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

<b>Date:</b>	Thursday, 26 September 2024
<b>Place:</b>	Council Chamber, Bury Town Hall
<b>Time:</b>	7.00 pm
<b>Briefing Facilities:</b>	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.
<b>Notes:</b>	

## **AGENDA**

### **1 APOLOGIES FOR ABSENCE**

### **2 DECLARATIONS OF INTEREST**

Members of the Planning Control Committee are asked to consider whether they have an interest in any of the matters on the Agenda and, if so, to formally declare that interest.

### **3 MINUTES OF THE MEETING HELD ON THE 27TH AUGUST 2024** *(Pages 3 - 6)*

The Minutes of the meeting held on Tuesday the 27<sup>th</sup> August 2024 are attached.

### **4 PLANNING APPLICATIONS** *(Pages 7 - 148)*

Reports attached.

### **5 DELEGATED DECISIONS** *(Pages 149 - 160)*

A report from the Head of Development Management on all delegated planning decisions since the last meeting of the planning control committee is attached.

### **6 PLANNING APPEALS** *(Pages 161 - 182)*

A report from the Head of Development Management on all planning appeal decisions since the last meeting of the Planning Control Committee is attached.

### **7 TREE PRESERVATION ORDER CONFIRMATION**

*This item and report has been withdrawn from the agenda.*

### **8 URGENT BUSINESS**

Any other business which by reason of special circumstances the Chair agrees may be considered as a matter of urgency.

**Minutes of: PLANNING CONTROL COMMITTEE**

**Date of Meeting:** 27<sup>th</sup> August 2024

**Present:** Councillor G McGill (in the Chair)  
Councillors S Arif, N Bayley, C Boles, D Duncalfe, J Harris,  
M Hayes, B Ibrahim, G Staples-Jones, M Walsh and U Farooq

**Public Attendance:** 3 members of the public were present at the meeting.

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**PCC.1 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted by Councillor D Quinn.  
Councillor N Bayley acted as a substitute representative for Councillor D Quinn.

**PCC.2 DECLARATIONS OF INTEREST**

Councillor G Staples-Jones declared in his role working for the local MP, he had visited Sedgley Park Rugby Union Football Club in relation to the planning application on the agenda. He had followed the Planning Code of Conduct and had not commented or predetermined a decision for the application and had an open mind.

In the interests of clarity, Councillor Staples-Jones left the meeting during deliberation of this application and took no part in the determination or voting.

The Chair placed on record that he also worked for the same local MP, but he had not been involved in any casework communications in relation to the same application.

The Head of Development Management, Mr D Marno, was the applicant in relation to the application at 5 Sandringham Drive, Tottington, Bury.  
Mr Marno left the meeting during deliberation of this application and was not present during the determination or voting process.

**PCC.3 MINUTES OF THE MEETING HELD ON THE 23RD JULY 2024**

**Delegated decision:**

That the Minutes of the meeting held on the 23<sup>rd</sup> July 2024 be approved as a correct record and signed by the Chair.

**PCC.4 PLANNING APPLICATIONS**

A report from the Head of Development Management was submitted in relation to applications for planning permission.

There was supplementary information to add in respect of application numbers 70583 and 70932.

The Committee heard representations from an objector and applicant in respect of applications submitted. This was limited to three minutes for the speaker.

**Delegated decisions:**

1. That the Committee **Approve with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and any supplementary information submitted and subject to all other conditions included: -

**Sedgley Park Rugby Union Football Club, Philips Park Road West, Whitefield, Manchester, M45 7DZ**

Temporary installation of five cabins to create 3 no. classrooms, W/C and kitchen facilities for The College of Rugby

2. That the Committee **Approve with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and any supplementary information submitted and subject to all other conditions included: -

**5 Sandringham Drive, Tottington, Bury, BL8 4DJ**

Front porch and single storey rear extension

3. That the Committee **Approve with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and subject to all other conditions included: -

**Land between 13 & 14 Scholes Walk, Prestwich, Manchester, M25 0AZ**

Erection of 1 no. bungalow

4. That the Committee **Approve with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report with an additional advisory condition in relation to hedgehog friendly fencing and subject to all other conditions included: -

**Land at rear of 7-11 Carisbrook Avenue, Whitefield, Manchester, M45 6UP**

Erection of 1 no. bungalow

## **PCC.5 DELEGATED DECISIONS**

A report from the Head of Development Management was submitted listing all recent planning application decisions made by Officers using delegated powers since the last meeting of the Planning Control Committee.

### **Delegated decision:**

That the report and appendices be noted.

## **PCC.6 PLANNING APPEALS**

A report from the Head of Development Management was submitted listing all recent planning and enforcement appeal decisions since the last meeting of the Planning Control Committee.

### **Delegated decision:**

That the report and appendices be noted.

## **PCC.7 VALIDATION CHECKLISTS**



A report from the Head of Development Management was submitted detailing that the Council is required to maintain a planning application validation checklist. There was a need to update the Council's even further following the adoption of the Places for Everyone Joint Development Plan (PfE)

**Delegated decision:**

That the Committee approved the report and checklist attached to the report at Appendix 1.

**PCC.8 URGENT BUSINESS**

No urgent business was reported.

**COUNCILLOR G MCGILL**  
**Chair**

**(Note: The meeting started at 7.00pm and ended at 8.00pm)**

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<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>26 September 2024</b>
<b>By:</b>	<b>Development Manager</b>
<b>Status:</b>	<b>For Publication</b>

### **Executive Summary**

The attached reports present members with a description of various planning applications, the results of consultations, relevant policies, site history and issues involved.

My recommendations in each case are given in the attached reports.

### **This report has the following implications**

**Township Forum/ Ward:** Identified in each case.

**Policy:** Identified in each case.

**Resources:** Not generally applicable.

**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, I have 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 Planning Control Committee shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

## **Development Manager**

### **Background Documents**

1. The planning application forms and plans submitted therewith.
2. Certificates relating to the ownership.
3. Letters and Documents from objectors or other interested parties.
4. Responses from Consultees.

FOR FURTHER INFORMATION ON THE CONTENTS OF EACH REPORT PLEASE CONTACT INDIVIDUAL CASE OFFICERS IDENTIFIED IN EACH CASE.

- |          |  |                      |
|----------|--|----------------------|
| <b>1</b> | <b>Township Forum - Ward:</b> Bury East  | <b>App No.</b> 71084 |
|          | <b>Location:</b> Geoffrey Kershaw Centre, Deal Street, Bury, BL9 7PZ   |                      |
|          | <b>Proposal:</b> Temporary (4 years) modular extension of an existing Pupil Referral Unit to form 3 additional classrooms with ancillary facilities; relocation of fencing and bin store to segregate parking and formation of pupil play areas and safe access into the school for pupils, parents and visitors |                      |
|          | <b>Recommendation:</b> Approve with Conditions   | <b>Site Visit:</b> N |
- 
- |          |   |                      |
|----------|---|----------------------|
| <b>2</b> | <b>Township Forum - Ward:</b> Bury East   | <b>App No.</b> 70565 |
|          | <b>Location:</b> Former Bury Police Office HQ, Irwell Street, Bury, BL9 0HE   |                      |
|          | <b>Proposal:</b> Hybrid application comprising Full application for specialist care home (Class C2) with associated parking, landscaping and infrastructure and Outline application for care home (Class C2) with all matters reserved. |                      |
|          | <b>Recommendation:</b> Minded to Approve  | <b>Site Visit:</b> N |
- 
- |          |   |                      |
|----------|---|----------------------|
| <b>3</b> | <b>Township Forum - Ward:</b> Bury East - Redvales  | <b>App No.</b> 70805 |
|          | <b>Location:</b> Land off Fletcher Fold Road, Bury, BL9 9RX   |                      |
|          | <b>Proposal:</b> Erection of 4 no. bungalows and a block of 39 no. apartments for the over 55s including communal facilities, landscaping and car parking provision |                      |
|          | <b>Recommendation:</b> Minded to Approve  | <b>Site Visit:</b> N |
- 
- |          |   |                      |
|----------|---|----------------------|
| <b>4</b> | <b>Township Forum - Ward:</b> Bury East                                       | <b>App No.</b> 70979 |
|          | <b>Location:</b> Fairfield General Hospital, Rochdale Old Road, Bury, BL9 7TD |                      |
|          | <b>Proposal:</b> Installation of temporary car park                           |                      |
|          | <b>Recommendation:</b> Approve with Conditions                                | <b>Site Visit:</b> N |
- 
- |          |  |                      |
|----------|--|----------------------|
| <b>5</b> | <b>Township Forum - Ward:</b> North Manor  | <b>App No.</b> 70666 |
|          | <b>Location:</b> Brookhouse Farm, 218 Holcombe Road, Tottington, Bury, BL8 4BQ   |                      |
|          | <b>Proposal:</b> Demolition of existing garages/stables and erection of 1 no. dwelling (renewal of extant planning permission 66444) |                      |
|          | <b>Recommendation:</b> Approve with Conditions   | <b>Site Visit:</b> N |
-

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**Ward:** Bury East

**Item 1**

**Applicant:** Bury Council

**Location:** Geoffrey Kershaw Centre, Deal Street, Bury, BL9 7PZ

**Proposal:** Temporary (4 years) modular extension of an existing Pupil Referral Unit to form 3 additional classrooms with ancillary facilities; relocation of fencing and bin store to segregate parking and formation of pupil play areas and safe access into the school for pupils, parents and visitors

**Application Ref:** 71084/Full

**Target Date:** 18/10/2024

**Recommendation:** Approve with Conditions

### **Description**

The site consists of an existing building, which is in use as a Pupil Referral Unit (PRU) and is located in the southern part of the site. The building is single storey and is constructed from red brick with a pitched roof. The northern part of the site contains a hardstanding, which is in use as a car park and a multi-games use area. There is an existing palisade fence around the perimeter of the site. Access is taken from Deal Street, which leads to a car park.

There are residential properties to all boundaries.

Planning permission was granted in April 2024 for the erection of 2.4 metre high and 3 metre high mesh fencing and the installation of CCTV at the centre, which has been completed.

The proposed development involves the temporary erection of a modular unit to provide 3 additional classrooms with ancillary facilities for the Pupil Referral Unit (PRU) and the relocation of the fencing and bin store to segregate parking and to form pupil play areas. The proposed modular building would be in place for 4 years.

The proposed modular unit would be located to the north of the existing building and adjacent to the eastern boundary. It would measure 26.4 metres by 10.1 metres and would be single storey. There would be a stepped access at the southern elevation and a ramped access at the northern elevation.

The proposal involves the removal of a section of 3 metre high fencing to the north of the existing building and would be re-positioned adjacent to the main car park to create a bin store.

The pedestrian and vehicular accesses to the site would remain unchanged.

The application is being presented to committee as the Council has submitted the application and there has been 1 or more objections.

### **Relevant Planning History**

35006 - Demolition of former gymnasium; the provision of a supervised tarmac play area and 2.4m high palisade security fencing around site at the Arthur Scholes Building/Formal East Ward Gym, Deal Street, Bury. Approved with conditions - 24 February 1999

36939 - Residential development - 24 dwellings at Geoffrey Kershaw Centre, Maxwell Street, Bury. Approved with conditions - 28 February 2001.

41928 - Installation of social seating shelter at New Kershaw play area, Deal Street, Bury. Approved with conditions - 2 March 2004.

70467 - External alterations to doors and windows; Erection of 2.4 metre high and 3 metre high V mesh fencing; Installation of CCTV at Geoffrey Kershaw Centre, Deal Street, Bury. Approved with conditions - 17 April 2024.

#### Adjacent site

66803 - Conversion of existing house into 2 terraced houses at 73 - 75 Deal Street, Bury. Approved with conditions - 15 June 2021.

68370 - Single storey side/rear extension at 29 Chestnut Avenue, Bury. Approved with conditions - 11 July 2022.

#### **Publicity**

The neighbouring properties were notified by means of a letter on 23 August 2024.

2 letters have been received, which have raised the following issues:

- I am submitting as neutral as I can't object as you have already started work to place the buildings. I only received the letter on 23 August and don't see the point of asking for our opinions.
- The buildings are very close to the back of my house and I am concerned about the devaluation of my house.
- There would be a lack of light as they are very high.
- Impacts of noise and lack of privacy.
- Is this a temporary situation or will it be permanent? If this is permanent, it will devalue my house and I will be seeking legal advice as the contact with house owners has been very lacking.
- The works are already taking place.
- The fencing looks like a prison and we would be unable to access the yard area.
- The neighbour blocks the side exit with their bins and a lock on the gate.

The objectors have been notified of the Planning Control Committee meeting.

#### **Statutory/Non-Statutory Consultations**

**Traffic Section** - No objections.

**Drainage Section** - No response.

**Environmental Health - Contaminated Land** - No comments.

**Environmental Health - Pollution Control** - No response.

**Pre-start Conditions** - Not relevant.

#### **Development Plan and Policies**

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN7/2	Noise Pollution
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs



CF1/1	Location of New Community Facilities
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
JP-S2	Carbon and Energy
JP-P1	Sustainable Places
JP-P3	Cultural Facilities
JP-P5	Education, Skills and Knowledge
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
NPPF	National Planning Policy Framework

## 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.

**Principle - Community Facilities** - UDP Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the following factors:

- impact on residential amenity and the local environment
- traffic generation and car parking provision;
- the scale and size of the development;
- where applicable, access to shops and other services;
- if the use is intended to serve a local community or catchment area, the suitability of the chosen location in relation to that community or catchment area;
- accessibility by public and private transport;
- the needs and requirements of the disabled.

UDP Policy CF2 states that the Council will, where appropriate, consider favourably proposals for the provision, improvement and dual use of educational facilities.

The proposed development would involve the provision of a new modular building, which would provide additional facilities for the school in the form of 3 additional classrooms. The proposed development would be modest in size and only occupy a small area, without compromising the remaining site's operation. Given this, the development would be appropriate in terms of scale and size and the remaining issues will be addressed later in the report. Therefore, the proposed development would be in accordance with Policies CF1/1 of the Bury Unitary Development Plan.

**Visual amenity** - The proposed temporary building would be located next to the existing PRU building adjacent to the eastern boundary. The proposed temporary building would be a detached cabin style building and would contain 3 classrooms, stores, a calm room and toilets. The entrances would be located on the side elevations, which face the existing school building and the car park and the windows on the rear would be obscure glazed. The proposed temporary building would be constructed in grey coloured plastic cladding and the roofing material would be the same (grey coloured plastic coated steel), which would

complement the materials on the central section of the existing school. As such, the proposed temporary building would not be a prominent feature in the streetscene.

The paladin fence and the existing palisade fencing on the perimeter of the site would be retained. The proposed development would involve the existing 3 metre high paladin fencing to the south of the existing play area to be relocated to form a bin store adjacent to the car park. The proposed 3 metre high paladin fencing would not be a prominent feature in the streetscene.

Therefore, the development would not have an adverse impact upon the character of the area and would not be unduly prominent in the streetscene. The development would be in accordance with Policies CF2 and EN1/2 of the Bury Unitary Development Plan.

**Residential amenity** - The proposed building would be 14.1 metres from the rear elevation of the properties on Chestnut Avenue, which would be in excess of the 6.5 metre aspect standard and ensure no significant loss of light. The windows on the building would be obscure glazed, which would ensure that no overlooking into the residential gardens could take place.

The proposed fencing would be located adjacent to the building and as such, would not impact upon the amenity of the occupiers of Chestnut Avenue. In any case, the proposed fencing would be paladin, which contains a mesh which allows light to pass through. As such, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policies CF1/1 and EN1/2 of the Bury Unitary Development Plan.

**Highways issues** - The proposed development would not impact upon the existing access and car park, which would still be available for use. The fencing around the entrance would be unaffected and appropriate visibility for pedestrians and vehicles would be maintained. Therefore, the development would not have a detrimental impact upon highway safety and would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

**Carbon/energy statement** - An energy statement was submitted as part of the application and states that the proposed development would use heat pumps and energy efficiency measures to reduce the amount of carbon required. The measures identified would reduce the energy required and CO2 emissions. Therefore, the proposed development would be in accordance with Policy JP-S2 of the Places for Everyone Joint Development Plan.

**Digital connectivity** - Policy JP-C2 supports the provision of affordable, high quality, digital infrastructure.

The agent has provided a statement, which indicates that the proposed building would be provided with access to high speed digital connection and this would be fully operational when the building is occupied. Therefore, the proposed development would comply with Policy JP-C2 of the Places for Everyone Joint Development Plan.

### **Response to objectors**

- The groundworks have commenced and all the works are being undertaken at the applicant's own risk.
- The proposed development would comply with the aspect standards in SPD6 and as such, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties.

- The school is already in use as a PRU, which did not require planning consent. The addition of a building would not impact significantly upon the noise generated from the site.
- The yard area for the PRU is private property and no access has been possible from the residential properties onto this land currently or during its previous use as the Geoffrey Kershaw Centre. In any case, access between the existing residential properties and the PRU is not a material planning consideration.

**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

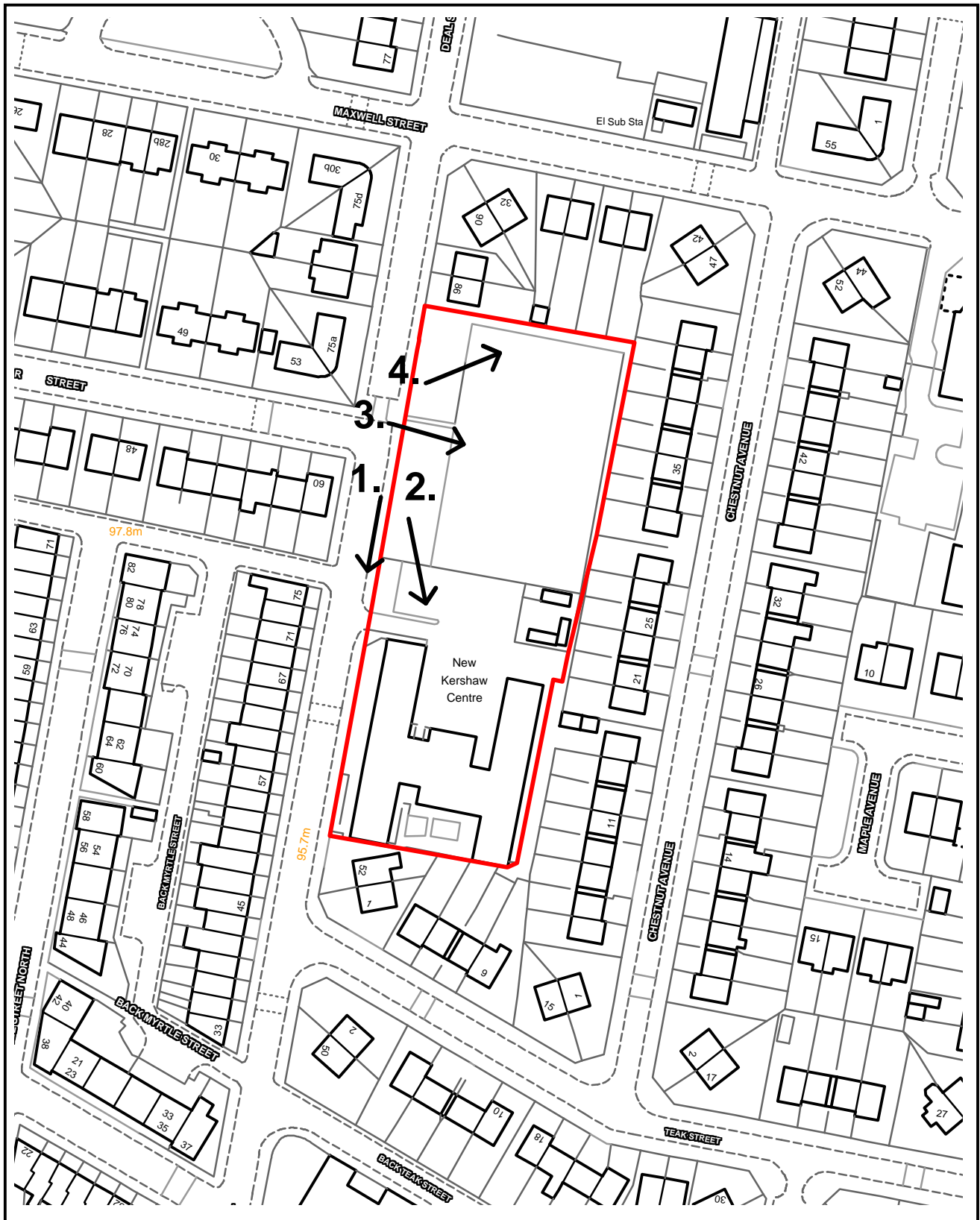
**Conditions/ Reasons**

1. Permission is hereby granted for a limited period only, namely for a period expiring on 26 September 2028, and the building, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued at the end of the said period and the land reinstated to its former condition unless a valid application is received by the Local Planning Authority for its retention.  
Reason. The development is of a temporary nature only.
2. This decision relates to drawings numbered P-001 A1, P-002 A1, P-100 A1, 61993/TOP4/1, 61993/TOP5/1, 61993/TOP6/1 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.
3. Before the first occupation of the building hereby permitted the windows on the rear elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.  
Reason. To protect the privacy of adjoining occupiers and to accord with Policy CF1/1 - Location of Community Facilities and EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

For further information on the application please contact **Helen Leach** on **0161 253 5322**



# 71084 - Viewpoints



ADDRESS: Geoffrey Kershaw Centre, Deal  
Street, Bury, BL9 7PZ



**Bury**  
Council

Planning, Environmental and Regulatory Services

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71084

Photo 1



Photo 2





71084

Photo 3

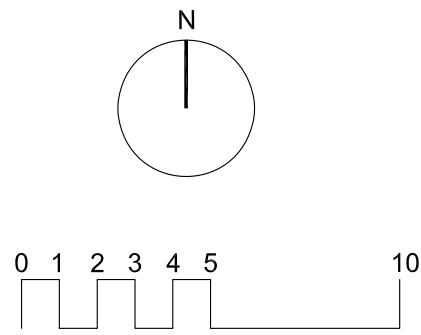


Photo 4



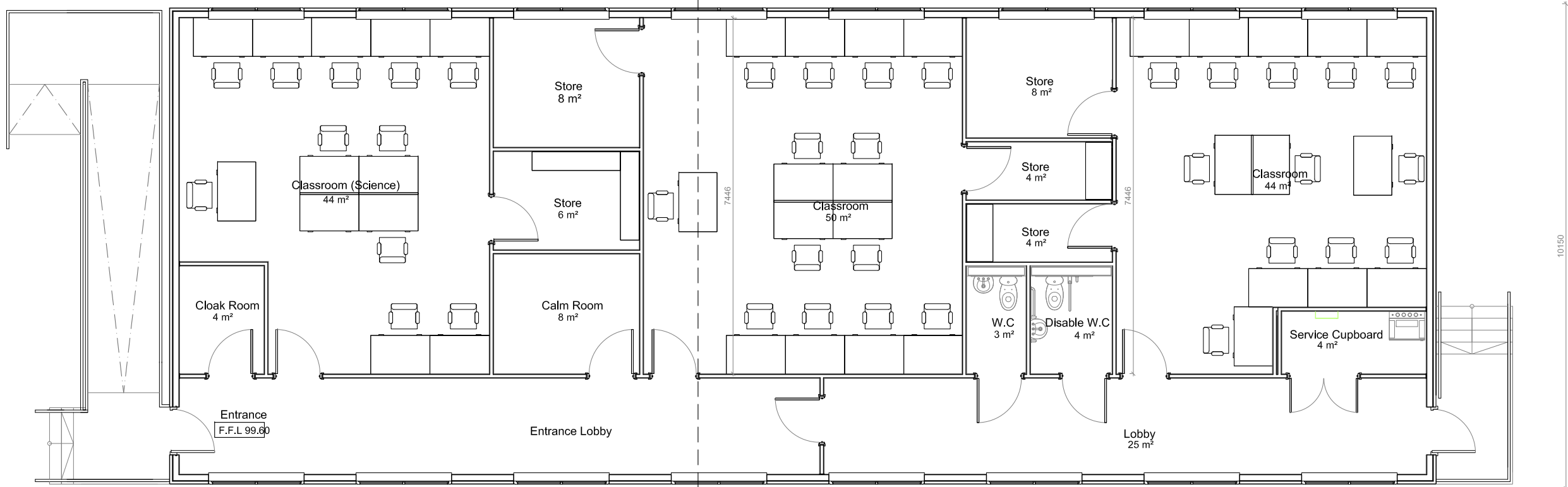




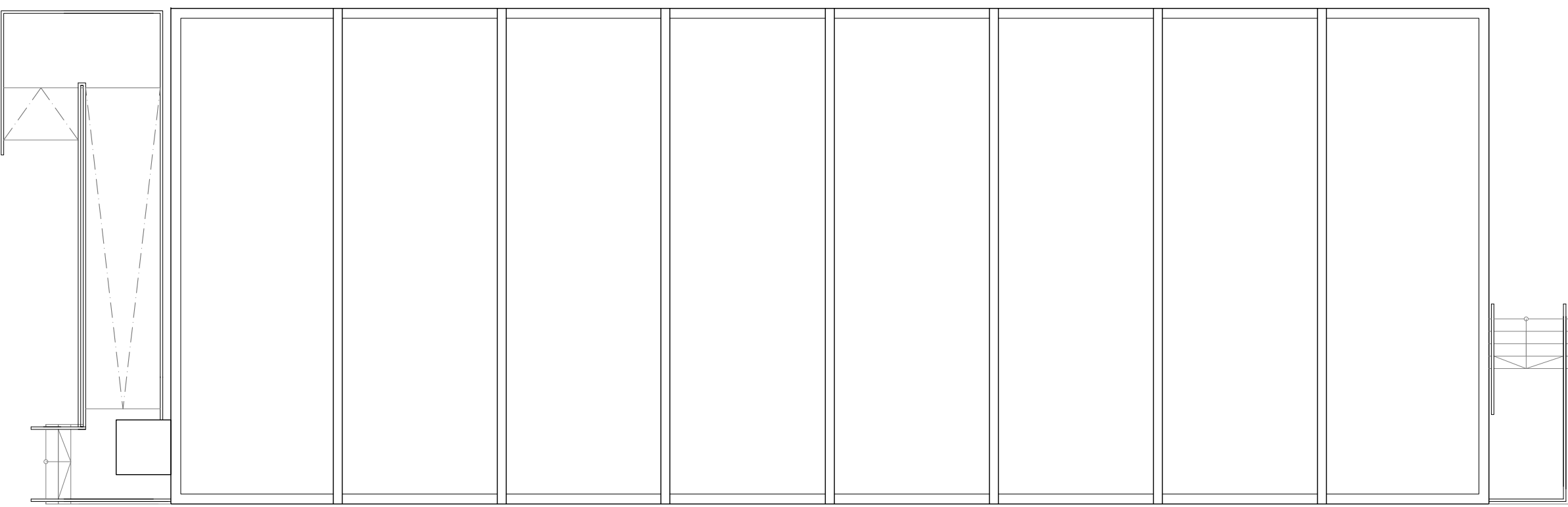


A1	Issued for approval	---/---/---
Rev	Description	Date
Client:	SPRING LANE SCHOOL, NEW KERSHAW CENTRE	
Project:	CLASSROOM + ANCILLARY ACCOMMODATION	
Title:	PROPOSED SITE / BLOCK PLAN	
Project No:	Drawing No:	Revision:
•MM2402	•P-002	•A1
Drawn By:	GM	Date: 05/07/24
Scale:	1:200 @ A1	Approved: XX
Drawing Status:	PLANNING	





PLAN



ROOF PLAN

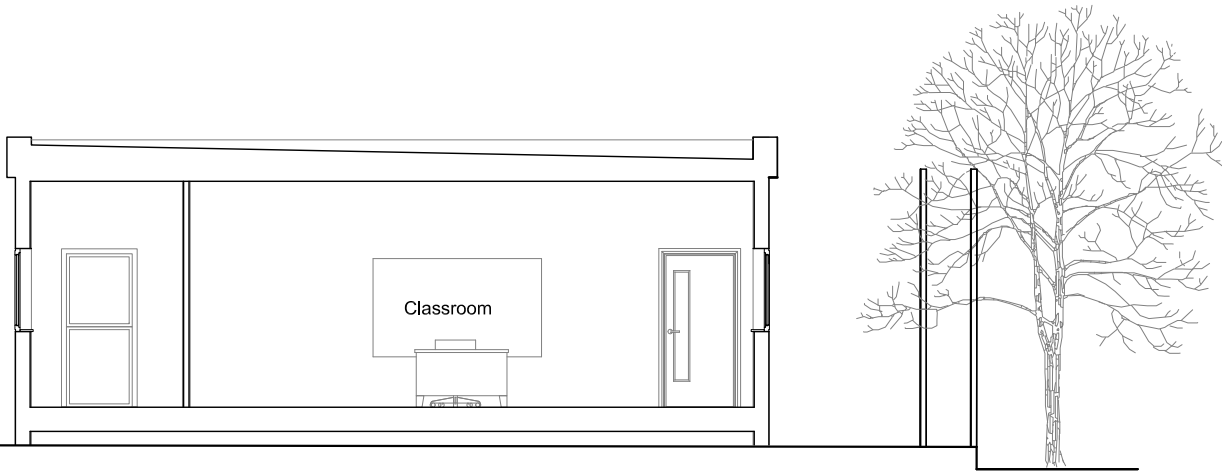
MATERIAL PALETTE:  
WALLS + ROOF: to be COMPOSITE PANELS  
DOORS: to be PPC ALUMINIUM  
WINDOWS: to be uPVC  
BIN STORE: to be 3M HIGH PALADIN FENCE



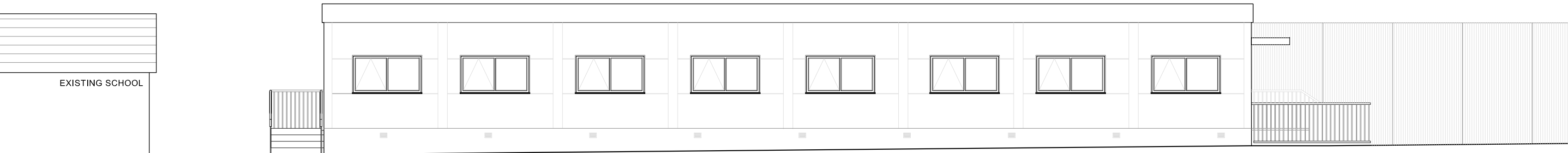
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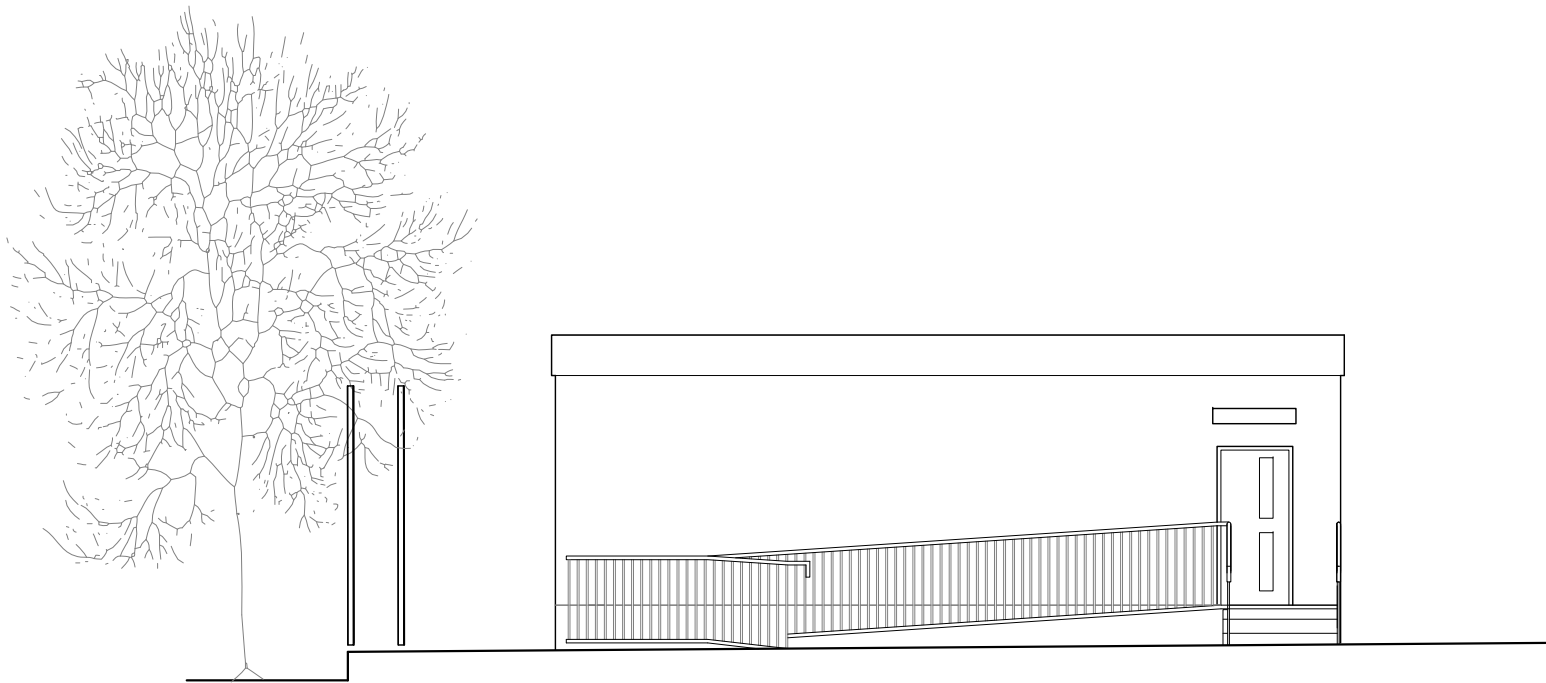
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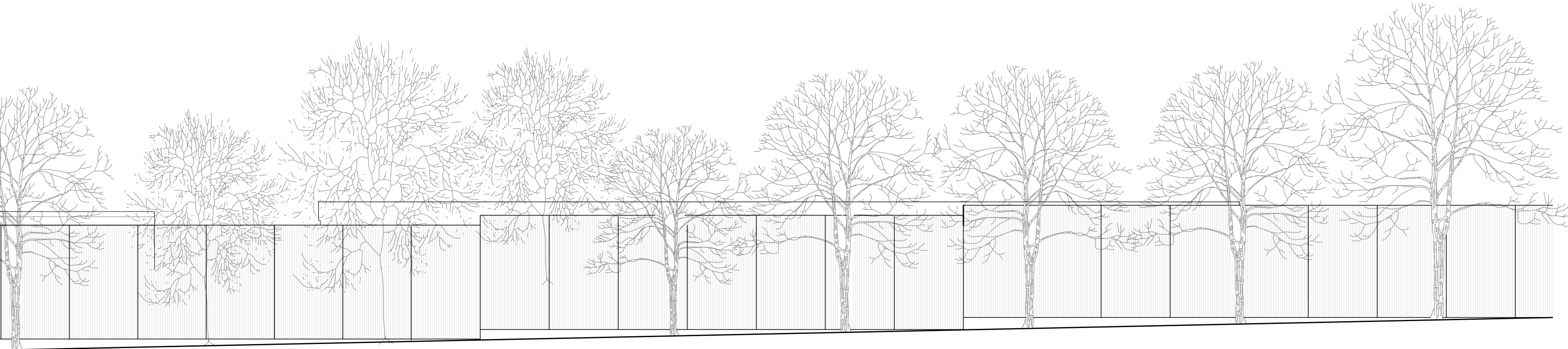
SECTION A-A



EAST ELEVATION



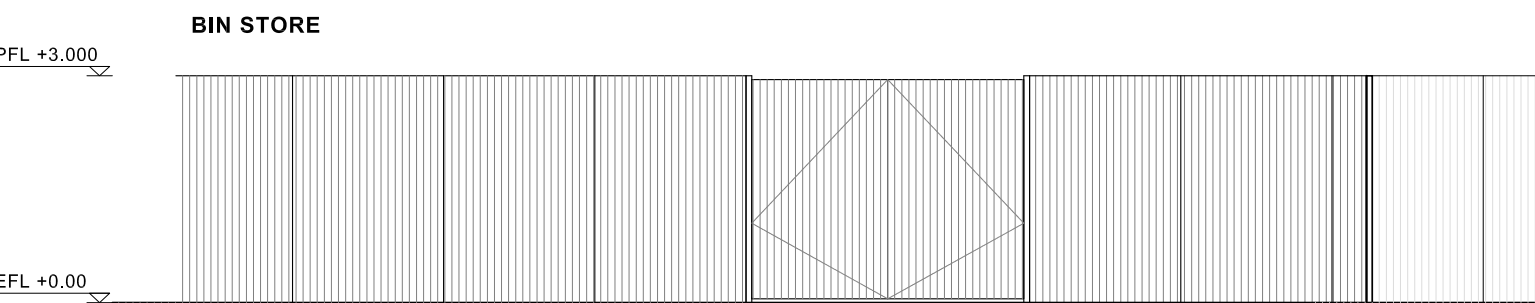
NORTH ELEVATION



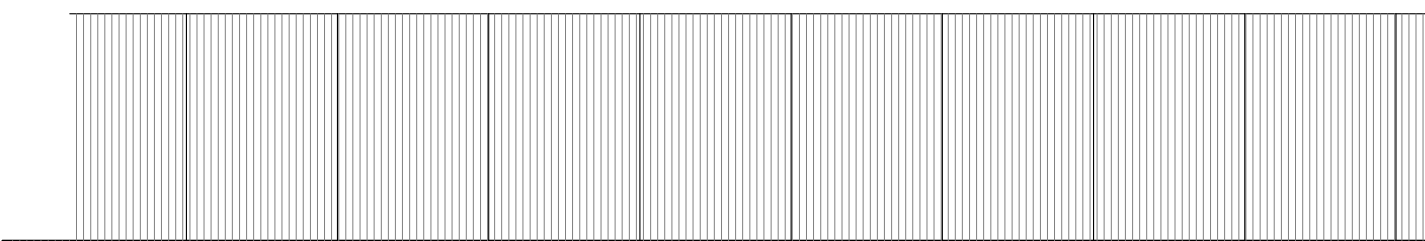
CONTEXTUAL ELEVATION FROM CHESTNUT AVENUE



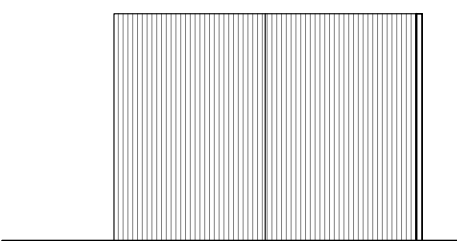
SOUTH ELEVATION



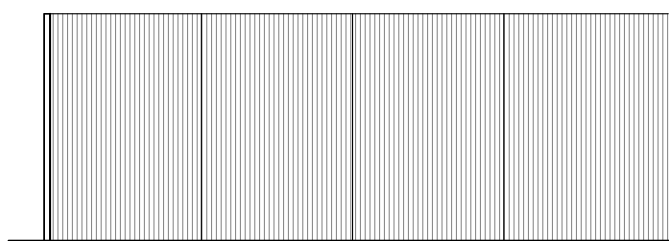
WEST ELEVATION




EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

A1	Issued for approval	--/--
Rev	Description	Date
Client:	SPRING LANE SCHOOL, NEW KERSHAW CENTRE	
Project:	CLASSROOM + ANCILLARY ACCOMMODATION	
Title:	PROPOSED PLAN / SECTION / ELEVATIONS	
Project No:	Drawing No:	Revision:
•MM2402	•P-100	•A1
Drawn By:	Date:	05/07/24
GM	Approved:	XX
Scale:	1:100 @ A1	
Drawing Status:	PLANNING	
<div><div><div>P. McVey</div><div></div></div><div><div>BUILDING</div><div>SYSTEMS</div></div></div>		
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**Ward:** Bury East

**Item** 2

**Applicant:** Cairnwell Developments

**Location:** Former Bury Police Office HQ, Irwell Street, Bury, BL9 0HE

**Proposal:** Hybrid application comprising Full application for specialist care home (Class C2) with associated parking, landscaping and infrastructure and Outline application for care home (Class C2) with all matters reserved.

**Application Ref:** 70565/Full

**Target Date:** 29/07/2024

**Recommendation:** Minded to Approve

**It is recommended that this application is Minded to Approve subject to the signing and completion of a legal agreement to ensure proposed habitats created as a result of Biodiversity Net Gain are maintained in the target condition for 30 years. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application.**

#### **Description**

The application relates to a vacant site located on Irwell Street. The site is bound by Lower Bank Street to the north, Irwell Street to the west, Jubilee Way to the south and the Castle Leisure Centre car park to the east. Irwell Street and Lower Bank Street have terraced residential properties facing the site. The site was formally occupied by a multi-storey, concrete block sectional building and associated car park that was utilised by Greater Manchester Police. Permission for the demolition of this building was approved in 2013 and the site has been subsequently cleared.

The application is a hybrid application comprising of a full planning permission, and outline planning permission. For the northern part of the site full planning permission is proposed for the construction of an "L" shaped, 2 - 3 storey specialist care home (C2) with car parking located to the west of the proposed building fronting Irwell Street.

Outline permission is also sought for a second care home (C2) with all matters reserved for the southern part of the site closest to Jubilee Way.

Access for both phases would be from Irwell Street utilising the existing access to the site.

As this is a C2 scheme, the units of occupation are not classed as "dwellings" in planning terms. The proposal will therefore fall under the classification of "all other uses" within the scheme of delegation and as such is coming before Planning Control Committee as the site is over 0.5 hectares.

#### **Relevant Planning History**

45666 - Extension of car park and creation of new access at Irwell Street, Bury. Refused - 24 January 2006

45901 - Extension to existing car park including closing access from Lower Bank Street at Irwell Street car park, Bury. Approved with conditions - 13 March 2006.

56466 - Outline application (Means of Access to be approved at outline stage) for demolition

of existing on-site structures and development of up to 12,077 sq.m (130,000 sq.ft) gross Class A1 retail floorspace (provided by a single large foodstore unit together with the option for unit shops of a maximum of 1,850 sq.m, this floorspace being part of the 12,077sqm) with Petrol Filling Station, car parking, landscaping and other associated elements at Castle Leisure Centre, Bolton Street, Bury. Approved with conditions - 11 October 2013

56479 - Prior notification of demolition of existing buildings at Former GMP building, Irwell Street, Bury. Prior approval granted - 9 August 2013.

56482 - Erection of temporary chain link fence 2.1m high - Approved with conditions - 13 August 2013

61390 - Erection of 1 no. attached dwelling at land adjacent to 7 Lower Bank Street, Bury. Approved with conditions - 17 July 2017.

02910/E - Hybrid application comprising of a full planning application for the construction of a 40-bed care home with associated parking, landscaping, and infrastructure, and an outline planning application for a 40-bed care home with associated parking, landscaping, and infrastructure. - Complete

### **Publicity**

Letters sent to 63 neighbouring properties on the 30th April 2024.

Site Notice 3rd May 2024

Press Notice 2nd May 2024

1 comment received confirming no objection to the application.

Additional neighbour letters sent 30th May 2024 in relation to an amended site layout and utilising the existing site access off Irwell Street. No representations received.

### **Statutory/Non-Statutory Consultations**

**Conservation Officer** - No objections raised.

**Traffic Section** - Conditions requested in relation to access arrangements, construction traffic management plan, implementation of parking, turning and bin storage facilities.

**Environmental Health - Contaminated Land** - Conditions requested in relation to the submission of a preliminary risk assessment, site investigation, detailed risk assessment, remediation strategy and site verification report. Conditions also requested in relation to a dust emissions scheme and electric vehicle charging point.

**Environmental Health - Pollution Control** - Request that the conclusions of the submitted noise assessment are conditioned.

**Waste Management** - No response

**United Utilities (Water and waste)** - Condition requested in relation to carrying out the proposal in accordance with the submitted SUDs scheme

**Greater Manchester Police - designforsecurity** - No response

**Greater Manchester Ecology Unit** - Potential ecological issues include nesting birds, invasive species and biodiversity net gain. Requested nesting birds condition, invasive species informative, landscaping scheme to include the provision of bird and bat boxes and BNG.

BNG to be secured via legal agreement

**G M Archaeological Advisory Service** - Satisfied that the proposal would not impact any archeological remains. As such no further consideration is required at this time.

**Borough Engineer - Drainage Section** - No response.

**Planning & Building Regs Consultation Fire Protection Dept** - The closest fire hydrant is located approximately 200m from the furthest point of site 2, which is over the 165m required.

**Transport for Greater Manchester** - Access arrangements have been altered to utilise the existing southern access on Irwell Street addressing comments concerning the conflict of servicing manoeuvres with the existing on street parking bays.

**Pre-start Conditions** - To be agreed with applicant/agent

#### **Development Plan and Policies**

CF1/1	Location of New Community Facilities
CF3/1	Residential Care Homes and Nursing Homes
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN7/2	Noise Pollution
EN7/3	Water Pollution
EN7/5	Waste Water Management
JP-C1	Our Integrated Network
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
H4/2	Special Needs Housing
JP-C2	Digital Connectivity
JP-C3	Our Public Transport
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-H3	Type, Size and Design of New Housing
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-P1	Sustainable Places
JP-P6	Health
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G1	Landscape Character
NPPF	National Planning Policy Framework
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.

### **Principle**

The site is unallocated within the UDP. The proposals are therefore to be assessed on its individual merits based upon relevant policies.

UDP Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the following factors:

- impact on residential amenity and the local environment;
- traffic generation and car parking provision;
- the scale and size of the development;
- where applicable, access to shops and other services;
- if the use is intended to serve a local community, or catchment area, the suitability of the chosen location in relation to that community or catchment area;
- accessibility by public and private transport;
- the needs and requirements of the disabled.

UDP Policy CF3/1 states that residential care homes will be located in residential areas and will be permitted where they do not conflict with the amenity of adjoining areas.

PfE Policy JP-P6 confirms improvements in health facilities will be supported, responding to the changing needs and demands of both existing and new residents, including where appropriate, the provision of new or improved health facilities as part of new developments proportionate to the additional demand that they would generate.

UDP Policy H4/2 states that the Council would encourage the provision of special needs housing and would be assessed with regard to the location of health care facilities, the location of local shops, public transport, the gradient of the site and the provision of car parking and amenity space.

PfE Policy JP-H3 - Seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build.

Paragraph 63 of the NPPF confirms that within the context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.

The proposed full planning application would provide a 40no. bed care home, which would be used to provide specialist care homes for those with acute care needs. The proposed outline permission seeks to provide a secondary circa 40 bed care home. The proposed care homes would be located within a residential area and would not conflict with the surrounding land uses. There would be adequate infrastructure and the site would have



good access to public transport due to town centre location. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policies CF1/1, CF3/1, JP-P6, JP-H3, H4/2 and the NPPF.

### **Layout and Design**

UDP Policy EN1/2 seeks to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area. PfE Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places.

#### Full Planning Permission

There are various scales of development adjacent to the site, with two storey terraced residential properties located along Irwell Street and Lower Bank Street, and the larger scale Leisure Centre building located to the rear of the site. Due to the natural incline of the site and adjacent streets and the scale of the existing Leisure Centre building this building is currently sited approximately 9.8 metres higher than the existing residential properties on Lower Bank Street. The proposed building would be L shaped and reach a maximum of 3 stories in height. The site sections submitted indicate that the 3 storey element of the proposed building would be 4.7 metres higher than the terraced properties on Irwell Street, with the 2 storey element approximately 650mm lower. The ridge of the proposed 3 storey element would be approximately 7.1 metres higher than the properties on Lower Bank Street, but the highest part of the ridge would be sited 3.5metres lower than the existing Leisure Centre Building that is sited to the east of this row of properties. Given this juxtaposition, the scale and massing of the proposed building is considered to be acceptable relating well in scale to the scale of both the existing residential and Leisure Centre uses.

The proposed gable roof and gable detailing would reflect the traditional style and design of the neighbouring terraced residential dwellings. The proposed windows are suitably aligned presenting an appropriate rhythm. The use of red facing brick work would replicate the materials within the wider street scene, with the introduction of areas of dark wood cladding creating areas of interest in the elevations that face towards Irwell Street and Lower Bank Street.

The site currently slopes gradually towards the rear boundary with the Leisure Centre car park to the east of the site. Existing spot levels indicate that the site increases from between 90.630 - 90.980 AOD along Irwell Street to between 93.910 - 94.250 AOD at the boundary with the car park. The proposal would see the site levelled providing finished floor levels at 92.000 AOD. A new 1.4 metre high retaining wall introduced to the front of the existing car park retaining wall. An additional retaining wall would be introduced around the air source heat pump enclosure reaching a maximum height of approximately 1.9 metres.

Supplementary Planning Document 1 states that C2 schemes cater for people who are in need of attentive care and whose physical mobility is likely to be restricted. Such uses would not place a significant demand upon the need to provide new formal recreational facilities. On-site amenity land and communal space has been provided through the provision of areas of garden are located to the front, side and rear of the site and communal terraces/seating areas are located to the side and rear. The proposed amenity space would also include pathways around the building and a growing area thus providing green separation and amenity space to the site.

The car parking would be located to the front of the proposed building, with areas of soft landscaping in the parking areas and frontage with Irwell Street. Further soft landscaping is located to the front, side and rear (Lower Bank Street) of the proposed building and in connection with the amenity space for the future residents.

Boundary treatments fronting Irwell Street and the corner of Lower Bank Street would comprise of 1200mm black bow top fencing which would allow a level of permeability between the site and the highway along the main frontage of the site whilst still highlighting a clear defensible space. The remaining boundary along Lower Bank Street, and the boundary to the rear with the car park would comprise of 2.1 m close boarded timber fencing which is common in residential areas and as such no objections are raised.

### Outline

The indicative plan shows that the site can accommodate an "L" shaped building and associated amenity space for any future residents. The indicative plan also shows an area that can be accommodated for parking and bin storage.

The layout and appearance is not subject to consideration at this outline stage but would be a matter for the reserved matters application.

### **Amenity**

There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and new development and as such, would be a reasonable guide in this case.

For clarity the following aspect standards would be applicable:

- 20 metres between directly facing habitable room windows;
- 13 metres between an existing habitable room window and a proposed two storey blank wall
- 6.5 metres between an existing habitable room window and a proposed single storey blank wall
- 7 metres between a proposed first floor habitable room window and a directly facing boundary with a neighbouring property.

Any assessment will need to take into account significant change in levels or new accommodation to be provided at a higher storey which may result in, for example, principal windows to single storey extensions having the same effect as a two storey extension. In this regard, there should be an extra 3 metres of separation for each 2.5m or one storey of height or level difference in each of the above cases.

### Full Planning Permission

A distance of approximately 23 metres can be provided between the proposed windows, and the front elevations of the properties on Lower Bank Street complying with aspect standards. The elevation facing the site is 2 storeys in height and as such presents a limited impact. As 23 metres can be provided the proposal would comply with the aspect standards thus mitigating overbearing relationships.

A distance of approximately 28.9 metres can be provided between the proposed windows and the front elevations of the properties on Irwell Street exceeding aspect standards. As 28.9 metres can be provided the proposal would also comply with the aspect standards for overbearing relationships.

10 metres can be provided between the proposed windows, and the rear boundary with the car park to the rear of the site complying with aspect standards.

A 1.4 metre high retaining wall is proposed to the rear of the proposed ground floor windows of the proposed building. This wall would be located a minimum of approximately 6.6metres from these windows. As such the 6.5 metres required between blank single storey walls and



ground floor windows can be provided protecting the amenity of the users of these ground floor rooms. Similarly a distance of 10.4 metres can be provided between the ground floor bedroom and lounge windows and the proposed 1.8 metre close boarded fence protecting the amenity of any users of these ground floor rooms.

### Outline

The layout is not under consideration at present and would be a concern for the reserved matters application however, the indicative layout submitted shows that separation distances can be accommodated.

### Noise

Policy EN7/2 seeks to limit noise pollution and will not permit development that would lead to an unacceptable noise nuisance or would be close to a permanent source of noise.

A noise impact assessment has been submitted with the application. The ambient noise climate at the site is characterised (dominated) by road traffic on the A58 Jubilee Way, with a lesser contribution from vehicles on Lower Bank Street accessing Castle Leisure Centre. No significant noise was noted from the leisure centre. East Lancashire Railway is also located to the east of the site however by virtue of the limited use of this railway, during non-sensitive hours the noise assessment considered this impact of the line to be negligible.

The closest noise sensitive receptors to the site are considered to be the existing residential dwellings on Lower Bank Street to the north and the existing residential dwellings on Irwell Street to the west.

The full planning application would be located further from the A58 than the proposed outline site. On the assumption that set out in the supporting report, the site would be provided with some form of mechanical ventilation the noise impact assessment would suggest mitigation at the site through appropriately rated double glazing, in conjunction with rated acoustic wall vents. The details of this mitigation can be secured through condition.

In relation to the outline application the indicative layout shows that the site would be closer to the elevated noise levels of the A58. As the layout of this site has not been formalised it is considered that the submission of a noise assessment at reserved matters for layout should be submitted, taking into consideration the appropriate solutions set out in the submitted noise impact assessment - namely mechanical ventilation heat recovery and mechanical extract ventilation.

### **Access and Parking**

UDP Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. PfE Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

Pedestrian, cycle and vehicular access to the proposed development would be taken from the existing site access located at the southern end of Irwell Street site frontage. It is proposed to widen this access to 6 metres to accommodate larger vehicles entering and existing the site. Visibility splays are the same as the existing access, and in accordance with current design standards.

The existing access to the site from Lower Bank Street, adjacent to the sub station, would be stopped up and reinstated as a footway.

The Traffic Section have been consulted as part of the application process, and have raised no objections to the proposed access to the full planning permission element of the site

subject to conditions.

In relation to the outline permission, access would be a concern for the reserved matters application.

### Transport Requirements

PfE Policy JP-C8 requires new development to be located and designed to enable and encourage walking, cycling and public transport use and to reduce the negative effects of car dependency.

The Transport Statement notes that pedestrian access to the site can be provided from Irwell Street, which is served by footways on both sides of the carriageway. Street lighting is also provided at regular intervals. Bolton Street to the north of the site can provide access to Bury town centre, and there is pedestrian and cycle access to the south of the site towards the A58. A large range of amenities are located within 1km walking distance of the site including Bury Interchange.

In terms of cycle access the site is in close proximity to the shared cycle/footway that runs from Irwell Street/Bolton Street. This route is part of Bury's Cycle 'Traffic Free' routes demonstrated within the Transport for Greater Manchester (TfGM) cycle maps. The site is therefore considered to be highly accessible by cycle for staff living within 5km of the site.

The nearest bus stops to the site are located on Jubilee Way, and Bolton Street providing wider accessibility to the site to and from Manchester, Rochdale and Bolton and access to nearby residential areas including but not limited to Radcliffe, Elton, Tottington and Ramsbottom. In addition, Bury Interchange is located approximately 700m to the east of the site where a number of additional bus and tram services can be reached.

It is therefore considered that it has been demonstrated that the site is highly accessible on foot, by cycling and by public transport.

### Parking

In terms of parking standards UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 provides parking standards for developments. PfE Policy JP-C8 requires new development to be located and designed to enable and encourage walking, cycling and public transport use and to reduce the negative effects of car dependency.

The site is located within a town centre location close to transport links and can be accessed on foot or through cycling. Traffic Regulation Orders (TROs) are in place on Irwell Street and Lower Bank Street providing resident only parking permits and a large public car park is located to the rear of the site. SPD 11 states that the maximum parking standards for care homes is 1 space, per 4 beds this would equate to 10 spaces.

The applicant's have confirmed that there will be a total of 38 members of staff during the day at the site, including ancillary staff with shift patterns split over two 12-hour shifts. There would be no resident members of staff employed at the site. 10no. spaces are proposed to be provided, with an additional 3no. disabled parking spaces located directly to the front of the proposed entrance to allow accessibility to the building.

The proposal would comply with maximum standards for parking as set out within SPD 11. SPD 11 confirms that standards for care/nursing homes are for staff and visitors. Given the highly accessible nature of the site outlined above within the Transport Requirements section, the existing TROs and the town centre location proposed it is considered that the parking proposed would be adequate.

In terms of cycle parking, the proposal would provide 8 spaces which would exceed the minimum of 2 spaces required by SPD 11. As such the proposed cycle parking would comply with guidance.

In terms of the outline permission again, the layout is not under consideration at present and would be a concern for the reserved matters application however, the indicative layout submitted shows similar level of parking could be provided.

### **Ecology and Biodiversity Net Gain**

PfE Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by UDP Policy EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. UDP Policy EN8/2 supports and encourages new woodland and tree planting within the borough.

#### Protected Species

No evidence of any protected species was found and as such no further information or measures are required.

#### Nesting Birds

Trees and shrubs are present along the southern boundary, potential bird nesting habitat, with some removal proposed as part of the outline part of the development. A condition has been requested by GMEU to limit works to trees to outside of the bird nesting season.

#### Invasive Species

Two species of Cotoneaster were recorded on the site. Certain species of Cotoneaster are listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended). It is illegal to introduce various species of Cotoneaster to the wild, which this location is not, with one of the species identified as *C. frigidus*, which is not one of the Cotoneaster listed under schedule 9. Given the low level of infestation and uncertainty regarding whether the species present are regarded as invasive, GMEU recommend an informative.

#### Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

The development site is primarily brownfield, characterised by short ephemeral species a low value habitat. A small area of broadleaved plantation/urban tree planting is also present along the southern boundary, some of which is shown as lost as part of the outline part of the application. Wildlife issues appear restricted to nesting birds.

The development is subject to mandatory 10% BNG as submitted after the 12th February 2024.

For the outline site GMEU have confirmed that they are happy with the outline baseline values and are satisfied that this can be utilised for any future reserved matters applications.

An on-site loss is deemed likely, with a shortfall of 0.43BU (Biodiversity Units) to achieve 10% BNG. This is in part reliant on enhancement of retained trees from moderate to good, which may or may not be achievable. Given the scale of the shortfall GMEU are satisfied that off-site compensation is feasible with finalised details on how BNG will be provided as part of reserved matters.

In relation to the full planning part of the site the metric currently only achieves 8.8% Net gain, with a shortfall of just 0.01BU to achieve 10% net gain. Following this calculation the

planting schedule has been amended to include native trees and GMEU consider that 10% BNG would be achievable on site. The habitats creation sites are however reliant on the urban trees and other neutral grassland both medium distinctiveness habitats. Based on Defra guidance these habitats are classed as significant. GMEU would therefore recommend that a legal agreement is signed with the developer to ensure the individual trees and grassland are maintained in the target condition for 30 years.

With regards wildlife, GMEU consider that the only issue would be nesting birds and primarily with regards the outline part of the development. GMEU have therefore recommend provision of bird boxes primarily within the outline part of the development, on the retained trees. As wildlife enhancement GMEU recommend integrated bat boxes within both the full and outline applications. These elements have been conditioned.

### Trees

The arboricultural impact assessment submitted with the application confirms that the majority of the trees to be impacted by the proposal would be within site 2, which is the outline part of the proposed application. TT5 and T74 have been categorised as Category U trees and identified for removal due to their condition. As the layout of this part of the scheme is yet to be determined a condition will be attached to require the submission of an arboricultural method statement at first reserved matters stage to avoid the loss of trees which are of amenity value.

Tree T35 however appears to be within site 1. This is identified within the assessment as an ash tree and is not indicated as being felled, however this tree is not shown on the proposed layout or planting plan as being retained. The tree is a C1 tree which is considered to be a low quality tree. Given the low quality of the tree, and the number of trees proposed to be planted along this frontage no objections are raised to the removal of this tree.

### **Health and Wellbeing**

PfE Policy JP-P6 supports improvements in healthcare facilities. Where appropriate, the provision of new or improved health facilities will be required proportionate to the additional demand generated.

A Health Impact Assessment (HIA) has been submitted with the application. The submitted HIA includes an assessment of the health impacts of the development over both the construction and operation phases and has utilised the HUDU Rapid Health Impact Assessment Matrix.

The HIA identifies that there is a higher proportion of younger people (0-14) and people aged 15-24 within the vicinity of the site when compared to Bury and the North West, with a lower proportion of people aged 65+. In terms of overall deprivation the HIA states that the site is located in one of the 20% most deprived neighbourhoods in the country. Health is ranked in the 3rd decile and the site is situated in an area which is in the 10% most deprived areas in terms of Crime and Living Environment.

The HIA however also highlights that the site is well served in terms of community and social infrastructure, and many amenities and services would also be provided on site for the residents of the care home.

During the construction stage of development the HIA considered that there will be increased jobs and spending in the local area. Environmental Control can be achieved through the agreement of conditions. During the operational phase the addition of the care home spaces will help to address the specified housing need in Bury. The proposal will also create both full time and part time jobs which will represent a notable uplift in a site that is currently vacant. The HIA recommends a number of mitigations including, but not limited

to, implementation of the landscaping strategy, implementation of the mitigation measures within the noise assessment and implementation of the SuDs report.

In summary the HIA concludes that the proposed development would achieve the objective of creating homes, jobs and services that people need whilst reducing the environmental risks.

### **Carbon and Energy**

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions. A detailed Energy Statement has been submitted with the planning application.

The construction of the building is based on well insulated cavity walls, solid concrete floors and highly insulated roof. With the under floor heating the building heats up and retains heat within the fabric and thermostatic controls steadily reduce the need to heat due to the thermal storage capacity of the building fabric, reducing energy/electric consumption. The submitted Energy Statement confirms that these would comply with Part L of the building regulations.

Low energy light fittings are proposed internally and externally. Heating would be provided through Air Source Heat Pumps. Hot water would be provided via high efficiency, low NOx gas fired water heaters. Gas hot water currently provide lower carbon emissions than air source heat pumps within Part L of the building regs. The submitted Energy Statement states that Photovoltaic (PV) Panels are proposed to be installed east facing to provide renewable energy, reducing the carbon footprint of the building. The level of PV has been set to provide an economically feasible amount of carbon reduction. Glazing areas have been lowered to reduce heat losses.

The Energy Statement confirms that the proposed building was modelled in SBEM 2021 to determine the CO2 emissions. These calculations show that with the development emissions are below that required for the current building regulation requirements (SBEM 2021) and show a reduction in CO2 of in excess of 34% compared to the previous requirements of SBEM 2013.

The proposal is therefore considered to be in conformity with Policy JP-S2.

### **Digital Connectivity**

PfE Policy JP-C2 requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting. The policy supports the provision of free, secure, high-speed public wi-fi connections, particularly in the most frequented areas. The applicant has confirmed that the development will be provided with full connections in accordance with the requirements of Policy JP-C2.

### **Drainage**

Any proposal should include a surface water scheme that must be based on the hierarchy of drainage options in the National Planning Practice Guidance and include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. It must be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015).

United Utilities have reviewed the submitted drainage strategy and confirmed that the proposals are acceptable in principle and have requested a condition to ensure that the proposal is carried out in accordance with the principles set out within the submitted Foul and Surface Water Drainage Design Drawings.

### **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:** Minded to Approve

### **Conditions/ Reasons**

1. **CONDITIONS RELATING TO ALL PARTS OF THE PLANNING APPLICATION (SITE 1 AND SITE 2)**
2. This decision relates to drawings numbered:  
IRWEL WBA SI ZZ DR A PL-001 P1, IRWEL WBA SI ZZ DR A PL-002 P1, IRWEL WBA SI ZZ DR A PL-003 P15, IRWEL-WBA-NB-00-DR-A-PL\_100 P5, IRWEL-WBA-NB-01-DR-A-PL\_101 P5, IRWEL-WBA-NB-02-DR-A-PL\_102 P5, IRWEL-WBA-NB-RF-DR-A-PL\_103 P3, IRWEL-WBA-NB-ZZ-DR-A-PL 201 P4, IRWEL-WBA-NB-ZZ-DR-A-PL 202 P4, IRWEL-WBA-NB-ZZ-DR-A-PL 203 P3, IRWEL WBA SI ZZ DR A PL-205, IRWEL WBA SI ZZ DR A PL-205 P1, IRWEL-WBA-NB-ZZ-DR-A-PL\_206 P1, 23389-DCE-XX-XX-D-C-101-P03, 23389-DCE-XX-XX-D-C-102 P02, 23389-DCE-XX-XX-D-C-103 P02, 23389-DCE-XX-XX-D-X-104 P02, 23389-DCE-XX-XX-D-C-156 P01, 23389-DCE-XX-XX-D-X-155-P05, AT.24.11879.101 R.07, AT.24.11879.102. R.08, AT.24.11879.103. R.01, TR-01 V1, 60307MCLS-01B Revision B.

#### Supporting Documents

Planning Statement March 2024  
Noise Impact Assessment 18th March 2024 NIA-11288-24-11502-v2  
Extended Phase One Habitat Survey (Preliminary Ecological Appraisal) 11761  
Bury PEA - RW – V1– 08.12.23  
Potential roost feature inspection surveys - trees 08/12/2023  
Arboricultural Impact Assessment 28.02.2024  
Air Quality Assessment March 2024  
Design and Access Statement  
Site 1 Drainage Strategy and Calculations 14/03/2024  
Combined Phase 1 Desk Study and Phase 2 Geo-Environmental Ground Investigation Report 3842-01  
Crime Impact Statement 2024/0095/CIS/01  
Health Impact Statement May 2024  
Transport Statement TS01B July 2024  
Full Fibre Broadband Statement 29th July 2024  
Assessment of Biodiversity - Biodiversity Net Gain (BNG) Version 5 29/08/2024  
The Biodiversity Metric 4.0 -Technical Annex 1: Condition Assessment Sheets and Methodology  
Statutory Biodiversity Metric Calculator - Full Site  
Statutory Biodiversity Metric Calculator - Outline site  
Energy/Sustainability Statement Version 1.1

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 Development Plan listed.

3. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
- (i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
  - (ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan. This condition can be satisfied in phases.

Reason. To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

4. No development shall commence unless and until:-
- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
  - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

This condition can be satisfied in Phases.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

This condition can be satisfied in Phases.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

6. Prior to occupation the applicant shall provide:

Electric vehicle (EV) charging points (minimum 7kW\*) for a minimum of 20% of the proposed parking spaces.

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use.

\*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs 111e, 116e, 180e and 192 of the National Planning Policy Framework (December 2023) and Places for Everyone Policy JP-S5 (Clean Air).

7. No development shall commence unless and until a scheme to minimise dust emissions arising from the construction process has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust control measures to be used during any associated construction phase within the application site and to include the methods to monitor emissions of dust arising from the development. The development shall be implemented in accordance with the approved scheme with the approved dust control measures being retained and maintained in a fully functional condition for the duration of the development hereby approved. This condition can be satisfied in Phases.

Reason. The information is required to reduce the impacts of dust disturbance from the site on the local environment, pursuant to chapter 15 of the NPPF - Conserving and enhancing the natural environment.

8. No works to trees or shrubs shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

9. An Overall Biodiversity Gain Plan shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The Biodiversity Gain Plan shall be prepared in accordance with the Assessment of Biodiversity - Biodiversity Net Gain (BNG) Version 5 29/08/2024 prepared by Simon Brain and must include:

1. information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
2. the pre-development biodiversity value of the entire onsite habitat;
3. any registered offsite biodiversity gain allocated or proposed to be allocated to the entire development and the biodiversity value of that gain in relation to the development;



4. any biodiversity credits purchased or proposed to be purchased for the entire development; and
5. the post-development biodiversity value of the onsite habitat for the entire development and each phase of development.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

10. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
  1. a non-technical summary;
  2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  4. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
  5. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

has been submitted to, and approved in writing by, the local planning authority.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

11. The development hereby approved shall not be occupied unless and until:
  1. the habitat creation and enhancement works set out in the approved HMMP have been completed; and
  2. a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

12. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.
 

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.
13. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details and programme of implementation of the following have been submitted on a topographical survey of the site and adjacent adopted highways to the Local Planning Authority:

1. Swept path analysis of the amended site access onto Irwell Street and proposed turning facilities serving both the full and outline proposals to ensure that appropriately sized delivery and refuse collection vehicles can enter and leave the site in a forward gear and access the proposed bin store positions, including any associated alterations to the access and car parking arrangements shown.
2. Following the above exercise, formation of the proposed site access alterations and pedestrian improvements on Irwell Street and Lower Bank Street to a scope and specification to be agreed, incorporating revised access width and junction radii onto Irwell Street, the reinstatement of the redundant vehicular access to adjacent footway levels on Lower Bank Street, demarcation of the limits of the adopted highway, and all associated highway and highway drainage remedial works required as a result of the construction of the full and outline developments and any statutory undertakers connections to/works at the site;
3. Scheme of site perimeter footway remedial works on Irwell Street and Lower Bank Street to a scope and specification to be agreed, required as a result of the demolition of the former police station and works at the interface with the adopted highway to form the proposed site boundary, incorporating the demarcation of the limits of the adopted highway and all proposed boundary treatment.
4. Provision and retention of adequate levels of visibility at the junctions of the site access and Lower Bank Street with Irwell Street in accordance with the guidance in Manual for Streets, with no obstructions, including proposed boundary railings/treatment, above the height of 0.6m within the splays (other than on-street parking with the existing bays to be retained).

The details subsequently approved shall be implemented to an agreed programme,

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, minimise the standing and turning movements of vehicles on the highway, maintain the integrity of the adopted highway and ensure the intervisibility of the users of the site and the adjacent highways, all in the interests of highway safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

14. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:
  1. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of statutory undertakers connections to the site, including, if required, a review of the surveyed information between the full and outline application phases.
  2. Access route for all construction vehicles to the site from the Key Route Network.
  3. Access point/arrangements for construction traffic, taking into consideration the need to maintain safe pedestrian/vehicular access to adjacent residential properties and Castle Leisure Centre, and all temporary works required to facilitate access for construction vehicles.
  4. Hours of work for site preparation, delivery of materials and construction and number of vehicle movements.

5. Arrangements for the parking of vehicles for site operatives and visitors on land within the applicant's control, together with storage on site or on land within the applicant's control of construction materials.
6. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres, including details of areas designated for the loading, unloading and storage of plant and materials.
7. Details of the siting, height and maintenance of any site hoardings.
8. The provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway.
9. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access(es).
10. Arrangements for the provision of wheel washing facilities for vehicles accessing the site.
11. Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to control the emission of noise, dust and dirt during construction.
12. A scheme for recycling/disposing of waste resulting from construction works.

The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials. The condition can be satisfied in phases.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

**15. CONDITIONS RELATING TO THE FULL PLANNING PERMISSION (SITE 1)**

16. 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.

17. Details/Samples of the materials/bricks to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design

18. The drainage for the development hereby approved, shall be carried out in accordance with the principles set out in the submitted Foul & Surface Water Drainage Design Drawing 23389-DCE-XX-XX-D-C-101 Rev P03 which was prepared by DUDLEYS. For the avoidance of doubt surface water on site 1 must

drain at the restricted rate of 3.0 l/s and surface water on site 2 must drain at the restricted rate of 2.4 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding. To promote sustainable development and reduce flood risk pursuant to Development Plan Policies JP-S4 - Flood Risk and the Water Environment, EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

19. The landscaping scheme (softworks and planting plan AT.24.11879.102 Rev R.08) hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building is first occupied and shall include the provision of integrated bat boxes and swift bricks. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development in the interests of visual amenity and to ensure provision for protected species pursuant to policies JP-G8: A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

20. A Phase Biodiversity Gain Plan shall be submitted to and approved in writing by the Local Planning Authority before the development of site 1 is commenced. The Phase Biodiversity Gain Plan shall include:

1. the post-development biodiversity value of the onsite habitat for the phase of the development (which is the subject of the Plan);
2. the post-development biodiversity value of the onsite habitat for each other phase of development (whether begun or otherwise);
3. any registered offsite biodiversity gain allocated to the entire development and the biodiversity value of that gain for the development prior to submission of the phase plan;
4. any registered offsite biodiversity gain which is proposed to be allocated to the entire development and the biodiversity value of that gain in relation to the development;
5. any biodiversity credits purchased for the entire development prior to submission of the phase plan; and
6. any biodiversity credits proposed to be purchased for the entire development.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

21. The accommodation hereby approved shall include double glazing rated at 28 dB Rw+C with acoustic wall vents rated at least 43 dB Dn,e,w per 5000 mm<sup>2</sup> (vent open) in accordance with the submitted Noise Impact Assessment ref NIA-11288-24-11502-v2. The acoustic attenuation scheme hereby approved shall be implemented in full and available for use before use of the premises first commences.

Reason. To protect the amenity of the occupants of the premises once the development hereby approved is occupied pursuant to Bury Unitary Development

22. Within 6 months of the occupation of the development hereby approved a Travel Plan shall be produced for the development, with the objective of reducing reliance on the private car, particularly single occupancy use and shall be submitted to, and agreed in writing by the Local Planning Authority. The Travel Plan should be designed to raise awareness of opportunities for reducing travel by car and should feature a range of measures and initiatives promoting a choice of transport mode, and a clear monitoring regime with agreed targets.

The details subsequently approved shall be implemented to an agreed programme.

Reason. Information not submitted with the planning application. To encourage sustainable travel choices pursuant to Development Plan Policies JP-C1 - An Integrated Network and JP- C3 - Public Transport.

23. Subject to the provisions of Condition 13, the turning facilities indicated on the approved plans shall be provided before the areas of the development to which they relate are brought into use and the areas used for the manoeuvring of vehicles shall subsequently be 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 Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.
24. Subject to the provisions of Condition 13, the car, TWMV and cycle parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use and thereafter 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 and Supplementary Planning Document 11: Parking Standards in Bury.
25. Subject to the provisions of Condition 13, the refuse storage and access arrangements to be provided within the curtilage of the site shall be made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.  
Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of the site, clear of the adopted highway To ensure that adequate bin storage arrangements are provided within the curtilage of the site, clear of the adopted highway pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.
26. **CONDITIONS RELATING TO THE OUTLINE PART OF THE PLANNING APPLICATION (SITE 2)**
27. Applications for approval of reserved matters must be made not later than:
- the expiration of three years beginning with the date of the grant of outline planning permission; and
  - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such

matter to be approved.

Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

28. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters;
- the layout;
  - scale;
  - appearance;
  - access thereto; and
  - the landscaping of the site.

Reason. To ensure the satisfactory development of the site and because this application is in outline only.

29. As part of a Reserved matters application relating to appearance, details of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the building hereby approved. Only the approved materials shall be used for the construction of the development.

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

30. As part of the Reserved Matters for landscaping a scheme shall be submitted that includes native tree and shrub planting, the provision bird boxes on the retained trees and integrated bat boxes and swift bricks. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies EN8/2 – Woodland and Tree Planting, EN6/3 – Features of Ecological Value of the Development Plan and JP-G8 - A Net Enhancement of Biodiversity and Geodiversity of the Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

31. A Phase Biodiversity Gain Plan shall be submitted to and approved in writing by the Local Planning Authority as part of the first Reserved Matters for the site. The Phase Biodiversity Gain Plan shall include:
1. the post-development biodiversity value of the onsite habitat for the phase of the development (which is the subject of the Plan);
  2. the post-development biodiversity value of the onsite habitat for each other phase of development (whether begun or otherwise);
  3. any registered offsite biodiversity gain allocated to the entire development and the biodiversity value of that gain for the development prior to submission of the phase plan;
  4. any registered offsite biodiversity gain which is proposed to be allocated to the entire development and the biodiversity value of that gain in relation to the development;
  5. any biodiversity credits purchased for the entire development prior to submission of the phase plan; and

6. any biodiversity credits proposed to be purchased for the entire development.  
Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

32. Notwithstanding the details contained within the Arboricultural Impact Assessment 28/02/2024 at first Reserved Matters an Arboricultural Method Statement shall be submitted to and produced in accordance with BS5837. The method statement shall include:

1. A Tree Protection Plan showing trees that would be retained in the context of the final layout;
2. The arrangement of temporary protection measures that would be installed prior to commencement and maintained during construction;
3. The location of all proposed structures and surfaces, level changes, excavations and access requirements that could harm retained trees;
4. A methodology and/or details for all activities identified at point 3 that will be followed to avoid harm to retained trees;
5. A detail for any temporary construction measures, products or construction methods that are specified;
6. Details of any proposed watching brief, monitoring or reporting;
7. A schedule of works proposed to trees to be retained on site and reasons for those works

The works shall be implemented in accordance with the approved details.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design, JP-G7 - Trees and Woodland and EN8/2 – Woodland and Tree Planting of the Development Plan.

33. As part of the reserved matters for layout a scheme of acoustic attenuation shall be submitted in accordance with the findings of the approved Noise Impact Assessment ref NIA-11288-24-11502-v2. Only the details of the approved acoustic attenuation scheme shall be implemented in full and available for use before use of the premises first commences.

Reason. To protect the amenity of the occupants of the premises once the development hereby approved is occupied pursuant to Bury Unitary Development Plan Policy EN7/2 - Noise Pollution.

34. Provision shall be made within the curtilage of the site for the loading and unloading of vehicles and the parking of cars which visit the site in connection with the use hereby approved. The approved parking and servicing shall be demarcated and available for use before the building hereby approved within the outline area is first occupied.

Reason. To minimise the standing and turning movements of vehicles on the highway and to ensure adequate off-street car parking provision, in the interests of highway safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All, JP-C6 - Walking and Cycling HT2/4 - Car Parking and New Development and Supplementary Planning Document 11: Parking Standards in Bury.

35. Provision shall be made within the site to enable vehicles to enter and leave the site in forward gear and shall subsequently be maintained free of obstruction.

Reason. To minimise the standing and turning movements of vehicles on the highway and to ensure adequate off-street car parking provision, in the interests of highway safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

36. Provision shall be made within the curtilage of the site for adequate refuse storage and access arrangements in connection with the use hereby approved.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of the outline site, clear of the adopted highway pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

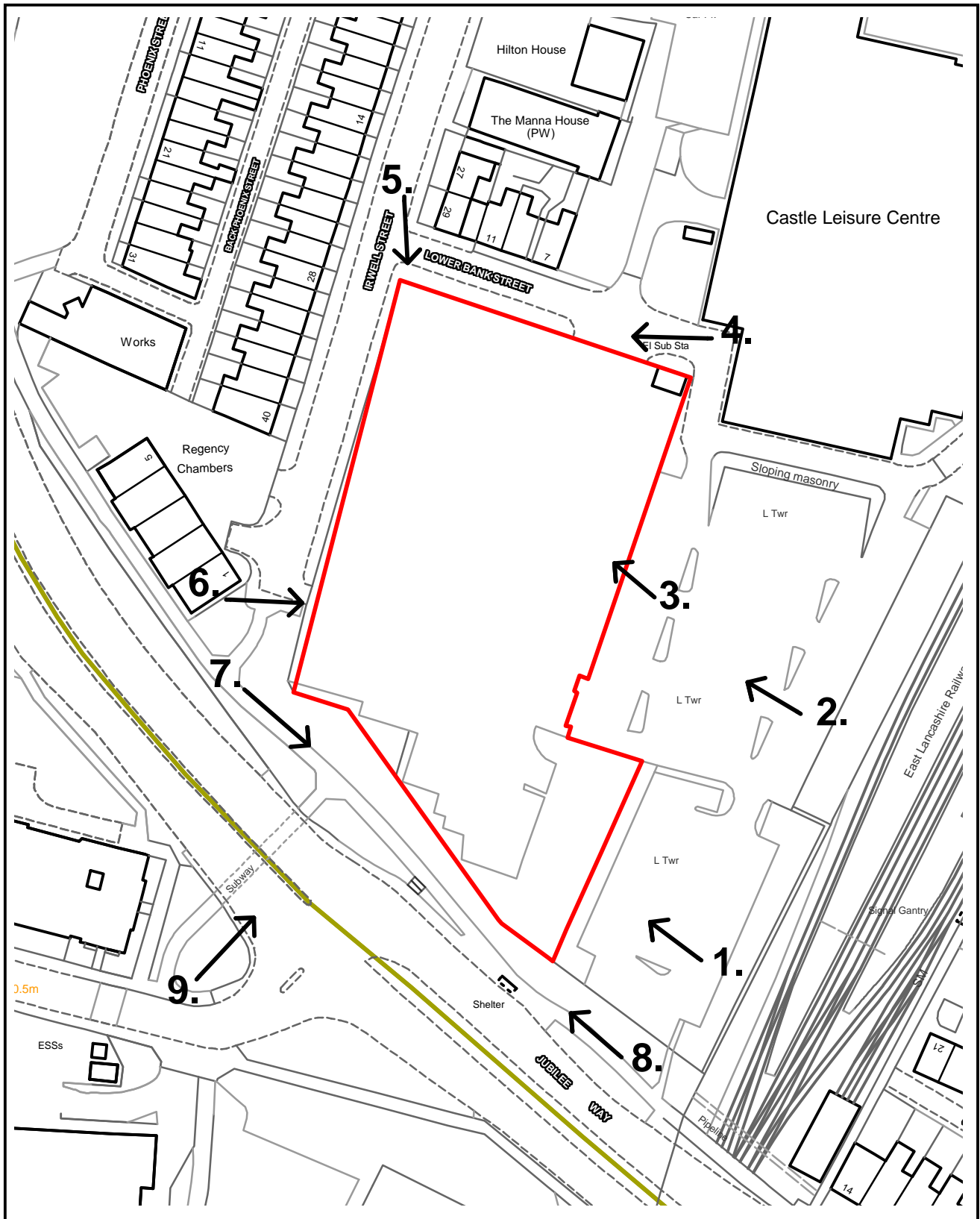
37. No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) in accordance with the principles set out within the submitted Foul and Surface Water Drainage Design Drawing 23389-DCE-XX-XX-D-C-102 Rev P02. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. For the avoidance of doubt surface water on site 1 must drain at the restricted rate of 3.0 l/s and surface water on site 2 must drain at the restricted rate of 2.4 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.
- Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

For further information on the application please contact **Helen Pressley** on **0161 253 5277**





# 70565 - Viewpoints



ADDRESS: Former Bury Police Office HQ,  
Irwell Street, Bury, BL9 0HE



**Bury**  
Council

Planning, Environmental and Regulatory Services

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Photo 1



Photo 2





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Photo 3



Photo 4





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Photo 5



Photo 6





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Photo 7



Photo 8





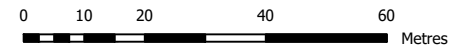
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Photo 9





1:1250 SCALE BAR



KEY

OVERALL SITE BOUNDARY - 1.6 Acres

AREA OF FULL APPLICATION SITE BOUNDARY - 0.9 Acres

AREA OF OUTLINE APPLICATION SITE BOUNDARY - 0.7 Acres



Revision: P1 Date: 15.02.2024 Drawn: AKB Checked: GB

ISSUE FOR PLANNING

Suitability:	
PL	Planning

Residential Care Home

Site Location Plan

Location:

Irwell Street

Bury

BL9 0HE

Client:

Exemplar Healthcare Ltd

UPRN Originator Zone Level Type Role Number Revision

IRWEL WBA SI ZZ DR A PL-001 P1

Date: 18/08/23 Drawn: GB Checked: NM Scale: 1:1250@A3 Int Job No: 4009\_020 CAD REF:

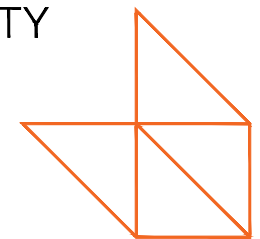
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**ARCHITECTS**

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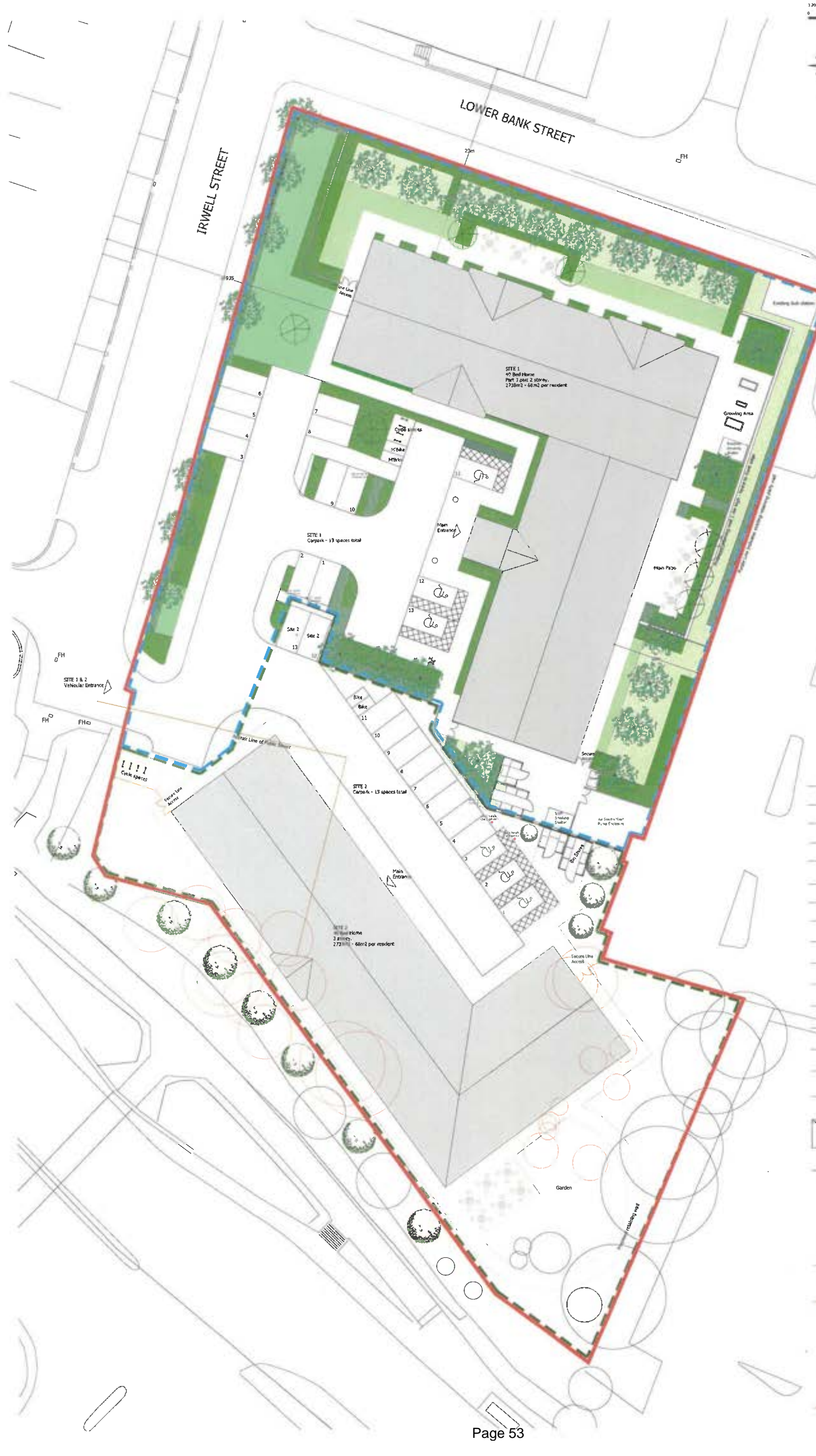
W: www.watsonbatty.com



FUTURE BUILT

Note: Do not Scale from this drawing. All dimensions to be checked on site.





1:200 SCALE BAR  
0 1 2 5 10 20 Meters

N

KEY

- OVERALL SITE BOUNDARY
- FULL APPLICATION SITE BOUNDARY
- OUTLINE APPLICATION SITE BOUNDARY
- EXISTING FIRE HYDRANT

Revision	P15	Date	26.07.24	Drawn	MM	Checked	GB
Site & Parking Layout updated to Comments received							
Revision	P14	Date	13.03.23	Drawn	GB	Checked	NH
Landscaping Added.							
Revision	P13	Date	15.02.23	Drawn	AKB	Checked	GB
Updated retaining walls							
Revision	P12	Date	15.02.23	Drawn	AKB	Checked	GB
Addition of EV Parking notes							
Revision	P11	Date	14.02.23	Drawn	AKB	Checked	GB
External retaining walls added and revisions to site layout as per client comments							
Revision	P10	Date	09.02.23	Drawn	CB	Checked	GB
Access road 6m radius added.							
Revision	P9	Date	08.02.23	Drawn	CB	Checked	GB
Access and carpark updated.							
Revision	P8	Date	07.02.23	Drawn	CB	Checked	GB
Access and carpark updated.							
Revision	P7	Date	17.01.23	Drawn	CB	Checked	GB
Site 1 and 2 location swapped, site 2 building footprint amended.							
Revision	P6	Date	17.01.23	Drawn	CB	Checked	GB
Updated to match updated building plan. Latest topo survey added.							
Revision	P6	Date	17.01.23	Drawn	CB	Checked	GB
Updated to match updated building plan. Latest topo survey added.							
Revision	P5	Date	22.11.21	Drawn	GB	Checked	KK
2 building 23m away from properties on lower bank st.							
Revision	P4	Date	21.11.23	Drawn	GB	Checked	KK
Site layout updated following planner comments pre-app.							
Revision	P3	Date	17.11.23	Drawn	GB	Checked	KK
Carpark Layout of Site 1 updated & Site boundary line updated.							
Revision	P2	Date	05.09.23	Drawn	GB	Checked	KK
Layout of Site 2 updated.							
Revision	P1	Date	31.08.23	Drawn	GB	Checked	KK
Revised to suit client comments.							

PL Planning

Residential Care Home

Proposed Site Plan

Location  
Irwell Street  
Bury  
BL9 0HE

Exemplar Healthcare Ltd

IRWEL - WBA-S1-ZZ-DR-A-PL-003 P15

18/08/23 Drawn: KK Checked: GB Scale: 1:200 Date: 18/08/23

**WATSON BATTY ARCHITECTS**

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FUTURE UNIT

Note: Do not scale from this drawing. All dimensions to be checked on site.





Elevation 1 (NW)  
1 : 100



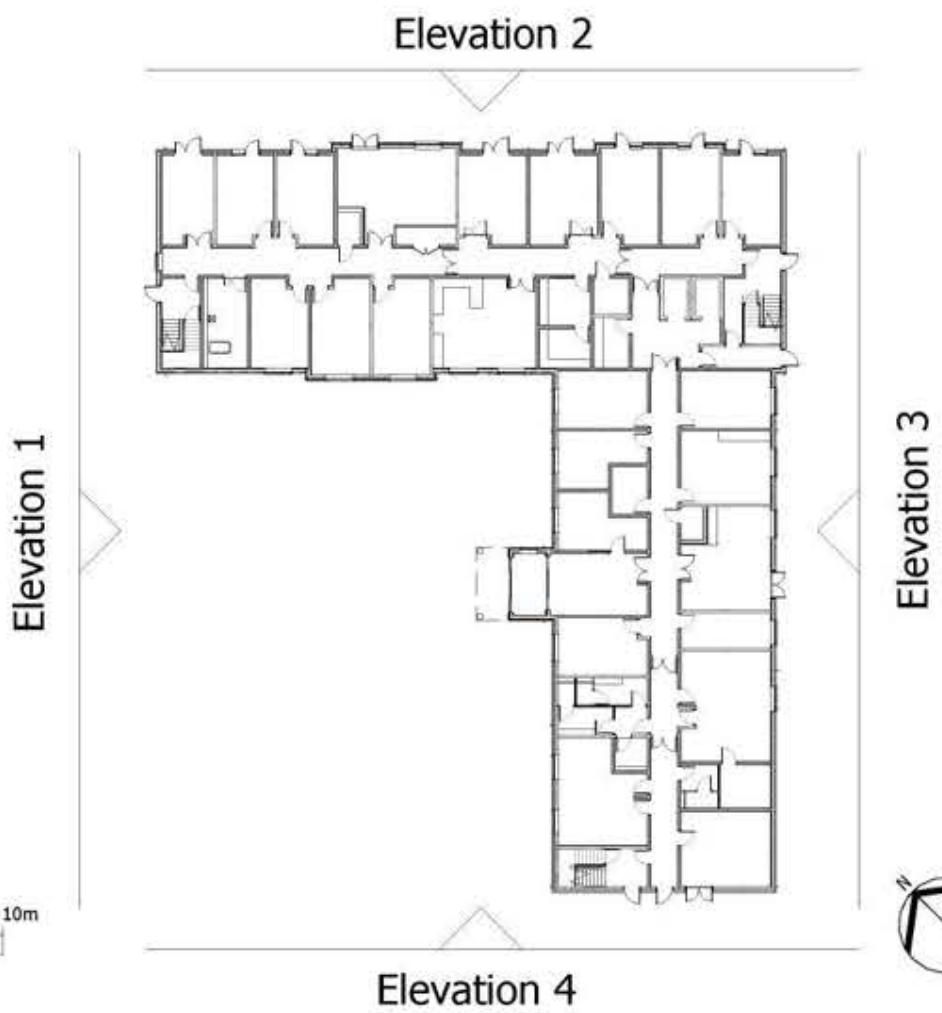
Elevation 2 (NE)  
1 : 100

Materials Key

1. Red Multi Brick
2. Vertical Dark Brown Timber Cladding
3. Slate Effect Roof Tiles
4. Anthracite Grey UPVC Double Glazed Windows
5. Anthracite Grey UPVC Double Glazed Doors
6. Anthracite Grey Aluminium Sliding Entrance Doors
7. Anthracite Grey Metal Louvred Door
8. Protruding 150mm High Brick Cill
9. Entrance Canopy Aluminium clad



VISUAL SCALE 1:100



P4	15.02.24	AKB	GB	Draft Issue for Planning following further comments from client and updated proposed levels.
P3	09.02.24	AKB	GB	Draft Issue for Planning
P2	19.01.24	CB	GB	Layouts amended following comments from the client
P1	16.01.24	CB	GB	Layouts amended following comments from the client

Rev: Date: Drawn: Checked: Description:

Sustainability: **S0** Work In Progress

Residential Care Home

Proposed Elevations Sheet 1

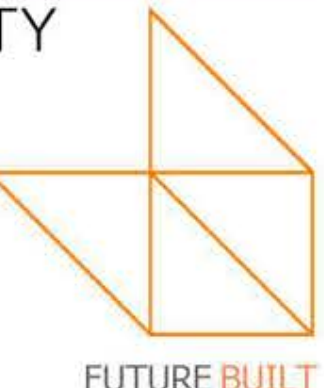
Location:  
Irwell Street  
Bury BL9 0HE

Client:  
Exemplar Health Care Ltd

UPRN	Originator	Zone	Level	Type	Role	Series/Number	Revision:
IRWEL-WBA-NB-ZZ-DR-A-PL_201							P4
Date:	Drawn:	Checked:	Scale:	Int Job No:			
22/11/23	CB	GB	As indicated	4009-020			

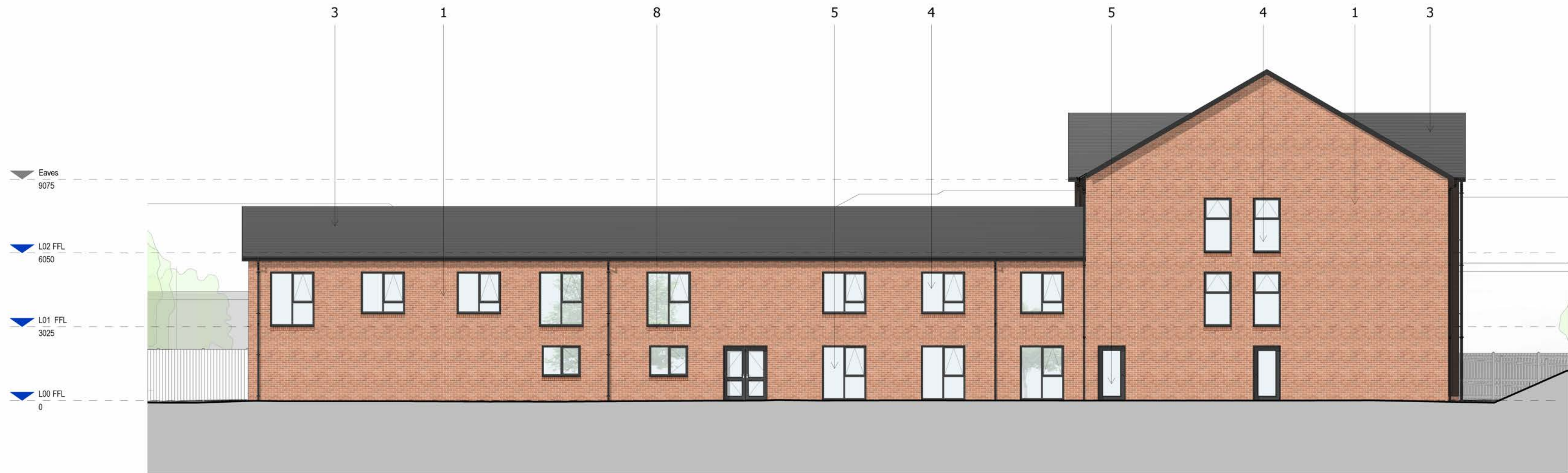
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Elevation 3 (SE)  
1 : 100



Elevation 4 (SW)  
1 : 100

- Materials Key
1. Red Multi Brick
  2. Vertical Dark Brown Timber Cladding
  3. Slate Effect Roof Tiles
  4. Anthracite Grey UPVC Double Glazed Windows
  5. Anthracite Grey UPVC Double Glazed Doors
  6. Anthracite Grey Aluminium Sliding Entrance Doors
  7. Anthracite Grey Metal Louvred Door
  8. Protruding 150mm High Brick Cill
  9. Entrance Canopy Aluminium clad



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P2	19.01.24	CB	GB	Layouts amended following comments from the client
P1	16.01.24	CB	GB	Layouts amended following comments from the client

SO Work In Progress

Residential Care Home

Proposed Elevations Sheet 2

Location:  
Irwell Street  
Bury BL9 0HE

Client:  
Exemplar Health Care Ltd

UPRN	Originator	Zone	Level	Type	Role	Series/Number	Revision:
IRWEL-WBA-NB-ZZ-DR-A-PL_202							P4
Date:	Drawn:	Checked:	Scale:	Int Job No:			
22/11/23	CB	GB	As indicated	4009-020			

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L00\_Ground Floor Plan  
1 : 100



P5	15.02.24	AKB	GB	Draft Issue for Planning following further comments from client and updated proposed levels.
P4	09.02.24	AKB	GB	Draft Issue for Planning
P3	24.01.24	CB	GB	Minor amendments
P2	19.01.24	CB	GB	Layouts amended following comments from the client
P1	16.01.24	CB	GB	Layouts amended following comments from the client
Rev:	Date:	Drawn:	Checked:	Description:
Sustainability				
S0		Work In Progress		

Residential Care Home

Proposed Ground Floor Plan

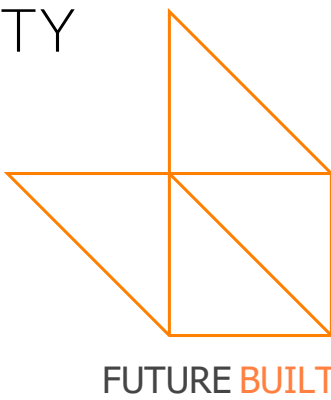
Location:  
Irwell Street  
Bury BL9 0HE

Client:  
Exemplar Health Care Ltd

UPRN	Originator	Zone	Level	Type	Role	Series/Number	Revision:
IRWEL-WBA-NB-00-DR-A-PL_100							P5
Date:	Drawn:	Checked:	Scale:	Int Job No:			
22/11/23	CB	GB	1 : 100	4009-020			

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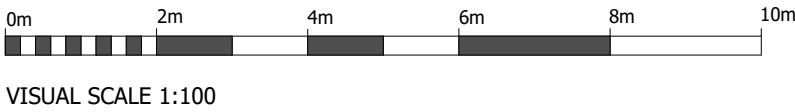
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L01\_First Floor Plan  
1 : 100



VISUAL SCALE 1:100

P5	15.02.24	AKB	GB	Draft Issue for Planning following further comments from client and updated proposed levels.
P4	09.02.24	AKB	GB	Draft Issue for Planning
P3	24.01.24	CB	GB	Minor amendments
P2	19.01.24	CB	GB	Layouts amended following comments from the client
P1	16.01.24	CB	GB	Layouts amended following comments from the client
Rev:	Date:	Drawn:	Checked:	Description:
Sustainability:				
S0		Work In Progress		

Residential Care Home

Proposed First Floor Plan

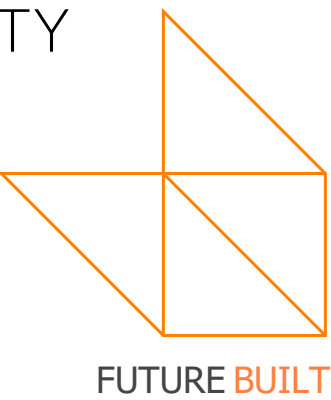
Location:  
Irwell Street  
Bury BL9 0HE

Client:  
Exemplar Health Care Ltd

UPRN	Originator	Zone	Level	Type	Role	Series/Number	Revision:
IRWEL-WBA-NB-01-DR-A-PL_101							P5
Date:	Drawn:	Checked:	Scale:	Int Job No:			
22/11/23	CB	GB	1 : 100	4009-020			

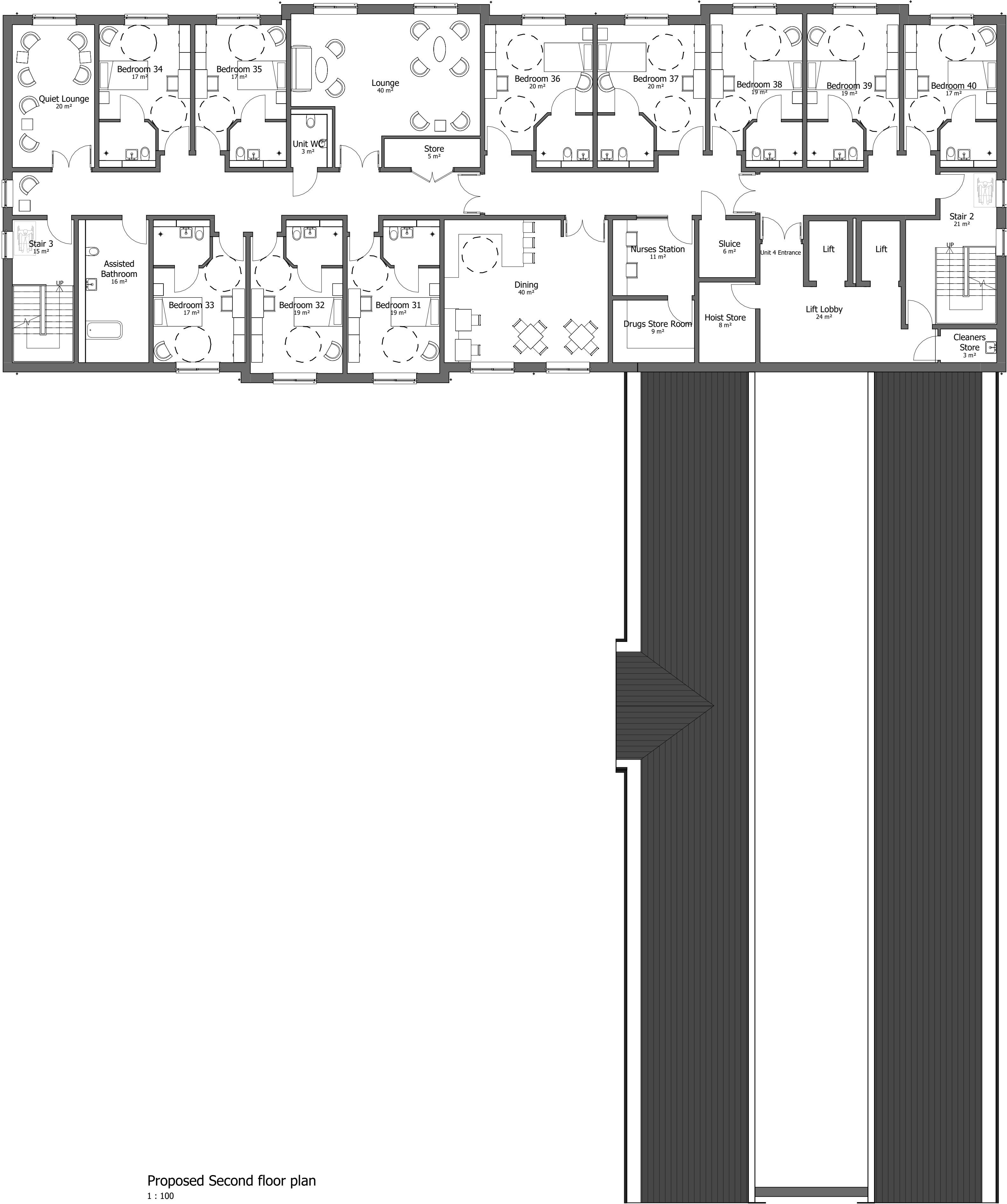
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Proposed Second floor plan  
1 : 100

P5	15.02.24	AKB	GB	Draft Issue for Planning following further comments from client and updated proposed levels.	
P4	09.02.24	AKB	GB	Draft Issue for Planning	
P3	24.01.24	CB	GB	Minor amendments	
P2	19.01.24	CB	GB	Layouts amended following comments from the client	
P1	16.01.24	CB	GB	Layouts amended following comments from the client	
Rev:	Date:	Drawn:	Checked:	Description:	
Sustainability					
SO		Work In Progress			

Residential Care Home

Proposed Second Floor Plan

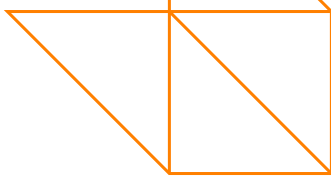
Location:  
Irwell Street  
Bury BL9 0HE

Client:  
Exemplar Health Care Ltd

UPRN	Originator	Zone	Level	Type	Role	Series/Number	Revision:
IRWEL-WBA-NB-02-DR-A-PL_102							P5
Date:	Drawn:	Checked:	Scale:	Int Job No:			
22/11/23	CB	GB	1 : 100	4009-020			

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FUTURE BUILT



VISUAL SCALE 1:100

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Section A - A  
1 : 200



Page 59

Section B - B  
1 : 200



Section C - C  
1 : 200



Rev:	Date:	Drawn:	Checked:	Description:
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P2	09.02.24	AKB	GB	Draft Issue for Planning.
P1	16.01.24	CB	GB	Layouts amended following comments from the client.

Sustainability: **S0** Work In Progress

**Residential Care Home**

**Proposed Site Sections**

Location:  
Irwell Street  
Bury BL9 0HE

Client:  
Exemplar Health Care Ltd

UPRN	Originator	Zone	Level	Type	Role	Series/Number	Revision:
IRWEL-WBA-NB-ZZ-DR-A-PL_203	NM	GB	As indicated	05/12/23	4009-020	P3	

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**FUTURE BUILT**

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**Ward:** Bury East - Redvales

**Item** 3

**Applicant:** Bolton at Home

**Location:** Land off Fletcher Fold Road, Bury, BL9 9RX

**Proposal:** Erection of 4 no. bungalows and a block of 39 no. apartments for the over 55s including communal facilities, landscaping and car parking provision

**Application Ref:** 70805/Full

**Target Date:** 19/09/2024

**Recommendation:** Minded to Approve

**It is recommended that this application is Minded to Approve subject to the signing and completion of a S106/legal agreement to ensure proposed habitats created as a result of Biodiversity Net Gain are maintained in the target condition for 30 years and to secure nomination rights for Affordable Housing. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application.**

#### **Description**

The application site relates to 0.90ha of land which formally comprised Millwood School and its grounds. The main school building was demolished in 2018 and a phased scope of clearance, remediation and enabling works followed to facilitate the future redevelopment of the site followed in 2021. Around the perimeter of the site and within the grounds is well established tree planting and vegetation.

The site is within a residential setting and is accessed directly from Fletcher Fold Road, a residential street. Running along the northern perimeter of the site is an unmade and unadopted access which is a Public Right of Way (Footpath 70BUR) and a Public Right of Way (Footpath 71BUR) also leads directly from Fletcher Fold Road into and through the site, exiting at Meadway to the south.

To the east of the site is The Manor House, The Guest and The Nook, Grade II Listed Buildings.

Planning permission is sought for the for the erection of 43 dwellings for the people over 55 years of age with associated car parking and landscaping. The dwellings comprise of 4 x 2no. bedroom bungalows and a three storey apartment building providing a total of 39 apartments (33no. one bedroom apartments and 6 no. two bedroom apartments) with a communal room at ground floor.

Communal landscaped gardens are proposed to the rear of the apartment blocks with parking located centrally within the built development, access from Fletcher Fold Road. Self contained gardens are proposed for the bungalows, with parking provided to the front or the side of each of these units.

The application is being presented to committee as the Council has had involvement with the site and there has been 1 or more objection.

#### **Relevant Planning History**

02946/E - The proposed development is for the erection of 43 dwellings for the people over

55 years of age with associated car parking and landscaping. The dwelling comprise 4 x two bedroom bungalows and a three storey apartment building providing a total of 39 apartments (27 one bedroom apartments and 12 two bedroom apartments) with a communal room at ground floor. - Enquiry completed 19/02/2024

45330 - Single storey extension - Approve with Conditions 16/11/2005

49271 - Erection of 2 metre high paladin fence to school boundary - Approve with Conditions 16/04/2008

62832 - Prior notification of proposed demolition of single storey former primary and special school - Prior Approval Required and Granted 14/06/2018

66306 - Demolition and site enabling works - Approve with Conditions 22/02/2021

### **Publicity**

Letters sent to 115 neighbouring properties on the 25th June 2024. 3 Additional letters sent on the 1st July 2024.

Site notice posted 3rd July 2024.

Press notice in the Bury Times on the 27th June 2024.

9 objections received in relation to:

- Too many properties for the size of the site.
- Three storey apartments are too high. Should be two storey.
- Impact and potential damage to Listed Building
- Site lies in a Conservation Area.
- Loss of light, privacy and views
- Access is too small/narrow for cars, emergency vehicles, delivery vans and refuse collections.
- One way system should be developed via the car park to the rear of No. 1 - 9 Fletcher Fold Road and removing existing garage.
- Concerns in relation to busy junctions at Manchester Road from Tennyson Avenue.
- Traffic studies do not consider Goshen sports facilities.
- Goshen Lane is the only access to properties to the east of the site and is private road maintained by 3 properties. Should be adopted by Council.
- Since this land was last used an additional 5 family homes (Manor House Gardens) have been added to the area, accessed via the private Goshen Lane.
- Existing drainage, sewage and utilities inadequate.
- Lack of parking.
- Impact on property values.
- Area is dirty due to people dumping building materials.
- Noise from apartment block
- Potential damage to neighbouring properties - structural survey should be conducted first.
- Site meeting with residents should be held.
- Removal of healthy trees.
- Area over crowded since people come from other areas to walk their dogs and socialise.

2 comments received in relation to

- Welcome redevelopment of school site.
- School was single storey, surrounding dwellings two storey, hard to justify three storey.
- Nearby extra care facility creates a lot of parking outside of curtilage. Insufficient on site parking proposed.

- Concerns in relation to construction traffic.
- Surface of Fletcher Fold Road already has potholes.
- I would like the council to make provision for building dependent species within this development by making integrated bird bricks BS42021, House Martin cups and bat bricks a condition of development.

### **Statutory/Non-Statutory Consultations**

**Traffic Section** - Acceptable in principle. Confirmation of wording of conditions to follow.

**Environmental Health - Contaminated Land** - Request conditions to secure the submission of preliminary risk assessment, site investigation, detailed risk assessment, remediation strategy and site verification report. Condition also requested to ensure EV charging points.

**Waste Management** - No response

**Public Rights of Way Officer** - Acceptable in principle subject to conditions in relation to the protection of the provision of the footpath that runs through the site.

**Conservation Officer** - The proposal would not be contrary to adopted UDP policy EN2/3 - Listed Buildings, paragraphs 200, 205, 206, 207 and 208 of the NPPF and policy JP-P1 of PFE.

**Greater Manchester Ecology Unit** - Ecological issues relating to bats, nesting birds, other wildlife and invasive species can be dealt with via condition. Biodiversity Net Gain to be secured via legal agreement.

**The Coal Authority** - No objections to the proposed development subject to an informative in relation to coal mining features.

**United Utilities (Water and waste)** - Confirm that whilst the strategy for the disposal of foul and surface water is acceptable in principle, there are elements of the detailed drainage design that might not be acceptable to United Utilities and will require resolution by the applicant. Condition recommended for the submission of a sustainable surface water drainage scheme prior to commencement.

**Borough Engineer - Drainage Section** - No response to report.

**Greater Manchester Police - designforsecurity** - No response to report.

**Greater Manchester Fire and Rescue** - No response to report.

**Transport for Greater Manchester** - Updated section relating to road safety covers the last 5 years. Development is unlikely to result in a material impact on the highway network.

**Pre-start Conditions** - To be agreed with applicant/agent

### **Development Plan and Policies**

EN1/2	Townscape and Built Design
EN2/3	Listed Buildings
EN6/3	Features of Ecological Value
EN7/3	Water Pollution
EN7/5	Waste Water Management

EN8/2	Woodland and Tree Planting
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
RT2/2	Recreation Provision in New Housing Development
RT3/3	Access to the Countryside
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C3	Our Public Transport
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-P1	Sustainable Places
JP-P6	Health
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G1	Landscape Character
NPPF	National Planning Policy Framework
SPD1	Open Space, Sport and Recreation Provision
SPD5	DC Policy Guidance Note 5: Affordable Housing
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.

### Principle (Residential)

The National Planning Policy Framework (NPPF) should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. The Framework states that unless they have an adopted plan that is less than five years old that identified a five year supply of specific deliverable sites at the time of conclusion of the examination, then local planning authorities should identify and update annually a supply of specific developable sites to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing in certain circumstances set out in NPPF paragraph 226.

The joint Places for Everyone Plan was adopted with effect from 21 March 2024 and sets the up-to-date housing requirement for Bury against which the deliverable supply of housing land must be assessed. PfE Policy JP-H1 sets the following stepped targets for Bury:

- 246 homes per year from 2022-2025;
- 452 homes per year from 2025-2030; then
- 520 homes per year from 2030-2039.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). In addition to the housing land supply in the SHLAA, the joint Places for Everyone Plan allocates significant strategic sites for housing within Bury and will accelerate housing delivery within the Borough to meet housing needs.

Following the adoption of Places for Everyone, the Council is now able to demonstrate a deliverable 5 year supply of housing land when assessed against the adopted PfE housing requirement.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

Therefore, paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

In terms of housing delivery the Borough has underdelivered against the local housing need, and as a result the 'tilted balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

The site is considered to be in a sustainable location for housing within the urban area and sitting outside the Green Belt. The national requirement to significantly boost the supply of housing under the NPPF is a material consideration that would favour the residential development of this site in principle.

### **Layout and Design**

PfE Policy JP-H4 requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. PfE Policy JP-H4 sets out minimum densities that should be considered.

The minimum density for the site would be 35 dwellings per hectare. The application form

states that the site area is 0.90 hectares. The proposal would therefore lead to a density of 48 dwellings per hectare. The proposal would therefore exceed the minimum density required. As such, it is considered that the proposal would achieve efficient use of land.

UDP Policies H2/1 and H2/2 provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finishing materials for new residential developments. PfE Policy JP-H3 - Seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build.

The proposal would seek approval for 4no. bungalows and a three storey block of apartments. The buildings within the vicinity of the site are largely depicted by two storey semi-detached, and terraced dwellings however there are some three storey properties on Tennyson Avenue. This development has been designed with specific needs in mind for the over 55s and is considered to be appropriate.

The west elevation of the apartment block shows a stepped roof/ridgeline adjacent to the two storey dwellings on Fletcher Fold Road. The overall ridge height would be higher than the neighbouring properties however, this slight step, and the distance between the existing residential properties and the apartment block helps to prevent the proposed apartments appearing overbearing. Whilst the bungalows would be of a lower height than the neighbouring two storey properties, there are only 4no. bungalows proposed and the former school development on the site was largely single storey in scale. The scale of the proposed dwellings is therefore considered to be acceptable given the context of the surrounding streets.

Whilst varying in design and scale, the bungalows and apartment block can be visually tied together through the use of materials. The proposed apartments would use 3 types of facing brick work, with brick type 1 (red multi brick) used for the facing brick work of the bungalows. Proposed visuals have been submitted to show the contrasting brick types for the proposed apartments, and this has also been referenced in the design and access statement. The aim of the differing brickwork is to give the impression of a terrace of town houses which is further emphasised by the use of gables above each section of brick work. This change in brick work gives an element of interest to the principal front elevation. The same roof tile and window colour would be used for both the proposed apartments and bungalows.

The bungalows and apartment block designs are also tied together through the use of gable detailing, that would replicate the shape and style of properties within the immediate vicinity of the site. The proportions of the elevations appear to be appropriately aligned. Verticality would be created through the windows and balcony areas of the apartments that would replicate the vertical emphasis of the bay windows of the semi-detached properties on Fletcher Fold Road, without being a pastiche of this existing built form. The proposed apartments have a legible entrance.

The level of private amenity space for the proposed bungalows is acceptable and there would be space within the side or rear gardens for bin storage. The bungalows would face directly onto the access/shared surfaces to the front. Small areas of soft landscaping are proposed to the front of the proposed bungalows to break up the expanse of hardlandscaping. The introduction of soft landscaping features has been extended to the carparking area to the front of the proposed apartment blocks, creating pockets of greenery throughout the access and car parking layout.

A landscaped garden is shown to the rear of the apartment block that would provide a

shared area of amenity space, whilst balconies are also shown for the individual apartments creating private space for the future occupiers. A pitched roof bin store is shown for the use of the future occupiers of the apartment blocks. By placing the car parking centrally within the development there would be an element of natural surveillance.

The submitted crime impact assessment confirms that the layout proposed is considered to be acceptable and has set out some recommendations which have largely been designed into the scheme. For example whilst the external ground floor doors have been retained to allow access to amenity space however these would be private terraces enclosed by hedging and 1.2m railings to deter unauthorised access. A 1.2 metre railing has also been introduced along the existing footpath and the proposed parking to provide a level of separation. GM Police have been consulted on the scheme and have provided no further comments.

PfE Policy JP-H3: states that all new dwelling must:

1. Comply with the nationally described space standards (NDSS); and
2. Be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

The 1no. bed and 2no. bed apartments would exceed the gross internal area required under NDSS. The double bedrooms in both apartment types exceed both the area and width required to meet NDSS. The additional single bedroom in the 2no. bed apartment exceeds the area and width required to meet standards. Adequate storage is proposed in both apartment types.

The proposed bungalows would also exceed the gross internal area required under NDSS. The master bedroom would be a sufficient area and width to be considered to be a double bedroom, and the second bedroom sufficient area and width for a single bedroom. Adequate storage is proposed.

The requirement to comply with Part M4(2) can be incorporated as a planning condition.

It is therefore considered that the proposed development would not be a prominent or intrusive feature in the streetscene, and would provide suitable living and amenity space for future occupiers. The proposal would therefore be in accordance with Policies EN1/2, H2/1, H2/2 JP-H3 and JP-H4 of the Development Plan.

### **Heritage**

There is a Grade II Listed Buildings, The Manor House, Manor Cottage, The Crest and The Nook are situated to the east of the site. The buildings are set back within their own grounds and also separated by the intervening access road. There is no designated Conservation Area.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require decision makers to have special regard to the desirability of preserving a listed building or its setting or any feature of architectural or historic interest it possesses. The decision maker must also give considerable importance and weight to the desirability of preserving the setting of the listed building.

EN2/3 - Listed Buildings - The Council will actively safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features. Proposals for demolition will be opposed and will only be considered where it is demonstrated conclusively that the building(s) cannot be retained.

Paragraph 205 of the National Planning Policy Framework (NPPF) states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 206 of the NPPF states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 207 of the NPPF states where a proposed development will lead to substantial harm to (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 total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

Paragraph 208 of the NPPF states 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 including, where appropriate, securing its optimum viable use.

A submitted heritage assessment describes the history and heritage significance of the listed buildings.

Setting can be described as not only the surrounding area to a building but also how it is experienced, and this can be influenced by many factors such as landscape character, the built environment and how the building(s) is /are physically approached and changes within that setting and how that change has evolved.

The setting of the listed buildings has been significantly reduced since they were originally built in the late 18th and early 19th centuries. They are now surrounded by residential development built in the latter part of the 20th century and early 21st century. Longer views of the site from the north, south east and east are screened by mature trees. As such the setting is confined to a small area and therefore limits how the buildings are experienced in approaching on foot and by car and viewed from longer distances.

The proposal would replace the previously existing structure and whilst there may be glimpsed views of the proposal from limited parts of the Manor House the elements that make up its setting would remain unchanged to the extent that there would be no loss of heritage significance of the listed buildings.

As such the proposal would not conflict with to adopted UDP policy EN2/3 - Listed Buildings, paragraphs 200, 205, 206, 207 and 208 of the NPPF and policy JP-P1 of PfE.

## **Residential Amenity**



UDP Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses. There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

For clarity the following aspect standards would be applicable:

- 20 metres between directly facing habitable room windows;
- 13 metres between an existing habitable room window and a proposed two storey blank wall
- 6.5 metres between an existing habitable room window and a proposed single storey blank wall
- 7 metres between a proposed first floor habitable room window and a directly facing boundary with a neighbouring property.

Any assessment will take into account significant change in levels or new accommodation to be provided at a higher storey. In this regard, there should be an extra 3 metres of separation for each 2.5m or one storey of height or level difference in each of the above cases.

#### Apartments

The Manor House, which also includes Manor Cottage, The Crest and The Nook are situated to the east of the site. Section 06 references this relationship and whilst these properties are at a lower level than the apartment block, at circa 1.6 metres lower an additional 3 metres is not required for the purposes of aspect standards.

There is significant tree coverage along this boundary that will be retained, and the properties to the east of the site would be separated from the site by the existing Public Right of Way. The proposed first floor rear windows would be located at minimum of approximately 17.4 metres from the site boundary, and the proposed first floor balconies would be located a minimum of 15.6 metres from the site boundary exceeding the 7 metres required by SPD 6. The proposed second floor rear windows would be located at minimum of 17.4 metres from the site boundary, and the proposed second floor balconies would be located a minimum of 15.6 metres from the site boundary exceeding the 10 metres required by SPD 6. Over 20 metres can be provided between directly facing habitable rooms. The proposal therefore complies with aspect standards.

The proposed apartments would be located to the rear of the dwellings on Meadway. Section 05 references the relationship between the proposed apartments and No. 17 Meadway. The ground floor of the apartments would be located approximately 5 metres higher than the ground floor of this property. As such an additional 6 metres have been added to the aspect standards set out above.

As above significant tree coverage would be retained along this shared boundary. The proposed first floor rear windows would be located at minimum of approximately 27 metres from the site boundary, and the proposed first floor balconies would be located a minimum of 30 metres from the site boundary exceeding the 13 metres required by SPD 6. The proposed second floor rear windows would be located at minimum of 27 metres from the site boundary, and the proposed second floor balconies would be located a minimum of 30 metres from the site boundary exceeding the 15 metres required by SPD 6. Over 20 metres can be provided between directly facing habitable rooms. The proposal therefore complies with aspect standards.

The side elevation of No. 42 and 44 Millwood Court faces towards the site. As this is not a principal elevation it is not protected in the same way. The residential amenity space of this property would also be located to the side of the proposed apartments. As the proposed apartment building would be located to the north of these properties it is considered unlikely that the proposal would be unduly overbearing. Glazing on the side elevation of the apartments facing towards this boundary to relate to non-habitable rooms, or would be secondary windows and as such aspect standards have not been applied.

The proposed apartments would be located to the south of No.9 Fletcher Fold Road. A building mass and overshadowing study has been provided showing the proposed overshadowing of the proposal throughout the spring, summer, autumn and winter at various times of day. Due to the orientation of the sun and location of the building overshadowing of this property would be largely limited to during the morning in spring time (between 10am and 12pm), and during the winter when there would be less hours of daylight in any event. Given that the overshadowing study submitted indicates limited impact on this property as set out above the location of the proposed apartments is considered to be acceptable. As above, glazing on the side elevation of the apartments facing towards this boundary appears to relate to non-habitable rooms or would be secondary windows as such aspect standards have not been applied.

The proposed front windows would be separated from the directly facing bungalows by the car park and areas of landscaping and amenity space. A distance of over 20 metres can be provided.

#### Bungalows

The ground floor rear windows of the proposed bungalows would be screened from the rear gardens and windows of the properties fronting Manchester Road by the proposed 2.1 metre boundary fencing.

The proposed front windows would be separated from the directly facing apartments by the car park and areas of landscaping and amenity space. A distance of over 20 metres can be provided.

The proposed side windows within the bungalows would be secondary windows, or relate to non-habitable rooms. As such aspects have not been applied.

The proposal is therefore considered to comply with the aspect standards and guidance as set out within SPD 6.

#### **Highways, Access and Travel**

UDP Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. This is further supported by Policy H2/2 that requires proposals to demonstrate adequate car parking provision, access for both vehicles and pedestrians, and provision for public transport and the existence of any public rights of way. Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

Fletcher Fold Road is proposed as the principal access to the site, crossing over Footpath 70 BUR. This is the historic access to the site that was utilised when the site was a school. Fletcher Fold Road is a highway and is there for the public to pass and repass however it is also utilised by existing residents to park their cars. This access road is approximately 1 metre wider than minimum currently accepted standard for a minimum estate road.

The trip generation exercise contained within the submitted transport statement demonstrates that the development is likely to generate 3 two-way trips in the AM peak hour and 5 two-way trips in the PM peak hour. Transport for Greater Manchester (TfGM) have therefore advised that the development is therefore unlikely to result in a material impact on the highway network.

A swept path analysis plan is contained within the Transport Statement Appendices. This plan demonstrates that a refuse vehicle can undertake turning manoeuvres within the on-site turning head and therefore enter and exit the site in a forward gear.

The Traffic Section have been consulted in relation to the proposed access to the site and have raised no objections to the use of this access in principle. Given the matters set out above it is therefore considered that the proposal would comply with UDP Policy EN1/2 and PfE Policies JP-C5 and JP-C6.

#### Active Travel

PfE Policy JP-C1 requires developments to be located and designed to deliver a significant increase in the proportion of trips that can be made by walking, cycling and public transport. Developments should prioritise pedestrians, cyclists and public transport users. Policy JP-C8 requires new development to be located and designed to enable and encourage walking, cycling and public transport use and to reduce the negative effects of car dependency.

In order to encourage walking and cycling, it should be ensured that the pedestrian and cycling environment, within and around the site, is designed to be as safe, attractive and convenient as possible, including natural surveillance where possible. This should provide sufficient links to the surrounding pedestrian and cycle networks.

There are a range of amenities such as local shops and community facilities within walking distance of the site which should encourage residents to make journeys to and from the site on foot. There is also a Public Right of Way running through the site which is proposed to be retained and secure cycle parking is also to be provided. In terms of Public Transport, several bus services providing connectivity to both Bury Town Centre and Manchester City Centre are located a short distance from the site on Manchester Road. The proposals therefore provide opportunity to encourage residents to pursue an active lifestyle by a range of sustainable modes where they can. The proposal is therefore in conformity with PfE Policies JP-C1 and JP-C8.

In addition to this footpath 71BUR runs through the site, and as set above footpath 70BUR is sited to the north of the access to the site along Goshen Lane. As such UDP Policy RT3/3 - Access to the Countryside is also applicable as it requires the Council to seek to improve and extend the existing network of Public Rights of Way. This policy also supports the aspirations of the PfE policies listed above. The users of the public right of way will retain access through the site as indicated on drawing 6071-POZ-XX-ZZ-DR-A-1200 P09. A condition however is requested to ensure that footpath 71BUR is fully protected during, and following development of the site.

#### Parking

In terms of parking standards, in addition to Policy JP-C8 and Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 provides parking standards for developments.

There is no specific parking standards for this type of development within SPD11. However, the maximum standards for sheltered housing, which is a similar use, is 1 space per 3 units.

This would equate to 14.33 spaces for the proposed 43 units. 20 spaces, including 2no. disabled spaces close to the main entrance door would be provided for the proposed apartments. 2no. spaces per bungalow are also proposed. This would equate to a total of 28 spaces throughout the development.

Whilst this would lead to an over provision of parking within the site, compared to the maximum standards set out within SPD 11 it is considered that this would allow parking within the site for visitors. As such the proposed parking is considered to be acceptable.

There are no minimum standards within SPD 11 for cycle parking provision. The proposal seeks to provide 10 secure cycle spaces within the secure communal garden, and cycle parking could also be provided within the residential curtilage of the bungalows if required. As there are no standards for cycle parking the proposal would exceed minimum standards as required by TfGM.

An internal scooter store is also proposed adjacent to the main entrance lobby to the apartment building.

### **Ecology**

PfE Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by Policy EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. UDP Policy EN8/2 supports and encourages new woodland and tree planting within the borough. This is further supported by PfE Policy JP-G7 that aims to significantly increase tree cover and requires 2no. replacement trees for each tree lost or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area.

### **Bats**

A number of trees were assessed as providing bat roosting potential. Currently all are shown as retained, this may however change as the consultant noted that trees had been removed as part of the site remediation that had been proposed for retention.

A condition is therefore proposed that prevents the removal of trees with bat roosting potential unless approved by the Local Planning Authority.

The consultant also noted that the retained trees provided potential foraging habitat and should be protected from external lighting. Based on the proposed layout, GMEU would consider it unlikely that external lighting would be an issue on this site. No further information or measures are therefore required.

### **Other Protected Species**

No evidence of any other protected species was found or regarded as likely within the submitted documentation. GMEU agree with this assessment having accepted as part of the site remediation the absence of any such species. Whilst badger could theoretically utilise the site, GMEU are satisfied that this is very unlikely and can be covered by general precautionary working measures. No further information or measures are therefore required.

### **Nesting Birds**

Further tree and scrub removal is proposed. Potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. a condition is therefore recommended to restrict works

to trees to outside of nesting season.

#### Other Wildlife

Habitats on the site provide suitable cover for species such as hedgehog and amphibians such as common toad, which combined with the suitable habitats nearby for such species (Goshen Wood and Hampson Mill Lodge) increase the level of risk. GMEU therefore agree with the consultant that precautionary working measures should be applied and conditioned.

#### Invasive Species

A number of species listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended) were recorded on the site, including japanese knotweed, himalayan balsam, montbretia and a Cotoneaster. A condition requiring a method statement detailing control measures is therefore required for any permission at this site.

#### Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

A metric has been provided, based on the agreed baseline of the site prior to site clearance under application 66306. More than 10% BNG is achievable on the site.

As medium distinctiveness habitats are being created on the site, some of which have a target of good condition, GMEU would regard the habitat creation as significant and that the Habitat Management and Monitoring Plan (the HMMP) and Biodiversity gain plan will require securing by a legal agreement with the LPA and the on-site measures conditioned.

With regards wildlife GMEU recommend provision of bird, bat boxes and swift bricks. The details can be provided via condition.

With regards the landscape layout, whilst GMEU would prefer to see more native trees in the planting schedule no objections have been raised.

#### Trees

An Arboricultural Impact Assessment has been submitted with the application which identified 26 individual trees (T1-T26) and 6 groups of trees (G1-G6) within the influencing distance of the application site.

The proposal seeks to remove T2, T8, T9, T10, T22 and G1. Tree removal is primarily associated with the construction and garden space of plots 1 and 4 (T2 and G1) and to accommodate the proposed installation of drainage (T8-T10 and T22). These trees are all either of low quality (Category C) or poor quality (Category U). The planting plan sets out that 38 no. replacement trees are proposed throughout the site. Given the quality of the trees to be removed and the number of trees proposed to replace these trees no objections are raised to the proposed removals.

Pruning works to trees within group G6 and tree T5 are proposed. This comprises crown lifting of T5 and the larger holm oak trees within G6 to ensure their lower canopies are above the boundary fencing and remove possible climbing aids. Minor canopy pruning may be required to trees T11 to T14 during drainage installation works within G5 to facilitate access.

The assessment identifies that within the layout, there are instances of tolerable incursions into the root protection areas of retained trees. These comprise the proposed footpath/patio around plot 4 which encroaches into the RPA of T3 and the installation of drainage within G5 (inclusive of trees T11 to T18).

Two of the trees, and one group identified within the assessment are protected by means of a TPO. These trees are not proposed for removal or works.

Given that further works to trees may be required and arboricultural method statement will be proposed via condition.

Due to the group amenity value of the trees on site, that make up a significant screen it is considered that a group TPO should be applied to the trees on the site and a request to TPO the trees has been sent to the Council's legal department and a temporary TPO is in the process of being drafted.

Given the matters set out above it is considered that the proposal would comply with the Policy considerations set out above, subject to the conditions and provisions highlighted.

### **Carbon and Energy**

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions.

The submitted Energy statement sets out a fabric first approach to meet PfE policy JP-S2. There would be no gas to the site and the all electrical heating system would be supported by PV panels on both the bungalows and the apartments. The applicant is proposing to use heat pumps for hot water for the apartments and air source heat pumps for the bungalows. The proposed design complies with and in some areas goes beyond what is required by Part L of Building Regs. EV charging would also be provided. The proposals therefore comply with Policy JP-S2.

### **Digital Connectivity**

PfE Policy JP-C2 requires all new development to have full fibre to premises connections unless technically infeasible and / or unviable.

Full fibre is available within the vicinity of the site.

### **Drainage**

Following their review of the submitted Drainage Strategy United Utilities have confirmed that whilst the strategy of foul and surface water is acceptable in principle, there are elements of the detailed drainage design that might not be acceptable to United Utilities and will require resolution by the applicant however these elements have not been clarified by United Utilities within their response. For this reason, and to avoid any unnecessary delays or costs for the applicant, a condition has been proposed to submit details of a surface water drainage scheme and a foul water drainage scheme prior to commencement of development.

### **Coal Authority**

Paragraphs 189 and 190 of the NPPF seek to ensure that sites are suitable for its proposed use taking into account ground conditions, any risks arising from land instability and contamination. The application site falls within the Coal Authority's defined Development High Risk Area. The Coal Authority records indicate that the site lies within an area of probable historic unrecorded shallow coal mining. This could affect public safety and surface stability for the proposed development.

The Coal Authority considers that the content and conclusions of Report on Coal Mining Related Site Investigation Works (T012 SFK (TLC1136) rep BS LKConsult 140121, January 2021) are sufficient for the purposes of the planning system (NPPF paras. 189 and 190) in demonstrating (based on the professional opinion of The Land Consultancy Limited) that the application site is safe and stable for the proposed development. The Coal Authority has therefore raised no objection to the proposed development.

### **Planning Obligations**



### Affordable Housing

The proposal will deliver 100% affordable housing for older people with Bury Council to have 100% nomination rights in perpetuity.

### Recreation provision

UDP Policy RT2/2 requires developers of new housing on sites of 10 or more dwellings to provide for the recreational needs of the prospective residents. SPD 1 Open Space, Sport and Recreation provision in New Housing Developments advises on specialised accommodation at paragraphs 4.11-4.12.

Allowing for the fact that the development is directed toward older people the play provision element of the commuted sum is waived and the required contribution would be £71,243.16. Should viability be raised as an issue to the satisfaction of the Council, the provision of onsite amenity space for residents similar to that required for category C2 schemes may be acceptable. In this scenario, on-site recreation provision should be in the form of amenity land or communal space which forms part of the development.

Viability has been raised as an issue for this site. The applicant has provided a viability appraisal that concludes that the gross development value amounts to £6,602,500 and based on the total scheme costs of £8,791,265 detailed above, without any uplift for current market conditions, the costs outweigh the GDV and the scheme shows a deficit of £2,188,765. The proposal is a 100% affordable development homes for social rent and shared ownership. Any additional financial planning contributions would generate a further negative surplus for the project rendering it unviable.

It is considered that the application provides a more than sufficient amount of on-site amenity land to satisfy SPD1. The shared amenity space would comprise of a resident's garden with seating, sensory planting and a grow your own area. Areas of lawn and a meadow with mown paths to walk through area also provided. Pathways around the building and within the resident's garden are also proposed. As such additional financial contributions for recreation provision will not be sought for this scheme.

### Biodiversity Net Gain

As set out above the HMMP and Biodiversity gain plan will require securing by a legal agreement.

### **Response to objections**

It is considered that the material planning considerations have been addressed within the main body of the report.

The creation of a one way system to access the site through the car park at the rear of No. 1 - 9 Fletcher Fold Road would not be viable. This would include introducing additional traffic onto a public footpath where vehicular access should be limited, would impact on the car park which appears to be associated with the flats and shops on Tennyson Avenue and would involve the removal of a building outside of the applicant's control. The Traffic Section have reviewed the proposed access and consider that the road to the site is sufficient.

The site is not located in a Conservation Area.

### **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:** Minded to Approve

### Conditions/ 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 6071-POZ-00-ZZ-DR-A-1100 Rev P03, 6071-POZ-XX-ZZ-DR-A-1200 Rev P09, 6071-POZ-XX-ZZ-DR-A-1210 Rev P04, 6071-POZ-XX-ZZ-DR-A-1211 Rev P03, 6071-POZ-XX-ZZ-DR-A-1220 Rev P03, 6071-POZ-XX-ZZ-DR-A-1221 Rev P03, 6071-POZ-XX-ZZ-DR-A-1230 Rev P04, 6071-POZ-00-ZZ-DR-A-1350 Rev P04, 6071-POZ-XX-ZZ-DR-A-1351 Rev P02, PAL-00-ZZ-DR-A-1400 Rev P01, 6071-POZ-00-ZZ-DR-A-1900 Rev P01, 6071-POZ-XX-ZZ-VS-A-1212 Rev P02, 6071-POZ-XX-ZZ-VS-A-1213 Rev P01, S23-0937 Rev A, S23-0938, 23-B-13947-100 Rev A, 23-B-13947-200 Rev B, D10188.001 Rev P01, D10188.002 Rev P01, D10188.100 Rev P01, D10188.201 Rev P01.

### Supporting Documents

Building Mass and overshadowing study  
Coal Mining Risk Assessment 23-12-115972/CMRA1  
Report on Coal Mining related site investigation works - 8th March 2024  
Planting Schedule D10188.200 P01  
Energy Statement Z63439  
Crime Impact Statement 2023/0563/CIS/01  
Ground Investigation Report 23-12-115972/GIR1 Rev B  
Flood Risk Assessment and Drainage Strategy Report 23-B-13497  
Arboricultural Impact Assessment April 2024  
Protected Species Report: Amphibians 10188.003  
Ecological Assessment Report 10188.002  
Ecological Desk Study 10088.001  
Planning Statement May 2024  
Heritage Statement March 2024  
Affordable Housing Statement  
Design and Access Statement 6071-POZ-XX-XX-PP-A-1000-P02  
Micro Drainage Analysis Rev B  
Drainage Maintenance Plan  
Biodiversity Net Gain Impact Assessment and Design Stage Report 10188.003  
UK Urban Habitat Assessment sheets  
The Statutory Biodiversity metric  
Transport Statement 1911/1/B  
SuDs Suitability Assessment 13947  
Financial Viability Report

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Development Plan listed.

3. Details/Samples of the (materials/bricks) to be used in the external elevations,

together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design

4. The removal of certain trees may have the potential to cause harm to bats as identified in the Ecological Assessment TEP ref. 10188.002 version 2.0 Table 4 and shall not in any circumstances occur unless further information has been provided to and agreed in writing by the local planning authority  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
5. No works to trees or shrubs shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
5. Prior to any earthworks a method statement detailing control measures for himalayan balsam, japanese knotweed, monbretia and Cotoneaster should be supplied to and agreed in writing by the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full.  
Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed, Himalayan Balsam, monbretia and Cotoneaster in the interest of Development Plan Policy JP-G1 - Landscape Character and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
6. The landscaping scheme hereby approved shall be implemented not later than 12 months from the date the buildings is first occupied and shall include the provision of bird and bat boxes and swift bricks. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.  
Reason. To secure the satisfactory development and to ensure provision for protected species pursuant to policies JP-G8: A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
7. Prior to any further earthworks or vegetation clearance a precautionary working measures strategy for mammals such as hedgehog and badger and amphibians such as common toad will be provided to and agreed in writing by the Local

Planning Authority. The works shall be implemented in accordance with the approved details.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

8. The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Impact Assessment and Design Stage Report reference 10188.003 prepared by The Environment Partnership and must include:
1. information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
  2. the pre-development biodiversity value of the onsite habitat;
  3. the post-development biodiversity value of the onsite habitat;
  4. any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
  5. any biodiversity credits purchased for the development; and
  6. any such other matters as the Secretary of State may by regulations specify.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

9. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
1. a non-technical summary;
  2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  4. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
  5. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

has been submitted to, and approved in writing by, the local planning authority.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

10. The development hereby approved shall not be occupied unless and until:
1. the habitat creation and enhancement works set out in the approved HMMP have been completed; and
  2. a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority

The created and/or enhanced habitat specified in the approved HMMP shall be

managed and maintained in accordance with the approved HMMP.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

11. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.  
Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

12. Notwithstanding the details contained within the Arboricultural Impact Statement April 2024, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and shall be produced in accordance with BS5837. The method statement shall include:

1. A Tree Protection Plan showing trees that would be retained in the context of the final layout;
2. The arrangement of temporary protection measures that would be installed prior to commencement and maintained during construction;
3. The location of all proposed structures and surfaces, level changes, excavations and access requirements that could harm retained trees;
4. A methodology and/or details for all activities identified at point (3) that will be followed to avoid harm to retained trees;
5. A detail for any temporary construction measures, products or construction methods that are specified;
6. Details of any proposed watching brief, monitoring or reporting;
7. A schedule of works proposed to trees to be retained on site and those overhanging Public Right of Way Footpath 71BUR, including the reason for such works.

The works shall be implemented in accordance with the approved details.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design, JP-G7 - Trees and Woodland and EN8/2 - Woodland and Tree Planting of the Development Plan.

13. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
  - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
  - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
  - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
  - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;  
and
  - (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to Development Plan Policies JP-S4 - Flood Risk and the Water Environment, EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

14. No development shall commence unless and until:-

- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
- Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

15. Following the provisions of Condition 14 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

16. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and; The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human



health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

17. 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 15 - Conserving and enhancing the natural environment.

18. Prior to occupation/first use the applicant shall provide:
1. one electric vehicle (EV) charging point (minimum 7kW\*) per unit (dwelling with dedicated parking).
  2. electric vehicle (EV) charging points (minimum 7kW\*) for a minimum of 20% of car parking spaces for dwellings with unallocated parking.

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted.

\*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason. In accordance with the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.

19. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details for a scheme of protection for Public Footpath 71BUR indicated as "existing footpath" on drawing number 6071-POZ-XX-ZZ-DR-A-1200 P09 that crosses the site have been submitted to and agreed in writing by the Local Authority. The scheme shall include:
1. Submission of a dilapidation survey of the existing public right of way;
  2. A scheme of surface improvements along the public right of way that runs through the site to a scope and specification to be agreed;
  3. The arrangement of temporary protection measures that would be installed prior to commencement, to maintain provision of the public right of way through the site, to be maintained free of obstruction and maintained during construction;
  4. Submission of a drawing, based on a topographical survey that indicates the existing width and levels of the public right of way and adjacent land;
  5. Details of how the public right of way will be maintained free of obstruction, and

at its existing width following construction as identified under bullet point 4 above. The details subsequently approved shall be implemented to an agreed programme.

Reason. To maintain the extent of existing Public Right of Way footpath 71BUR pursuant to Policy RT3/4 - Recreational Routes of the Bury Unitary Development Plan.

20. If a temporary obstruction of the public right of way Footpath 71BUR is required during development no development shall take place unless and until a closure order has been made to Bury Council and a suitable temporary alternative route(s) made available.

Reason. To maintain the extent of existing Public Right of Way footpath 71BUR pursuant to Policy RT3/4 - Recreational Routes of the Bury Unitary Development Plan.

21. The turning facilities indicated on the approved plans shall be provided before the areas of the development to which they relate are brought into use and the areas used for the manoeuvring of vehicles shall subsequently be 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 Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

22. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use and thereafter 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 and Supplementary Planning Document 11: Parking Standards in Bury.

23. The refuse storage and access arrangements to be provided within the curtilage of the site shall be made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of the site, clear of the adopted highway To ensure that adequate bin storage arrangements are provided within the curtilage of the site, clear of the adopted highway pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

24. Notwithstanding the details contained within the approved Construction Traffic Management Plan dated 11th September 2024 no development shall commence unless and until the following have been submitted to, and approved in writing by the Local Planning Authority:

1. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of statutory undertakers connections to the site;
2. Access route for all construction vehicles to the site from the Key Route Network;

3. Access point/arrangements for construction traffic, taking into consideration the need to maintain safe pedestrian/vehicular access to adjacent residential properties and Public Footpath No. 71, Bury, and all temporary works required to facilitate access for construction vehicles;
4. Hours of work for site preparation, delivery of materials and construction and number of vehicle movements;
5. Arrangements for the parking of vehicles for site operatives and visitors on land within the applicant's control, together with storage on site or on land within the applicant's control of construction materials;
6. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres including details of areas designated for the loading, unloading and storage of plant and materials;
7. Details of the siting, height and maintenance of all security hoardings clear of the adopted highway and (in the absence of any temporary closure) Public Footpath No. 71, Bury;
8. The provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted and unadopted highways and Public Right of Way that crosses the site;
9. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access(es);
10. Arrangements for the provision of wheel washing facilities for vehicles accessing the site;
11. Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways or Public Right of Way as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to control the emission of noise, dust and dirt during construction;
12. A scheme for recycling/disposing of waste resulting from construction works; and
13. A strategy to inform neighbouring occupiers (which as a minimum, shall include those adjoining the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

25. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways to the Local Planning Authority:

1. Formation of the proposed site access alterations and pedestrian improvements on Fletcher Fold Road at the junction with Goshen Lane to a scope and specification to be agreed, incorporating works at/beyond the limits of the adopted highway to form adequate arrangements for pedestrians across Goshen Lane, demarcation of the limits of the adopted highway, and all associated highway and highway drainage remedial works;
2. Scheme of carriageway resurfacing works on Fletcher Fold Road in the vicinity of the revised access to a scope and specification to be agreed;

The details subsequently approved shall be implemented to an agreed programme and to the satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

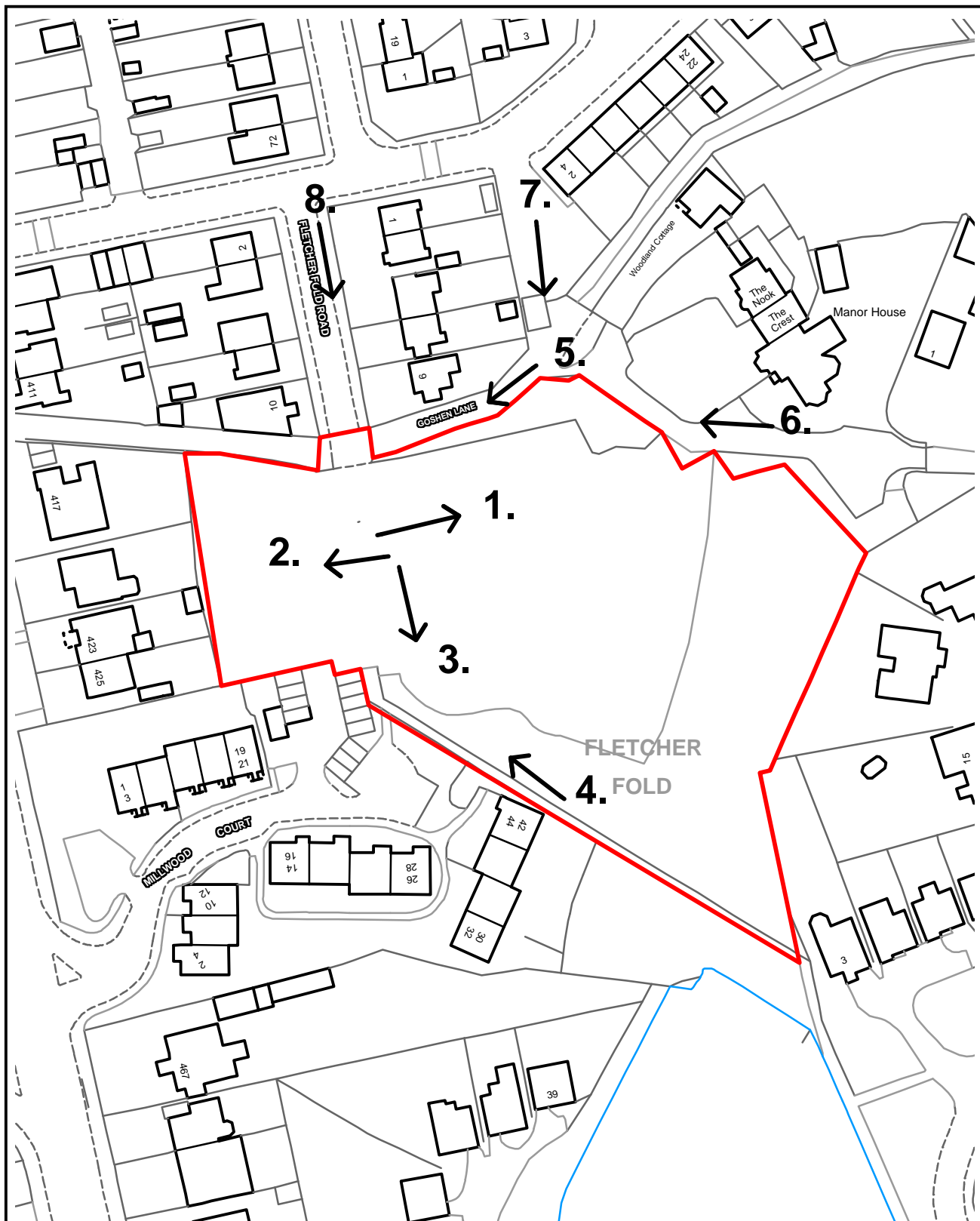
26. The dwellings hereby approved shall be built in accordance with the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations.

Reason. To secure the satisfactory development of the site pursuant to Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.

For further information on the application please contact **Helen Pressley** on **0161 253 5277**



# 70805 - Viewpoints



ADDRESS: Land off Fletcher Fold Road,  
Bury, BL9 9RX



**Bury**  
Council

Planning, Environmental and Regulatory Services

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70805

Photo 1



Photo 2



70805

Photo 3



Photo 4





70805

Photo 5



Photo 6





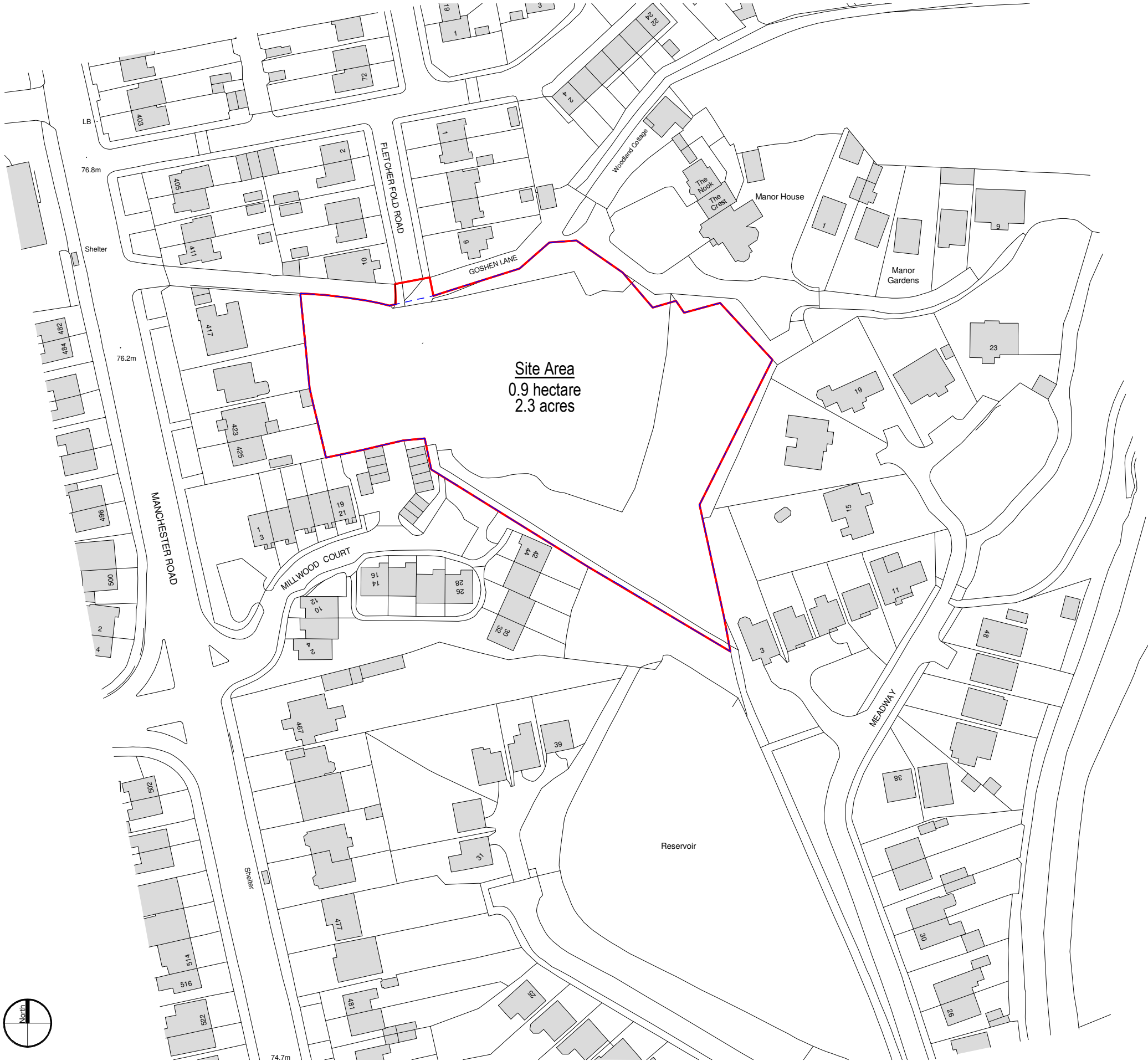
70805

Photo 7



Photo 8





**SITE LOCATION PLAN**  
1 : 1250

**Notes**

The Contractor is to check all dimensions and conditions on site before commencing. Do not scale from this drawing.  
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Scale Bars TO BE USED ONLY AS GUIDANCE

1:100	mm	1000	3000	5000
1:200	mm	5000	8000	
1:500	M	5	15	25
1:1250	M	10	30	50 70

**NOTES**

— Site boundary

- - - Site ownership boundary

For the topographical information refer to drawing S23-0937 produced by Survey OperationsJPL Surveys

For the Arboricultural information refer to X10188.01.001 for the tree survey data and D10188.01.001 for the tree constraints plan both produced by The Environmental Partnership

P03	Planning Issue	BAP	16/05/24
P02	Revised site boundary to site ownership boundary and unadopted highway	BAP	08/02/24
P01	Issued for Pre-App planning advice	EM	19/01/24
Rev	Description	By	Date

Client	ARCON HOUSING ASSOCIATION (BOLTON AT HOME)		
Job	FLETCHER FOLD ROAD, BURY		
Drawing	PLANNING - SITE LOCATION PLAN		
BSRef	POZ Ref	Rev	P03
6071-POZ-00-ZZ-DR-A-1100			
Date	19/01/24	Scale	1 : 1250 @ A3
3D CoOrd	BAP	2D CoOrd	EM
Project Status	Planning	Tender	Construction
	Design	Contract	As Built

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1 WEST ELEVATION FACING THE CAR PARK  
1 : 200



2 SOUTH ELEVATION FACING THE FOOTPATH  
1 : 200



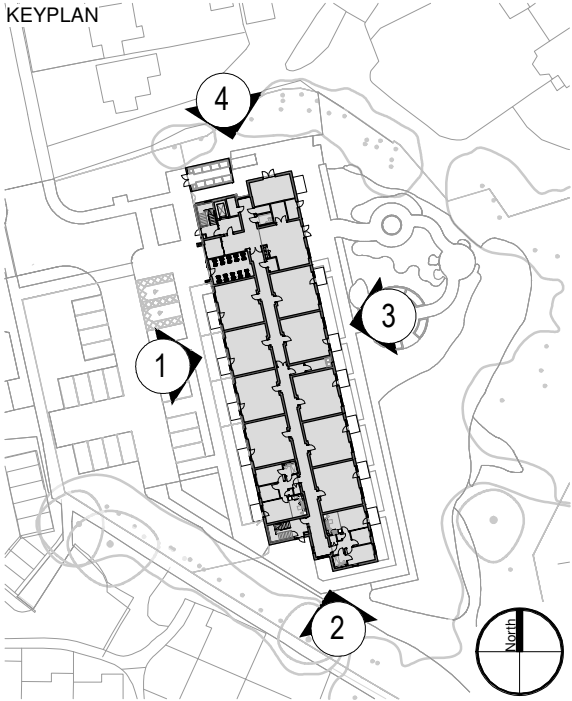
3 EAST ELEVATION FACING THE GARDEN  
1 : 200



4 NORTH ELEVATION FACING GOSHEN LANE  
1 : 200

**Notes**  
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Scale Bars		TO BE USED ONLY AS GUIDANCE			
1:100	mm	0	1000	2000	3000
1:200	mm	0	1000	2000	3000
1:500	m	0	5	10	15
1:1250	m	0	10	20	30



MATERIALS	
ITEM	MATERIAL
Facing materials	Brick type 1
	Brick type 2
	Brick type 3
Apartments door and window frames	UPVC, black
Entrances, stair, scooter st. & plant doors	Aluminium, black
Apartment glass infill panel	Patterned glass
Scooter st. glass infill panel	Opaque black glass
Roof	Slate effect tiles
Fascia	UPVC, black
Soffit	UPVC, white
Rainwater goods	UPVC, black
Balcony structure	Powder coated metal, black
Balcony & Juliet balustrade	Clear glass with powder coated handrail, black

P04	Planning Issue	BAP	16/05/24
P03	Scooter store & plant/tank room switched. Insulation added to corridor party walls.	EM	10/04/24
P02	Six 2 bed apartments changed to 1 bed following housing need feedback. 2 Beds increased to NDSS area. Position of the apartment building on the site adjusted to avoid root protection zones.	EM	14/03/24
P01	Issued for Pre-App planning advice	EM	19/01/24
Rev	Description	By	Date
Client	ARCON HOUSING ASSOCIATION (BOLTON AT HOME)		
Job	FLETCHER FOLD ROAD, BURY		
Drawn	PLANNING - APARTMENTS ELEVATIONS		
Rev	6071_1350	Re	P04
Date	19/01/24	Scale	As indicated
By	BAP	EM	JW
Project Stage	Planning	Tender	Construction
	Design	Contract	As Built

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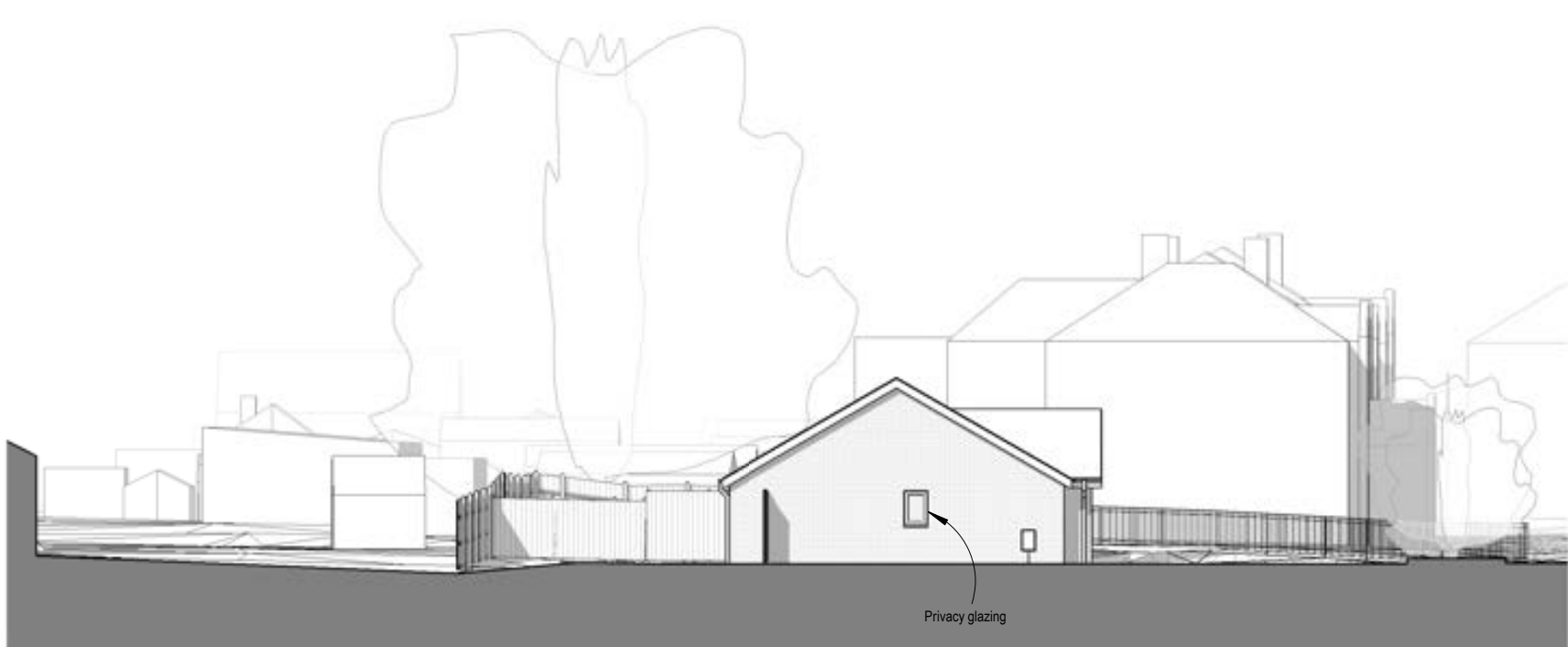
1 EAST ELEVATION PLOTS 1 to 4 FACING THE CAR PARK AND APARTMENTS  
1 : 200



2 NORTH ELEVATION PLOT 1  
1 : 200



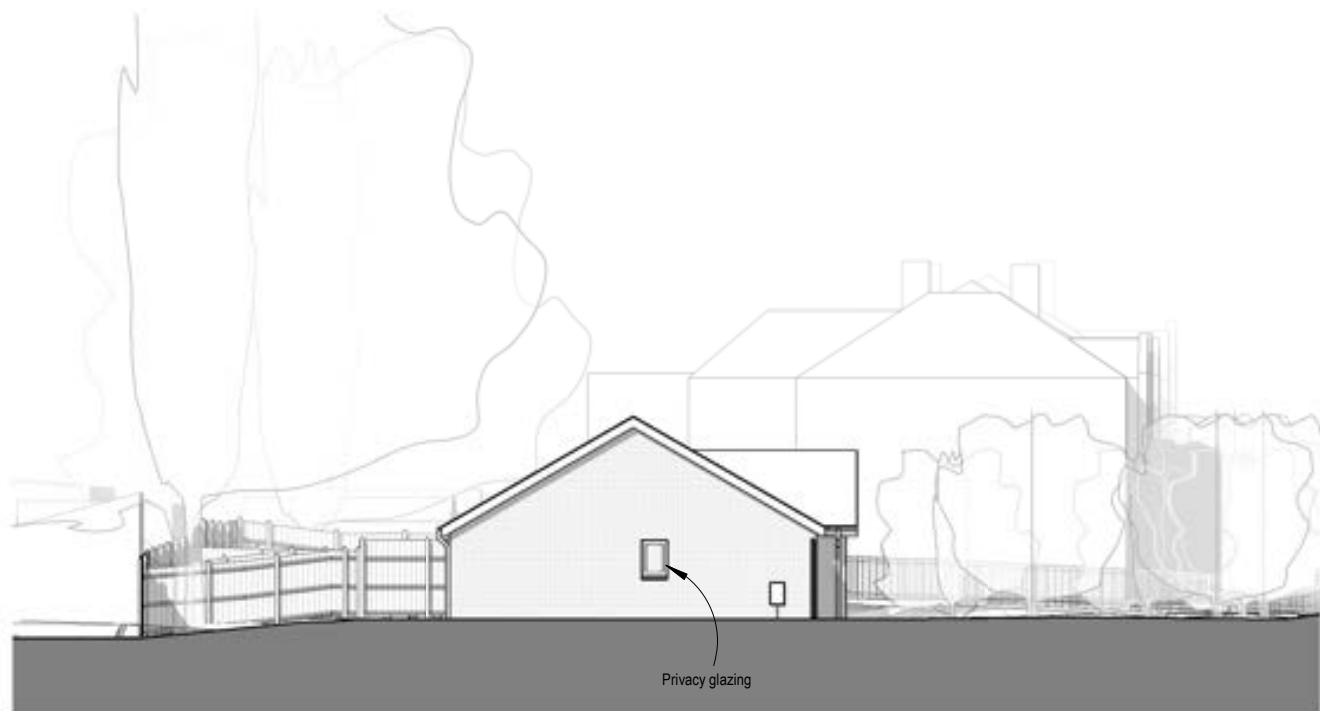
3 NORTH ELEVATION PLOT 3  
1 : 200



4 SOUTH ELEVATION PLOT 2  
1 : 200



5 WEST ELEVATION PLOTS 1 to 4  
1 : 200



6 SOUTH ELEVATION PLOT 4  
1 : 200

**Notes**

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Scale Bars

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1:200	mm	5000	8000	
1:500	M	5	15	25
1:1250	M	10	30	50
			70	

KEYPLAN

**MATERIALS**

ITEM	MATERIAL
Facing materials	Brick type 1 - red multi
Patio door and window frames	UPVC, black
Entrance door	Composite door
Roof	Slate effect tiles
Fascia	UPVC, black
Soffit	UPVC, white
Rainwater goods	UPVC, black

P02	Planning Issue	BAP	16/05/24
P01	Issued for Pre-App planning advice	EM	19/01/24
Rev	Description	By	Date
Client	ARCON HOUSING ASSOCIATION (BOLTON AT HOME)		
Job	FLETCHER FOLD ROAD, BURY		
Drawing	PLANNING-BUNGALOW ELEVATIONS		
Issue Ref.	6071_1351	Rev	P02
Issue Ref.	6071-POZ-XX-ZZ-DR-A-1351		
Date	19/01/24	Scale	As indicated @ A2
3D CoOrd	BAP	2D CoOrd	EM
3D CoOrd		Approved	JW
Project Status	Planning	Tender	Construction
Project Status	Design	Contract	As Built

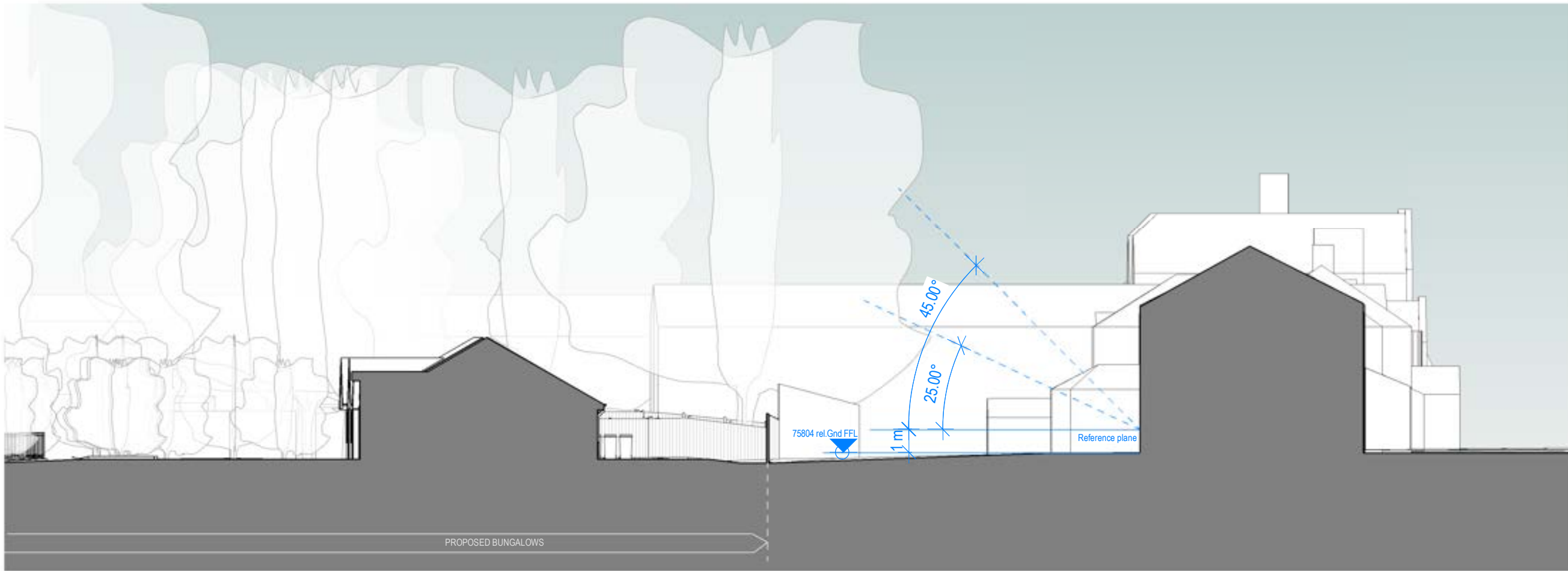
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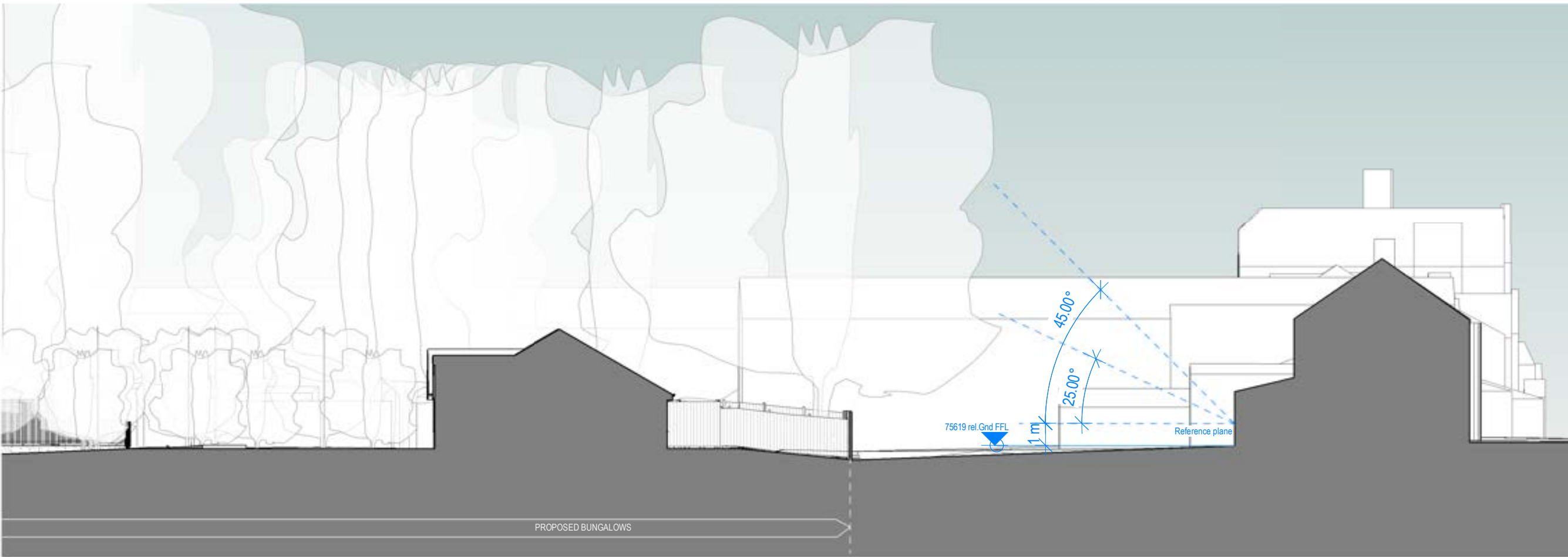
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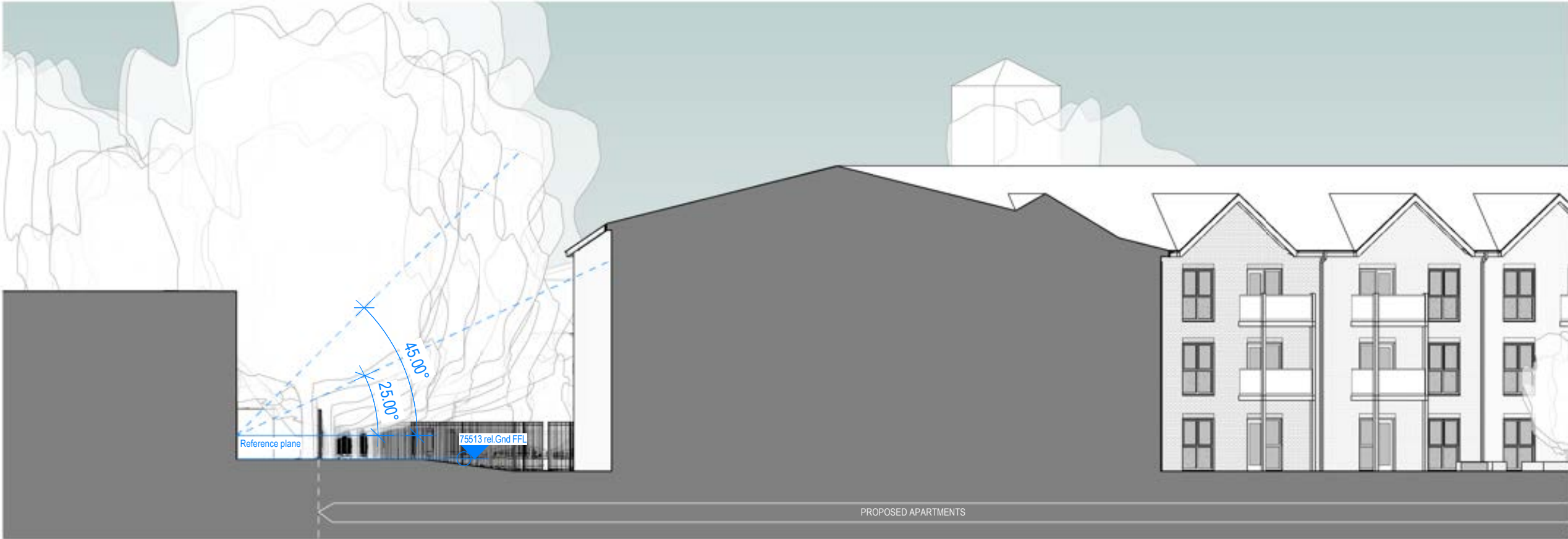
SITE SECTION 01 - THROUGH BUNGALOWS AND 419 MANCHESTER ROAD  
1 : 200



SITE SECTIONS 02 - THROUGH BUNGALOWS AND 423 MANCHESTER ROAD  
1 : 200



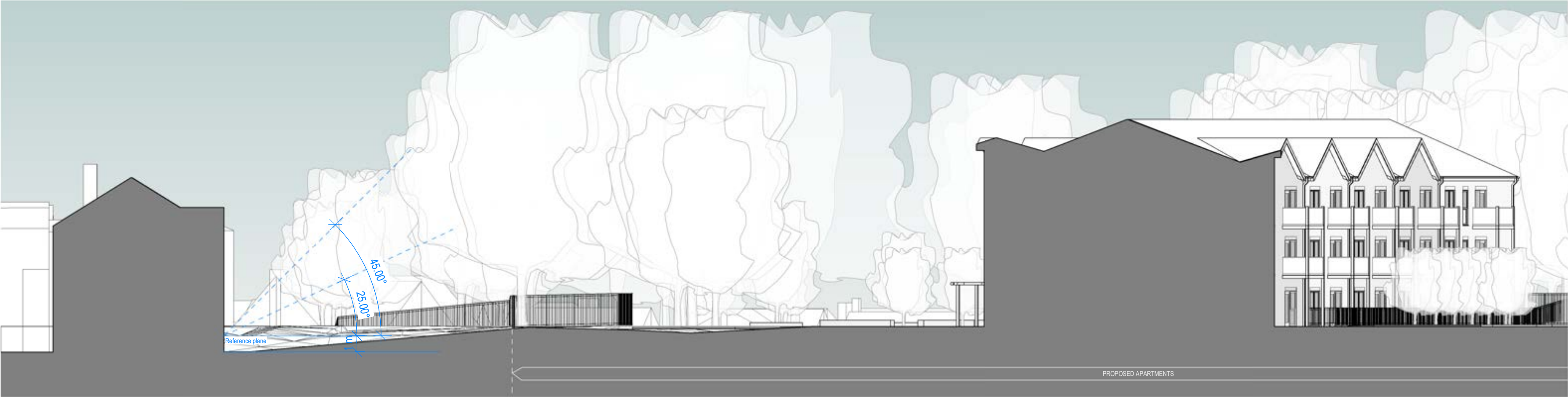
SECTION 03 - THROUGH BUNGALOWS AND 10 FLETCHER FOLD ROAD  
1 : 200



SECTION 04 - THROUGH APARTMENT AND 42 MILLWOOD COURT  
1 : 200



SECTION 05 - THROUGH BUNGALOW AND APARTMENT AND 17 MEADWAY  
1 : 200



SECTION 06 - THROUGH APARTMENTS AND THE CRESCENT HOUSES  
1 : 200



SECTION KEY PLAN  
1 : 1000

**Notes**  
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1:200	mm	0	1000	2000	3000
1:500	m	0	10	20	30
1:1250	m	0	10	20	30

**NOTES**

Floor levels of surrounding dwellings have been indicated using the topographical information.  
Please refer to JLP Surveying drawing S23-0937 for further details.

P01	Planning Issue	BAP	16/05/24
Rev	Description	By	Date
Client	ARCON HOUSING ASSOCIATION (BOLTON AT HOME)		
Job	FLETCHER FOLD ROAD, BURY		
Drawing	PLANNING- SITE SECTIONS		
Ref	6071_1400	Rev	P01
Date	01/05/24	Scale	As indicated
Author	BAP	2D Coord	BAP
3D Coord	BAP	Approved	EM
Planning	Tender	Construction	
Design	Contract	As Built	

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14/05/2024 15:21:38





AERIAL VIEW OF FLETCHER FOLD SITE



**APPROACH VIEW VIA FLETCHER FOLD ROAD**



**VIEW INTO THE SITE FROM THE JUNCTION WITH GOSHEN LANE**

	<b>Notes</b>
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Scale Bars		TO BE USED ONLY AS GUIDANCE				
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1:200	mm		5000	8000		
1:500	M		5	15	25	
1:1250	M		10	30	50	70

P02	Planning Issue	BAP	01/05/24
P01	Issued for Pre-App planning advice	EM	19/01/24
Rev	Description	By	Date
Client	ARCON HOUSING ASSOCIATION (BOLTON AT HOME)		
Job	FLETCHER FOLD ROAD, BURY		
Drawing	PLANNING - VISUALS SHEET 1		
B&K# POZ Ref	6071_1212	Rev	P02
6071-POZ-XX-ZZ-VS-A-1212			
Date	19/01/24	Scale	@ A2
3D CoOrd	BAP	2D CoOrd	EM
		Approved	JW
Project Status	Planning	Tender	Construction
	Design	Contract	As Built

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FRONT ELEVATION OF APARTMENTS



APARTMENT REAR ELEVATION AND COMMUNAL GARDENS



VIEW FROM PUBLIC RIGHT OF WAY TOWARDS PROPOSED BUNGALOWS

Notes

The Contractor is to check all dimensions and conditions on site before commencing. Do not scale from this drawing.  
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Scale Bars

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1:100	mm	1000	3000	5000
1:200	mm	5000	8000	
1:500	M	5	15	25
1:1250	M	10	30	50 70

P01	Planning Issue	BAP	16/05/24
Rev	Description	By	Date
Client	ARCON HOUSING ASSOCIATION (BOLTON AT HOME)		
Job	FLETCHER FOLD ROAD, BURY		
Drawing	PLANNING - VISUALS SHEET 2		
6071_1213	Rev	P01	
6071-POZ-XX-ZZ-VS-A-1213			
Date	02/05/24	Scale	@ A2
3D CoOrd	BAP	2D CoOrd	EM
Approved		Approved	EM
Project Status	Planning	Tender	Construction
	Design	Contract	As Built

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**SITE LAYOUT PLAN**  
1 : 500

**NOTES**

ACCOMMODATION SUMMARY	
TYPE	COUNT
Two bedroom bungalow	4
One bedroom apartment	33
Two bedroom apartment	6
<b>Total</b>	<b>43</b>

All accommodation is designed to meet the Nationally Described Space Standards and Part M4 Category 2: accessible and adaptable. Please refer to drawings 6071-POZ-XX-ZZ-DR-A-1220 & 6071-POZ-XX-ZZ-DR-A-1221 for bungalow and apartment compliance plans.

**PARKING PROVISION**

Table 2 of Bury Councils SPD 11 requires 1.5 parking spaces in an accessible area, which this is, for a 2 bed dwelling. For sheltered housing the requirement is for 1 space per 3 units.

We have indicated 2 spaces per dwelling for the bungalows which are for sale. For the apartments we have indicated 20 spaces for the 39 dwellings to allow for visitor parking.

For further information about the parking provision and tracking please refer to the Transport Statement 1911/1/A prepared by Ashley Helme Associates.

**REFUSE STORAGE PROVISION**

Please refer to drawing 6071-POZ-ZZ-XX-DR-A-1900 APARTMENT BIN STORE for details about the bungalow and apartment refuse storage provision.

**Notes**

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Scale Bars TO BE USED ONLY AS GUIDANCE

1:100 mm 1000 3000 5000  
1:200 mm 5000 8000  
1:500 M 5 15 25  
1:1250 M 10 30 50 70

**KEY**

- Proposed Tree
- Existing category A tree\*
- Existing category B tree\*
- Existing category C tree\*
- Root protection zones\*

\* For further information about the existing trees please refer to the Tree Survey by TEP

P09	Revised Landscaping	BAP	14/05/24
P08	Boundary locations and heights adjusted to match landscape design. 900mm high railings to the apartment patios in secure garden omitted. Updated Landscape.	EM	25/04/24
P07	Scoter store and tank room switched	EM	09/04/24
P06	Six 2 bed apartments changed to 1 bed following housing need feedback. 2 Beds increased to NDSS area. Site adjusted accordingly.	EM	14/03/24
P05	Path alongside building in southern corner reinstated.	EM	29/02/24
P04	Building moved 5m to the right to allow the proposed drainage to sit outside of the tree root protection zones. Car parking adjusted accordingly.	EM	27/02/24
P03	Revised site boundary to site ownership boundary	BAP	08/02/24
P02	Changes to car park and turning head following pre-app Highways feedback	EM	30/01/24
P01	Issued for Pre-App planning advice	EM	19/01/24
Rev	Description	By	Date

Client: **ARCON HOUSING ASSOCIATION (BOLTON AT HOME)**

Job: **FLETCHER FOLD ROAD, BURY**

**PLANNING - SITE LAYOUT PLAN**

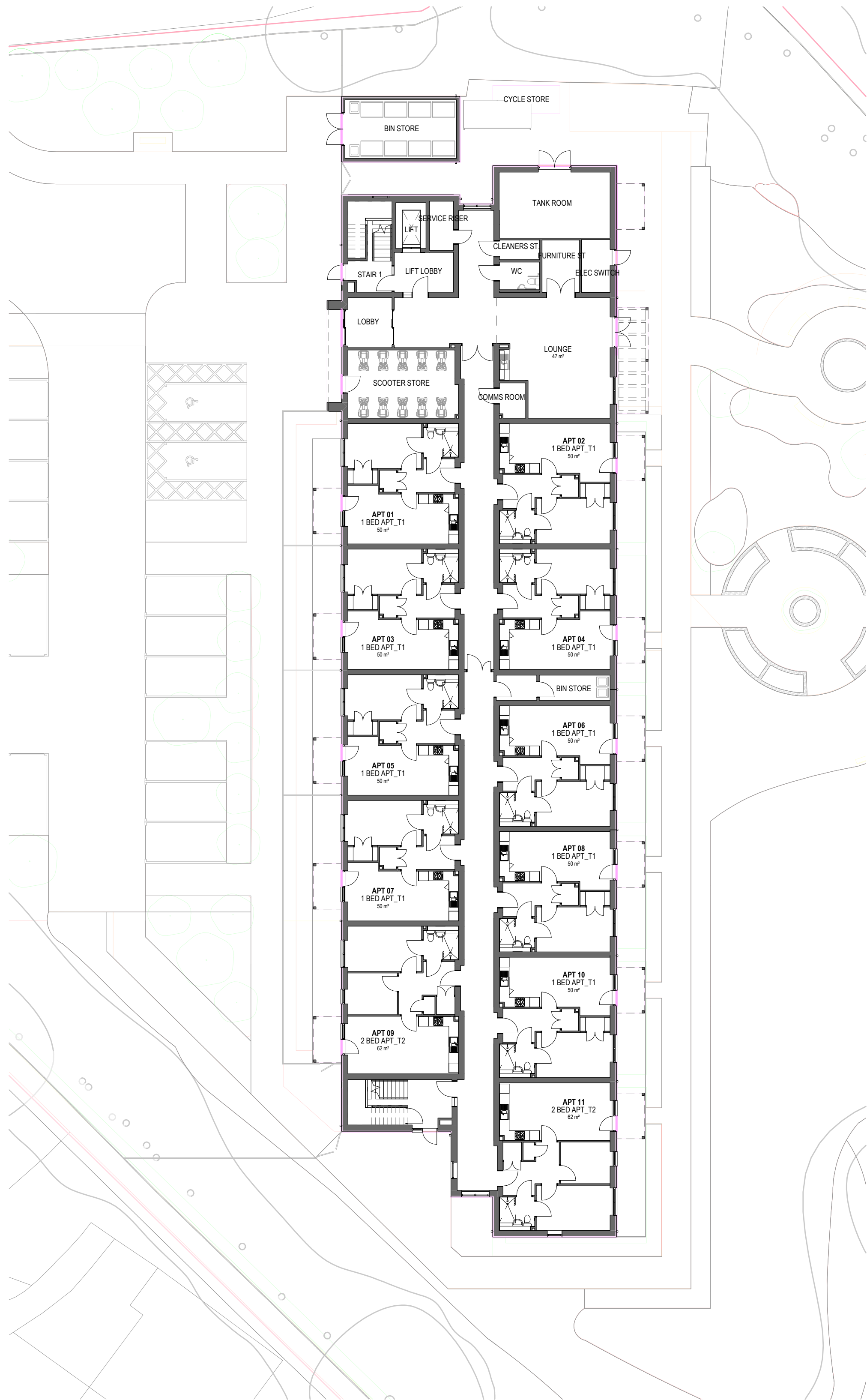
6071_1200	Rev	P09
6071-POZ-XX-ZZ-DR-A-1200		
Date	Scale	@ A2
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BAP	2D CoOrd	EM
Planning	Tender	JW
Design	Contract	Construction
		As Built

**pozzoni**

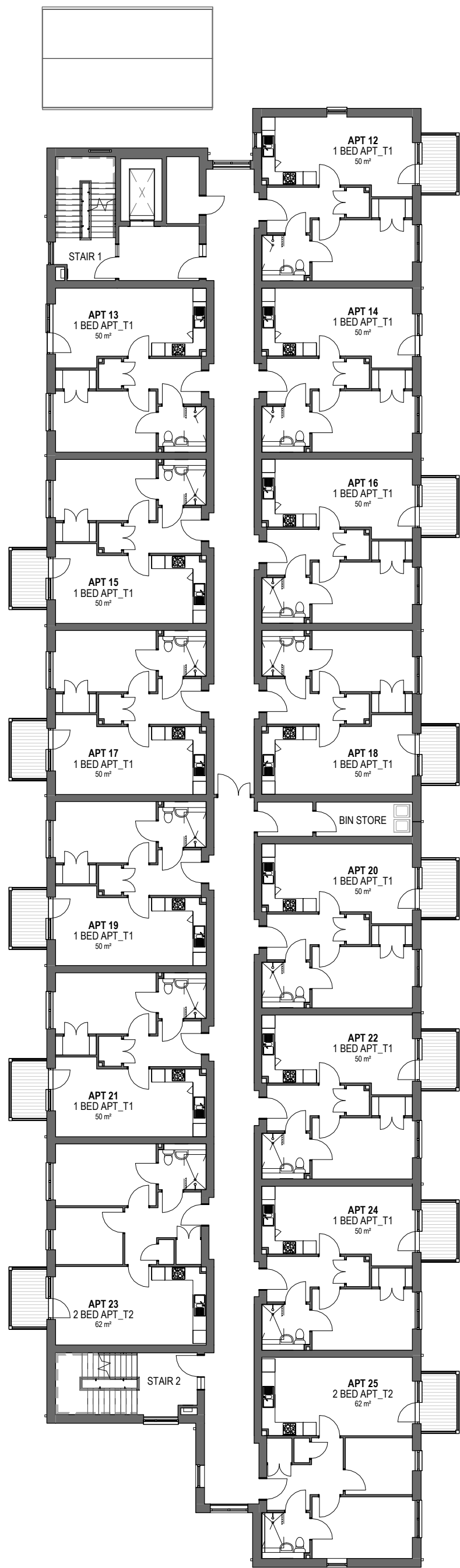
Woodville House  
2 Woodville Road  
Altrincham  
WA14 2FH

+44 161 928 7848  
www.pozzoni.co.uk  
architects@pozzoni.co.uk

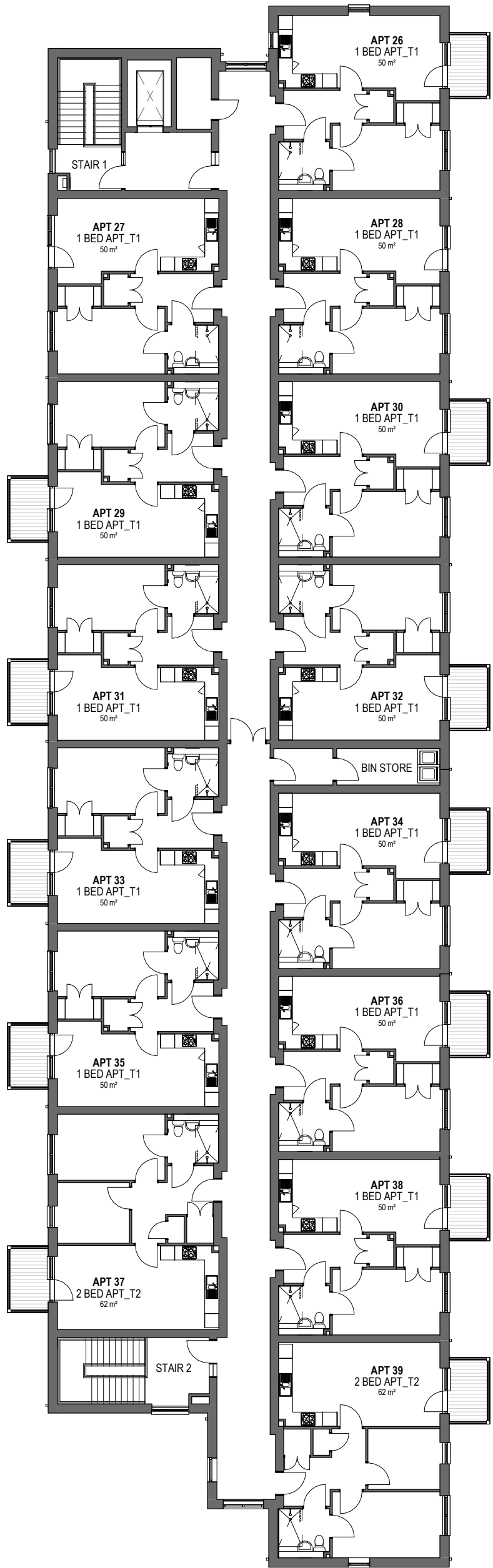




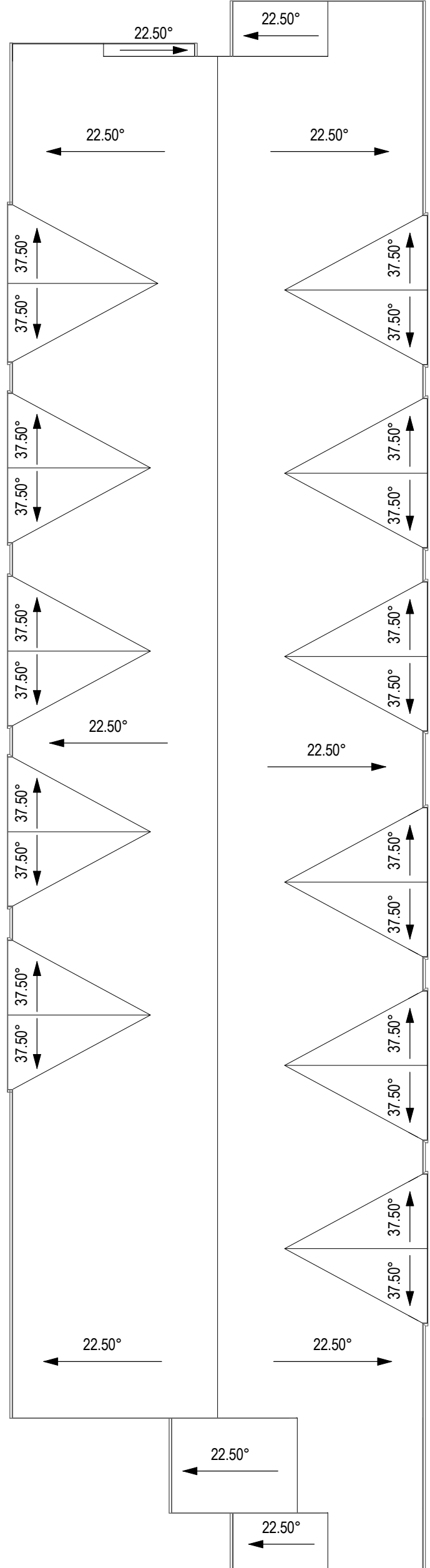
GROUND FLOOR PLAN  
1 : 200



FIRST FLOOR PLAN  
1 : 200



SECOND FLOOR PLAN  
1 : 200



ROOF PLAN  
1 : 200

**Notes**  
The Contractor is to check all dimensions and conditions on site before commencing. Do not scale from this drawing.  
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Scale Bars		TO BE USED ONLY AS GUIDANCE			
1:100	mm	0	1000	2000	3000
1:200	mm	0	1000	2000	3000
1:500	m	0	10	20	30
1:1250	m	0	10	20	30

ACCOMMODATION SUMMARY	
TYPE	COUNT
ONE BED APT	33
TWO BED APT	6
Grand total	39

**NOTES**  
For detailed apartment plans refer to drawing 6071-POZ-XX-ZZ-DR-A-1220. For detailed communal area plan refer to drawing 6071-POZ-XX-ZZ-DR-A-1230.

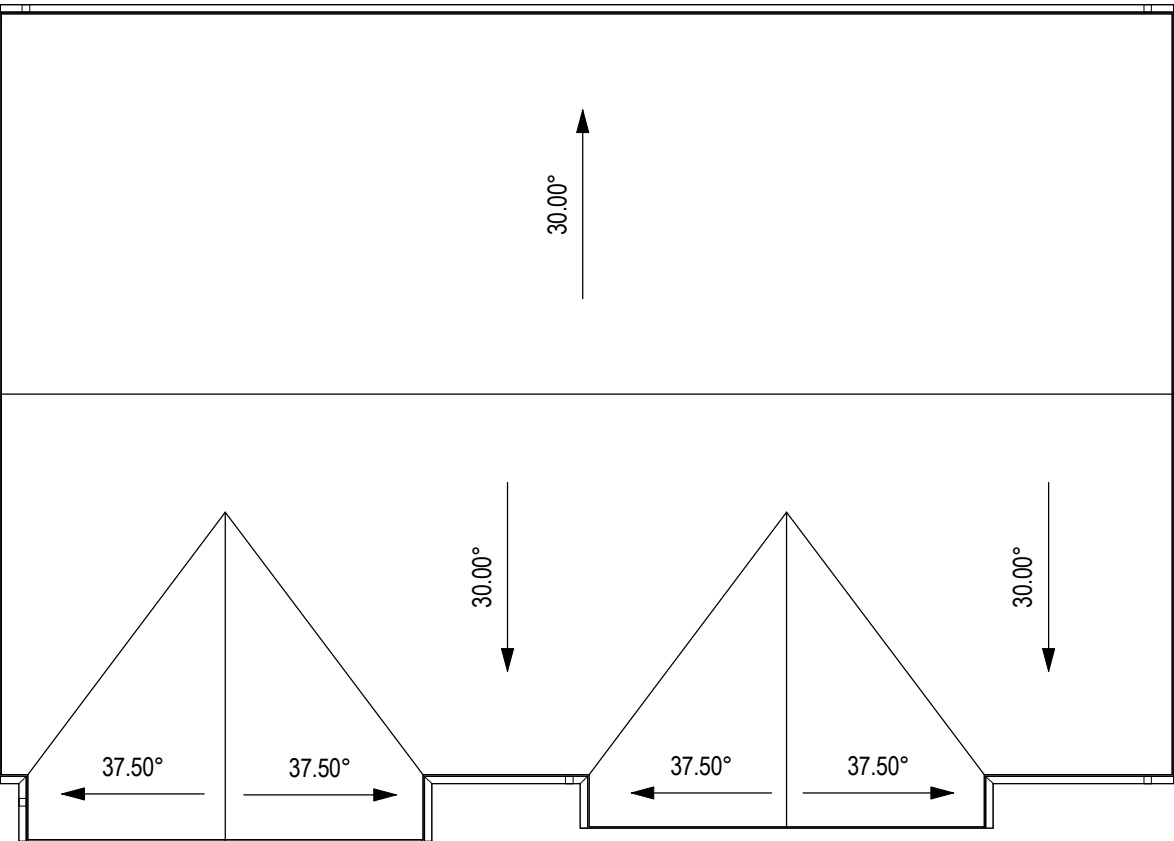
P04	Planning Issue	BAP	16/05/24
P03	Scoter store & plant/tank room switched. Insulation added to corridor party walls.	EM	10/04/24
P02	Six 2 bed apartments changed to 1 bed following housing need feedback. 2 Beds increased to NDS's area. Position of the apartment building on the site adjusted to avoid root protection zones.	EM	14/03/24
P01	Issued for Pre-App planning advice	EM	19/01/24
Rev	Description	By	Date
Check	ARCON HOUSING ASSOCIATION (BOLTON AT HOME)		
Job	FLETCHER FOLD ROAD, BURY		

Drawing	PLANNING - APARTMENTS FLOOR & ROOF PLANS		
Rev	POZ Ref	Ref	P04
Date	19/01/24	Scale	1 : 200 @ A1
2D Coord	BAP	2D Coord	EM
3D Coord	Planning	3D Coord	EM
Design	Design	Design	EM
Construction	Construction	Construction	JW
As Built	As Built	As Built	JW

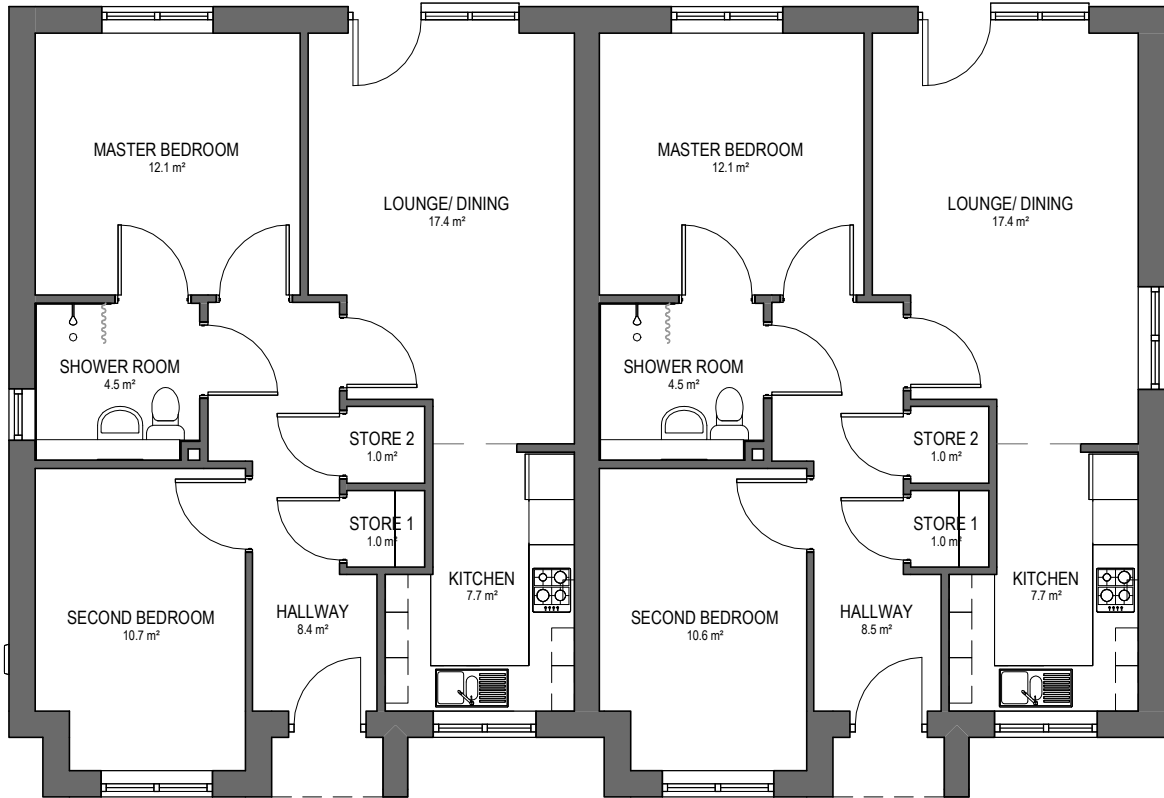
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ROOF PLAN  
1 : 100



FLOOR PLAN  
1 : 100

Notes

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Scale Bars

TO BE USED ONLY AS GUIDANCE

1:100	mm	1000	3000	5000
1:200	mm	5000	8000	
1:500	M	5	15	25
1:1250	M	10	30	50 70

P03	Planning Issue	BAP	16/05/24
P02	Room labels corrected	EM	14/03/24
P01	Issued for pre-app planning advice	EM	19/01/24
Rev	Description	By	Date

Client	ARCON HOUSING ASSOCIATION (BOLTON AT HOME)				
Job	FLETCHER FOLD ROAD, BURY				
Drawing	PLANNING - BUNGALOW FLOOR & ROOF PLAN				
BSRef	6071_1211	Rev	P03		
BSRef	6071-POZ-XX-ZZ-DR-A-1211				
Date	19/01/24	Scale	1 : 100 @ A3		
3D CoOrd	EM	2D CoOrd	EM	Approved	JW
Project Status	Planning	Tender	Construction		
	Design	Contract	As Built		

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**Ward:** Bury East

Item 4

**Applicant:** Fairfield General Hospital

**Location:** Fairfield General Hospital, Rochdale Old Road, Bury, BL9 7TD

**Proposal:** Installation of temporary car park

**Application Ref:** 70979/Full

**Target Date:** 17/09/2024

**Recommendation:** Approve with Conditions

### **Description**

The application relates to Fairfield General Hospital, Rochdale Road. The hospital site is bound largely by residential properties, with the River Roch and Broad Oak Wood to the South and Rochdale Old Road to the North. The main access to the site is from Rochdale Old Road, via Rough Hill Lane. This leads to Jericho Road that enables access to the wider site. A one way system is operated around the site.

The application site within the hospital compound is located to the south of 396 - 422 Rochdale Old Road and to the east of the properties on Bamford Close and Smethurst Hall Road. The site previously comprised 2 blocks of 2 storey residential accommodation. These blocks were used as nurses accommodation in association with the hospital use and were given prior approval for demolition in 2023. Existing car parks are located to the north and south of the site.

Planning permission is sought for a temporary car park for 5 years within the site, to provide 97no. parking spaces for staff at the site. The car park would be accessed from a new access to the south of an existing staff car park. Users of the car park would arrive via the main site access and depart via the one-way system to the exit-only access with the B6222 immediately north of the site.

The application is retrospective in part and has arisen due to enforcement complaints.

### **Relevant Planning History**

02840/E - Consideration of 3 no. options for the installation of a car park deck within Fairfield Hospital Grounds - Enquiry completed 13/09/2023

35406 - Redevelopment - Approve with conditions 07/07/1999

37893 - New offices and car park - 31/08/2001

44321 - Demolition of existing nursery and erection of new prefabricated modular building to form nursery - Approve with Conditions 19/05/2005

46815 - Construction of external fenced compound and installation of stand-by generator with 24 hour fuel tank - Approve with Conditions 27/09/2006

51546 - Erection of smoke particulate emissions control filtration unit for the coal fired energy plant - Approve with Conditions 04/09/2009

54442 - Two single storey extensions at ground floor level; internal remodelling to the existing Accident and Emergency Department. - Approve with Conditions 25/10/2011

62511 - Construction of a car park and associated access, footpaths, boundary treatments, lighting columns and landscaping. - Approve with Conditions 06/06/2018

65385 - Link bridge at first floor level to connect Wards 24 and 25 to the main hospital street corridor - Approve with Conditions 30/06/2020

65466 - Extension at level 03 built on the existing flat roof to the South. - Approve with Conditions 24/06/2020

66197 - Installation of a VIE Compound containing a liquid oxygen vessel and two ambient vaporisers in order to supply medical oxygen to the hospital, perimeter security fencing and works to site and access - Approve with Conditions 12/02/2021

66815 - Erection of a facility for cold water booster tanks containing 2no. 125m3 water tanks, booster units and associated external works. - Approve with Conditions 21/09/2021

69513 - Erection of a new single storey ED modular unit extension - Approve with Conditions 07/12/2023

69880 - Prior approval for proposed demolition of existing two storey residential accommodation blocks, nos. 54, 55, 56 and 57 - Prior Approval Required and Granted 04/08/2023

70502 - Installation of a generator compound containing 2 no. generators and 2 no. fuel tanks with surrounding fence - Approve with Conditions 20/05/2024

70779 - Variation of condition no. 2 (approved plans) following approval of planning permission 66815: Replace 'Site Location Plan' and 'Design and Access Statement' to amend the proposed replacement tree planting locations - Approve with Conditions 11/07/2024

## **Publicity**

Letter sent to 34 neighbouring properties on the 1st August 2024.

2 comments received in relation to where plans and information could be viewed/accessed - These were contacted via email by the case officer.

8 objections received in relation to:

- Noise pollution
- Light pollution
- Air pollution
- Reduction of security
- Loss of privacy
- Restrict enjoyment of gardens
- What does temporary mean? Temporary in time or will be expanded
- Believe this will eventually be a multi floor car park
- Trees have been removed.
- Biodiversity Net Gain required
- Loss of property value

Following the receipt of additional information in relation to lighting, landscaping, site sections and a planning addendum further letters were sent on the 6th September 2024. 1 further objection received in relation to:

- Nurses accommodation previously provided a physical barrier between the hospital and

- residential properties preventing light and noise pollution.
- Area was landscaped with grass.
- Planning permission was not obtained to demolish the nurses accommodation.
- Trees cut down during demolition.
- Hospital told resident's and Bury MBC that the site would not be a car park.
- Complaints made to Environmental Health in relation to lighting have not been responded to.
- Adding additional lighting will make it worse.
- No background noise from Rochdale Road at rear of property.
- Increase in visible parking from 40, to 180 and now to 277.
- 5 trees does not compensate for those removed.
- 5 years is not temporary.

### **Statutory/Non-Statutory Consultations**

**Traffic Section** - No objections in principle as it would alleviate parking problems on the highway and PROW.

**Environmental Health - Contaminated Land** - The Environment Section has assessed the application and has no comments to make regarding contaminated land and air quality. No request for EV chargepoints due to hospital infrastructure. Informative in relation to the control of noise requested.

**Conservation Officer** - No objection.

**The Coal Authority** - Confirm that the site falls within the defined Development High Risk Area. Material Consideration but do not objection to this planning application.

**Drainage Section** - No response to report.

**United Utilities (Water and waste)** - No response to report.

**Greater Manchester Ecology Unit** - No response to report.

**Environmental Health - Pollution Control** - No response to report

**Pre-start Conditions** - Applicant/Agent to agree

### **Development Plan and Policies**

CF1/1	Location of New Community Facilities
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
H3/2	Existing Incompatible Uses
JP-P6	Health
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-S2	Carbon and Energy
JP-S5	Clean Air
EN8/2	Woodland and Tree Planting
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G7	Trees and Woodland
NPPF	National Planning Policy Framework

### **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.

### **Principle**

UDP Policy CF1/1 generally looks favourably on proposals for additional or improved community facilities where these do not conflict with amenity or the local environment. PfE Policy JP-P6 confirms that improvements to health facilities will be supported, responding to the changing needs and demands of both existing and new residents including through enabling the continued enhancement and successful operation of our hospitals.

The submitted planning statement confirms that the proposal would provide additional staff car parking provision within the hospital site. The lack of parking at the site has previously had the knock on effect of causing on-street parking in the wider residential areas, also within the site which is often on double yellow lines and has created problems for safe circulation and blue light access around the site. The planning statement also confirms that there has been an increased capacity of health care facilities and hospital visits at the site that have added pressure to the existing car parking provision. It is therefore considered that the proposal would provide support for health care facilities for the benefit of the local community and as such the proposal would support the policy considerations for improvements to health care facilities and would therefore comply with UDP Policy CF1/1 and PfE JP-P6.

### **Layout and Design**

UDP Policy EN1/2 seek to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area. PfE Policy JP-P1 aims to promote a series of beautiful, healthy and varied places.

The proposal would be located between 2no. existing car parking areas. The site sections confirm that the proposed car park would be at a lower level than the existing northern car park that is currently located to the rear of properties on Rochdale Old Road. The proposal seeks to introduce a soft landscaping buffer between the proposed temporary car park and the existing northern car park, along an existing banking that would break up the extent of hard standing between the two locations. The car park would be finished in MOT crushed stone/hardcore. The existing trees between the proposed car park, and the existing southern car park are indicated to be retained as existing.

3no. lighting columns are also proposed throughout the car park that would reach a height of 8 metres. The existing 5 metres lighting columns within the existing car park would be retained, with light fitting heads replaced.

Given the context of the site, within an established hospital facility and the location of the car park between 2 existing hardstanding, car park areas it is considered that the extension of the car park in this location would not adversely impact on the visual amenity of the location and as such would comply with PfE Policy JP-P1 and UDP Policy EN1/2.

## **Amenity**

UDP Policy EN1/2 seeks to ensure that proposals for development are considered in relation to their relationship to the surrounding area, and the use of lighting. This is further supported by UDP Policy EN7/2 that restricts development that would lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users. UDP Policy Ha/2 confirms that where existing non-compatible uses operate within a residential area the Council will seek to ensure that any existing conflicts are resolved where possible and where opportunities arise.

SPED 11 states that communal car parking should not normally be provided within 5 metres of a habitable room window of any dwelling. Whilst this relates to car parks associated with residential developments this distance is deemed necessary to protect the amenity of occupiers through engine noise and exhaust fume pollution and as such would be a reasonable guide in this case.

The red edge of the proposed car park would be located a minimum of approximately 15 metres from the rear boundary fences of the properties on Rochdale Old Road, and a minimum of approximately 39 metres from the rear habitable room windows. Areas of landscaping would further increase the distance between the proposed parking bays, and the rear boundaries and windows.

The red edge of the proposed car park would be located a minimum of approximately 6 metres from the side boundary of the properties on Bamford Close and 15 metres from the side elevations of these properties.

Existing background noise levels in and around the site are typically as a result of road vehicle movements on Rochdale Old Road, sound from the operation of equipment at the hospital itself, and some sound from low speed road vehicle movements within the existing car park. Any cars manoeuvring within the site would be driving at low speeds. It should also be noted that the proposed car park would be located further away from the dwellings on Rochdale Old Road than the existing car park and would also be located at a lower level than these properties.

Given the distances and relationships of the existing residential properties set out above, and the existing ambient noise in and around the existing hospital site it is considered that the proposal would not have a significant impact in relation to noise in order to warrant refusal of the scheme.

Lighting onto the proposed temporary car park would be required for safety of the car park users.

A luminary report has been submitted showing the impact of the lighting from the 3no. proposed lighting columns. The supporting plans show the orientation of the proposed lighting, which would face towards the car parking areas. The orientation of existing lighting is also shown on these plans.

The report shows the impact of the existing lighting within the existing car parks, as well as the proposed lighting. The evaluation of the luminary report indicates that the total illuminance would be highest within the existing and proposed car parking areas, reducing towards the boundaries of these locations with the residential properties. Given the location of the proposed lighting columns, and the impact of the existing lighting within the existing car parks it is considered that the proposal would not significantly increase light pollution above what already exists from within the site.

## **Access and Parking**

PfE Policies JP-Cc and JP-Cc require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport. In terms of parking standards Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 provides parking standards for developments.

Highways have raised no objections to the proposal in principle, as the aim of the proposal is to help to alleviate parking problems on the local highway network. The temporary car park would be provided for staff in order to cater for existing demand and free up space limited visitor parking. Current pressures result in staff using visitor spaces due to being unable to find spaces within the existing permitted staff car parks. There is an existing Traffic Regulation Orders in place on and off the site to try to address this problem.

The layout of the proposed car park is unconventional but the proposal is temporary in nature and as such no objections are raised.

### **Biodiversity Net Gain**

PfE Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by UDP Policy EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. UDP Policy EN8/2 supports and encourages new woodland and tree planting within the borough. PfE Policy JP-G7 further reinforces this policy seeking to significantly increase tree cover and requiring replacement of trees on the basis of two trees for each tree lost.

While every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, commencement and transitional arrangements, as well as exemptions, mean that certain permissions are not subject to biodiversity net gain.

Biodiversity net gain does not apply to retrospective applications made under section 73A of the town and country planning act as a pre-commencement condition cannot be applied to an application that has already commenced. The Planning practice guidance on biodiversity net gain also confirms that it would be inappropriate for decision makers to continue to give weight to aspects of existing local policies related to biodiversity gains which are inconsistent with the statutory framework for biodiversity net gain.

A tree survey was submitted with the prior approval application for the demolition of the nurses accommodation. Tree works were identified, including the removal of 1 dead tree and the removal of small trees up to 8cm dbh (diameter at breast height). A condition was attached to the prior approval to ensure the trees to be retained on site were protected in accordance with British Standards. Further trees have been removed from the boundary of the site that were not indicated within the previous tree works. It should be noted however that the trees on site were not protected by a TPO and as such no permission was required to remove these trees. It appears approximately 14 trees have been removed.

The applicant has submitted a site layout that shows 24no. trees to be planted largely to the north of the proposed car park. Whilst this would not provide a two for one replacement it would improve the treescape within the site, and as such is in compliance with Policy JP-G7. A condition, that requires a full landscaping scheme including native tree planting can be attached to any permission.

### **Carbon, Energy and Air Quality**

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions. PfE

Policy JP-S5 supports improvement in air quality.

The proposal does not seek to add additional capacity at the site in terms of visiting cars and additional journeys but seeks to alleviate an existing parking problem in and around the hospital site. The submitted Transport Statement confirms this and summarises that "it is anticipated that in reality the number of new trips would be small; the overwhelming majority of movements at the temporary car park are already taking place to the Fairfield General site; as demonstrated by the volumes of vehicles entering the surveyed car park and being unable to find a space." The peak hours identified for use of the car park are between 0800 - 0900 and 1600-1700. The vehicles located within the car park would not be active for extended periods of time.

With regard to the installation of EV charging. PfE seeks to support the installation of EV charging points taking account of the potential maximum energy demand for the site. The applicant has confirmed that the hospital is currently nearing their upper limits of capacity for the site to operate safely and as such EV charging points within this temporary car park are not considered to be feasible or viable at this time.

### **Response to representations**

It is considered that the material planning considerations have been addressed within the main body of the report.

A condition has been attached to ensure the use of the car park for 5 years. Should the applicant wish to extend this car park, to create additional levels then a new planning application would be required and would be duly assessed.

Prior approval was granted for the demolition of the nurses accommodation, which included a wider tree survey of the site referenced above.

Trees removed were not protected by means of a TPO and as such permission was not required to remove these trees. An indicative landscaping scheme has been submitted with the application that shows the provision of 24no. trees. Details of the full planting scheme can be provided via condition.

### **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/ Reasons**

1. Permission is hereby granted for a limited period only, namely for a period expiring 5 years from the date of this decision notice, and the works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued at the end of the said period and the land reinstated to its former condition unless a valid application is received by the Local Planning Authority for its retention.



Reason. In view of the temporary nature of the development and in order to retain control over its continued use having regard to the particular nature of the site and surroundings pursuant to The National Planning Policy Framework.

2. This decision relates to drawings numbered B101, B102 Rev A, B103 Rev B, B104, 28670-1

Supporting Documents:

Transport Statement Dated 17th July 2024

Planning Statement Including Non-Designated Heritage Assets Statement and

Crime Impact Statement Dated 18th July

Luminaire data 11.07.2024

Planning Addendum Dated 4th September 2024

Lighting datasheet

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 Development Plan listed.

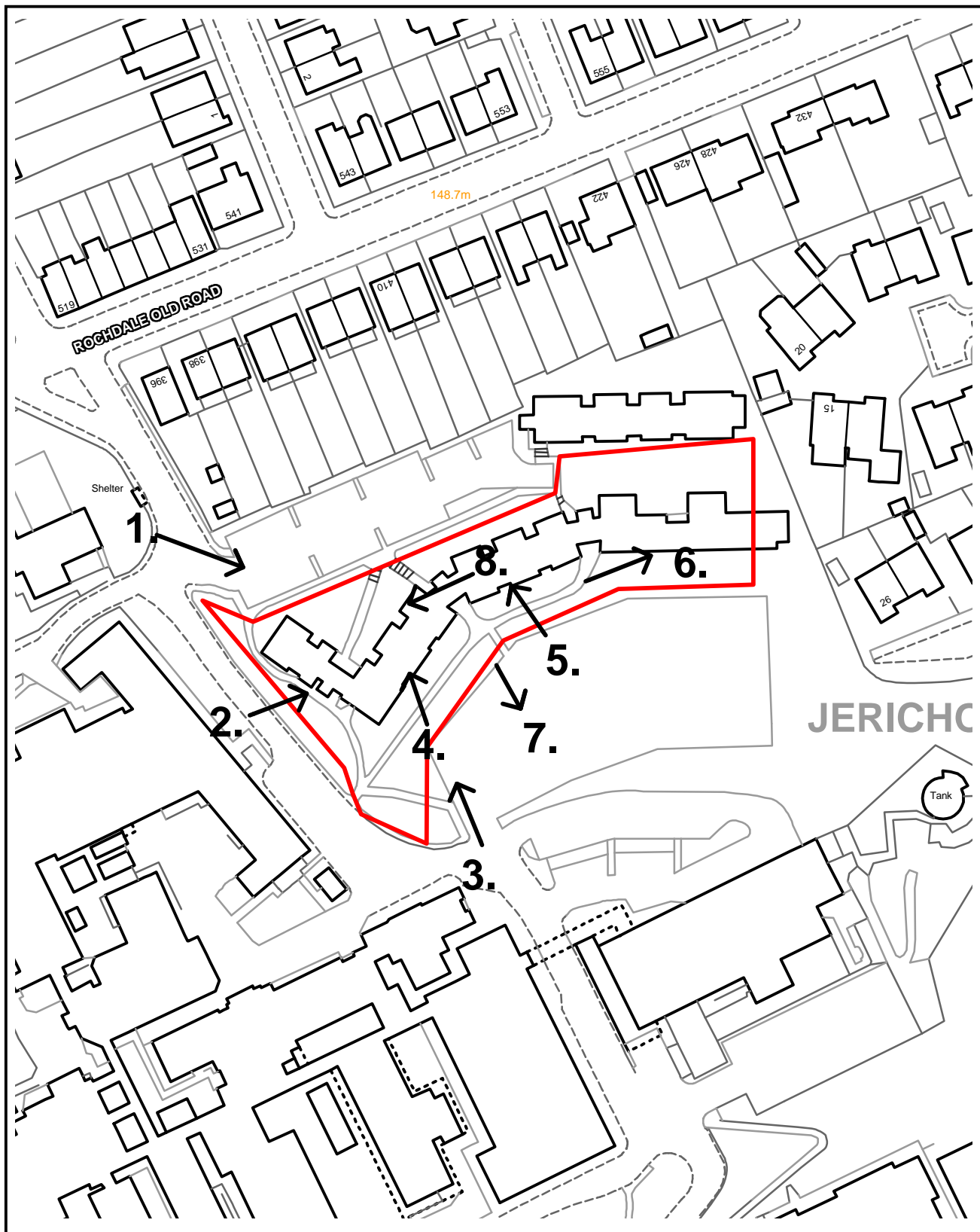
3. Notwithstanding the details shown on the approved plans, a landscaping scheme shall be submitted to, and approved by the Local Planning Authority within 3 months of the date of the decision. The contents of the plan should include 24no. native trees, shrub planting and the provision of bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date of the decision or within the first available tree planting season,; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design, EN8/2 - Woodland and Tree Planting and JP-G7 - Trees and Woodland of the adopted Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

For further information on the application please contact **Helen Pressley** on **0161 253 5277**



# 70979 - Viewpoints



ADDRESS: Fairfield General Hospital,  
Rochdale Old Road, Bury, BL9  
7TD

Planning, Environmental and Regulatory Services

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**Bury**  
Council

70979

Photo 1



Photo 2





70979

Photo 3



Photo 4



70979

Photo 5



Photo 6





70979

Photo 7

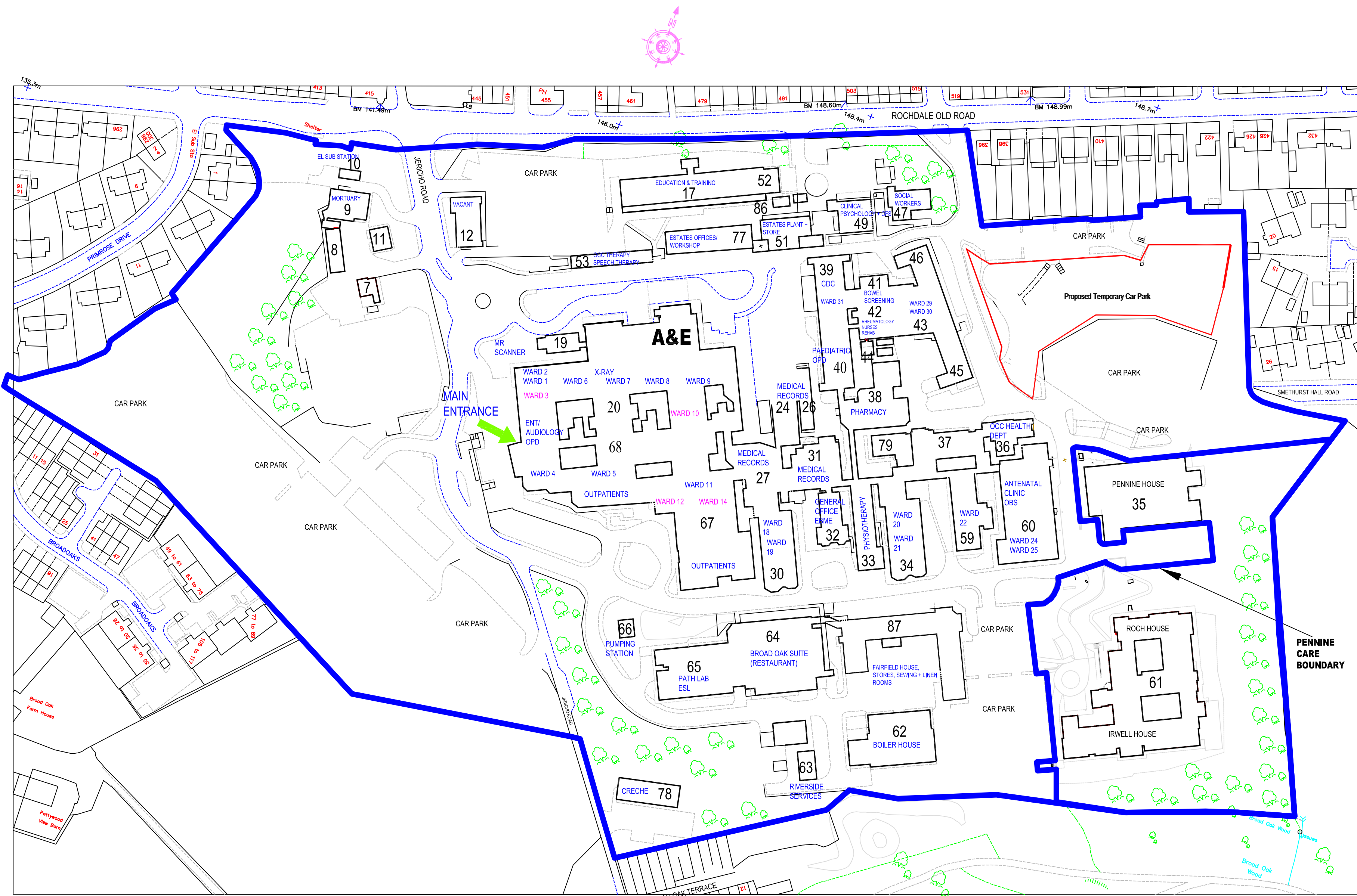


Photo 8





All dimensions to be checked on site.  
Do not Scale from the drawing.  
Any discrepancies to be reported to the Project  
Surveyor before the commencement of any  
works.



KEY  
Ground Floor  
First Floor  
Second Floor

BLOCK REFERENCES

- 7 BUNGALOW
- 8 GARAGE
- 9 MORTUARY
- 10 METERS
- 11 VACANT
- 12 VACANT
- 17 EDUCATION & TRAINING
- 19 MR SCANNER
- 20 A&E/X-RAY/THEATRES/WARDS
- 24 MEDICAL RECORDS
- 26 MEDICAL RECORDS
- 27 MEDICAL RECORDS
- 30 WARD 18 & 19
- 31 MEDICAL RECORDS
- 32 OFFICES/DRS ON CALL/IT
- 33 PHYSIOTHERAPY
- 34 WARD 20 & 21
- 35 PENNINE HOUSE ESMI PENNINE CARE
- 36 OCCUPATIONAL HEALTH & MIDWIVES
- 37 GYNÆ OPD
- 38 PHARMACY
- 39 PAEDIATRIC OPD
- 40 PENNINE CARE
- 41 BOWEL SCREENING
- 42 REHAB & RHEUMATOLOGY NURSES
- 43 PHYSIOT
- 44 PHARMACY STORE
- 45 WARD 29 & 30
- 46 WARD 29 & 30
- 47 SOCIAL WORKERS
- 48 GENERATOR NO. 3
- 49 SOCIAL CLUB & CHILD PSYCHIATRY
- 51 ESTATES PLANT & STORE
- 52 EDUCATION & TRAINING
- 53 OCCUPATIONAL & SPEECH THERAPY
- 54 TO 57 RESIDENCES
- 59 VACANT
- 60 WARD 24 & 25 OBSTETRICS OPD
- 61 ROCH HOUSE
- 62 BOILER HOUSE
- 63 RIVERSIDE SERVICES
- 64 STAFF DINING ROOM
- 65 ESL PATH LAB
- 66 WATER PUMPING STATION
- 67 OPD/WARDS/GUM CLINIC
- 68 OPD/WARDS
- 69 PLANT ROOMS
- 77 ESTATES OFFICES/WORKSHOP
- 78 CRECHE
- 79 OBSTETRIC THEATRES
- 85 PORTACABIN
- 86 TRAINING ROOMS PORTACABIN 5
- 87 FAIRFIELD HOUSE

JULY 2017

002692

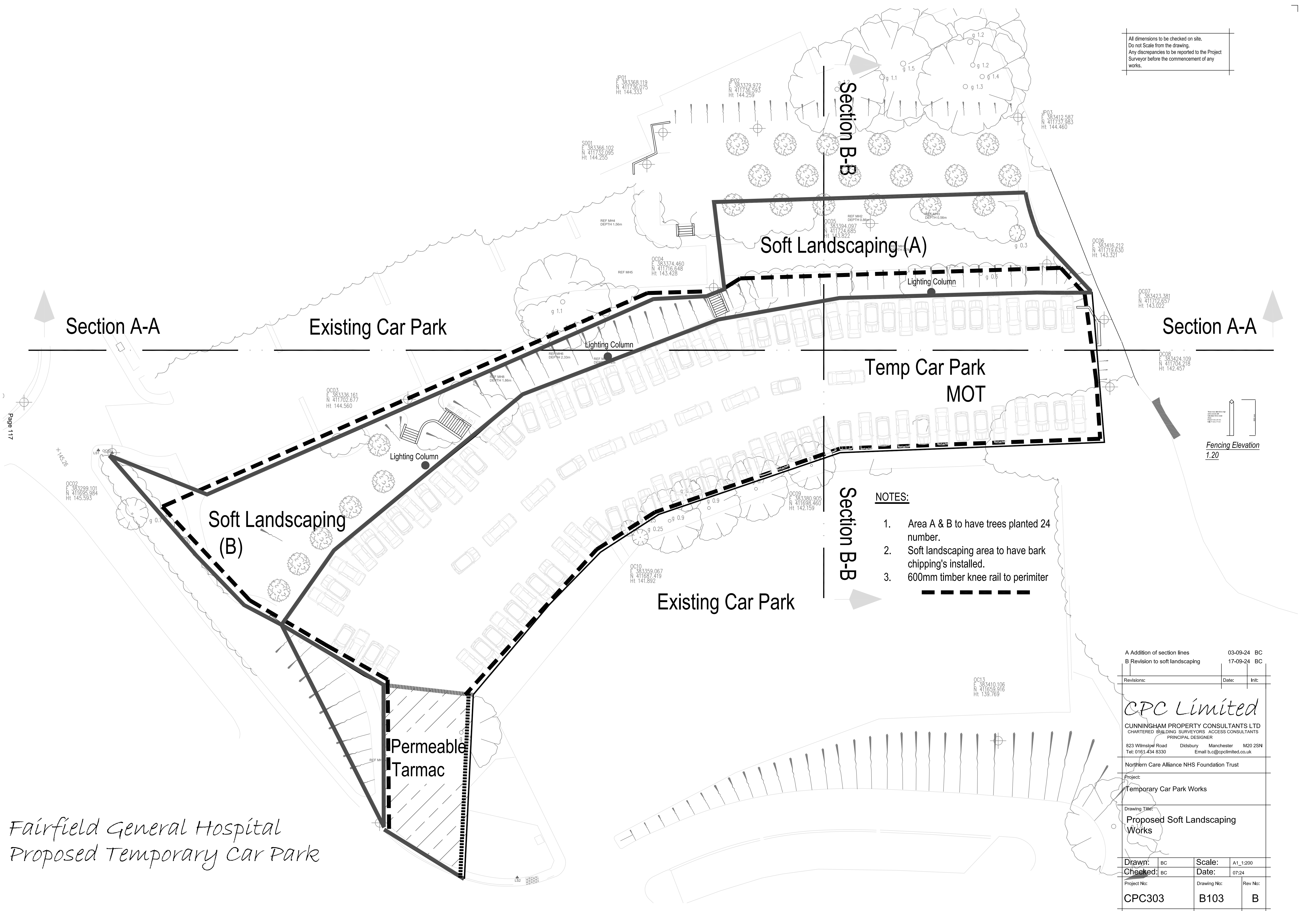
Fairfield General Hospital  
Proposed Temporary Car Park  
Location Plan

Revisions:	Date:	Init:
CPC Limited		
CUNNINGHAM PROPERTY CONSULTANTS LTD CHARTERED BUILDING SURVEYORS ACCESS CONSULTANTS PRINCIPAL DESIGNER		
823 Wilmslow Road Didsbury Manchester M20 2SN Tel: 0161 434 8330 Email: b.c@cpclimited.co.uk		
Northern Care Alliance NHS Foundation Trust		
Project: Temporary Car Park Works		
Drawing Title: Site Location Plan		
Drawn: BC	Scale: A1_1:1250	
Checked: BC	Date: 07:24	
Project No: CPC303	Drawing No: B101	Rev No:



Fairfield General Hospital  
Proposed Temporary Car Park





All dimensions to be checked on site.  
Do not Scale from the drawing.  
Any discrepancies to be reported to the Project  
Surveyor before the commencement of any  
works.

Fencing Elevation  
1.20

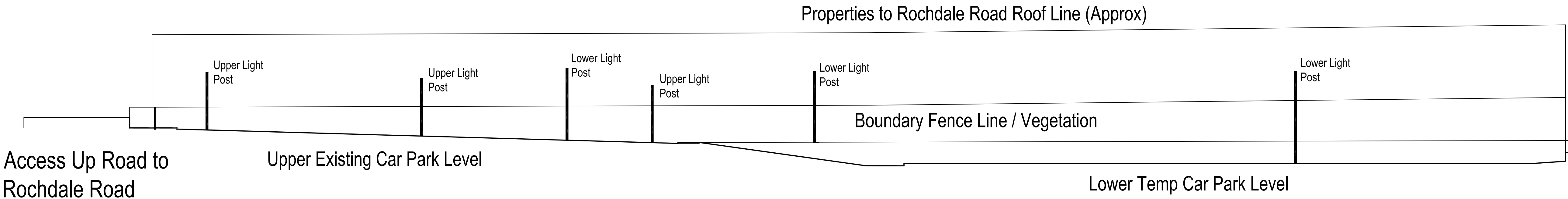
- NOTES:**
- 1. Area A & B to have trees planted 24 number.
  - 2. Soft landscaping area to have bark chipping's installed.
  - 3. 600mm timber knee rail to perimeter

Fairfield General Hospital  
Proposed Temporary Car Park

A Addition of section lines		03-09-24	BC
B Revision to soft landscaping		17-09-24	BC
Revisions:		Date:	Init:
CPC Limited			
CUNNINGHAM PROPERTY CONSULTANTS LTD			
CHARTERED BUILDING SURVEYORS ACCESS CONSULTANTS			
PRINCIPAL DESIGNER			
823 Wilmslow Road		Didsbury Manchester	M20 2SN
Tel: 0161 434 8330		Email b.c@cpclimited.co.uk	
Northern Care Alliance NHS Foundation Trust			
Project:			
Temporary Car Park Works			
Drawing Title:			
Proposed Soft Landscaping Works			
Drawn:	BC	Scale:	A1_1200
Checked:	BC	Date:	07-24
Project No:		Drawing No:	Rev No:
CPC303		B103	B



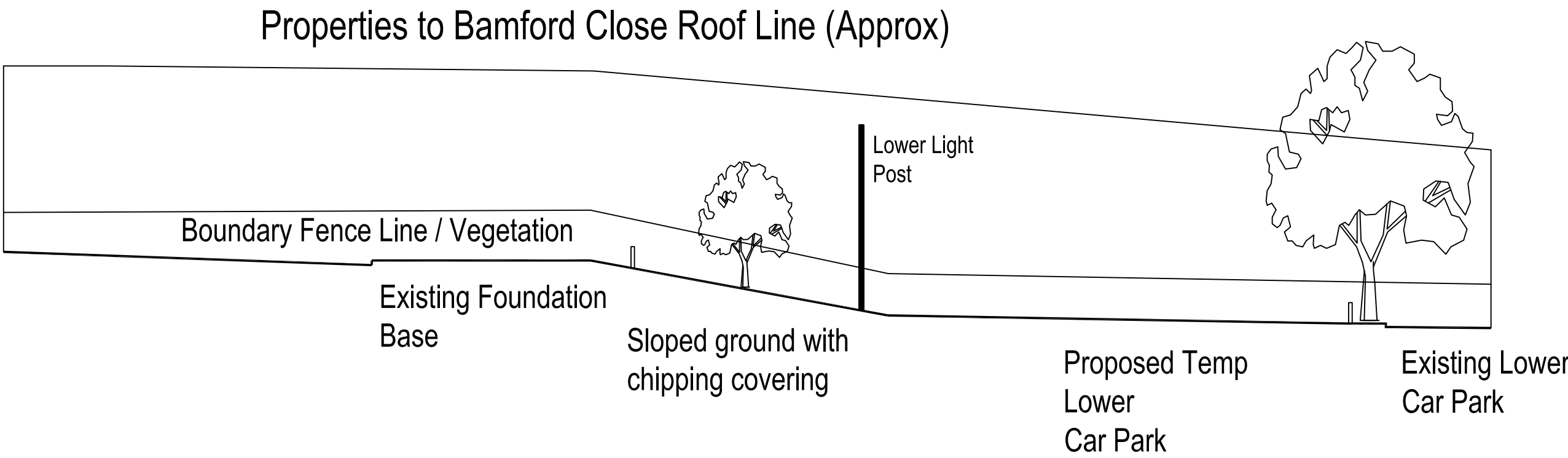
All dimensions to be checked on site.  
Do not Scale from the drawing.  
Any discrepancies to be reported to the Project  
Surveyor before the commencement of any  
works.



Section A-A

NOTES:

1. Light columns to existing car park to remain and light fitting heads replaced. 5 metre columns
2. Light columns to new temp car park to be 8 metre with 3 light fitting to each head.



Section B-B

Fairfield General Hospital  
Proposed Temporary Car Park

Revisions:		Date:	Init:
<i>CPC Limited</i> CUNNINGHAM PROPERTY CONSULTANTS LTD CHARTERED BUILDING SURVEYORS ACCESS CONSULTANTS PRINCIPAL DESIGNER 823 Wilmslow Road Didsbury Manchester M20 2SN Tel: 0161 434 8330 Email: b.c@cpclimited.co.uk			
Northern Care Alliance NHS Foundation Trust			
Project: Temporary Car Park Works			
Drawing Title: Section Details			
Drawn:	BC	Scale:	A1_1:200
Checked:	BC	Date:	09:24
Project No:	CPC303	Drawing No:	B104
		Rev No:	

**Ward:** North Manor

**Item** 5

**Applicant:** Mr Nicholas Mordin

**Location:** Brookhouse Farm, 218 Holcombe Road, Tottington, Bury, BL8 4BQ

**Proposal:** Demolition of existing garages/stables and erection of 1 no. dwelling (renewal of extant planning permission 66444)

**Application Ref:** 70666/Full

**Target Date:** 20/09/2024

**Recommendation:** Approve with Conditions

### **Description**

The application site is located to the south of Holcombe Road and forms part of a larger complex of buildings, which are known as Brookhouse Farm. There is a farmhouse, cottage and barn, which is located along the frontage with Holcombe Road and a detached stables building, which is perpendicular to the road. The application site contains a terrace of garages and is located to the northeast of the main farmhouse building.

The farmhouse, cottage and barn are constructed from stone with a stone flag roof and date from the 17th century, possibly earlier. Brookhouse Farm forms part of the draft local list and the attached barn is a Grade II listed building.

Access to the farmhouse and cottage is located off Holcombe Road to the north east of the builds with the barn and stables accessed separately to the south of Holcombe Road.

There are open fields to the north-east, east and south of the site. There are residential properties to the north and west on Holcombe Road. The site falls and the open land to the south and east falls within the Green Belt, Landscape character Area, River Valley and a Wildlife Corridor.

Planning consent was allowed on appeal in April 2022 (66444) along with a partial award of costs to the applicant for the demolition of the terrace of garages, a single pitched roof stone garage and garden store and the erection of a split level detached dwelling with a two storey outrigger and single garage at the front.

The proposed development is identical to the previously approved scheme and seeks the demolition of these buildings and the erection of a detached dwelling.

In summary, the proposal comprises the following:

- A split level single detached dwelling with two storey outrigger and single garage to the front. To be finished in natural stone with stone slates and powder coated aluminium windows and incorporating stone quoin, sill, lintel and mullion detailing;
- Re-positioned front boundary wall with an improved access to the proposed dwelling and a new access to the existing dwelling in the same general area as the existing access from Holcombe Road;
- Patio area to rear (south) in natural stone flags including stairways from the driveway down to the lower garden.

The submission states that the proposal would represent a 35% decrease in the total footprint of buildings at the site compared to the existing outbuildings to be removed and a

33% increase in the total volume. However, it is also stated that the above ground volume would be 5% less than the combined outbuildings to be demolished.

### **Relevant Planning History**

59881 - Demolition of existing garages and erection of 1 no. dwelling at Brookhouse Farm, 218 Holcombe Road, Tottington. Refused - 7 July 2017.

66444 - Demolition of existing garages/stables and erection of 1 no. dwelling at Brookhouse Farm, 218 Holcombe Road, Tottington. Refused at Planning Committee contrary to Officer recommendation - 11 November 2021. Allowed on appeal - 12 April 2022.

70116 - Lawful Development Certificate for proposed single storey rear extension at 218 Holcombe Road, Tottington. Lawful development - 21 November 2023.

### **Publicity**

The neighbouring properties were notified by means of a letter on 30 July 2024 and a press notice was published in the Bury Times on 1 August 2024. Site notices were posted on 1st August 2024.

3 letters have been received, which have raised the following issues:

- There are no documents viewable with this application. When will they be available?
- I am also confused, as this proposal has been rejected twice previously, one of those times being only 3 years ago.
- If the proposal is an exact copy of the previous, what would have changed peoples opinion in 3 years?
- Greenmount is a GREEN area, if the plans are still to compromise this then I do not see this as an exceptional circumstance to do so.
- Everybody's concerns will still remain.
- All of my previous objections to 66444 remain valid.
- The deceptive inclusion of the stable block, in conjunction with the garage block, is a bare faced ruse to expand the regulatory permitted footprint area of the proposed dwelling. The stable block is situated sixty meters to the south of the garage block, on the opposing side of Brookhouse farm. It is completely devoid of any physical connection to this, presumably, resurrected 66444 project.
- The close proximity of the bus shelter to the proposed house entrance is a serious concern as this section of Holcombe Road is a notorious accident blackspot. The narrow one meter wide footpath, opposite to the bus shelter, means that pedestrians have to rub shoulders with articulated trucks when a bus is picking up or alighting passengers. A minimum two metre wide footpath is legally required in conjunction with the passage of h.g.v. traffic in a residential zone Any potential increase in 'across traffic' vehicle manoeuvres at this obscured location should be avoided in the interest of road safety. The ever increasing volume of traffic (particularly h.g.v.'s.) plying this inadequate Brookhouse route will inevitably end in tragedy.
- This extensive contemporary house proposal will necessitate the destruction of historic wild life habitat at this river valley location, & will ultimately dominate the visual aspect of the immediately adjacent Grade 2 listed Brookhouse farm. A notable 'Blue Plaque' structure with origins dating back to the 16th century that have deep rooted historic connotations for our North American cousins. In particular, residents of the city of Woodbury, New Jersey, U.S.A., whose 17th century origins stem directly from this farmhouse, via the auspices of local Quaker, Henry Wood.
- The underground Utility network in this locality is already overloaded & creaking at the seams. Hardly a month has passed by over the last two decades without some element of roadworks disruption occurring on Holcombe road. Continually connecting more &



more new properties to outdated, fundamentally flawed under road Utility infrastructure, that is relentlessly pummeled by 'around the clock' h.g.v. traffic, is undeniably stupid.

The objectors have been notified of the Planning Control Committee meeting.

### **Statutory/Non-Statutory Consultations**

**Traffic Section** - No objection subject to conditions.

**Drainage Section** - No response received.

**Environmental Health - Contaminated Land** - No objections, subject to the inclusion of conditions relating to contaminated land.

**Environmental Health - Air Quality** - No objections, subject to the inclusion of a condition relating to electric vehicle charging.

**Waste Management** - No response received.

**Environment Agency** - No response received.

**United Utilities** - No objections, subject to the inclusion of conditions relating to surface water and foul drainage.

**GM Ecology Unit** - No objection

**Conservation Officer** - No objections - the proposal is identical to the extant consent.

**Minerals and Waste Planning Unit** - No response.

**Pre-start Conditions** - Applicant/Agent has agreed with pre-start conditions

### **Development Plan and Policies**

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
OL1/2	New Buildings in the Green Belt
OL5/2	Development in River Valleys
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD 9	Conversion and Re-use of Buildings in the Green Belt
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
JP-H3	Type, Size and Design of New Housing
JP-P1	Sustainable Places
JP-P2	Heritage
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-S5	Clean Air
JP-G7	Trees and Woodland
JP-C8	Transport Requirements of New Development
JP-C5	Streets For All
JP-C6	Walking and Cycling
NPPF	National Planning Policy Framework

### **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.

### **Principle (Green Belt)**

The site is designated as Green Belt under PfE Policy JP-G9.

The proposed development on the site would be subject to NPPF Paragraph 154 and UDP Policy OL1/2 regarding new buildings in the Green Belt.

Paragraph 154 of the NPPF is clear that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

UDP Policy OL1/2 states that the construction of new buildings in the Green Belt is inappropriate development, unless it is for one or more of the following purposes:

- agriculture and forestry;
- essential facilities for outdoor sport and outdoor recreation, for cemeteries and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it;
- 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 dwellings, the new dwelling is not materially larger than the one it replaces;
- Limited infilling in existing villages as set out under UDP Policy OL1/3.

UDP Policy OL5/2 - Development in River Valleys - New buildings or the change of use of land will not be permitted. The only exceptions considered acceptable will be those where the development would not lead to the division of the open parts of the valley into sections and would fall within the same terms where the area is designated as Green Belt, which in

this case it is.

SPD8 - New Buildings and Associated Development in the Green Belt offers more detailed advice in terms of acceptability including scale and form, siting and visual design and materials.

The proposed development would involve the demolition of the existing terrace of 5 garages, two stables and a shed and the erection of a split level dwelling and single garage. Whilst the proposed dwelling would not be for any of the forms of development listed in Policy OL1/2, this policy is not in full accordance with the Framework, as amongst other things, it does not include the provisions outlined above in paragraph 149 g).

The application area forms part of a developed site and as such the proposed development would involve the redevelopment of previously-developed land under exception g) of para 154 of the NPPF.

However to accord with this exception, the proposal should not have a greater impact on the openness of the Green Belt.

The site consists a complex of buildings associated originally with a farm. These include a large stone building which comprises a barn, farmhouse and cottage, together with a number of outbuildings located across the site. It is proposed to demolish the 5 outbuildings that comprise the garages, stable blocks and a shed/woodstore and replace them with split-level dwelling with a detached garage to the front. This would be located in a similar position to the existing garages.

The proposed development would result in a decrease in the footprint of buildings on the site of circa 35% whilst the volume would increase by circa 35%, the above ground volume would decrease by approximately 5%.

The width of the proposed dwelling would be comparable to that of the garage block and located in a similar position on the site. Like the garages, the proposed dwelling would appear as a single storey building at the front and with the screening provided by the hedge along the front boundary, the new building would not be readily discernible.

The rear of the dwelling would include a basement level and due to the topography and vegetation, there would be minimal visibility of this part of the site from the footpaths to north-east and east of the site, even in winter. In addition, the removal of the stable blocks to the rear of the barn, at the south-western end of the site, would mean that the proposal would help to concentrate the built development on the site.

In the same scheme which was allowed on appeal, the Inspector stated that both visually and spatially, the proposal would not have a greater impact on the openness of the Green Belt and concluded that - *'The proposed development would not be inappropriate development in the Green Belt and so there is no need to demonstrate very special circumstances. Moreover, it would have a beneficial impact on nearby heritage assets and the natural environment.'*

It is therefore concluded that given the Inspector's judgement and that the current submission would be no different to the scheme previously allowed on appeal, the same conclusion could be reached, that the proposed development would not have a harmful impact on the spatial or visual openness of the Green Belt and would therefore be appropriate development and comply with the principles of para 154 of the NPPF.

### **Principle - Residential**

The National Planning Policy Framework (NPPF) should be treated as a material planning



consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. The Framework states that unless they have an adopted plan that is less than five years old that identified a five year supply of specific deliverable sites at the time of conclusion of the examination, then local planning authorities should identify and update annually a supply of specific developable sites to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing in certain circumstances set out in NPPF paragraph 226.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future.

This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). In addition to the housing land supply in the SHLAA, the joint Places for Everyone Plan was adopted with effect from 21 March 2024 and allocates significant strategic sites for housing within Bury.

The adopted joint Places for Everyone Plan Policy JP-H1 sets a requirement for an average of 452 homes per year over the plan period, with stepped targets starting from a minimum housing target of 246 homes per year from 2022-2025 (increasing in future years of the plan). Following the adoption of PfE the Council is able to demonstrate a 5 year supply with a 20% buffer.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

Therefore, paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

Due to the housing delivery test result, the 'tilted balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

However, the application site is located within the Green Belt and the tilted balance does not apply.

UDP Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

The site is located in a suburban area and there is residential development to the north,

west and along both side of Holcombe Road in each direction. As such, the proposed development would not conflict with the surrounding land uses. Appropriate infrastructure would be available. The site contains buildings and would be defined as previously developed land. As such, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

### **Heritage**

Brookhouse Farm form part of the draft local list and the attached barn is a Grade II listed building. As such, the buildings are heritage assets as defined in the NPPF.

The NPPF states that heritage assets are an irreplaceable resource and they should be conserved in a manner appropriate to their significance.

Paragraph 200 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 209 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The proposed development would be located to the north east of the farmhouse. The Grade II listed barn is located to the southwest of the existing farmhouse and as such, the proposed development would be screened by the existing farmhouse and would not impact significantly upon the setting of the Grade II listed barn.

The existing farmhouse would be located adjacent to the proposed development and forms part of the draft local list. The existing garages are constructed from red brick, which conflicts with the stone built farmhouse and barn and the design is not in keeping with the adjacent farmhouse. As such, it is considered that the existing garages contribute little to the setting of the farmhouse.

The proposed dwelling would be located to the north east of the site, set back from the main road and would be constructed from natural stone with a natural stone roof, which would be sympathetic to the existing buildings. The design would incorporate some detailing from the existing dwelling, including mullioned windows and stone copings and considered appropriate to the setting.

The proposed driveway would be surfaced with reclaimed stone setts and paving slabs and a stone wall would be constructed between the existing and proposed dwellings. As such, it is considered that the proposed development would enhance the character and setting of the locally listed building and preserve the setting of the Grade II listed building. Therefore, the proposed development would be in accordance with Policies EN1/1, EN1/2, EN2 and EN2/3 of the Bury Unitary Development Plan and the NPPF.

The listed barn and the Non-Designated Heritage Asset status of Brookhouse Farm (NDHA) would have only limited views from wider distances, which are not considered to be within the heritage assets' setting. Along Holcombe Road, the setting would be restricted to much

shorter views and from residential properties to the north and the heritage assets would not be visible from longer distances to the south and west.

It is therefore considered the proposal would not have an impact on the setting of the NDHA or listed building to the degree that it would alter the way in which the significance of the NDHA and listed building is experienced and appreciated. As such the proposal would not affect the setting of the listed building or NDHA and would comply with the principles of the NPPF.

### **Grade II Listed Barn**

The applicant has made a commitment to the carrying out of a Schedule of Works to the listed building and to improve the condition and ensure its longevity for the future.

The Schedule of Works include re-pointing, repair to damaged timber, repairs to walls and stone lintels and repair or replacement of damaged roof tiles.

The Conservation Officer has assessed the proposed works which are confirmed as acceptable and reasonable to be required by the applicant. The proposal is identical to that of the extant consent and there have been no changes to national or local heritage planning policy, therefore there is no objection. The proposed works would fall within the remit of Historic England's advice of what constitutes maintenance and would not impact on the special interest of the barn and as such would not require a Listed Building Consent.

The works to the Listed Barn are both welcomed and supported as is the applicant's commitment to the carrying out of the works prior to the commencement of the proposed development and this would be recommended as a condition.

### **Layout**

Density - PfE Policy JP-H4 states that new housing development should be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. Regard should be had to the minimum densities, which would be 35 dwellings per hectare in this case. Lower densities may be acceptable where they can clearly be justified by:

- Local housing market issues, such as a demonstrable need for a particular type of housing that cannot be delivered at a higher density; or
- Site specific issues, such as the design context and any potential impact on the wider landscape or townscape including heritage assets and green infrastructure.

The proposed development would have a density of 6 dwellings per hectare, which would be below the minimum density of 35 dwellings per hectare. It is noted that not all of the site is developable for housing. The layout of the site is constrained by the Green Belt, the location of the existing buildings, which includes a Grade II listed building and the bank of trees surrounding the site, which need to be retained and the levels differences. Given the specific constraints, which include constraints on the volume of the development which it would replace and the need to accommodate these constraints, a density of 6 dwellings per hectare is considered acceptable. As such, the proposed development would be in accordance with PfE Policy JP-H4 of the Places for Everyone Joint Development Plan.

UDP Policies H2/1 and H2/2 provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finishing materials for new residential developments. PfE Policy JP-H3 - Seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence.

The proposed dwelling would be sited in the north easterly part of the site and in the general



area of the existing garages proposed for removal. The dwelling would be set back from Holcombe Road slightly behind the front building line of the existing farmhouse.

There would be a new 6.9m wide shared access from Holcombe Road, splitting into separate driveways to provide a new driveway for parking and turning within the site for the new dwelling and existing house and acceptable levels of visibility on entry and exit of the site.

The level of private amenity space would be commensurate and acceptable for a dwelling of this size which would be formed at the rear of the dwelling by a patio and lower garden area which would be accessed by steps.

There would be space to the side or rear of the proposed dwelling for bin storage. A new post and rail fence along the north east and rear boundaries is considered to be appropriate within the Green Belt setting and new shrubs and planting would be incorporated to add to the existing vegetation and hedgerows.

Additional planting would be incorporated to the boundary with Holcombe Road which would soften and partly screen the development from public views outside the site.

It is considered that the proposed arrangement of the dwelling within the site would utilise space available to provide all associated facilities of access, parking, bin storage and garden and would be sensitively sited to minimise and have respect to the openness of the Green Belt.

Therefore, the proposed development would be in accordance with Policies EN1/2, H2/1, H2/2 and OL1/2 of the Bury Unitary Development Plan

PfE Policy JP-H3 - Space Standards - states that all new dwellings must:

- comply with the nationally prescribed space standards; and
- be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

The applicant has provided a report which confirms that the proposed dwelling would comply with the nationally prescribed space standards for a 4 bedroom, 7 person dwelling. The report also confirms that the development would be carried out in accordance with Part M4(2), which would be secured by a condition. Therefore, the proposed development would comply with the national prescribed space standards and would be in accordance with Policy JP-H3 of the Places for Everyone Joint Development Plan.

### **Design and appearance**

The proposed development would offer a split level solution, viewed as a single storey dwelling from the front and 2 storey at the rear where the land is at a lower level.

The ridge and eaves heights of the proposed dwelling would be lower than the existing property and roof constructed with stone slab roofing tiles similar to the adjacent farmhouse. Elevations would comprise coursed stone and feature stone lintels, mullions, sills and stone quoins, reflecting that of the farmhouse.

Window openings on the front and north east elevations would be minimal, the larger principal windows being located on the rear elevation which would be open to lesser public views.

It is therefore considered that a sensitive approach to the design and appearance of the proposed dwelling has been taken, which would be in keeping with the character of the site and adjacent property and would acknowledge of the special character of the Green Belt

location.

The proposed development would therefore comply with H2/1 and SPD8.

### **Impact on residential amenity**

SPD6 provides guidance on aspect standards and as such, is a useful guide in this instance. The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows and 13 metres between a habitable room window and a two storey blank wall.

There would be 11.3 metres from the proposed dwelling to the boundary with the existing dwelling, which would be acceptable. There would be a minimum of 28 metres from the proposed dwelling to the dwellings on Holcombe Road, which would be in excess of the 20 metre aspect standard.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties.

### **Highway issues**

Access - The proposed development would be accessed through the existing opening which would be widened and improved and separate driveways would be provided for the proposed dwelling and existing dwelling. Turning facilities would be provided within the site for both dwellings (existing and proposed), which would be welcomed.

The Traffic Section has no objections in principle to the proposed development but required some amendments, which would be secured through conditions. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies H2/1 and H2/2 of the Bury Unitary Development Plan.

Parking - SPD11 states that the maximum parking standards for dwellings are 3 spaces per 4 bed dwelling. The proposed development would provide scope for 4 parking spaces on the driveway and a single garage. 2 parking spaces could comfortably be provided for the existing dwelling. As such, the proposed development would comply with the maximum parking standards and would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

EV charge points are to be installed within the proposed garage and this would be secured by condition.

### **Ecology**

#### Summary

The main ecological issue is likely to be biodiversity net gain. Other ecological issues are unchanged from the previous application.

#### Bats

Buildings and trees on site were reassessed by a suitable ecological consultancy. No evidence of bats was found and all buildings and trees assessed as having no bat roosting potential. GMEU have no reason to doubt the findings of the report, the photographs supporting the assessment. As individual bats can on occasion turn up in unexpected locations and the building is located in a valley known to support high numbers of bats, GMEU recommend an informative is applied to any permission to remind the applicant of their responsibilities under the 2019 Regulations.

#### Nesting Birds

Evidence of a historic nest was found in one building and the development will result in the

loss of trees and scrub also with bird nesting potential. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU recommend a condition to restrict the removal of vegetation.

#### Himalayan Balsam

Himalayan balsam was previously recorded. Species such as Himalayan balsam are included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. It is possible that it has now been controlled. However GMEU recommend a condition for a survey for invasive species to be carried out and if any invasive species are present a method statement detailing avoidance, control and eradication measures provided.

#### Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021). The development will result in the loss of trees, scrub and associated bird nesting habitat. GMEU previously accepted that mitigation and enhancement was possible on the site, however legislation now requires 10% BNG.

The proposal would meet the BNG requirement for a 10% uplift within the application site, with the uplift scrub area falling outside of the proposed garden but within the site.

GMEU would also note that the existing permission is still in place and the applicant would therefore within their rights to clear the site of the existing vegetation as part of the previous permission.

#### **Carbon and energy**

An energy statement was submitted as part of the application and states that the proposed development would be constructed in accordance with Part L of the Building Regulations, which deals with energy efficiency and the proposed site plan indicates that an air source heat pump would be installed to reduce the amount of carbon required. The measures identified would reduce the energy required and CO2 emissions. Therefore, the proposed development would be in accordance with Policy JP-S2 of the Places for Everyone Joint Development Plan.

#### **Digital connectivity**

PfE Policy JP-C2 supports the provision of affordable, high quality, digital infrastructure.

A statement confirms that the dwelling will have full fibre connectivity and this would be fully operational upon the occupation of the dwelling. Therefore, the proposed development would be in accordance with Policy JP-C2 of the Places for Everyone Joint Development Plan.

#### **Response to objectors**

- The plans and reports are available to view in the related documents section of the planning website.
- The application was refused in 2017 and November 2021. However, the applicant was successful at appeal and there is an extant planning consent for a single dwelling as a result.
- The proposed development is identical to the previous application, which was allowed on appeal (66444).
- The issues relating to the Green Belt, the demolition of the existing buildings, highway safety, ecology and the Grade II listed building have been addressed in the report



above.

- The proposed site plan includes proposals for access improvements and the widening of the footway abutting the site (condition 8) and which is considered to be commensurate with the scale and location of the development.
- There would be capacity within the existing network and United Utilities have no objections to the proposed development.

### **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/ 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 20-06-01, 20-06-05-A, 20-06-19-D, 20-06-27-B, 20-06-28-B, 20-06-29, 14-06-06 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.
3. No development above ground shall commence unless or until details of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, have been submitted to and approved by the Local Planning Authority. Only the approved materials shall be used for the construction of the development.  
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design and H2/1 - The Form of New Residential Development.
4. Prior to the commencement of development and where actual/potential contamination and/or ground gas/landfill gas risks have been identified in the submitted Contaminated land Preliminary Risk Assessment, a detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.  
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
6. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;  
The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.  
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
7. 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 15 - Conserving and enhancing the natural environment.
8. The development hereby approved shall not be first occupied unless and until the access improvements and bin storage arrangements indicated on approved plan reference 20-06-27 Revision B, incorporating the widening of the footway abutting the site, all necessary alterations to the existing footway crossing, demarcation of the limits of the adopted highway as a result of the highway works, relocated 450mm high boundary wall, relocated pedestrian gate pillars behind the visibility splay shown, inward opening gates set back from the adopted highway and new driveway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway, have been implemented in

full.

Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety, pursuant to policies EN1/2 - Townscape and Built Design and H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan and Policies JP-C5 - Streets for All, JP-C6 - Walking and Cycling and JP-C8 - Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

9. The visibility splays indicated on approved plan reference 20-06-27 Revision B shall be implemented before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m.  
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Bury Unitary Development Plan Policy H2/2 - The Layout of New Residential Development and Policies JP-C5 - Streets for All and JP-C6 - Walking and Cycling of the Places for Everyone Joint Development Plan.
10. The parking and turning facilities, including the garage space, indicated on approved plan reference 20-06-27 Revision B shall be provided before the development hereby approved is first occupied and shall thereafter be kept available at all times for those purposes.  
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and JP-C5 - Streets for All and JP-C6 - Walking and Cycling of the Places for Everyone Joint Development Plan.
11. The garage associated with the development hereby approved shall not be converted to additional living accommodation.  
Reason. To ensure adequate car parking provision is retained pursuant to Policy H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan and Supplementary Planning Documents 6 and 11.
12. Prior to occupation the applicant shall provide and install an electric vehicle (EV) charging point. EV chargepoints shall be chosen from the Electric Vehicle Homecharge Scheme approved chargepoint model list.  
Reason: To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable to safeguard public health and quality of life, in accordance with paragraph 35 and 124 of the NPPF.
13. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in approved drawing dwg no. 20-06-27 B. For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details. Furthermore, foul and surface water shall be drained on separate systems.  
Reason. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding, pursuant to Chapter 14 - Meeting the Challenge of Climate Change, flooding and coastal change of the NPPF.
14. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance.



Reason. In order to ensure that no harm is caused to a Protected Species pursuant to Policy EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan, Policy JP-G8 - A Net Enhancement of Biodiversity and Geodiversity of the Places for Everyone Joint Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

15. Prior to any vegetation clearance, earthworks or demolition a survey for invasive plant species, including Himalayan Balsam shall be undertaken and submitted to the local planning authority. If any invasive species are found to be present a method statement detailing avoidance, control and eradication measures should be submitted to, and approved in writing by, the local planning authority and implemented in accordance with the approved details.

Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

16. No development above ground level shall take place until full details of both hard and soft landscape works with an associated implementation plan, have been submitted to, and approved in writing by, the Local Planning Authority.
- The hard landscape details shall include proposed finished levels or contours; means of enclosure and hard surfacing materials.
  - The soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of native plants and trees, noting species, plant/tree sizes and proposed numbers/densities and the implementation programme.
  - The scheme shall also include the provision for bats, birds and invertebrates and a hedgehog home as set out in the "Inspection and Assessment in relation to Bats and Breeding Birds" document dated December 2020 (associated with planning permission 66444), as updated by letter 'Updated Site Visit to check the ecological status of the site remains the same as of 2020 Ecological report' Project No. PR-0149-24) from Tyrer Ecological Consultants Limited, dated 15/05/2024.

The approved scheme shall thereafter be implemented not later than 12 months from the date the development hereby permitted is first occupied or within the first available tree planting season, and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

17. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to E of Part 1 of Schedule 2 of the Order, at the existing or approved dwelling without the submission and approval of a relevant planning application.

Reason. The applicant justified the new dwelling on the basis of the removal of the existing buildings. As such, to appropriately control the size and scale of any buildings within the curtilage of the listed building and site within the Green Belt the condition would ensure that future inappropriate alterations and extensions do not occur to negate the Very Special Circumstances put forward pursuant to UDP

Policies H2/1 - The Form of New Residential Development, EN2/3 - Listed Buildings, OL1/2 - New Buildings in the Green Belt and para 149 c) of the NPPF.

18. The finished floor levels shall be as indicated on approved plan 20-06-27 B.  
Reason: To secure the satisfactory development of the site and the assimilation of the new building into the locality pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan and Section 13 of the National Planning Policy Framework.
19. No development shall take place until the buildings indicated in pink on submitted plan Drg. No. 20-06-05-A have been demolished and all arising materials have been removed from the site (or the arising materials re-used or retained in a position on site to be agreed by the local planning authority and thereafter so retained).  
Reason. To maintain the openness of the Green Belt and in the interests of visual amenity to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design and Section 13 of the National Planning Policy Framework.
20. Prior to the first occupation of the development hereby approved, the Proposed Works Schedule ref WS1 dated 14/09/2021 for the carrying out of the works to the Listed Barn Building shall be carried out and completed by a suitably experienced and qualified person and following completion, evidence provided to the LPA that the works have been carried out and completed in accordance with the approved Works Schedule.  
Reason. In order to preserve and protect the integrity and historic interest and special architectural qualities of the Grade II Listed Building pursuant to UDP Policy EN2/3 - Listed Buildings and the principles of the NPPF.
21. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.  
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
22. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
  1. Photographic dilapidation survey of the footways and carriageways abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of any statutory undertakers connections to the new dwelling;
  2. Access point(s) for demolition/construction traffic from the adopted highway;
  3. Proposed site hoardings (if proposed) clear of the visibility splays indicated on approved site plan reference 20-06-27 Revision B;
  4. Hours of operation and number of vehicle movements;
  5. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
  6. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to

- accommodate this;
7. Parking on site (or on land under the applicant's control) of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials, including any requisite phasing of the development to accommodate this;
  8. Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period.

The areas identified shall not be used for any purposes other than the parking of vehicles and storage of demolition/construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented prior to the development hereby approved being occupied.

Reason. Information not submitted at application stage. To maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the adjacent adopted highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and ensure that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety, pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan and PfE Policies JP-C5 - Streets for All, JP-C6 - Walking and Cycling and JP-C8 - Transport Requirements of New Development.

23. The Biodiversity Gain Plan shall include:
  - information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
  - the pre-development biodiversity value of the onsite habitat;
  - the post-development biodiversity value of the onsite habitat, including an amended Biodiversity Net Gain Metric Calculation that ensure that the loss of xxxx units of medium distinctiveness scrub units should be replaced with the same broad
  - habitat or with a more higher distinctive habitat.;
  - any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
  - any biodiversity credits purchased for the development; and
  - any such other matters as the Secretary of State may by regulations specify.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy JP-G8 - A Net Enhancement of Biodiversity and Geodiversity of the Places for People Joint Development Plan Document.
24. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
  1. a non-technical summary;
  2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;

3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

4. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

5. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy JP-G8 - A Net Enhancement of Biodiversity and Geodiversity of the Places for People Joint Development Plan Document.

25. The development hereby approved shall not be occupied unless and until:

1. the habitat creation and enhancement works set out in the approved HMMP have been completed; and
2. a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy JP-G8 - A Net Enhancement of Biodiversity and Geodiversity of the Places for People Joint Development Plan Document.

26. Monitoring reports shall be submitted to the local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy JP-G8 - A Net Enhancement of Biodiversity and Geodiversity of the Places for People Joint Development Plan Document.

27. The dwelling hereby approved shall be built in accordance with the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations.

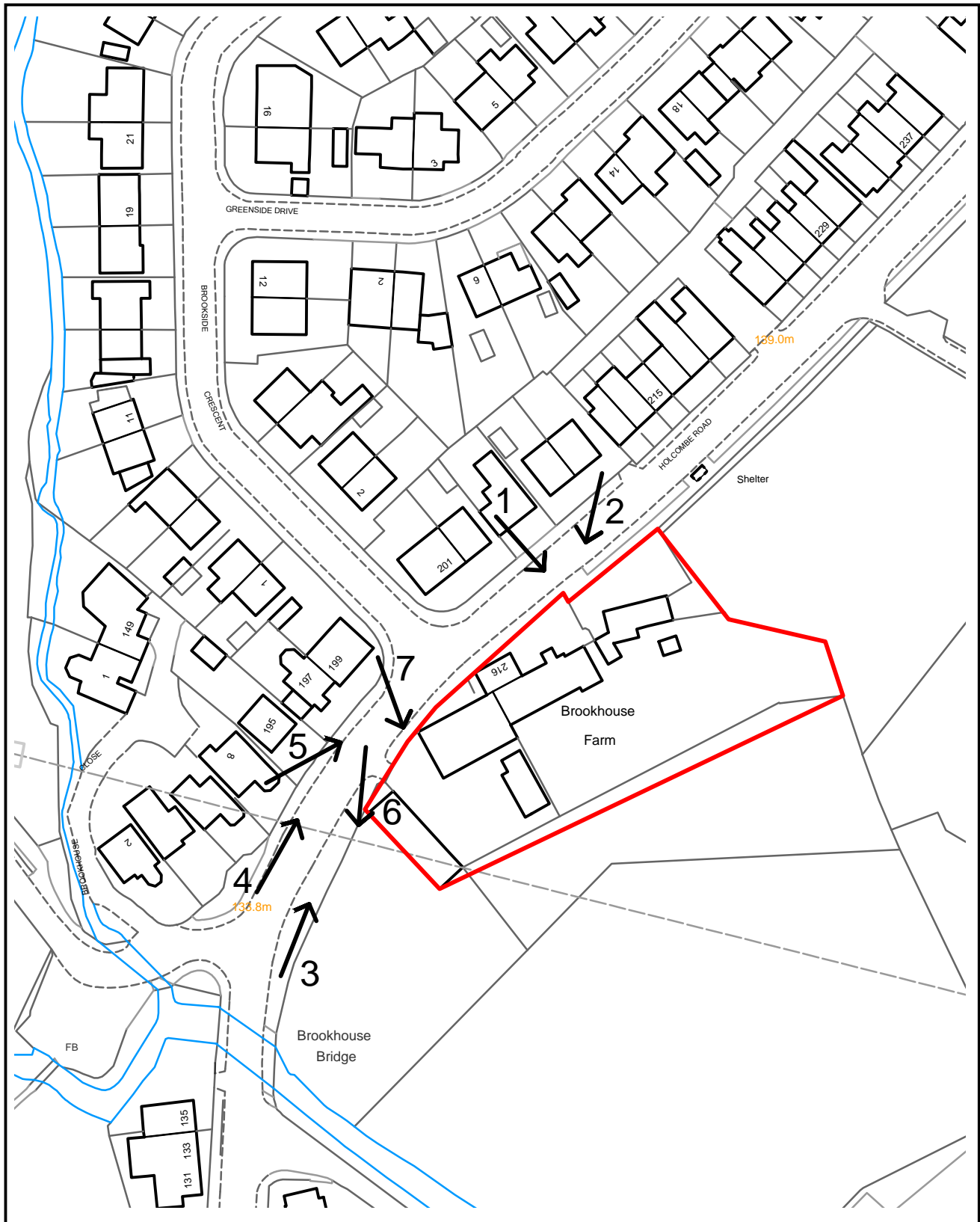
Reason. To secure the satisfactory development of the site pursuant to Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.

For further information on the application please contact **Dean Clapworthy** on **0161 253 5317**





# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 70666**

**ADDRESS: Brookhouse Farm, 218 Holcombe Road  
Tottington**

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

**70666**

Photo 1



Photo 2





**70666**

Photo 3



Photo 4





**70666**

Photo 5



Photo 6



**70666**

Photo 7



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- Contractors to check all dimensions on site prior to commencement of works.
- All works to be carried out in accordance with current statutory Health and Safety Regulations.
- This drawing is to be read in conjunction with all relevant consultants' and/or specialists' drawings/ documents and any discrepancies or variations are to be notified to the architect before affected work commences.

REV.	AMENDMENTS	DATE
Rev A	Drawing prepared for Full Planning App	20-12-08

The survey has been related to the Ordnance Survey National Grid and level datum using Leica GPS SmartNet data.

Tree heights and spreads are estimated and specie identification cannot be assured.

Only features that are accessible/visible at the time of survey can be detailed.

There are no gaurantees offered on the drainage information supplied.

Before commencing works please check important dimensions on-site.

Should there be any discrepancies, inconsistencies, omissions or queries please contact Quickdraw Surveys Ltd as soon as possible for a resolution.


## Topographical Surveys

[illegible]

Number	Species	Height (n)
1	Cherry	7
2	Sycamore	7
3	Sycamore	9
4	Copper Beech	10
5	Cherry	6
6	Apple	5
7	Apple	6
8	Cherry	13

Station	Easting	Northing	Level
STN1	775712.813	412865.319	123.265
STN2	775704.269	412879.006	123.699
STN2A	775738.452	412901.724	125.533
STN2B	775794.962	412911.113	136.010
STN3	774789.836	412893.680	124.414
STN4	775715.992	412918.936	125.618
STN4A	775725.912	412911.875	125.540
STN5	775741.115	412917.779	136.222
STN6	775733.653	412911.114	126.084
STN7	775756.923	412958.989	137.685
STN8	775756.923	412877.869	126.885
STN8A	775799.323	412910.667	139.699

Gross area 332m<sup>2</sup> - 3,573ft<sup>2</sup>

 Gross area 253m<sup>2</sup> - 2,755ft<sup>2</sup>

Large stable area 112.8m<sup>2</sup> - 1,214ft<sup>2</sup>

Small stable area	50.9m <sup>2</sup> - 548ft <sup>2</sup>
Brick garage area	66.1m <sup>2</sup> - 712ft <sup>2</sup>

Brick garage area 66.1m<sup>2</sup> - 712ft<sup>2</sup>  
Stone garage area 16.6m<sup>2</sup> - 179ft<sup>2</sup>

Stone garage area	10.9m <sup>2</sup> - 117.9ft <sup>2</sup>
Shed area	6.1m <sup>2</sup> - 66ft <sup>2</sup>

Total area 253m<sup>2</sup> - 2,720ft<sup>2</sup>

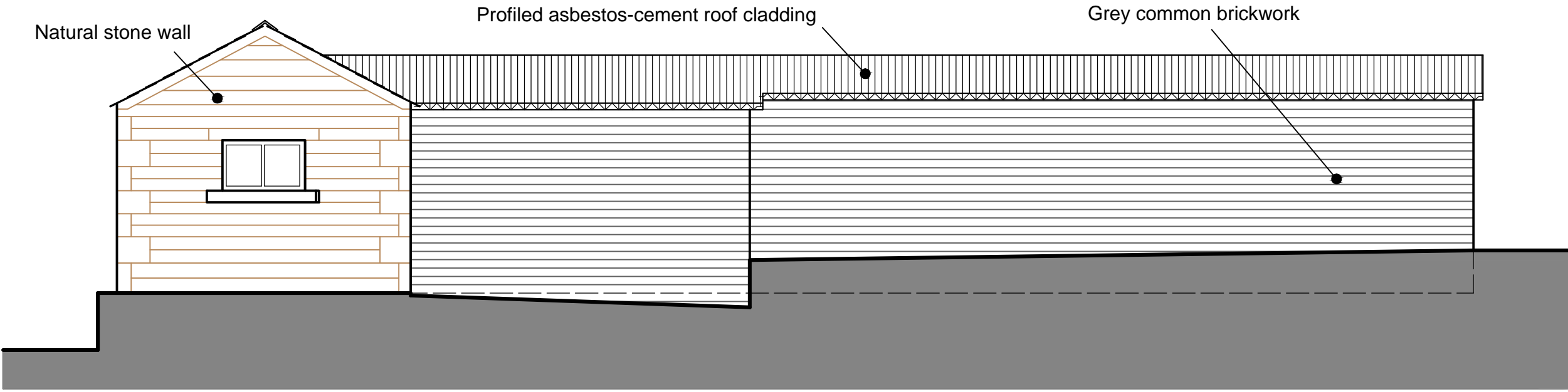
Project	PROPERTY DEVELOPMENT, 216-218 HOLCOMBE ROAD, GREENMOUNT, BURY BL8 4BQ
Drawing	EXISTING SITE SURVEY PLAN
Client	MR N. MORDIN
Dwn. By	NP
Scale	1:200 @ A1
Dwg. No.	20-06-05-A
Dwg. Size	A1
Date	JUNE 2020

**PDP**  
Peel Design Partnership Ltd  
Hapsford New Barn Lane  
Rawtenstall Lancashire BB4 6HT  
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Email: [mail@peel.designs.co.uk](mailto:mail@peel.designs.co.uk)  
Web: [www.peel.designs.co.uk](http://www.peel.designs.co.uk)  
RIBA Chartered Practice 20001293

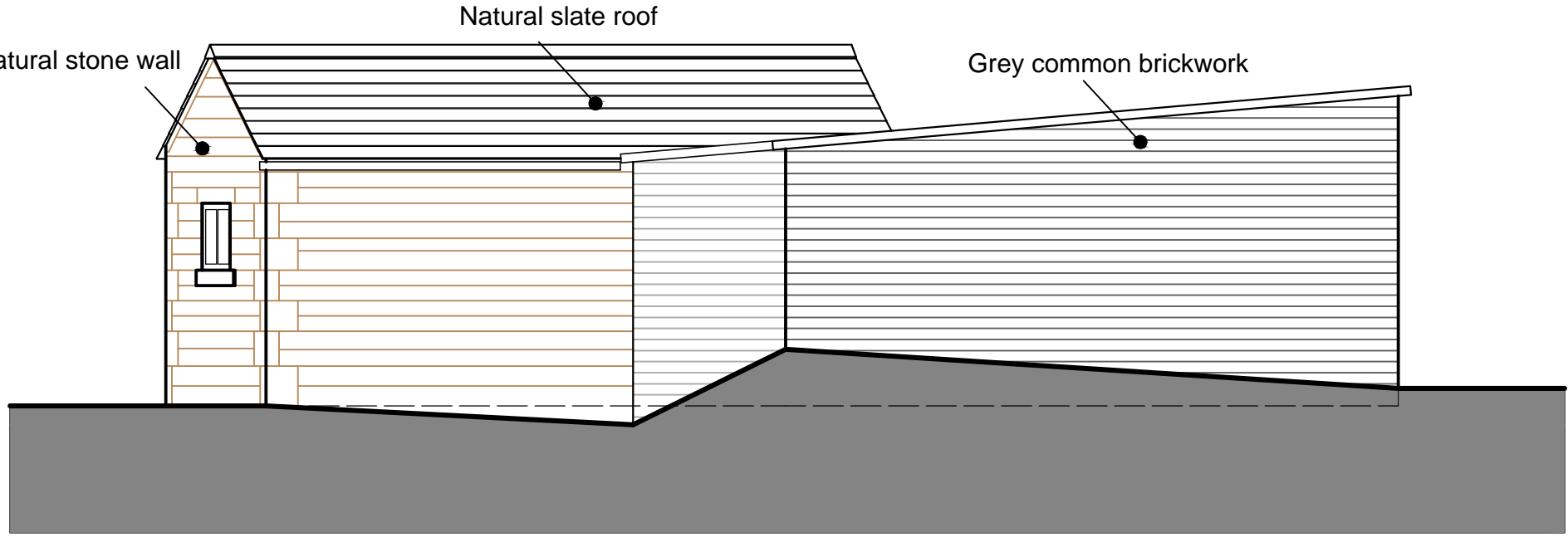
DO NOT SCALE DRAWING



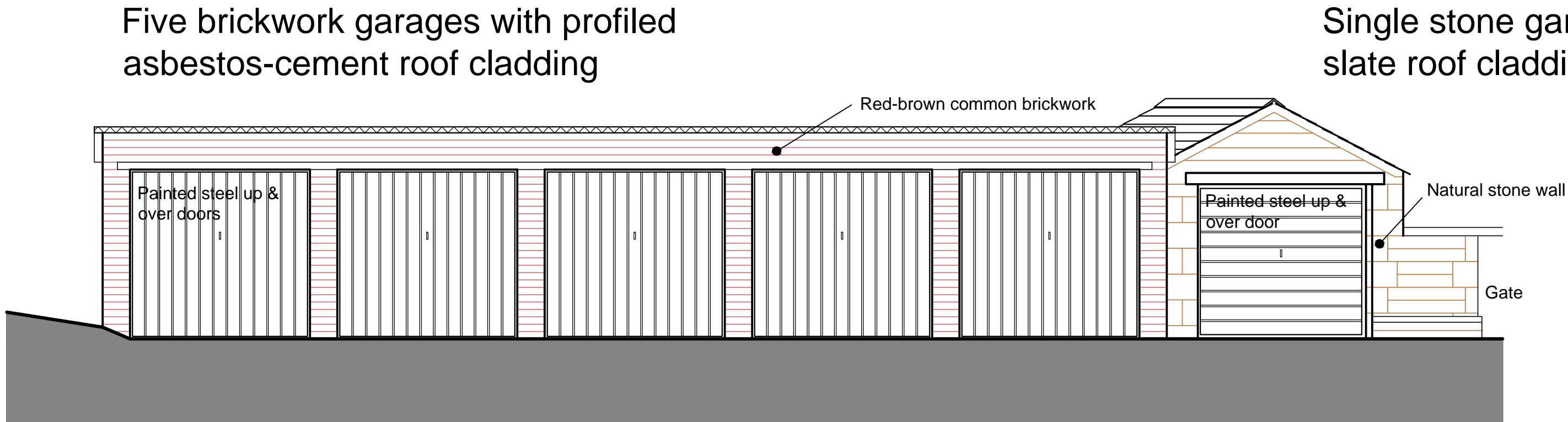
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  - All works to be carried out in accordance with current statutory Health and Safety Regulations.
  - This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.
- | REV. | AMENDMENTS | DATE |
|------|------------|------|
|------|------------|------|



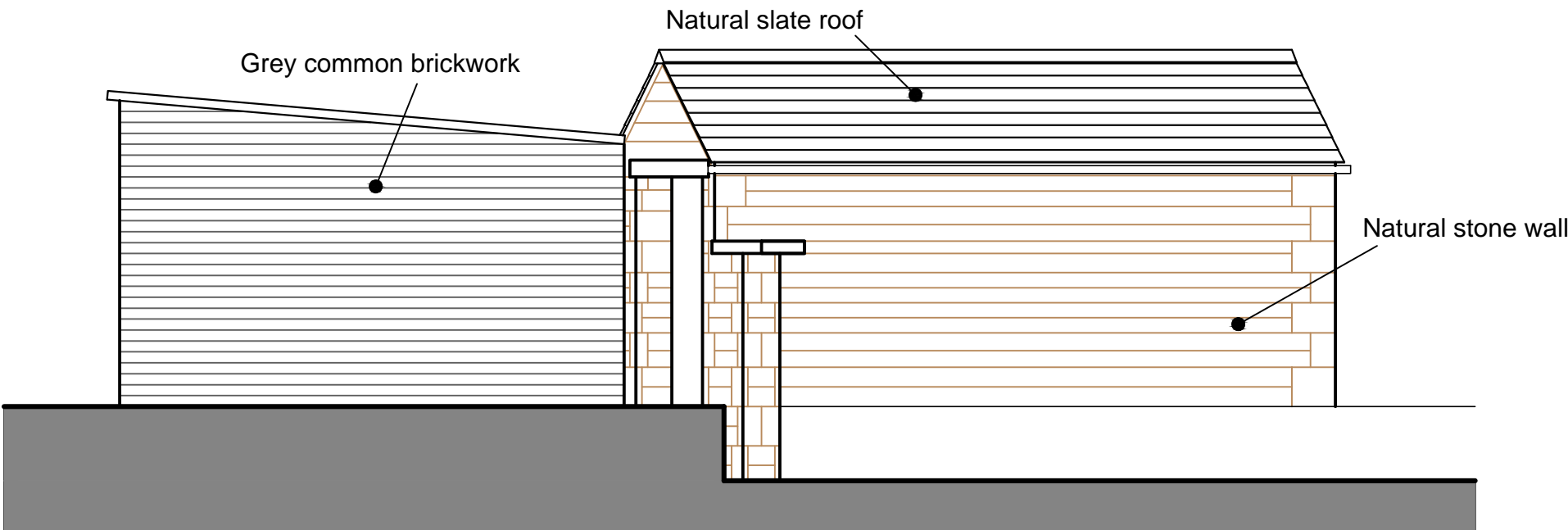
Existing Garage South Elevation



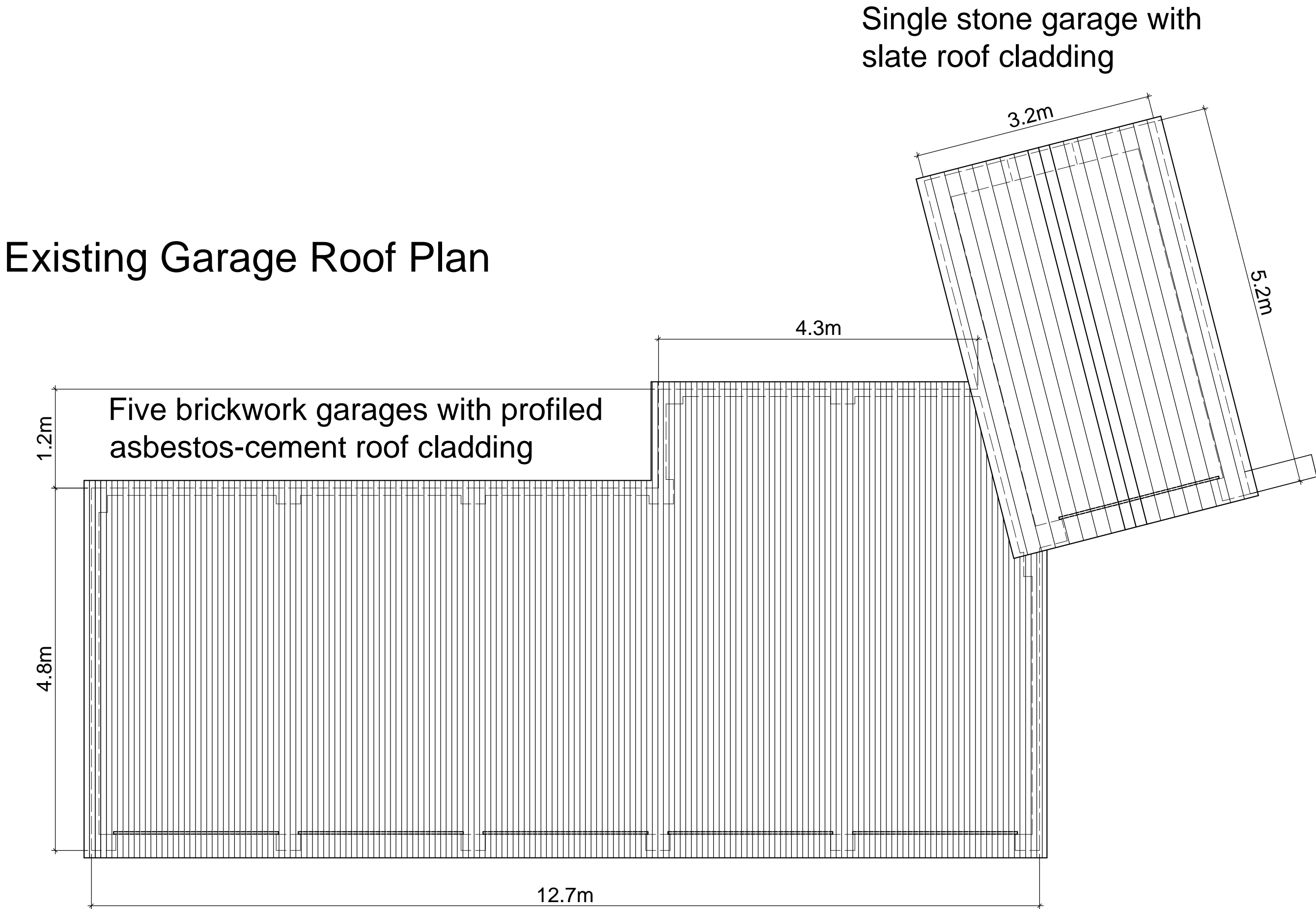
Existing Garage East Elevation



Existing Garage North Elevation



Existing Garage West Elevation



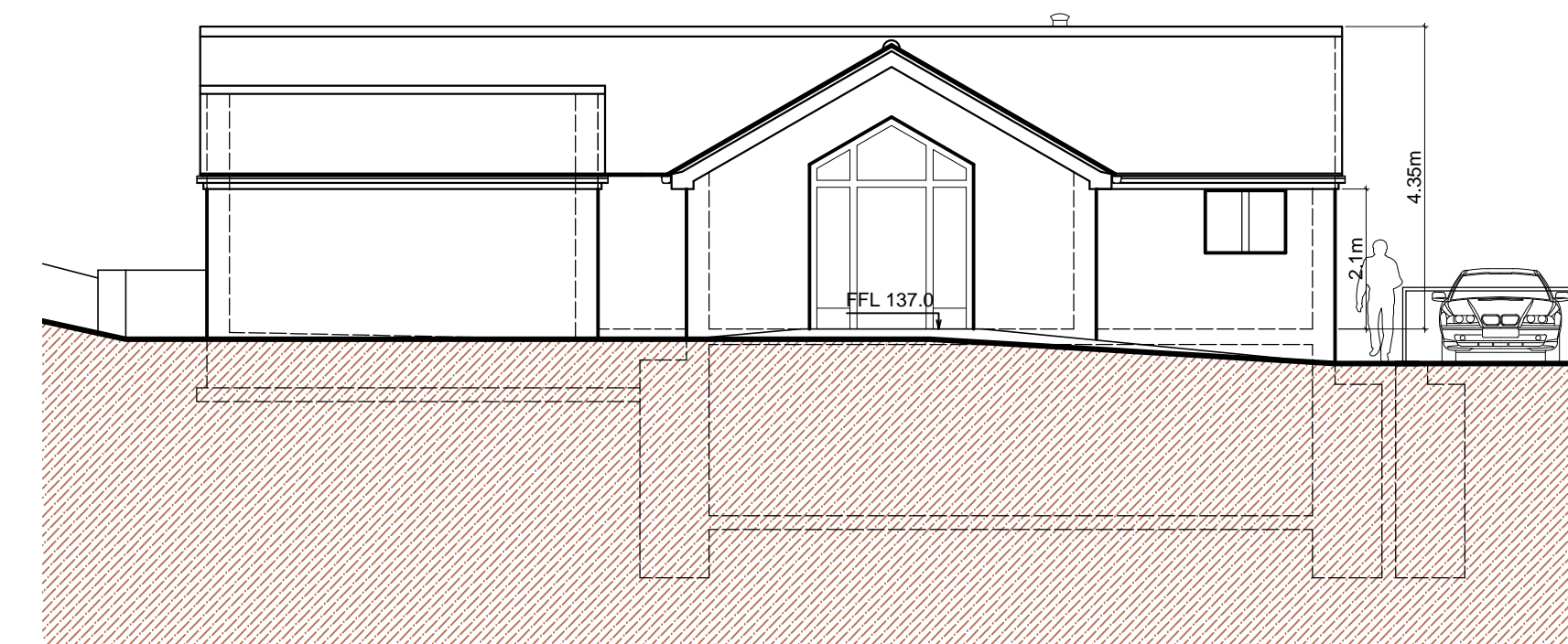
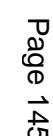
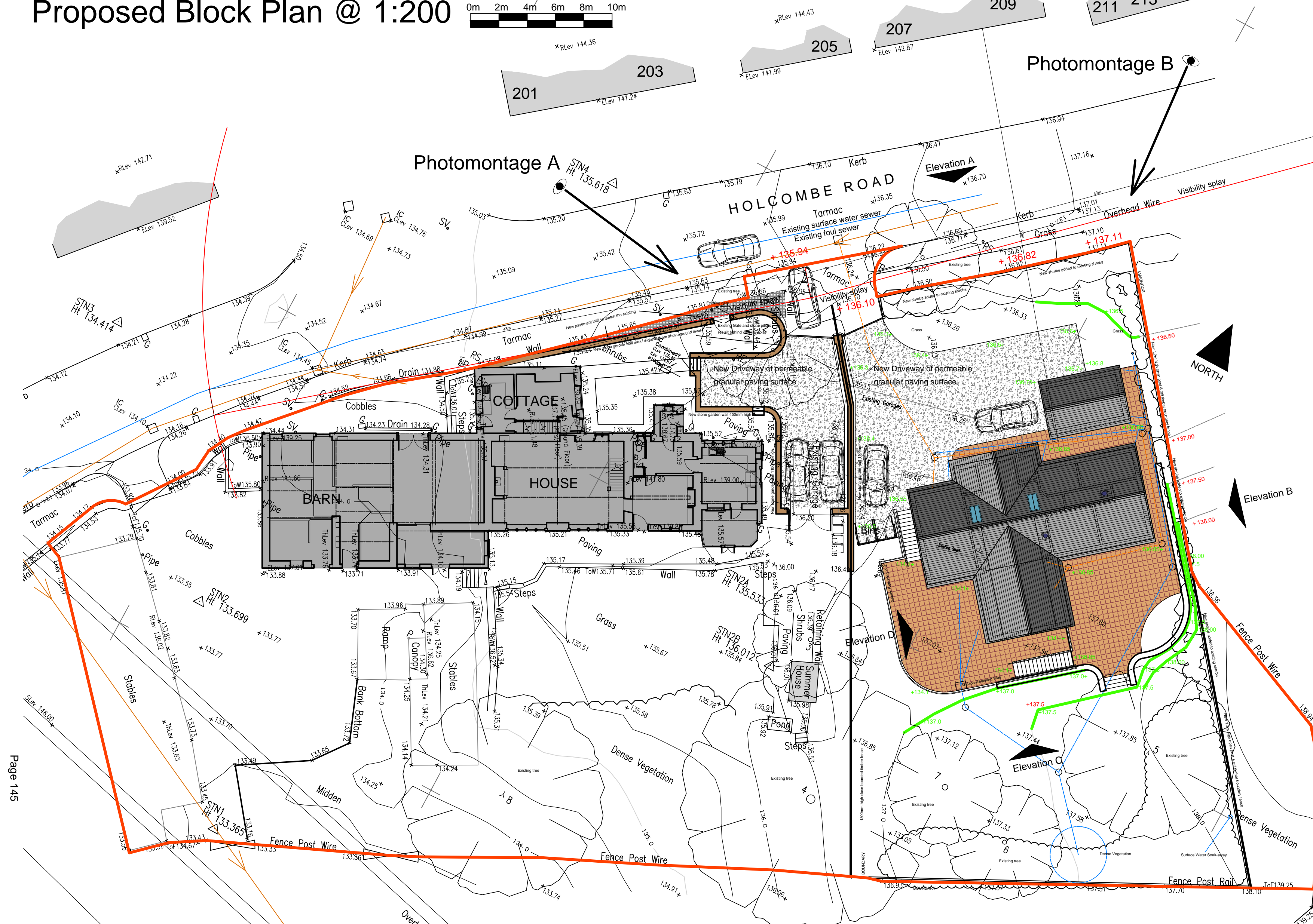
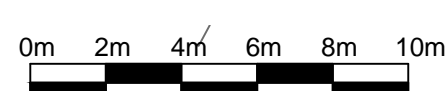
Existing Garage Roof Plan

Refer to Existing Site Survey Plan for Location of Garages Drawing No: 20-06-05

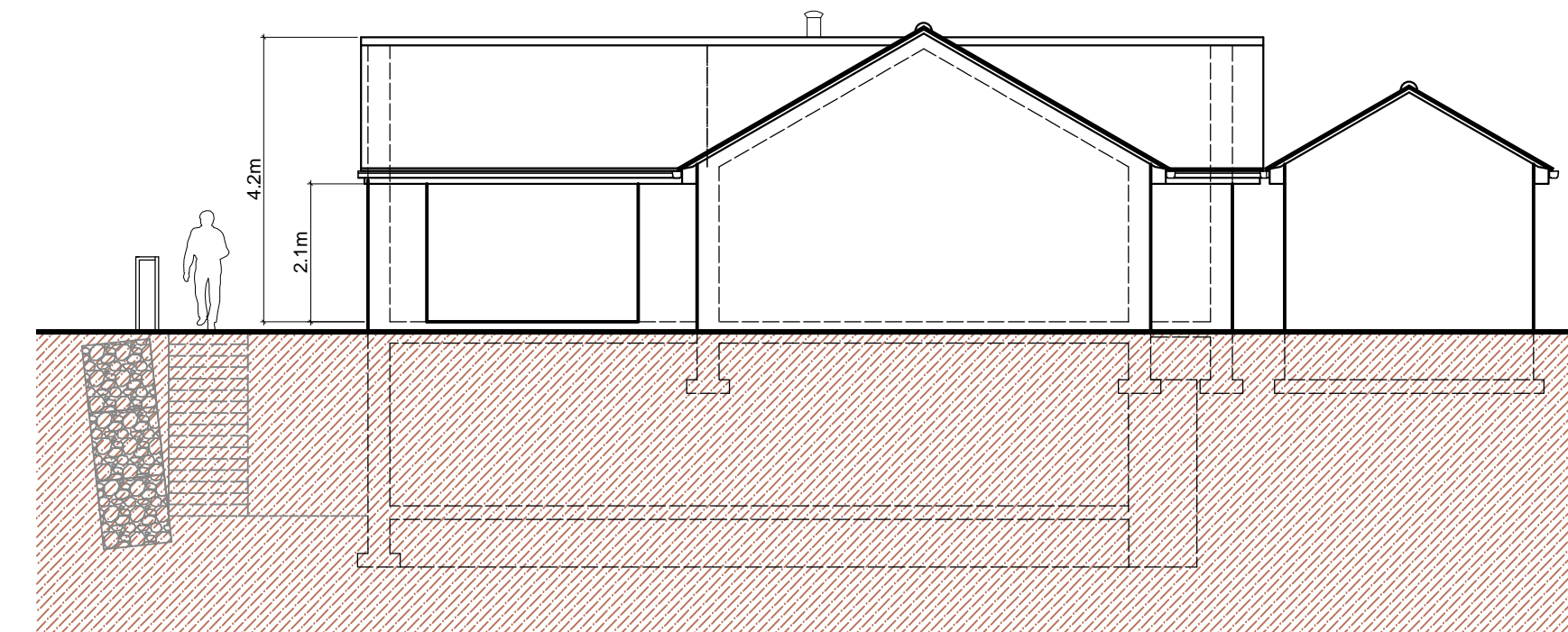


Project	PROPERTY DEVELOPMENT: 216-218 HOLCOMBE ROAD, GREENMOUNT, BURY BL8 4BQ
Drawing	EXISTING GARAGES: ROOF PLAN & ELEVATIONS
Client	MR N. MORDIN
Dwn. By	NP
Scale	1:50 @ A1
Drg. No.	14-06-06
Drg. Size	A1
Date	NOVEMBER 2020

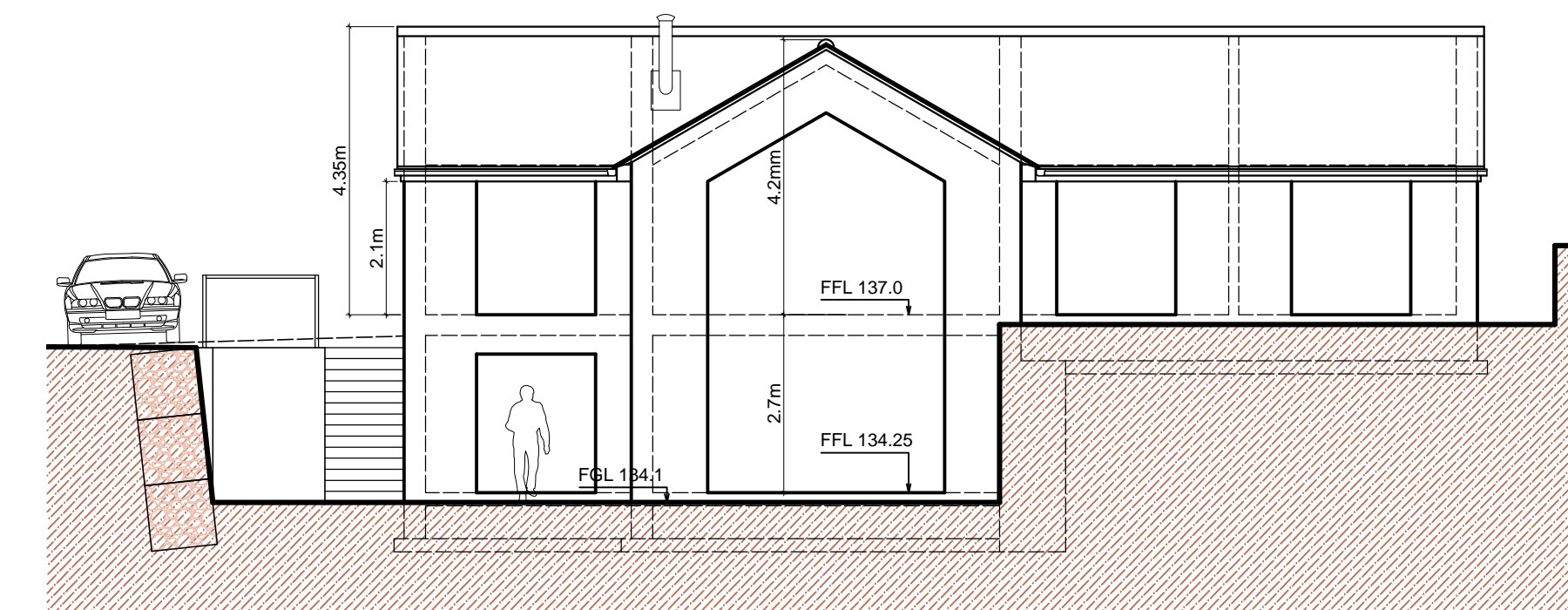




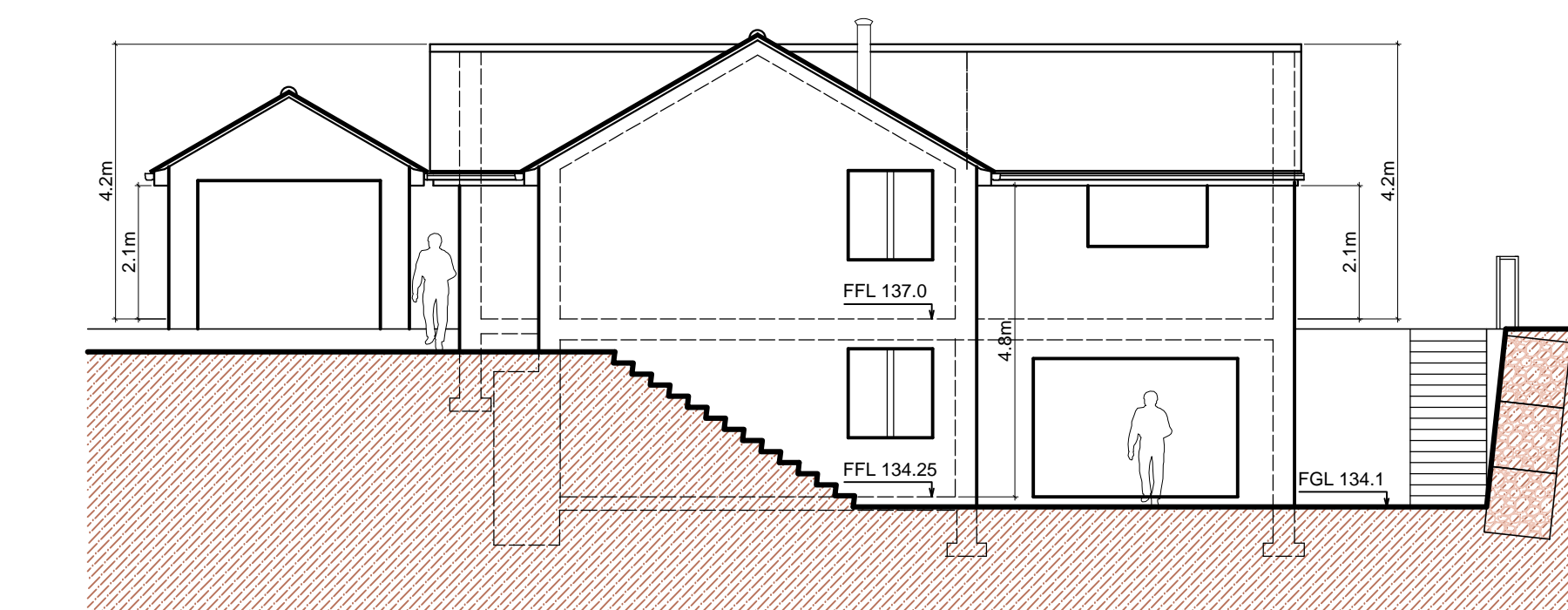
Elevation A schematic @ 1:100



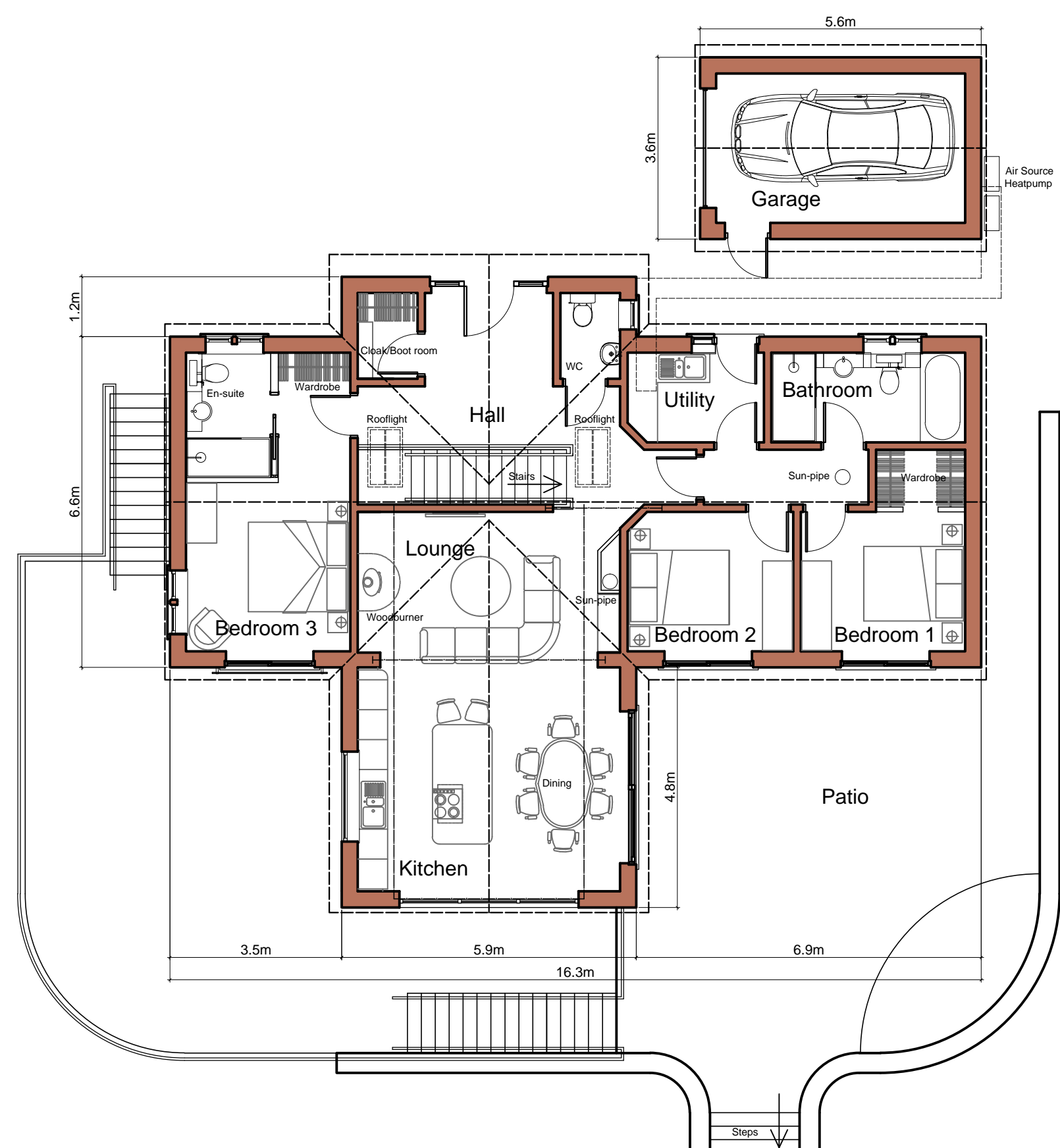
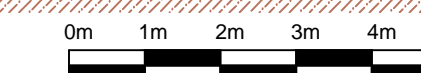
Elevation B schematic @ 1:100



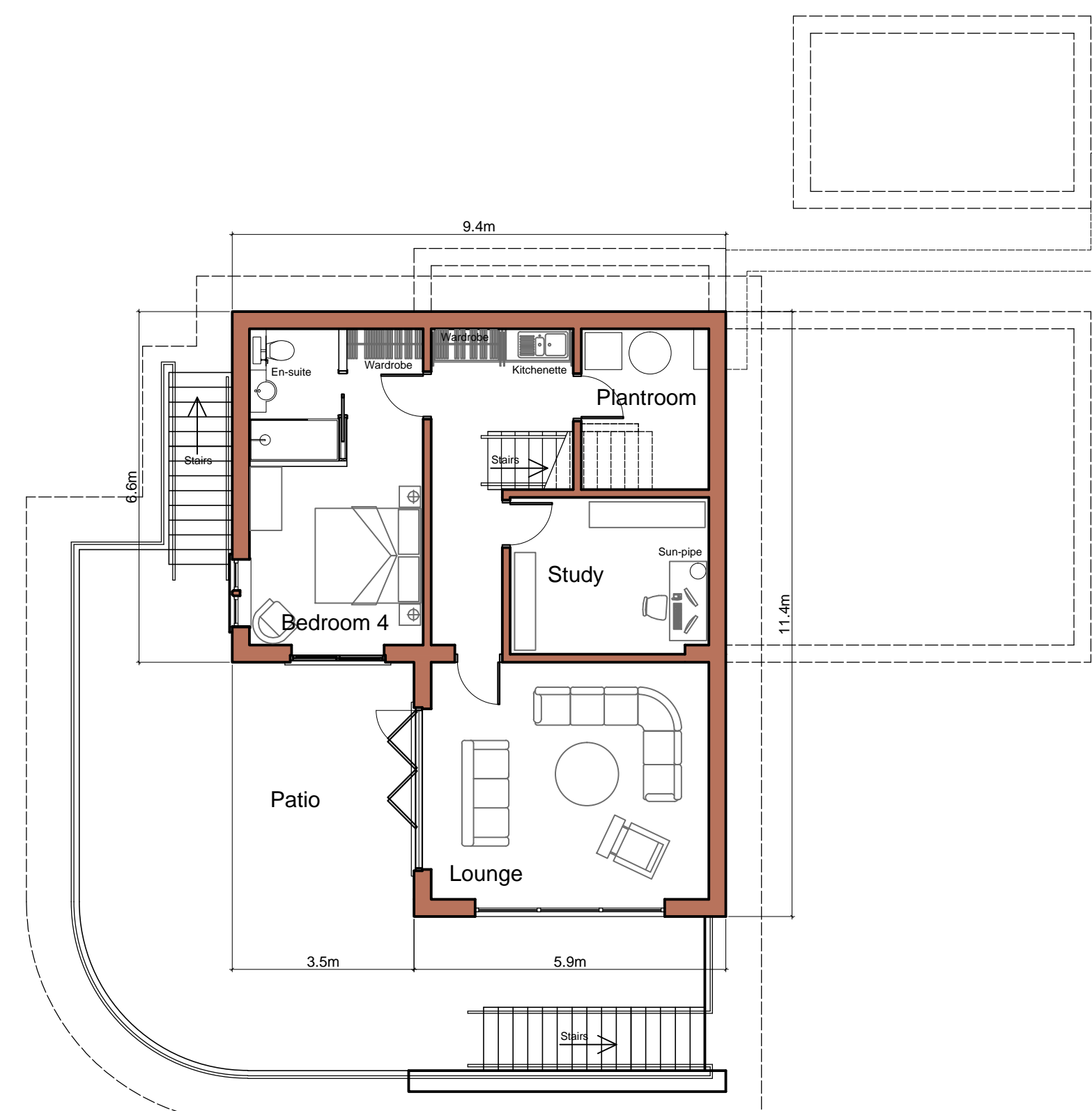
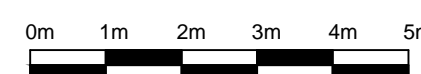
Elevation C schematic @ 1:100



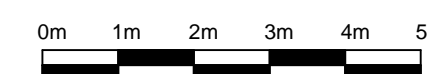
Elevation D schematic @ 1:100



## Ground Floor @ 1:100



## Lower Ground Floor @ 1:100



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REV.	AMENDMENTS	DATE
Rev A	Layout & window amendments	21-04-20
Rev B	Window removed from Garage, Bi-fold doors added to lower ground	21-04-26

## Notes

The survey has been related to the Ordnance Survey National Grid

## Abbreviations

### Topographical Survey

[illegible]

Tree Schedule:

Number	Species	Height (m)
1	Cherry	7
2	Sycamore	7
3	Sycamore	9
4	Copper Beech	10
5	Cherry	6
6	Apple	5
7	Apple	6
8	Cherry	13

## Station Coordinates:

Station	Easting	Northing	Level
STN1	377512.813	419865.319	153.363
STN2	377047.869	419865.026	153.699
STN3A	377338.482	419901.784	155.533
STN3B	377541.964	418994.112	156.018
STN3	377489.636	419033.680	154.414
STN4	377515.992	419218.936	152.618
STN4A	377238.257	419911.875	152.540
STN4	377541.115	419917.779	156.022
STN6	377233.623	419911.114	156.056
STN7	377358.878	419905.889	157.682
STN7	377562.323	418977.869	156.885
STN8A	377598.582		

Project	PROPERTY DEVELOPMENT; 216-218 HOLCOMBE ROAD, GREENMOUNT, BURY BL6 4BQ
Drawing	PROPOSED BLOCK PLAN & BUILDING PLANS
Client	MR N. MORDIN
Dwn. By	NP
Scale	1:200 & 1:100 @ A1
Drg. No.	20-06-27-B
Drg. Size	A1
Date	APRIL 2021



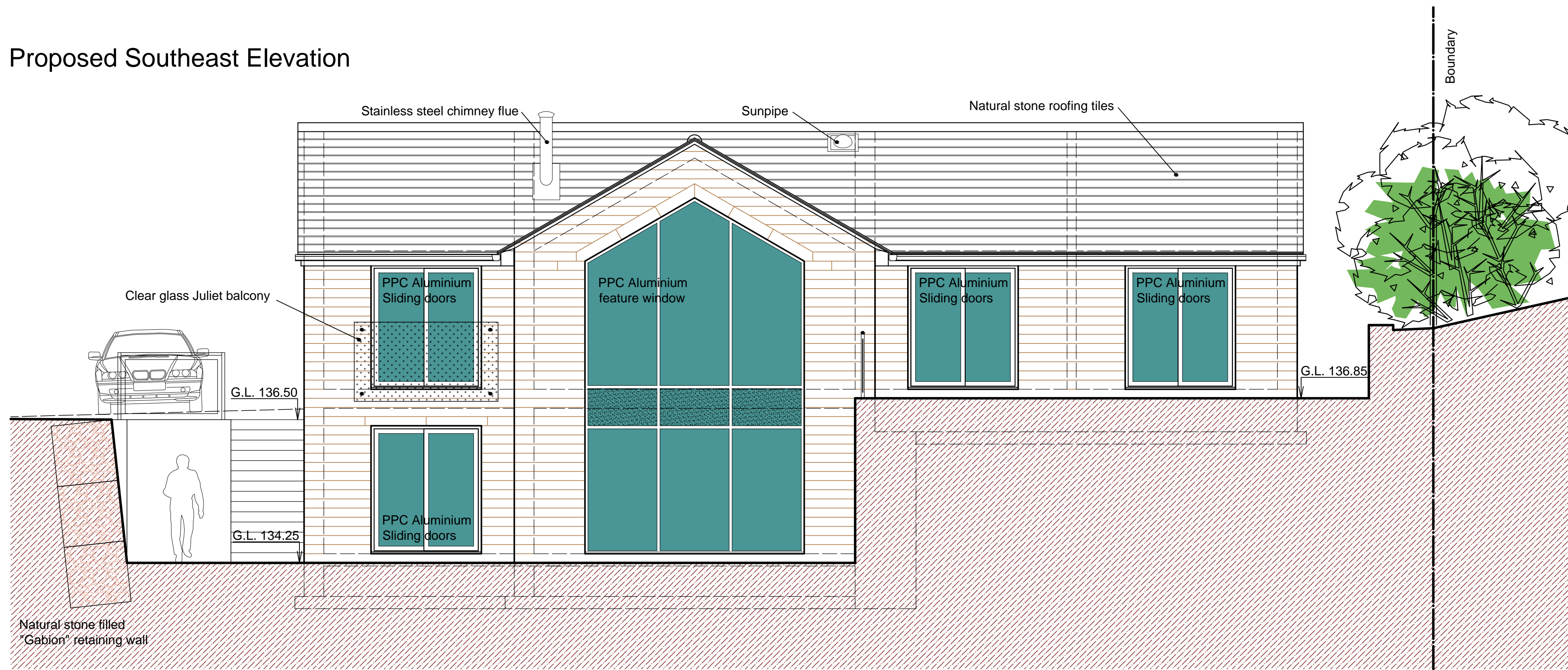
DO NOT SCALE DRAWING

Total Gross Floor Area	
House	143m <sup>2</sup>
Garage	20m <sup>2</sup>
Total	163m <sup>2</sup>

Volume	
Ground level	481m³
Lower Ground Level	217m³
Garage	56m³
Total Volume	754m³

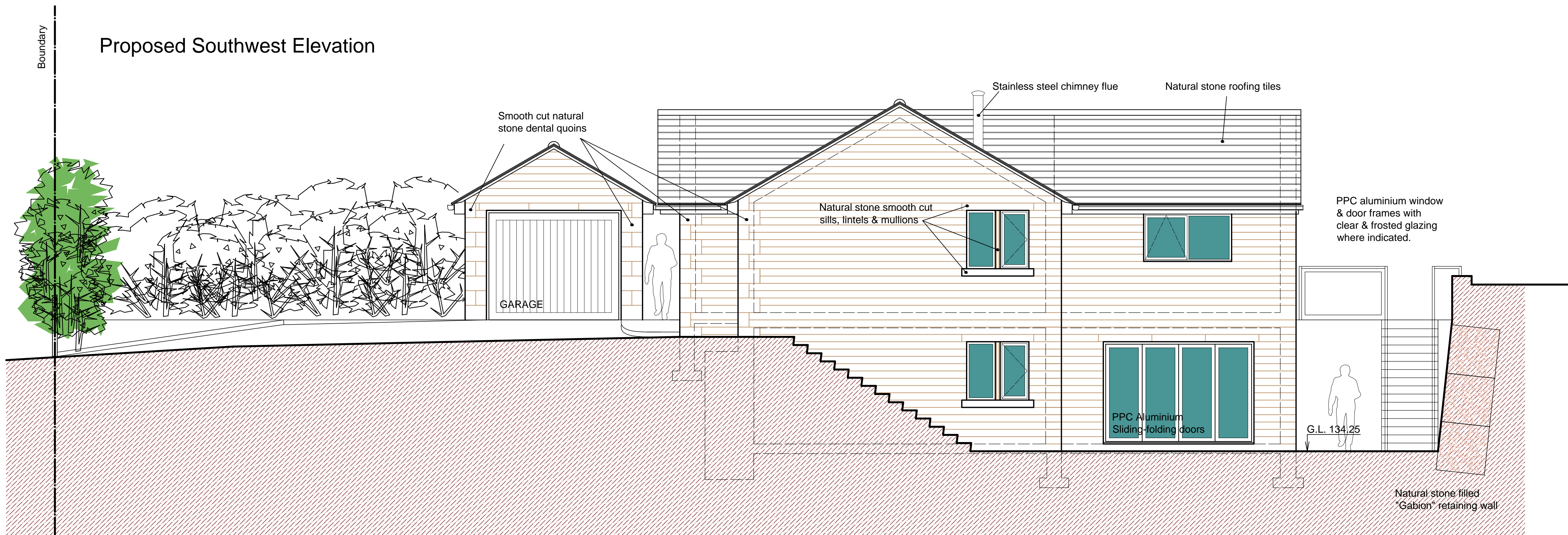


Proposed Southeast Elevation



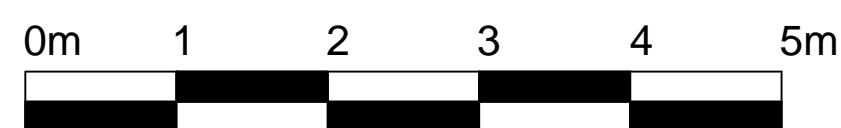
NOTES		
• This drawing is copyright. No unauthorised copying of drawing without the express permission of the architect.		
• Do not scale from prints. Use figure dimensions only.		
• Contractors to check all dimensions on site prior to commencement of works.		
• All works to be carried out in accordance with current statutory Health and Safety Regulations.		
• This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.		
REV.	AMENDMENTS	DATE
Rev A	Sliding Folding doors to lower ground floor	21-04-26
Rev B	Text removed	21-04-27

Proposed Southwest Elevation



Page 146

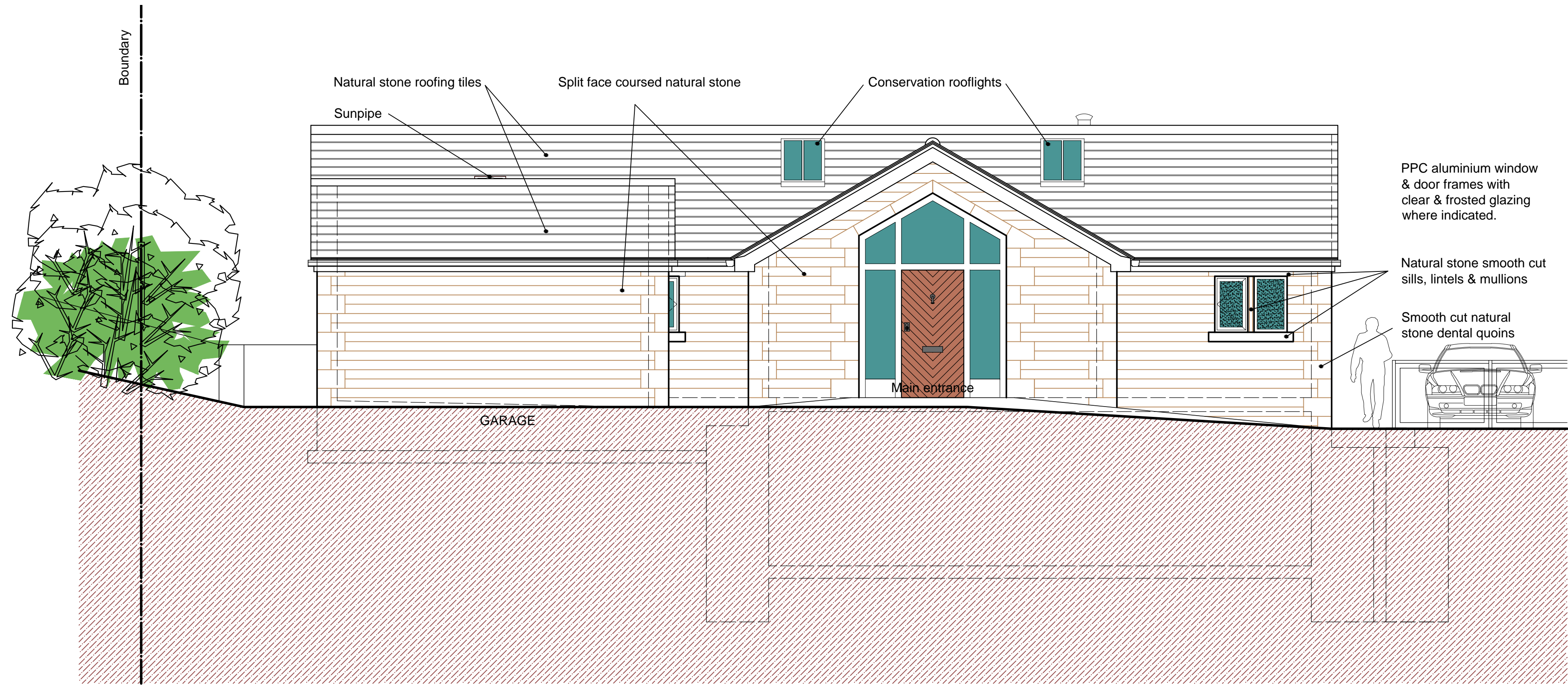
Proposed Elevations @ 1:50



Project	PROPERTY DEVELOPMENT: 216-218 HOLCOMBE ROAD, GREENMOUNT, BURY BL8 4BQ		
Drawing	PROPOSED ELEVATIONS 1 of 2		
Client	MR N. MORDIN		
Dwn. By	NP		
Scale	1:50 @ A1		
Drg. No.	20-06-28-B		
Drg. Size	A1		
Date	APRIL 2021		



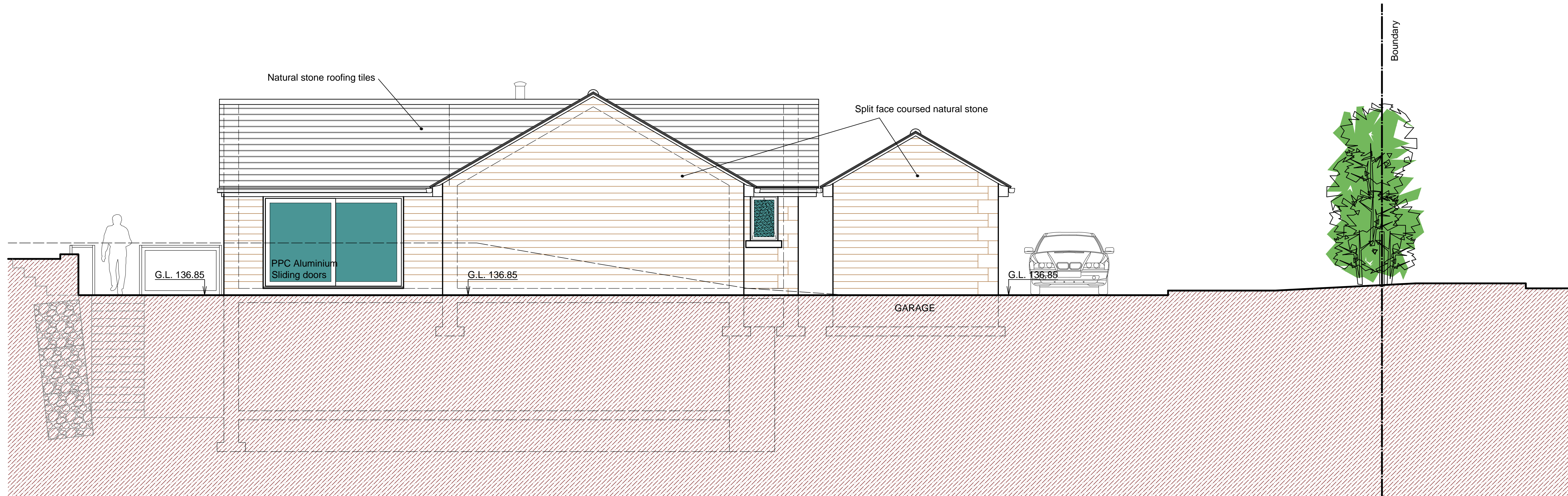
Proposed Northwest Elevation



- NOTES
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  - Do not scale from prints. Use figure dimensions only.
  - Contractors to check all dimensions on site prior to commencement of works.
  - All works to be carried out in accordance with current statutory Health and Safety Regulations.
  - This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.

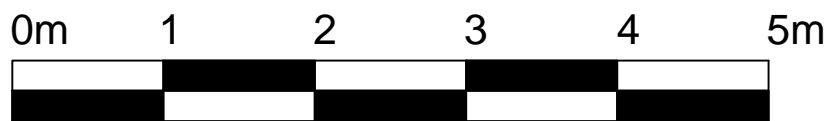
REV. AMENDMENTS DATE

Proposed Northeast Elevation



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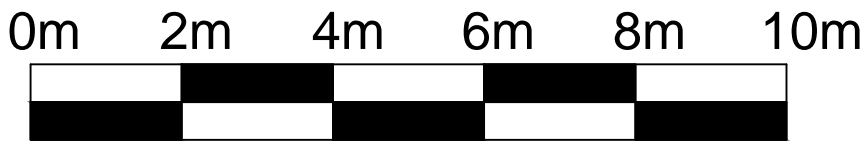
Proposed Elevations @ 1:50



Project	PROPERTY DEVELOPMENT: 216-218 HOLCOMBE ROAD, GREENMOUNT, BURY BL8 4BQ
Drawing	PROPOSED ELEVATIONS 2 of 2
Client	MR N. MORDIN
Dwn. By	NP
Scale	1:50 @ A1
Drg. No.	20-06-29
Drg. Size	A1
Date	APRIL 2021

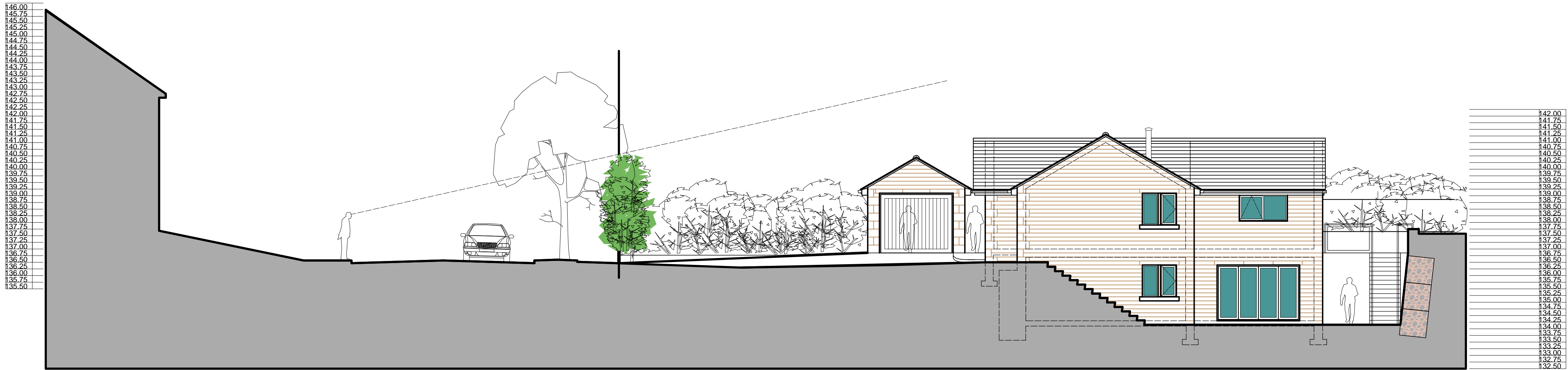
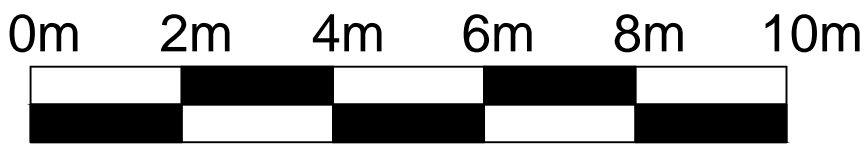


Proposed Street Elevation @ 1:100



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• All works to be carried out in accordance with current statutory Health and Safety Regulations.		
• This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.		
REV.	AMENDMENTS	DATE
Rev A	Roof Alterations	21-03-17
Rev B	Roof Alterations	21-03-19
Rev C	Street Elevation & Section altered	21-03-22
Rev D	Street Elevations & Sections altered	21-04-26

Proposed Street Section @ 1:100



Project	PROPERTY DEVELOPMENT: 216-218 HOLCOMBE ROAD, GREENMOUNT, BURY BL8 4BQ
Drawing	PROPOSED STREET ELEVATION & SECTION
Client	MR N. MORDIN
Dwn. By	NP
Scale	1:100 & 1:50 @ A1
Drg. No.	20-06-19-D
Drg. Size	A1
Date	MARCH 2021



# REPORT FOR NOTING

**Agenda  
Item**
**5**

<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>26 September 2024</b>
<b>SUBJECT:</b>	<b>DELEGATED DECISIONS</b>
<b>REPORT FROM:</b>	<b>HEAD OF DEVELOPMENT MANAGEMENT</b>
<b>CONTACT OFFICER:</b>	<b>DAVID MARNO</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	The report lists: Recent delegated planning decisions since the last PCC
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	The Committee is recommended to the note the report and appendices
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework? Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management
<b>Statement by Executive Director of Resources:</b>	N/A
<b>Equality/Diversity implications:</b>	No
<b>Considered by Monitoring Officer:</b>	N/A
<b>Wards Affected:</b>	All listed
<b>Scrutiny Interest:</b>	N/A

**TRACKING/PROCESS****DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

---

**1.0 BACKGROUND**

This is a monthly report to the Planning Control Committee of the delegated planning decisions made by the officers of the Council.

**2.0 CONCLUSION**

That the item be noted.

---

**List of Background Papers:-None****Contact Details:-**

David Marno, Head of Development Management  
Planning Services, Department for Resources and Regulation  
3 Knowsley Place  
Bury BL9 0EJ

**Tel: 0161 253 5291**

**Email: [d.marno@bury.gov.uk](mailto:d.marno@bury.gov.uk)**

## Planning applications decided using Delegated Powers

Between 16/08/2024 and 16/09/2024



Ward:

---

**Application No.:** 71006      **App. Type:** REG5      21/08/2024      Raise No Objection  
**Location:** John Spencer Hazelhurst, 258 Bolton Road West, Ramsbottom, Bury, BL0 9PX  
**Proposal:** Regulation 5 Notice of Intention to Install 1 no. cabinet

---

**Application No.:** 71011      **App. Type:** REG5      28/08/2024      Enquiry completed  
**Location:** Bury New Road, Prestwich (3 locations)  
**Proposal:** Regulation 5 Notice of Intention to Install telecommunications cabinet and feeder pillar (FPC 1, 2 & 3)

---

**Application No.:** 71013      **App. Type:** REG5      16/08/2024      Raise No Objection  
**Location:** Pilkington Way, Radcliffe  
**Proposal:** Regulation 5 Notice of Intention to Install telecommunications cabinet and feeder pillar (FPC 5)

---

**Application No.:** 71014      **App. Type:** REG5      16/08/2024      Raise No Objection  
**Location:** Water Street, Radcliffe  
**Proposal:** Regulation 5 Notice of Intention to Install telecommunications cabinet and feeder pillar (FPC 6)

---

**Application No.:** 71015      **App. Type:** REG5      28/08/2024      Enquiry completed  
**Location:** Manchester Road, Bury  
**Proposal:** Regulation 5 Notice of Intention to Install telecommunications cabinet and feeder pillar (FPC 7)

---

**Application No.:** 71016      **App. Type:** REG5      28/08/2024      Raise Objections  
**Location:** Stopes Road, Radcliffe  
**Proposal:** Regulation 5 Notice of Intention to Install telecommunications cabinet and feeder pillar (FPC 8)

---

**Application No.:** 71051      **App. Type:** REG5      29/08/2024      Enquiry completed  
**Location:** Pavement opp 69 Bolton Road, Bury, BL8 2AR  
**Proposal:** Regulation 5 Notice of intention to install 1 no. telecommunications cabinet and feeder pillar (Bury/1/FPC/21/1)

---

**Application No.:** 71052      **App. Type:** REG5      29/08/2024      Enquiry completed  
**Location:** Pavement adj Elms Square, Bury New Road, Whitefield, Manchester, M45 7TA  
**Proposal:** Regulation 5 Notice of intention to install 1 no. telecommunications cabinet and feeder pillar (Bury/1/FPC/23/1)

---

**Application No.:** 71053      **App. Type:** REG5      29/08/2024      Raise No Objection  
**Location:** 2 x sites adj Morrisons, Stanley Street, Whitefield, Manchester, M45 8QH  
**Proposal:** Regulation 5 Notice of intention to install 1 no. telecommunications cabinet and feeder pillar (Bury/1/FPC/24/1; Bury/1/FPC/25/1)

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<b>Application No.:</b>	71054	<b>App. Type:</b>	REG5	04/09/2024	Raise Objections
<b>Location:</b>	2 x sites, roundabout at Valley Park Road/Bury New Road & pavement o/s 508 Bury New Road, Prestwich, M25 3TG				
<b>Proposal:</b>	Regulation 5 Notice of intention to install 1 no. telecommunications cabinet and feeder pillar (Bury/1/FPC/27/1; Bury/1/FPC/28/1)				

---

<b>Application No.:</b>	71055	<b>App. Type:</b>	REG5	06/09/2024	Raises No Objection Subject to Condition
<b>Location:</b>	Pavement adj Friendship Inn, Scholes Lane, Prestwich, Manchester, M25 0PD				
<b>Proposal:</b>	Regulation 5 Notice of intention to install 1 no. telecommunications cabinet and feeder pillar (Bury/1/FPC/29/1)				

Ward: **Bury East**

---

<b>Application No.:</b>	70736	<b>App. Type:</b>	FUL	22/08/2024	Approve with Conditions
<b>Location:</b>	77-79 The Rock, Bury, BL9 0NB				
<b>Proposal:</b>	Change of use of first/second/loft floor from offices (Class E) to 4 no. flats (Class C3) with proposed rear access for commercial unit 2 and additional rear access and bin storage				

---

<b>Application No.:</b>	70902	<b>App. Type:</b>	FUL	30/08/2024	Approve with Conditions
<b>Location:</b>	9 Primrose Court, Pimhole, Bury, BL9 7EZ				
<b>Proposal:</b>	Single storey extension at rear				

---

<b>Application No.:</b>	70928	<b>App. Type:</b>	FUL	03/09/2024	Approve with Conditions
<b>Location:</b>	18 Greywood Avenue, Bury, BL9 7QY				
<b>Proposal:</b>	Two storey/single storey rear extension				

---

<b>Application No.:</b>	70936	<b>App. Type:</b>	GPDE	28/08/2024	Prior Approval Not Required - Extension
<b>Location:</b>	27 South Cross Street, Bury, BL9 0RS				
<b>Proposal:</b>	Prior approval for single storey rear extension				

Ward: **Bury East - Moorside**

---

<b>Application No.:</b>	70866	<b>App. Type:</b>	FUL	16/08/2024	Approve with Conditions
<b>Location:</b>	32 The Drive, Bury, BL9 5DG				
<b>Proposal:</b>	Hipped to gable roof conversion with a flat roof dormer to the rear.				

---

<b>Application No.:</b>	70945	<b>App. Type:</b>	FUL	30/08/2024	Approve with Conditions
<b>Location:</b>	Site of Car Time, Bell Lane, Bury, BL9 6BB				
<b>Proposal:</b>	Variation of condition no. 2 (approved plans) of planning permission 70253: Reduction of the overall height of two retail units, removal of glazing to the north elevation (facing into the site), minor amends to the design of the curtain walling and glazing.				

---

<b>Application No.:</b>	70978	<b>App. Type:</b>	FUL	10/09/2024	Approve with Conditions
<b>Location:</b>	83 Kingfisher Drive, Bury, BL9 6JF				
<b>Proposal:</b>	Single storey rear extension				



## Ward: Bury East - Redvales

---

**Application No.:** 70824      **App. Type:** FUL      29/08/2024      Approve with Conditions  
**Location:** 183 Parkhills Road, Bury, BL9 9AF  
**Proposal:** First floor extension to existing detached outbuilding with external staircase at side

---

**Application No.:** 70840      **App. Type:** FUL      05/09/2024      Approve with Conditions  
**Location:** 68 Gigg Lane, Bury, BL9 9HU  
**Proposal:** Two storey extension at rear (including basement level)

---

**Application No.:** 70842      **App. Type:** FUL      16/08/2024      Approve with Conditions  
**Location:** 29 Parliament Street, Bury, BL9 0TE  
**Proposal:** Change of use from dwelling (Class C3) to 8 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis), loft conversion with rear dormer, roof light at front and associated works

---

**Application No.:** 70909      **App. Type:** FUL      21/08/2024      Approve with Conditions  
**Location:** 108 Manchester Road, Bury, BL9 0TH  
**Proposal:** Demolition of existing rear conservatory and replace with single storey rear summer house. Replacement of existing timber window frames with high performance windows; Repairs to front entrance doorway surround; Reduce levels to external path to side of property.

---

**Application No.:** 70910      **App. Type:** LBC      21/08/2024      Approve with Conditions  
**Location:** 108 Manchester Road, Bury, BL9 0TH  
**Proposal:** Listed building consent for proposed demolition of existing rear conservatory and replacement with single storey rear summer house. Replacement of existing timber window frames with high performance windows. Repairs to moulding to front entrance doorway surround and reduced levels to external path to side of property.

---

**Application No.:** 70939      **App. Type:** FUL      30/08/2024      Approve with Conditions  
**Location:** 7 Grosvenor Street, Bury, BL9 9BJ  
**Proposal:** Two storey side/rear extension; Single storey rear extension; Hip to gable loft conversion with rear dormer and 2 no. front velux windows; Front porch; 2 no. front pike windows; New driveway to the front and new vehicular access/dropped kerb.

---

**Application No.:** 70965      **App. Type:** FUL      11/09/2024      Approve with Conditions  
**Location:** Bury Family Centre, 72-74 Tenters Street, Bury, BL9 0HL  
**Proposal:** Change of use from offices (Class E) to 2 no. dwellings (Class C3) Reinstating 1m high metal fence along boundary

---

## Ward: Bury West - Church (Historic)

---

**Application No.:** 70876      **App. Type:** FUL      16/08/2024      Approve with Conditions  
**Location:** 273 Ainsworth Road, Bury, BL8 2LS  
**Proposal:** Single storey rear extension; Garage conversion

---

## Ward: Bury West - Elton

---

<b>Application No.:</b>	70843	<b>App. Type:</b>	FUL	22/08/2024	Approve with Conditions
<b>Location:</b>	43 Woodhill Fold, Bury, BL8 1UY				
<b>Proposal:</b>	Single storey / two storey extension at side; single storey / two storey extension at side / rear; first floor balcony with glazed balustrade and external alterations				

---

<b>Application No.:</b>	70950	<b>App. Type:</b>	FUL	10/09/2024	Approve with Conditions
<b>Location:</b>	49 Rudgwick Drive, Bury, BL8 1YE				
<b>Proposal:</b>	Single storey front extension				

Ward: **North Manor**

---

<b>Application No.:</b>	70818	<b>App. Type:</b>	FUL	13/09/2024	Approve with Conditions
<b>Location:</b>	18 Pot Green, Ramsbottom, Bury, BL0 9RG				
<b>Proposal:</b>	Two storey side extension; Addition of first floor window to side elevation				

---

<b>Application No.:</b>	70923	<b>App. Type:</b>	FUL	19/08/2024	Approve with Conditions
<b>Location:</b>	4 Swan Road, Ramsbottom, Bury, BL8 4ES				
<b>Proposal:</b>	Single storey extension at side / rear including timber cladding to front, side and rear elevations				

---

<b>Application No.:</b>	70925	<b>App. Type:</b>	FUL	30/08/2024	Approve with Conditions
<b>Location:</b>	Greenhalgh Fold Cottage, Whipney Lane, Tottington, Bury, BL8 4HT				
<b>Proposal:</b>	Demolition of existing garden shelter and replaced with new garden room				

---

<b>Application No.:</b>	70926	<b>App. Type:</b>	LBC	30/08/2024	Approve with Conditions
<b>Location:</b>	Greenhalgh Fold Cottage, Whipney Lane, Tottington, Bury, BL8 4HT				
<b>Proposal:</b>	Listed building consent for demolition of existing garden shelter and replaced with new garden room				

Ward: **Prestwich - Holyrood**

---

<b>Application No.:</b>	70873	<b>App. Type:</b>	FUL	19/08/2024	Approve with Conditions
<b>Location:</b>	108 Heywood Road, Prestwich, Manchester, M25 1LE				
<b>Proposal:</b>	Front porch, part single storey / two storey side and rear extensions; flat roof dormer extension at rear; and the installation of 3 no. roof lights at front				

---

<b>Application No.:</b>	70890	<b>App. Type:</b>	FUL	22/08/2024	Approve with Conditions
<b>Location:</b>	9 Nursery Road, Prestwich, Manchester, M25 3EW				
<b>Proposal:</b>	Single storey side extension; New access of driveway and vehicular dropped crossing				

---

<b>Application No.:</b>	70900	<b>App. Type:</b>	LDGP	30/08/2024	Lawful Development
<b>Location:</b>	24 Brooklawn Drive, Prestwich, Manchester, M25 2GS				
<b>Proposal:</b>	Lawful development certificate for proposed single storey side extension replacing existing garage				

---

<b>Application No.:</b>	70952	<b>App. Type:</b>	FUL	21/08/2024	Approve with Conditions
<b>Location:</b>	8 Droughts Lane, Prestwich, Manchester, M25 2ST				
<b>Proposal:</b>	Two storey/single storey rear extension with balcony roof				

---

<b>Application No.:</b>	70984	<b>App. Type:</b>	FUL	11/09/2024	Approve with Conditions
<b>Location:</b>	34 St Josephs Avenue, Whitefield, Manchester, M45 6NT				
<b>Proposal:</b>	Loft conversion with raised ridge and rear dormer				

---

<b>Application No.:</b>	70988	<b>App. Type:</b>	FUL	10/09/2024	Approve with Conditions
<b>Location:</b>	95 Polefield Hall Road, Prestwich, Manchester, M25 2WW				
<b>Proposal:</b>	Single storey rear extension				

---

<b>Application No.:</b>	71008	<b>App. Type:</b>	GPDE	05/09/2024	Prior Approval Not Required - Extension
<b>Location:</b>	22 Willingdon Drive, Prestwich, Manchester, M25 1PA				
<b>Proposal:</b>	Prior approval for proposed single storey rear extension				

Ward: **Prestwich - Sedgley**

---

<b>Application No.:</b>	69164	<b>App. Type:</b>	FUL	06/09/2024	Approve with Conditions
<b>Location:</b>	Former Texaco Garage, Bury Old Road, Prestwich, M25 0HH				
<b>Proposal:</b>	Erection of a retail unit (Use Class E(a)) and Synagogue (Use Class F1(f)) with associated car parking, landscaping, associated excavation works, access arrangement and addition of basement for use for storage. Removal of internal stairwell from previously approved application 63054 (Part Retrospective)				

---

<b>Application No.:</b>	70561	<b>App. Type:</b>	FUL	09/09/2024	Refused
<b>Location:</b>	Land between 205-211 Bury Old Road, Prestwich, Manchester, M25 1JF				
<b>Proposal:</b>	Erection of building comprising of 7 no. apartments with associated parking and landscaping				

---

<b>Application No.:</b>	70791	<b>App. Type:</b>	FUL	20/08/2024	Approve with Conditions
<b>Location:</b>	33 Bland Road, Prestwich, Manchester, M25 9NW				
<b>Proposal:</b>	First floor extension and porch at front, two storey extension at front/side/rear and single storey extension at side/rear				

---

<b>Application No.:</b>	70817	<b>App. Type:</b>	FUL	22/08/2024	Approve with Conditions
<b>Location:</b>	62 Brooklands Road, Prestwich, Manchester, M25 0ED				
<b>Proposal:</b>	Two storey side extension				

---

<b>Application No.:</b>	70821	<b>App. Type:</b>	FUL	22/08/2024	Approve with Conditions
<b>Location:</b>	20 Winchester Avenue, Prestwich, Manchester, M25 0LJ				
<b>Proposal:</b>	First floor front extension				



---

<b>Application No.:</b>	70907	<b>App. Type:</b>	FUL	19/08/2024	Refused
<b>Location:</b>	53 Bury Old Road, Prestwich, Manchester, M25 0FG				
<b>Proposal:</b>	Variation of condition no. 3 following approval of planning permission 69740 - Opening hours to be extended from Sunday-Thursday 10:00-00:00 hrs and Friday-Saturday 10:00-02:00 hrs (as approved) to be Sunday-Thursday 10:00-01:00 hrs and Friday-Saturday 10:00-03:00 hrs (extended)				

---

<b>Application No.:</b>	70972	<b>App. Type:</b>	FUL	22/08/2024	Approve with Conditions
<b>Location:</b>	20 Harrogate Avenue, Prestwich, Manchester, M25 0LT				
<b>Proposal:</b>	Single storey rear and front extensions				

---

<b>Application No.:</b>	70982	<b>App. Type:</b>	FUL	11/09/2024	Approve with Conditions
<b>Location:</b>	31 Bury Old Road, Prestwich, Manchester, M25 0EY				
<b>Proposal:</b>	Demolition of existing single storey side/rear extension and erection of single storey side/rear extension				

---

<b>Application No.:</b>	71037	<b>App. Type:</b>	FUL	09/09/2024	Approve with Conditions
<b>Location:</b>	5 Woodhill Grove, Prestwich, Manchester, M25 0AE				
<b>Proposal:</b>	Single storey extension at side				

---

<b>Application No.:</b>	71139	<b>App. Type:</b>	LDCP	09/09/2024	Lawful Development
<b>Location:</b>	70 Sheepfoot Lane, Prestwich, Manchester, M25 0DN				
<b>Proposal:</b>	Lawful Development Certificate for proposed single storey rear extension				

---

Ward: **Prestwich - St Mary's**

---

<b>Application No.:</b>	70781	<b>App. Type:</b>	FUL	19/08/2024	Approve with Conditions
<b>Location:</b>	460 Bury New Road, Prestwich, Manchester, M25 1AX				
<b>Proposal:</b>	Alterations to side elevation to include reinstatement of door and window; 2 no. existing windows to be replaced with 2 no. double doors; Installation of extraction duct to side elevation.				

---

<b>Application No.:</b>	70852	<b>App. Type:</b>	FUL	16/08/2024	Refused
<b>Location:</b>	10 Butterstile Lane, Prestwich, Manchester, M25 9PW				
<b>Proposal:</b>	Variation of condition no. 2 (approved plans) of planning permission 66779: Amendment to cill heights, omission of some windows and balcony; reduction in the length of the boundary retaining wall and change from brickwork to a white render				

---

<b>Application No.:</b>	70892	<b>App. Type:</b>	FUL	19/08/2024	Approve with Conditions
<b>Location:</b>	2 Butt Hill Avenue, Prestwich, Manchester, M25 9PN				
<b>Proposal:</b>	Single storey extension at front/side with steps into garden				

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<b>Application No.:</b>	70947	<b>App. Type:</b>	FUL	02/09/2024	Approve with Conditions
<b>Location:</b>	4 Crosslands, Prestwich, Manchester, M25 9QT				
<b>Proposal:</b>	Single storey side and rear extensions; white render to all elevations; 2m high fence on rear boundary and paving of front garden				

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<b>Application No.:</b>	70968	<b>App. Type:</b>	FUL	13/09/2024	Approve with Conditions
<b>Location:</b>	7 Butt Hill Avenue, Prestwich, Manchester, M25 9PN				
<b>Proposal:</b>	Loft conversion with side and rear dormers				

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<b>Application No.:</b>	70986	<b>App. Type:</b>	LDCP	20/08/2024	Lawful Development
<b>Location:</b>	11 Grundy Avenue, Prestwich, Manchester, M25 9TG				
<b>Proposal:</b>	Lawful development certificate for proposed hip to gable loft conversion with dormer at rear and rooflight at front				

Ward: **Radcliffe - North and Ainsworth**

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<b>Application No.:</b>	70808	<b>App. Type:</b>	FUL	16/08/2024	Refused
<b>Location:</b>	Land at rear of Westminster Avenue, Radcliffe, M26 3WD				
<b>Proposal:</b>	Erection of 12 no. garages - 2 identical blocks of 6 units each				

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<b>Application No.:</b>	70853	<b>App. Type:</b>	FUL	02/09/2024	Approve with Conditions
<b>Location:</b>	Land off Chaucer Avenue, Radcliffe, Manchester, M26 3QS				
<b>Proposal:</b>	Siting of caravan on land for residential occupation				

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<b>Application No.:</b>	70885	<b>App. Type:</b>	LDCP	16/08/2024	Refused
<b>Location:</b>	20 Bradley Fold Road, Radcliffe, Bolton, BL2 5QD				
<b>Proposal:</b>	Lawful development certificate for proposed rear dormer and rear single storey extension				

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<b>Application No.:</b>	70944	<b>App. Type:</b>	LDCP	13/09/2024	Lawful Development
<b>Location:</b>	25 Boundary Drive, Radcliffe, Bolton, BL2 6SE				
<b>Proposal:</b>	Lawful development certificate for proposed single storey side extension with hipped roof.				

Ward: **Radcliffe - West**

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<b>Application No.:</b>	70875	<b>App. Type:</b>	FUL	09/09/2024	Approve with Conditions
<b>Location:</b>	8 Near Hey Close, Radcliffe, Manchester, M26 3YY				
<b>Proposal:</b>	Two storey side extension; Single storey rear extension; Render to all elevations				

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<b>Application No.:</b>	70963	<b>App. Type:</b>	FUL	20/08/2024	Approve with Conditions
<b>Location:</b>	13 Coronation Road, Radcliffe, Manchester, M26 3RA				
<b>Proposal:</b>	Single storey rear/side extension				

Ward: **Ramsbottom**

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<b>Application No.:</b>	70668	<b>App. Type:</b>	FUL	28/08/2024	Approve with Conditions
<b>Location:</b>	10 Rake Fold, Ramsbottom, Bury, BL8 4ND				
<b>Proposal:</b>	Installation of an Air Source Heat Pump (ASHP) at rear				

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<b>Application No.:</b>	70832	<b>App. Type:</b>	FUL	29/08/2024	Approve with Conditions
<b>Location:</b>	6 Paradise Street, Ramsbottom, Bury, BL0 9BS				
<b>Proposal:</b>	Change of use from vacant warehouse to pilates studio; and replacement of first floor opening to a glazed window				

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<b>Application No.:</b>	70845	<b>App. Type:</b>	FUL	21/08/2024	Approve with Conditions
<b>Location:</b>	156 Nuttall Lane, Ramsbottom, Bury, BL0 9LE				
<b>Proposal:</b>	Two storey extension at side/rear; Single storey front/side/rear extension to include white/grey render to all elevations				

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<b>Application No.:</b>	70856	<b>App. Type:</b>	FUL	11/09/2024	Approve with Conditions
<b>Location:</b>	Margaret Haes Riding Centre Ltd, Moor Road, Ramsbottom, Bury, BL8 4NX				
<b>Proposal:</b>	Relocate stable block to land at the rear and addition of a memorial clock tower to existing stable block				

Ward: **Tottington**

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<b>Application No.:</b>	70863	<b>App. Type:</b>	FUL	30/08/2024	Approve with Conditions
<b>Location:</b>	2 Bentley Meadows, Walshaw, Bury, BL8 3GL				
<b>Proposal:</b>	Single storey / two storey rear extensions; first floor balcony at side; dormer window at rear and external alterations				

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<b>Application No.:</b>	70884	<b>App. Type:</b>	LDCE	02/09/2024	Lawful Development
<b>Location:</b>	16 Campbell Close, Tottington, Bury, BL8 3BB				
<b>Proposal:</b>	Lawful development certificate for existing single storey extension to the rear of the property				

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<b>Application No.:</b>	70886	<b>App. Type:</b>	FUL	19/08/2024	Approve with Conditions
<b>Location:</b>	250 Turton Road, Tottington, Bury, BL8 4AJ				
<b>Proposal:</b>	Single storey side extension				

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<b>Application No.:</b>	70916	<b>App. Type:</b>	FUL	29/08/2024	Approve with Conditions
<b>Location:</b>	6 Royds Close, Tottington, Bury, BL8 3QD				
<b>Proposal:</b>	Single storey side and rear extension				

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<b>Application No.:</b>	71102	<b>App. Type:</b>	AG	11/09/2024	Prior Approval Not required
<b>Location:</b>	Land on Bentley Hall Lane, BL8 3PH				
<b>Proposal:</b>	Prior approval for proposed agricultural building				

Ward: **Whitefield + Unsworth - Besses**

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<b>Application No.:</b>	70809	<b>App. Type:</b>	FUL	06/09/2024	Approve with Conditions
<b>Location:</b>	Land off Victoria Avenue, Whitefield, Manchester, M45 6DP				
<b>Proposal:</b>	Variation of condition nos 15 & 22 following approval of planning permission 68691: Condition 15 (to construct the drainage through the offsite shared driveway) - to a connection to the combined sewer within the site Condition 22 (to provide 14x affordable rent and 16x shared ownership) - to 14 Shared Ownership Units and 16 Affordable Rent				



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<b>Application No.:</b>	70883	<b>App. Type:</b>	FUL	09/09/2024	Approve with Conditions
<b>Location:</b>	13 Prestfield Road, Whitefield, Manchester, M45 6BD				
<b>Proposal:</b>	First floor/two storey extension at rear				

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<b>Application No.:</b>	70891	<b>App. Type:</b>	FUL	21/08/2024	Approve with Conditions
<b>Location:</b>	21 Thatch Leach Lane, Whitefield, Manchester, M45 6EN				
<b>Proposal:</b>	Two storey side/rear extension; Single storey rear extension; Front porch				

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<b>Application No.:</b>	70917	<b>App. Type:</b>	FUL	19/08/2024	Approve with Conditions
<b>Location:</b>	41 Alexander Drive, Bury, BL9 8PF				
<b>Proposal:</b>	First floor side extension				

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<b>Application No.:</b>	70927	<b>App. Type:</b>	TEL	28/08/2024	Prior Approval Required and Granted
<b>Location:</b>	Opposite 15 Albert Road, Whitefield, Manchester, M45 8NN				
<b>Proposal:</b>	Prior approval for proposed installation of a 20m radio base station supporting 6 no. antennas, 2 no. transmission dishes, 3 no. RRUs and ancillary development including 2 no. equipment cabinets and GPS module.				

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<b>Application No.:</b>	70975	<b>App. Type:</b>	LDCP	10/09/2024	Lawful Development
<b>Location:</b>	23 Roch Crescent, Whitefield, Manchester, M45 8LR				
<b>Proposal:</b>	Lawful development certificate for proposed single storey rear extension				

Ward: **Whitefield + Unsworth - Pilkington Park**

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<b>Application No.:</b>	70235	<b>App. Type:</b>	FUL	05/09/2024	Approve with Conditions
<b>Location:</b>	10 Nuttall Mews, Whitefield, Manchester, M45 6QZ				
<b>Proposal:</b>	Two storey side extension				

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<b>Application No.:</b>	70929	<b>App. Type:</b>	FUL	20/08/2024	Approve with Conditions
<b>Location:</b>	7 Hawkstone Avenue, Whitefield, Manchester, M45 7PG				
<b>Proposal:</b>	Single storey flat roof rear extension				

Ward: **Whitefield + Unsworth - Unsworth**

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<b>Application No.:</b>	70658	<b>App. Type:</b>	FUL	16/08/2024	Approve with Conditions
<b>Location:</b>	Land to south of Brick House Farm, Griffe Lane, Bury, BL9 8QS				
<b>Proposal:</b>	Change of use of vacant land to accommodate 2 no. static caravans for a temporary period of 2 years				

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<b>Application No.:</b>	70703	<b>App. Type:</b>	FUL	16/08/2024	Approve with Conditions
<b>Location:</b>	17 Bloomfield Drive, Bury, BL9 8JX				
<b>Proposal:</b>	Replacement of 1.2m high wooden fence panels with 1.85m high wooden fence panels to the side/rear boundary				

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<b>Application No.:</b>	70899	<b>App. Type:</b>	LDCP	23/08/2024	Lawful Development
<b>Location:</b>	Pike Fold Golf Club, Hills Lane, Bury, BL9 8QP				
<b>Proposal:</b>	Lawful development certificate for proposed: Creation of additional 'Hole 17a', including a new green, tee area and sand bunkers, on land currently used as a golf practice area; Creation of a new golf practice area on land currently forming part of 'Hole 17' and adjacent grassland; Creation of a new tee area for 'Hole 18'.				

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<b>Application No.:</b>	70941	<b>App. Type:</b>	LDCP	20/08/2024	Lawful Development
<b>Location:</b>	14 Whalley Road, Whitefield, Manchester, M45 8UZ				
<b>Proposal:</b>	Lawful development certificate for proposed erection of rear dormer				

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<b>Application No.:</b>	70943	<b>App. Type:</b>	ADV	09/09/2024	Approve with Conditions
<b>Location:</b>	Asda Stores Ltd, Park 66, Bury, BL9 8RS				
<b>Proposal:</b>	1 no. internally illuminated lettering sign; 3 no. refurbished internally illuminated lettering signs; 1 no. refurbished totem sign; 2 no. replacement totem signs; 4 no. twin post signs; 56 no. non-illuminated informative signs of various designs; 1 no. internally illuminated fascia sign; 12 no. notice panels of various designs; 3 no. sets of vinyl glazing graphics; vinyl applied to existing petrol station canopy; 31 no. non-illuminated informative signs of various designs within petrol station				

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<b>Total Number of Applications Decided:</b>	<b>83</b>
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# REPORT FOR NOTING

**Agenda  
Item**
**6**

<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>26 September 2024</b>
<b>SUBJECT:</b>	<b>PLANNING APPEALS</b>
<b>REPORT FROM:</b>	<b>HEAD OF DEVELOPMENT MANAGEMENT</b>
<b>CONTACT OFFICER:</b>	<b>DAVID MARNO</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	<p>Planning Appeals:</p> <ul style="list-style-type: none"> <li>- Lodged</li> <li>- Determined</li> </ul> <p>Enforcement Appeals</p> <ul style="list-style-type: none"> <li>- Lodged</li> <li>- Determined</li> </ul>
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	The Committee is recommended to the note the report and appendices
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework? Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management
<b>Statement by Executive Director of Resources:</b>	N/A
<b>Equality/Diversity implications:</b>	No
<b>Considered by Monitoring Officer:</b>	N/A

<b>Wards Affected:</b>	All listed
<b>Scrutiny Interest:</b>	N/A

## TRACKING/PROCESS

## DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

### 1.0 BACKGROUND

This is a monthly report to the Committee of the Planning Appeals lodged against decisions of the authority and against Enforcement Notices served and those that have been subsequently determined by the Planning Inspectorate.

Attached to the report are the Inspectors Decisions and a verbal report will be presented to the Committee on the implications of the decisions on the Appeals that were upheld.

### 2.0 CONCLUSION

That the item be noted.

### List of Background Papers:-

#### Contact Details:-

David Marno, Head of Development Management  
Planning Services, Department for Resources and Regulation,  
3 Knowsley Place ,Bury BL9 0EJ

**Tel: 0161 253 5291**

**Email: [d.marno@bury.gov.uk](mailto:d.marno@bury.gov.uk)**



**Planning Appeals Decided  
between 14/08/2024 and 16/09/2024**



**Application No.:** 69923/FUL

**Decision level:** DEL

**Recommended Decision:** Refuse

**Applicant:** Mr Chris Prest

**Location:** 73A Simister Lane, Prestwich, Manchester, M25 2SU

**Proposal:** First floor side extension; garage conversion to habitable space; raise roof ridge height, loft conversion with rear dormers; front porch; electric gate on front boundary and elevational changes to existing facade/windows

**Appeal Decision:** Dismissed

**Date:** 28/08/2024

**Appeal type:** Written Representations

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**Application No.:** 70120/FUL

**Decision level:** DEL

**Recommended Decision:** Refuse

**Applicant:** Mr P Sanghani

**Location:** Storage unit to the rear of 2C Green Street, Bury, BL8 1TF

**Proposal:** Change of use from storage unit to 1 no. dwelling (Use Class C3)

**Appeal Decision:** Dismissed

**Date:** 15/08/2024

**Appeal type:** Written Representations

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**Application No.:** 70236/FUL

**Decision level:** DEL

**Recommended Decision:** Refuse

**Applicant:** Mr Lee Hopley

**Location:** 21 Philips Drive, Whitefield, Manchester, M45 7PY

**Proposal:** First floor front extension

**Appeal Decision:** Dismissed

**Date:** 28/08/2024

**Appeal type:** Written Representations

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**Application No.:** 70461/FUL

**Decision level:** DEL

**Recommended Decision:** Refuse

**Applicant:** Mr H Khan

**Location:** Performance House, Heywood Street, Bury, BL9 7DZ

**Proposal:** Change of use of part of car showroom (Sui Generis) to retail (Class E(a)) and office (Class E(g)(i)), single storey extension and external alterations

**Appeal Decision:** Allowed

**Date:** 12/09/2024

**Appeal type:** Written Representations

# Appeal Decision

Site visit made on 19 August 2024

**by R Major BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 28 August 2024**

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**Appeal Ref: APP/T4210/D/24/3337479**

**73A Simister Lane, Prestwich, Bury M25 2SU**

- 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 Chris Prest against the decision of Bury Metropolitan Borough Council.
  - The application Ref is 69923.
  - The development proposed is first floor side extension on top of original garage, single storey front porch extension, raise existing roof height, new dormers to rear, convert loft, elevational changes to existing façade/windows.
- 

## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. Since the appeal was submitted the Council has adopted the Places for Everyone<sup>1</sup> Joint Development Plan as part of the Development Plan for Bury. The main parties were given the opportunity to comment on this adopted plan and its relevance in relation to the appeal proposal.
3. On 30 July 2024 the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework) and other changes to the planning system. Whilst a direction of travel has been outlined within the Written Ministerial Statement, which is a material consideration, the changes to the Framework can only be given limited weight at this stage, given that no final document has been published.
4. In any event, the policies that are material to this decision are not subject to any fundamental changes, and I am satisfied that this has not prejudiced any party. Consequently, in reaching my decision I have therefore had regard to the Framework published in December 2023.

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<sup>1</sup> Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039, Adopted 21 March 2024.

## Main Issues

5. The main issues are:

- whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and relevant development plan policies; and
- the effect on the character and appearance of the area;

## Reasons

### *Whether inappropriate development*

6. The appeal site is within land defined as Green Belt. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of the Green Belt being their openness and permanence. The Framework goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
7. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraph 154. One such exception, criterion (c), being the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
8. Policy OL1/2 of the Bury Unitary Development Plan 1997 (UDP) also states that the construction of new buildings inside the Green Belt is inappropriate, unless one or more of a number of purposes apply. Of these listed purposes, bullet point three includes limited extension or alteration of existing dwellings, provided that this would not result in disproportionate additions over and above the size of the original dwelling. As such, UDP Policy OL1/2 conforms with the provision of the Framework.
9. I note the Council's Officer Report refers to case law<sup>2</sup> in respect of assessing the impact on openness. However, as established within the Lee Valley case<sup>3</sup>, this requirement is not a test within paragraph 154 of the Framework, which only requires openness to be taken into account when it is expressly stated as a determining factor in gauging inappropriateness.
10. As such there is no requirement to assess the impact of the extensions and alterations to a building on the openness of the Green Belt, or the visual impact of the proposal, when determining whether or not it constitutes inappropriate development. The determining factor is therefore whether or not the proposed extensions and alterations result in disproportionate additions over the size of the original dwelling.
11. In this context, the Framework does not define what may constitute a disproportionate addition. An assessment of whether the proposal would be disproportionate to the original building is therefore a matter of planning

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<sup>2</sup> Turner v SSCLG & East Dorest Council [2016] EWCA 466

<sup>3</sup> Lee Valley Regional Park Authority, R (on the application of) v Epping Forest District Council & Anor (Rev1) [2016] EWHCA Civ 404

judgement. However, the overall size (footprint and volume) of the original building in comparison to the proposed extended building is clearly an important factor.

12. The Council's Supplementary Planning Document: *Development Control Policy Guidance Note 8 – New Buildings & Associated Development in the Green Belt - January 2007* (SPD8) sets out that residential extensions should be proportionate to the size of the original building and that the Council may allow an extension to be up to a third of the volume of the original dwelling. It further states that each proposal will be considered on its own merits and even an increase up to a third may not be appropriate in certain situations (e.g. if the site is a particularly sensitive area or if there are other amenity issues).
13. The appellant has provided volume calculations to show that the appeal scheme would result in a volume increase of 30% above that of the original dwelling and this figure is not disputed by the Council. As such the appeal scheme would adhere to the guidance within SPD8 regarding volume increases arising from extensions to buildings within the Green Belt.
14. I acknowledge that the figure in the SPD is a guide only and that there may be circumstances where extensions of less than a third are still considered to be disproportionate. Nevertheless, in this case the proposed first-floor extension and raising of the roof, which includes the construction of rear dormers, would be confined to within the existing width and depth of the dwelling and would therefore not result in any increase in the footprint of the original building.
15. Furthermore, and notwithstanding its impact upon the character and appearance of the area which is discussed in further detail below, I consider the raising of the ridge to be proportionate in comparison to the overall scale and height of the existing building.
16. Having regard to the above, in my judgement the proposal would not result in disproportionate additions to the original building in terms of size, and it therefore falls within the exception at paragraph 154 (c) of the Framework. I therefore conclude that the proposed development would not be inappropriate development in the Green Belt and accords with UDP Policy OL1/2, as well as the provisions of the Framework. Furthermore, I have found that the proposal complies with the guidance contained within SPD8.
17. As I have found that the proposal would not be inappropriate development in the Green Belt, there is no place for a subsequent assessment of the effect of the development on the openness of the Green Belt, or the impact on Green Belt purposes.
18. Additionally, given the proposed development would not amount to inappropriate development, there is no need for me to assess other considerations, and whether very special circumstances exist in order to justify the development.

#### *Character and appearance*

19. The appeal relates to a two-storey detached dwelling, with an integral side garage, within the semi-rural village of Simister. The property is located within a relatively long ribbon of built development occupying both sides of the road.
20. I observed on site that there are a variety of house styles, designs and ridge heights within this ribbon of development, reflecting the various different ages



of the properties. However, the appeal property is located centrally within a row of three detached dwellings which appear to be almost identical in size, scale, height and design. I did note that the appeal property has a slightly different roof design above its integral garage and front porch / canopy in comparison to the properties either side, however collectively this row of three similar properties creates a positive feature on an otherwise varied street scene.

21. Furthermore, the single storey garage to the side of each property in this row creates a gap between each dwelling at first floor level. These gaps afford visual relief from the built development along this street, as well as providing a view of the wooded area to the rear (north) of the appeal site, thereby adding to the pleasant, green and leafy character of this area. As such, the existing gap provided at first-floor level on each of the properties in this row currently makes a positive contribution to the appearance of the street scene.
22. The proposed first-floor side extension above the side garage, and the raising of the ridge height, would increase the height and bulk of the dwelling, resulting in it being more visually prominent and dominant on the street than the existing building and the similar dwellings either side. Whilst acknowledging the proposal has been designed to retain and replicate existing features of the dwelling, including the front gable feature on the first-floor extension, as a result of its scale and size the proposed extensions and alterations would create an overly dominant and oppressive building in this locality.
23. The proposal would also disrupt the existing continuity provided by this row of three properties, as well as significantly reducing the gap at first floor level between the appeal property and the neighbouring dwelling at No. 75 Simister Lane. The narrowing of this gap would result in harm to the street scene by reducing the aforementioned pleasant views of the trees within the wooded area to the rear.
24. Additionally, the raising of the ridge height would not only look out of place in comparison to the properties either side, but also alter the pitch and slope of the roof plane. Thus, not only would the raising of the ridge height, along with the first-floor extension, result in the appeal dwelling being the dominant property in this row of three dwellings when viewed directly from the front, but also when approaching from either direction on Simister Lane the proposed roof plane / slope would sit forward of, and above, the properties either side. This only adds further visual harm to the character and appearance of this row of three properties and the wider street scene in general.
25. Accordingly, I conclude that the appeal scheme would significantly harm the character and appearance of the surrounding area. The proposal is therefore contrary to UDP Policy H2/3 where it seeks to ensure, among other things, that development is sympathetic in nature with the surrounding area by reason of shape, design, and external appearance.
26. The proposal also fails to comply with the Council's Supplementary Planning Document 6: Alterations and Extensions to Residential Properties (adopted 2004 and updated 2010) where it seeks to achieve a high standard of design and to ensure that proposals do not have a detrimental impact on the character and appearance of neighbouring properties and general street scene.

## Other Matters

27. The appellant has made reference to the number of additions that have been approved and constructed at other nearby properties in the area. Whilst I acknowledged earlier that the wider street scene includes a variety of house types, heights and designs, I have limited information before me as to the planning history of all these other properties to draw any direct comparisons with the appeal scheme.
28. My attention has however been specifically drawn to extensions and alterations at No. 85 Simister Lane (No. 85). Again, I do not have all the details before me in respect of the full planning history of this property. Nevertheless, having reviewed the approved plans at No. 85 that have been provided as part of this appeal, I note that this proposal did not appear to include any raising of the ridge height, as proposed by the appeal scheme. Furthermore, I observed on site that the properties immediately surrounding No. 85 differ in size and design. As such, I do not consider the approved extensions at No.85 are directly comparable to the appeal scheme.
29. Notwithstanding the above, the existence of other extensions in the area does not justify the harm I have identified, and I have determined the appeal on its own merits against the most up-to-date planning policies.
30. I note the appellant comments that the proposal primarily intends to allow more useable area on the upper floors to accommodate their growing family. Limited information is before me as to those circumstances and I have limited evidence that this scheme is the only practical option for extending this property. I do not therefore find that the personal circumstances of the appellant to extend the property outweigh the harm I have found the appeal proposal would have on the character and appearance of the surrounding area.

## Conclusion

31. The proposed development would not constitute inappropriate development within the Green Belt. However, the appeal scheme would have an unacceptable harmful impact upon the character and appearance of the surrounding area.
32. The proposal therefore conflicts with the development plan when taken as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

*R Major*

INSPECTOR



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# Appeal Decision

Site visit made on 2 July 2024

**by H Senior BA (Hons) MCD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 15 August 2024**

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**Appeal Ref: APP/T4210/W/24/3338881**

**Detached storage unit, Green St, Bury BL8 1TF**

- 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 P Sanghani against the decision of Bury Metropolitan Borough Council.
  - The application Ref is 70120.
  - The development proposed is change of use from storage unit to dwelling.
- 

## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. On 21 March 2024, after the appeal was submitted, the Council adopted the Places for Everyone Joint Development Plan Document (PfE) as part of its Development Plan. The Council have referenced the updated policies of the PfE in its statement, which the appellant has had an opportunity to comment on.

## Main Issues

3. The main issues are:
  - the effect of the proposal on the character and appearance of the area,
  - whether acceptable living conditions would be provided for future occupiers of the development with regard to amenity space and outlook,
  - the effect of the proposal on highway safety,
  - whether acceptable living conditions would be provided for neighbouring occupiers with regard to access.

## Reasons

### *Character and appearance*

4. The proposal relates to an existing storage unit and is a single storey, flat roofed building, accessed off Green Street via an access track. It lies to the rear of an existing dwelling and abuts the rear boundaries of dwellings on Tottington Road and Lomond Drive. The area is predominantly residential although there is some commercial development along Green Street. The surrounding buildings are two-storey terraced, semi-detached or detached dwellings of a similar height and massing each with a frontage to the surrounding streets. The existing building is unassuming and, due to recent development in its foreground, it has limited presence within its surroundings.

5. The appeal scheme is for a change of use of the building to a one-bedroom dwelling with amenity space to the front along with close boarded timber fencing to enclose the space and bin store.
6. The use of the single storey storage unit as a dwelling and the introduction of the space and associated enclosures would fundamentally change its character. This would fail to reflect the predominant scale and mass of surrounding dwellings or their plot sizes. In addition, it would not have a street frontage due to the buildings position to the rear of the plot so it would not reflect the character of the area and would create an incongruous and inharmonious form of development.
7. I conclude that the proposal would harm the character and appearance of the area. It would conflict with Policies EN1/2, H2/1, H2/2, H2/4 and H2/6 of the Bury Unitary Development Plan (UDP) and Policy JP-H4 of the PfE which together amongst other matters seek to ensure that development makes a positive contribution to the quality of the surrounding area and is at a density appropriate to the location. It would also conflict with guidance in the National Planning Policy Framework (the Framework) which has similar aims.

*Living conditions for future occupiers*

8. The close boarded fence would be approximately 2 metres high and would be in close proximity to the front of the building, in particular to the bedroom window. According to the submitted plans this would be the only window serving the bedroom as the windows currently on the side elevation are not shown on the proposed elevation. This would limit the outlook from this room creating an enclosed and oppressive environment limiting the occupier's enjoyment of the room.
9. Whilst all the land proposed for outdoor amenity space appears to be within the appellant's ownership, as shown by the blue line, a sizeable portion of the space adjacent to the bathroom of the dwelling and the proposed fence line would fall outside of the site edged red on the site plan. This is unusual and the lines should normally be the same. However, this is not a matter that can be addressed through the appeal process. The proposed space would, nonetheless, be small and enclosed by the fencing, so future occupiers would experience it as an oppressive space with limited outlook. While some surrounding houses have outlook onto gardens of a similar size to the proposal, these have dual aspects toward the streets, including from first floor rooms, so are not comparable with the proposal.
10. I conclude that the proposal would not provide acceptable living conditions for future occupiers of the development with regard to amenity space and outlook. It would conflict with Policies H1/2, H2/1, H2/2 of the UDP and Policy JP-P1 of the PfE which together amongst other matters seek to ensure that development has a positive impact on residential amenity and is functional and convenient. It would also conflict with guidance in Supplementary Planning Document 6 Alterations and Extensions to Residential Properties and the Framework which have similar aims.

*Highway safety*

11. The proposal would be accessed via an existing track from Green Street which would have been the access to the storage unit when it was in use, although



this does not appear to have been used for some time. The level of use of the track would be similar for a single dwelling as for the storage unit. Although one parking space would be provided there would be insufficient space for turning facilities to enable the vehicle to exit the site in a forward direction due to the addition of the proposed fencing to enclose the outdoor amenity space. In addition, there is no evidence to show that appropriate visibility onto Green Street can be provided. Therefore, I cannot be certain that traffic would be able to safely join the highway in a forward direction, particularly as there may be pedestrians accessing the nearby dwellings using the footpaths.

12. I conclude that the proposal would harm highway safety. It would conflict with Policies H2/4, EN1/2, H2/2 and HT6/2 of the UDP which together amongst other matters seek to ensure that development seeks to reduce pedestrian and vehicular conflict and has acceptable standards of access for vehicles.

#### *Living conditions of neighbouring occupiers*

13. There is a high fence to the rear of the dwellings on Tottington Road to separate the access track from the dwellings to enable safe passage to them. An additional fence has been constructed between the access road and the side of 2c Green Street. The full extent of the existing fences is not shown on the plans. As the dwellings on Tottington Road front directly onto the footpath, rear access is necessary for refuse collection. However, details of a scheme to maintain the rear access to the residential properties on Tottington Road, including for any boundary enclosures, could be subject to a condition as the land necessary to achieve this is within the site edged red.
14. I conclude that the proposal would provide acceptable living conditions for neighbouring occupiers with regard to access. Hence, in this respect, it would comply with Policies H2/4, EN1/2, H2/2 and HT6/2 of the UDP which together amongst other matters seek to ensure that development does not impact on neighbouring properties and has suitable access arrangements.

#### **Other Matters**

15. Policy JP-H3 of the PfE requires that new dwellings comply with the Nationally Described Space Standards<sup>1</sup>. Were the proposal otherwise acceptable I would need to have considered this matter further and sought the views of the parties regarding this matter. However, as I have found the proposal would be unacceptable for other reasons, there would be no beneficial outcome from addressing this matter further in this case.

#### **Planning Balance**

16. With the adoption of the PfE, the Council's position in relation to its housing land supply has changed and it is able to demonstrate 5-years supply of deliverable housing land. Nevertheless, the Council has a poor record of housing delivery, which is reflected in the Housing Delivery Test result. This requires the application of Framework paragraph 11(d).
17. The proposed development would create an additional dwelling adding to the Council's housing stock supporting the Government's objective of boosting the supply of homes. The site is also situated in an accessible location in an urban area outside of the Green Belt. However, given the magnitude of the proposal,

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<sup>1</sup> [Technical housing standards – nationally described space standard - GOV.UK \(www.gov.uk\)](https://www.gov.uk/technical-housing-standards)

cumulatively these benefits would only be of moderate weight. The proposal would also not be harmful to the living conditions of neighbouring occupiers, which would neither weigh in favour nor against the proposal. In terms of harm, the appeal proposal would result in significant conflict with the development plan in relation to harm to highway safety, the character and appearance of the area, and through inadequate living conditions for future occupiers. Consequently, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

### **Conclusion**

18. Whilst I have not found harm to the living conditions of neighbouring occupiers, I have identified harm to the character and appearance of the area, living conditions for future occupiers and to highway safety. Therefore, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

*H Senior*

INSPECTOR

# Appeal Decision

Site visit made on 19 August 2024

**by R Major BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 28<sup>th</sup> August 2024**

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**Appeal Ref: APP/T4210/D/24/3339608**

**21 Philips Drive, Whitefield, Bury M45 7PY**

- 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 Lee Hoppley against the decision of Bury Metropolitan Borough Council.
  - The application Ref is 70236.
  - The development proposed is erection of 1<sup>st</sup> floor extension above existing porch allowing increase of existing bedroom.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. Since the appeal was submitted the Council has adopted the Places for Everyone<sup>1</sup> Joint Development Plan as part of the Development Plan for Bury. The main parties were given the opportunity to comment on this adopted plan and its relevance in relation to the appeal proposal.
3. On 30 July 2024 the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework) and other changes to the planning system. Whilst a direction of travel has been outlined within the Written Ministerial Statement, which is a material consideration, the changes to the Framework can only be given limited weight at this stage, given that no final document has been published.
4. In any event, the policies that are material to this decision are not subject to any fundamental changes, and I am satisfied that this has not prejudiced any party. Consequently, in reaching my decision I have therefore had regard to the Framework published in December 2023.
5. I observed on my site visit that the first-floor front extension has already been constructed. However, I note that the first-floor extension as built has been finished with timber cladding whereas the proposed plans state that the extension would have a rendered finish. Nevertheless, the submitted documents state that the development has been completed and I shall thus consider it on a retrospective basis.

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<sup>1</sup> Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039, Adopted 21 March 2024.

## **Main Issue**

6. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

## **Reasons**

7. The appeal relates to a two-storey end terrace dwelling located within a row of four properties. Each terrace property in this row was built with a flat-roofed forward projecting porch at ground floor level. These original porches, along with the similar design of each property, creates a positive and simple sense of symmetry to the front elevation of this terrace row.
8. The properties within this row are all accessed via a set of external steps and a pedestrian access path leading from the vehicular highway of Philips Drive, with the ground floor levels of the properties all situated on land that is raised above the level of the vehicular highway of Philips Drive. Additionally, the front elevation of this terrace row is set forward in comparison to the front elevation of the terrace row directly to the southeast. This raised position, and forward projection, result in the terrace row, within which the appeal property is located, being visually prominent at the end of this street when viewed from the southeast.
9. The surrounding area is characterised by a variety of different house types, sizes and designs, including two-storey dwellings, bungalows, three-storey dwellings and a three-storey block of flats on Linksvie Court which face towards the appeal site. However, each of these different house types is clustered within a different part of the street. This results in different sections of Philips Drive having their own design style and identity, with the properties within each different section being generally similar in design to each other. This layout is a defining characteristic of the street scene on Philips Drive.
10. The introduction of the first-floor extension above the existing front porch significantly unbalances the symmetry across the front elevation of this terrace row, to the visual detriment of the host property, the other properties in this row and the surrounding area in general. The visual impact of the proposal is exacerbated by its flat-roof design, which is not a design feature at first-floor level within the immediate street scene on Philips Drive. The first-floor extension therefore creates an incongruous and discordant feature within this row of otherwise similar properties.
11. For the avoidance of doubt, whether the existing timber clad finish is retained, or whether the extension is finished in render as shown on the proposed plans, would not alter my view on the visual harm arising from the first-floor front extension.
12. In coming to the above views, I acknowledge that the appeal property is located at the end of the row and the street, and that the vehicular highway of Philips Drive terminates before reaching this row of terrace properties. However, due to a combination of its raised and forward position on the street, the front elevation of the appeal property, and in particular the first-floor front extension, is clearly visible from public viewpoints along Philips Drive.
13. Furthermore, the first-floor extension is also visible from the highway serving Linksvie Court, above the existing row of garages, as well as from the first and second floor windows in the front elevation of the flats on Linksvie Court. As such, whilst located at the end of the street, the appeal property and the first-floor



front extension are visible and prominent from multiple locations and surrounding properties.

14. The appellant has commented that the extension is small in size, in keeping with the roof line and blends with the background of the gable elevation of the neighbouring property at No. 1b Park Terrace (No. 1b). Whilst I acknowledge the extension is modest in size and does not breach the existing eaves line, I observed on site that the timber clad extension visually stands out against the white rendered gable elevation of the neighbouring property at No. 1b when viewed from Philips Drive. Furthermore, if the extension was to be finished in render, as detailed on the proposed plans, this would be visually at odds with the host dwelling and other properties in this terrace row.
15. In view of all the above, the first-floor front extension causes unacceptable harm to the character and appearance of the surrounding area. As such the proposal conflicts with Policy H2/3 of the Bury Unitary Development Plan (1997) which seeks to ensure that development is sympathetic in nature with the original building and surrounding area by reason of shape, design, and external appearance.
16. The proposal also fails to comply with the Council's Supplementary Planning Document 6: Alterations and Extensions to Residential Properties (adopted 2004 and updated 2010) where it seeks to achieve a high standard of design and to ensure that proposals do not have a detrimental impact on the character and appearance of neighbouring properties and general street scene.

### **Other Matters**

17. The appellant has referred to advice they received from the Council prior to works commencing on site. However, I have not been provided with the specific details of this advice and in any case this matter has not been determinative in my consideration of this appeal which has been determined in accordance with the most up-to-date planning policies.
18. The appellant has drawn my attention to extensions that have been allowed to the side of the property at No. 12 Philips Drive (No. 12). Whilst I have not been provided with all the details in relation to the extensions to the side of No. 12, I observed that they are not directly comparable to the appeal scheme which relates to a first-floor front extension.
19. The appellant has also provided photos of other front extensions that they assert have been approved by the Council. However, I have been provided with no information in respect of the planning history of these examples, or details of their proximity in relation to the appeal site. I note that one of the photos provided does include an address<sup>2</sup>. However, this property is not located and viewed within the same street scene as the appeal property. Furthermore, the existence of other extensions in the borough does not justify the harm I have identified, and I have determined the appeal on its own merits against the most up-to-date planning policies.
20. I note that the appellant states that the proposal is required to provide additional space within the smallest bedroom, and that they are seeking to provide more floorspace to facilitate their growing family. However, limited information is before

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<sup>2</sup> 328a Stand Lane, Radcliffe

me as to those circumstances and I have limited evidence that this scheme is the only practical option for extending this property. I do not therefore find that the personal circumstances of the appellant to extend the property outweigh the harm I have found to the character and appearance of the area.

### **Conclusion**

21. The proposal conflicts with the development plan when taken as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

*R Major*

INSPECTOR



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# Appeal Decision

Site visit made on 6 August 2024

**by J Symmons BSc (Hons) CEng MICE**

**an Inspector appointed by the Secretary of State**

**Decision date: 12 September 2024**

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**Appeal Ref: APP/T4210/W/24/3341939**

**Performance House, Heywood Street, Bury BL9 7DZ**

- 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 H Khan against the decision of Bury Metropolitan Borough Council.
  - The application Ref is 70461.
  - The development proposed is change of use of part of a car showroom to general retailing plus an independent office (including an extension to the existing building).
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## Decision

1. The appeal is allowed and planning permission is granted for the change of use of part of a car showroom to general retailing plus an independent office (including an extension to the existing building) at Performance House, Heywood Street, Bury BL9 7DZ in accordance with the terms of the application Ref: 70461 and subject to the conditions in the attached schedule.

## Preliminary Matters

2. As there is no indication that changes to the development description provided on the application form have been agreed between the main parties, I have used the application form details in this decision.
3. On 30 July 2024, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework) and issued a written ministerial statement titled 'Building the homes we need'. Given that those parts of the draft Framework most relevant to this decision are not proposed to be amended I consider there is no requirement to seek further submissions on these. I am satisfied that no party's interests would be prejudiced by my taking this approach.
4. Reference is made to a car wash facility on the appeal site which consists of a number of hand car wash bays covered by a canopy structure. The Council refer to the car wash facility including the canopy structure as unauthorised and the appellant provides no evidence to dispute this. For clarity and for the avoidance of doubt, any reference to the car wash facility in this decision includes the canopy structure. During my visit there were vehicles obscuring the hand wash bays of the car wash facility, but I did observe the canopy structure.

## Main Issues

5. The main issues in the determination of the appeal are:

- highway safety, particularly with regard to car parking and servicing;
- whether the proposed development would meet the development plan's carbon emissions standard; and
- whether the proposed development would meet the development plan's high-quality digital infrastructure standard.

## **Reasons**

### *Highway safety*

6. The appeal site is a commercial building most recently used for car sales with a yard area. The Council noted that the yard area was partly used as a car wash facility.
7. The proposal would convert and extend part of the commercial building to form two retail units and one office unit. In support of this, twelve car parking spaces would be provided in the yard area.
8. Through consultation with the Highway Authority, the Council raised concerns that the existing car wash facility would result in standing and queuing vehicles which would adversely affect the use of the proposed development's access, parking spaces and servicing requirement. It was considered that this would cause potential overspill parking and delivery activities that would adversely affect the nearby signalised junction on Heywood Street and the adjacent side streets.
9. However, the appellant and the Council agree that the car wash facility is unauthorised. While the Council indicates that it requested a planning application for the car wash facility to be submitted, the main parties confirm that this was not completed. The appellant has confirmed that the facility is no longer operating and has advised that, even if it was, the Council could take enforcement action to stop its use. The appellant has further confirmed that the proposed development does not include the car wash facility and it was only shown on the proposed plans at the request of the Council.
10. The Council provides little evidence to dispute the appellant's confirmation that the car wash facility is no longer operational or, if it was operational, that enforcement action could not be taken. On the above basis, I consider it reasonable and appropriate for the car wash facility not to be considered in assessing the proposal.
11. The Council confirms that the proposal would provide sufficient car parking spaces and no evidence to the contrary is before me. Without the car wash facility, the concerns raised by the Council regarding it causing standing and queuing vehicles are no longer applicable. Furthermore, there is little evidence to dispute the appellant's indication that, without the car wash facility, there would be no difficulty in accessing the refuse bins. As the area for vehicles to manoeuvre would be significantly larger without the car wash facility, I see little reason to question the adequacy of on-site servicing of the development.
12. Overall, the proposal would not affect highway safety with particular regard to car parking and servicing. The proposal would comply with Policies EN1/2, HT2/4, HT6/1 and HT6/2 of the Bury Unitary Development Plan Adopted Plan 1997 and the guidance set out in the Development Control Policy Guidance



Note 11 – Parking Standards in Bury for adoption 2007. These policies and guidance seek new development, amongst other matters, does not have an unacceptable adverse effect on the character and townscape, provide adequate parking and service provision and prevent conflict between pedestrians, cyclists and vehicles.

### *Carbon Emissions*

13. Policy JP-S2 of the Places for Everyone Joint Development Plan 2022 to 2039 (2024) (PfE) is aimed at delivering a carbon neutral Greater Manchester no later than 2038. The expectation from the adoption of the PfE is that net zero carbon should be achieved for regulated carbon emissions; from 2028 for all emissions in construction; and from 2025, development should also calculate and minimise carbon emissions from unregulated emissions. The policy indicates that an energy statement should set out how this would be achieved, in accordance with an energy hierarchy. It also sets out, amongst other matters, that electrical vehicle charging should be provided and at least BREEAM excellent standard (or equivalent) for the 'Ene 01 – reduction of energy use and carbon emissions' category should be achieved.
14. There is no energy statement before me, nor any substantive evidence to detail how the proposal would comply with the policy. The appellant indicates that a condition could secure this matter. As the policy allows an exception if it can be demonstrated that net zero carbon is not practicable or financially viable, I see no reason why this matter could not be controlled by a condition were the appeal to be allowed.
15. I therefore conclude that with a suitably worded condition imposed, the proposed development would not conflict with Policy JP-S2 of the PfE.

### *Digital Connectivity*

16. Policy JP-C2 of the PfE seeks to ensure that new development is equipped with electronic communication services and requires all new development to have full fibre connections to premises. There is no substantive evidence before me to demonstrate compliance with this policy.
17. The appellant indicates that this matter could be secured through a condition. As the policy allows an exception if it can be demonstrated that such connectivity is not practicable or financially viable, I see no reason why this matter could not be controlled by a condition were the appeal to be allowed.
18. Accordingly, I conclude that with a suitably worded condition imposed the proposed development would not conflict with Policy JP-C2 of the PfE.

### **Conditions**

19. The Council has suggested several conditions which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended some of these for consistency and clarity. I have also added a number of conditions which I consider necessary. Both the appellant and the Council were consulted on the proposed conditions and other than acknowledgement of them no comments were provided.
20. For the avoidance of doubt and in the interests of certainty, I have included the standard time limit condition. For the same purpose, a condition is imposed

requiring the development to be carried out in accordance with the approved plans. However, with respect to drawing titled 'Proposed Floor Plan & Elevations' dated 08/11/2023, I have excluded the car wash facility as this does not form part of the development for which permission is hereby granted.

21. To ensure the development maintains the character of the existing building and the surrounding area I have imposed a condition for the external materials to be submitted and approved by the Council. Furthermore, in order to provide certainty a condition is imposed to secure the delivery of the proposed parking spaces and their retention.
22. Conditions to ensure the development meets Policies JP-S2 and JP-C2 of the PFE with respect to carbon emission reduction and digital connectivity have also been included.
23. I have included conditions for unforeseen contamination and electric vehicle charging points as recommended by the Council's Environmental Protection Team to protect human health, controlled waters and the wider environment and encourage the uptake of ultra-low emission vehicles.

### **Conclusion**

24. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

*J Symmons*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following drawings:  
'Location Plan' dated 26/10/2023; and  
'Proposed Floor Plan and Elevations' dated 08/11/2023 but excluding the car wash facility shown which does not form part of the development approved by this permission.
- 3) Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.
- 4) Prior to the commencement of the development hereby permitted, details shall be submitted to and approved in writing by the local planning authority to demonstrate that full fibre connections to the premises will be provided,

unless it is substantiated that this would not be technically feasible and/or viable. The details must also include future-proofing of the premises for full fibre gigabit-capable network connections. The development shall be carried out in accordance with the approved details and maintained thereafter.

- 5) Prior to commencement of the development hereby permitted, an energy statement shall be submitted to and approved in writing by the local planning authority. That statement shall provide details of a scheme to ensure that regulated operational carbon emissions from the development will, unless the energy statement substantiates that it would not be practicable or financially viable, be net zero. Where net zero would not be practicable or financially viable, the statement shall provide details of a scheme to ensure that carbon emissions are reduced to the maximum possible extent. The energy statement shall be in accordance with the energy hierarchy which in order of importance shall seek to i) minimise energy demand, ii) maximise energy efficiency, iii) use renewable energy, iv) use low carbon energy and v) utilise other energy sources.

The development shall be carried out in accordance with the details set out in the approved energy statement and all measures identified within the approved scheme shall be implemented prior to the first occupation of the development and maintained thereafter.

- 6) Unless substantiation is submitted to and approved in writing by the local planning authority that it would not be practicable or financially viable, the development shall achieve at least BREEAM Level excellent (or equivalent) for the 'Ene 01 – reduction of energy use and carbon emissions' category in accordance with the requirements of the relevant BREEAM scheme. No building shall be occupied until a Final BREEAM Certificate for this category has been issued and provided to the local planning authority.
- 7) No development above ground level shall take place until details/samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.
- 8) Electric vehicle (EV) charging points for 20% of the proposed parking spaces shall be provided prior to occupation of the development hereby permitted, unless substantiation is submitted to and approved in writing by the local planning authority that it would not be practicable or financially viable. The charge points shall be 7kW (32A) single phase as a minimum. Prior to commencement of the development hereby permitted, the proposed location of the charge points shall be submitted to and approved in writing by the local planning authority. The charging points shall be maintained thereafter.
- 9) The development hereby permitted shall not be occupied until the vehicle parking spaces have been provided in accordance with drawing titled 'Proposed Floor Plan and Elevations' dated 08/11/2023. Thereafter those spaces shall be retained for the parking of vehicles only.

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