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AGENDA FOR

PLANNING CONTROL COMMITTEE



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To: All Members of Planning Control Committee

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

Dear Member/Colleague

Planning Control Committee

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

Date:	Tuesday, 21 st October 2025
Place:	Council Chamber, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.

AGENDA

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 2ND SEPTEMBER 2025 *(Pages 3 - 6)*

The Minutes of the meeting held on Tuesday the 2nd September 2025 are attached.

4 PLANNING APPLICATIONS *(Pages 7 - 184)*

Reports attached.

5 DELEGATED DECISIONS *(Pages 185 - 204)*

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 205 - 212)*

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 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:	2 September 2025
Present:	Councillor G Staples-Jones (in the Chair) Councillors C Boles, U Farooq, D Green, J Harris, M Hayes, B Ibrahim, D Quinn, D Vernon and M Walsh
Public Attendance:	1 member of the Press and 57 members of the public were in attendance at the meeting.

PCC.1 ELECTION OF CHAIR

A Chairperson was required due to the Chair of Planning Committee being absent from the meeting.

Delegated decision:

That Councillor Gareth Staples-Jones be elected acting Chairperson of the Planning Committee for this meeting only and took the Chair.

PCC.2 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors D Duncalfe and G McGill.

Councillor D Green acted as a substitute representative for Councillor McGill.
There was no substitute representative for Councillor Duncalfe.

PCC.3 DECLARATIONS OF INTEREST

There were no declarations of interest.

PCC.4 MINUTES OF THE MEETING HELD ON THE 22ND JULY 2025

Delegated decision:

That the Minutes of the meeting held on the 22nd July 2025 be approved as a correct record and signed by the Chair.

PCC.5 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 71422 and 72089.

The Committee heard representations from applicants, objectors and Ward Councillors in respect of the applications submitted. This was limited to three minutes for the speaker.

Delegated decisions:

1. That the Committee **Defer the Application** for a site visit to take place at the location:-

52 Bury Old Road, Prestwich, Manchester, M25 0ER

Demolition of the Existing Mosque and Community Facility and the Erection of a Replacement Mosque and Community Facility (F1 (f)).

2. That the Committee **Defer the Application** to await further information in relation to Section 106 finances to be submitted by the applicant:-

Shore Top Farm, Kearsley Road, Radcliffe, Manchester, M26 1FA

Construction, operation and decommissioning of a Battery Energy Storage System (BESS) facility and associated infrastructure

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

34 Ringley Road, Whitefield, Manchester, M45 7LE

Change of use from dwellinghouse (Class C3(a)) to children's residential care home (Class C2)

4. That the Committee **Approved 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 at 12 Holthouse Road, Tottington, Bury, BL8 3JP

Application for reserved matters (access, appearance, landscaping, layout and scale) following outline approval (67830) erection of 1 no. dwelling

5. That the Committee **Approved 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 at side of 32 Manchester Road, Ramsbottom, Bury, BL0 0DH

Erection of 1 no. dwelling and erection of undercover parking for proposed dwelling & No. 32 Manchester Road

6. That the Committee **Approved 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: -

527 Manchester Road, Bury, BL9 9SH

Change of use from dwelling (Class C3) to 7 no. bedroom/ 7 person HMO (Sui Generis); Rear dormer extension; Fenestration alterations to rear and cycle storage

PCC.6 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.7 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.8 TREE PRESERVATION ORDER CONFIRMATION

A report from the Head of Development Management was submitted setting out the issues relating to the current temporary tree preservation order Tree Preservation Order (No. 365) 2024 at 48 Hilda Avenue, Tottington.

Delegated decision:

That the current temporary preservation order issued on the tree within the curtilage of the site as identified in Appendix 1 of the report was confirmed so that the Order takes effect on a permanent basis.

PCC.9 URGENT BUSINESS

No urgent business was reported.

COUNCILLOR G STAPLES-JONES
Chair

(Note: The meeting started at 7.10pm and ended at 9.00pm)

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Title	Planning Applications
To:	Planning Control Committee
On:	21 October 2025
By:	Development Manager
Status:	For Publication

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.

01	Township Forum - Ward: Ramsbottom	App No. 72134
	Location: Twine Valley Farm. off Church Road, Shuttleworth, Ramsbottom, Bury, BL0 0EH	
	Proposal: Application for the removal of a condition no. 2 (keeping of animals) on allowed appeal ref: APP/T4210/C/18/3195131	
	Recommendation: Approve with Conditions	Site Visit: N
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02	Township Forum - Ward: Radcliffe - North and Ainsworth	App No. 71464
	Location: Land at rear of Westminster Avenue, Radcliffe, Manchester, M26 3WD	
	Proposal: Erection of 14 garages - 2 identical blocks of 7 units each	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
03	Township Forum - Ward: Ramsbottom	App No. 71009
	Location: Higher Ash Barn, 12 Hawkshaw Lane, Tottington, Bury, BL8 4LD	
	Proposal: Change of use of land to residential, engineering operations and erection of a garage/garden outbuilding.	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
04	Township Forum - Ward: Prestwich - Sedgley	App No. 71422
	Location: 52 Bury Old Road, Prestwich, Manchester, M25 0ER	
	Proposal: Demolition of the Existing Mosque and Community Facility and the Erection of a Replacement Mosque and Community Facility (F1 (f)).	
	Recommendation: Mind to Approve	Site Visit: N
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05	Township Forum - Ward: Radcliffe - North and Ainsworth	App No. 72105
	Location: 23 Church Street, Ainsworth, Bolton, BL2 5RA	
	Proposal: Single storey flat roof rear extension	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
06	Township Forum - Ward: North Manor	App No. 70213
	Location: Lord Raglan, Mount Pleasant, Nangreaves, Bury, BL9 6SP	
	Proposal: Conversion of existing public house to 5 no. apartments and changes to land levels at side and rear of the building to create parking area	
	Recommendation: Approve with Conditions	Site Visit: N
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06	Township Forum - Ward: North Manor	App No. 70214

Location: Lord Raglan, Mount Pleasant, Nangreaves, Bury, BL9 6SP
Proposal: Listed building consent for conversion of existing public house to 5 no. apartments
Recommendation: Approve with Conditions
Site Visit: N

07 **Township Forum - Ward:** Whitefield + Unsworth - Unsworth **App No.** 71926

Location: Elms Bank Specialist Arts College, Ripon Avenue, Whitefield, Manchester, M45 8PJ
Proposal: Installation of temporary Portakabin single-storey building to be used as a classroom for a temporary period of 156 weeks.
Recommendation: Approve with Conditions
Site Visit: N

08 **Township Forum - Ward:** Bury West **App No.** 71978

Location: 240 Bolton Road, Bury, BL8 2PA
Proposal: Change of use from dwelling (Class C3) to 8 bed house in multiple occupation (HMO) (sui generis) including extending/raising the roof over existing rear garage
Recommendation: Approve with Conditions
Site Visit: N

Ward: Ramsbottom

Item 01

Applicant: SR & JR Brown Ltd

Location: Twine Valley Farm. off Church Road, Shuttleworth, Ramsbottom, Bury, BL0 0EH

Proposal: Application for the removal of a condition no. 2 (keeping of animals) on allowed appeal ref: APP/T4210/C/18/3195131

Application Ref: 72134/Full

Target Date: 22/09/2025

Recommendation: Approve with Conditions

Description

The application relates to an existing agricultural building, that makes up part of the Agricultural holding associated with Twine Valley Farm. The site comprises of a group of farm buildings and a yard and that are accessed from Bamford Road/Bye Road/Church Road entrance. A further agricultural building, to which this application relates is located to the rear of these buildings at a higher level and accessed from Turn Road.

This agricultural building was constructed as a deemed approval under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The existing building use is for storage purposes only and not for the housing of cattle or other farm animals.

On 2 September 2016 an appeal was dismissed for the use of this agricultural building for housing livestock (APP/T4210/W 16/3151468. Council ref: 59947). The appeal inspector concluded that the use of the building for livestock would be more harmful to the amenity of neighbouring occupiers due to noise, compared to the use of the building for storage.

Following this appeal, an Enforcement appeal was upheld on 23 February 2019 in relation to the retention of the building which was not built in accordance with the approved plans and the Enforcement Notice was quashed, (APP/T4210/C/18/3195131). To mitigate any potential harm to living conditions of neighbouring properties relating to noise from animals a condition was added to the appeal decision by the Inspector. Condition 2 of this appeal stated:

The agricultural building hereby approved shall not be used for the keeping of animals without any written prior approval of the local planning authority.

This application seeks permission for the removal a condition no. 2 (keeping of animals) on allowed enforcement appeal ref: APP/T4210/C/18/3195131

The application is a resubmission following refusal due to the applicant failing to demonstrate that the proposed development would not have a detrimental impact on the amenity of neighbouring residential properties by reason of noise pollution. This resubmitted application is supported by a Noise Assessment.

Relevant Planning History

57807 - Prior notification of agricultural building - Prior Approval Required and Granted
03/09/2014

59947 - Retrospective application for agricultural building for housing livestock -
02/09/2016 Appeal dismissed

60962 - Agricultural building for silage - Refused 01/03/2017 Appeal allowed 07/07/2017

62677 - Prior notification of proposed agricultural building for the storage of silage - Prior approval required and refused 08/05/2018 Appeal Allowed 07/03/2019

71611 - Application for the removal of a condition no. 2 (keeping of animals) on allowed appeal ref: APP/T4210/C/18/3195131 - Refused 15/05/2025

71446 - Installation of a slurry pond - Refused 27/06/2025. Appeal pending.

71611 - Application for the removal of a condition no. 2 (keeping of animals) on allowed appeal ref: APP/T4210/C/18/3195131 -Refused 15/05/2025

Publicity

Neighbour letters sent 30/07/2025

Site notice posted 06/08/2025

6 objections received in relation to:

- Was built without planning permission and only approved on second appeal with the condition that it should only be used for storage purposes.
- Condition has been ignored and already used for cattle since November 2024.
- The cows have been confined 24 hours a day, 7 days a week for the last 9 months.
- Creates noise, smell and flies
- Applicant has also constructed a slurry pit without planning permission and also subject to an appeal.
- No respect for planning system or for the health and welfare of the neighbours.
- Applicants spent all of the bank holiday afternoon and evening cleaning out animal waste and moving it to a different part of the farm land.
- How can this intensive cattle farming activity have been allowed to occur and be continued in a building designated under planning law as a hay barn?
- It is not clear how the applicant is currently dealing with the slurry generated from this intensive cattle farming activity or how this is being disposed of.
- There has been no odour assessment for this intensive livestock activity which is so close to a residential area.
- In addition to the existing odour from this activity there is also now a huge silage storage facility immediately adjacent to the cattle housing.
- Constructed in a piecemeal fashion with no overall review of the total impact of this intensive agricultural factory farm on local residential amenity.
- This application, and all of the previous planning history, contain no assessment of odour on residential amenity for this specific development or from the cumulative impacts across the factory farm site.
- Whilst recognising that the noise assessment has been professionally executed, there is a strong bias in the report provided by the applicant.
- Measurements reported were obtained on days chosen to have the wind direction from the South and West, i.e. blowing directly away from the nearest residential properties. This also means that traffic noise from the nearby A56 and M66 to the south and west would contribute excessively to the background noise levels measured.
- Residents are fearful that without proper atmospheric pollution impact assessments, and an overall assessment of the impact of an intensive cattle farming operation, allowing this development would breach our rights to peaceful enjoyment of our lives and properties under the Human Rights Act 1998 and the Environmental Protection Act

1990.

- The issue of cattle being kept in the hay barn has been reported to the appropriate animal care authorities as there is concern for the welfare of the cattle and the conditions in which they are kept.
- The cows in the lower shed also never get out to pasture as he takes other peoples' rubble which is now so great all pathways to the field from the lower shed are totally obstructed by piles of concrete blocks.
- A small stream runs within 75m of the haybarn. Has the applicant supplied sufficient proof to show if this stream is contaminated?
- In its current form the building is unlikely to conform to the minimum standards for running a healthy herd of cattle.

Statutory/Non-Statutory Consultations

Traffic Section - No objections raised.

Environmental Health - Contaminated Land - The Environment Section has assessed the application and has no comments to make regarding contaminated land and air quality.

Environmental Health - Pollution Control - We have looked at the noise report. We believe that there should be another penalty added, distinctiveness +3dB as we believe cows mooing is distinctive. However, with this penalty still added it would be a low impact as already stated, bringing the rating noise level above background noise level from -5dB to -2db.

Drainage Section - No response

Animal Welfare Officer - Appears to be room for the cows to move about and lie down.

Pre-start Conditions - Not relevant

Development Plan and Policies

EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
EN7/4	Groundwater Protection
EN9/1	Special Landscape Areas
OL1/2	New Buildings in the Green Belt
OL4	Agriculture
OL4/5	Agricultural Development
HT2/4	Car Parking and New Development
EN7/5	Waste Water Management
JP-P1	Sustainable Places
JP-S5	Clean Air
JP-G9	The Green Belt
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
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.

Application History

Appeal reference APP/T4210/W/16/3151468 relates to the use of an agricultural building in this position for housing livestock. The appeal was dismissed and the appeal inspector considered that *"the proposed use of the building would be a source of considerable noise that would result in material harm to the living conditions of the occupiers of the adjacent dwellings on Millhouse Street "*

Appeal reference APP/T4210/C/18/3195131 also considered the living conditions of neighbouring properties in terms of noise and the housing of cattle in a building in this location and agreed that a suitable approach would be to restrict the use of the building to storage. The following condition was therefore included by the planning inspectorate:

The agricultural building hereby approved shall not be used for the keeping of animals without any written prior approval of the local planning authority.

Amenity

PfE Policy JP-P1 aims to create a liveable city region, and requires developments to provide comfortable and inviting indoor and outdoor environments offering a high level of amenity that minimises exposure to pollution. This is further supported by PfE Policy JP-S5 that seeks to implement a comprehensive range of measures to support improvements in air quality, focusing particularly on locations where people live, where children learn and play, where there are impacts on the green infrastructure network and where air quality targets are not being met. UDP Policy EN7/2 - Noise Pollution that restricts development that would lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users.

The existing building is located approximately 105 metres from the gable of the nearest property on Edith Street, approximately 130 metres from the garden of the dwelling at No. 1 Millhouse Street and approximately 73 metres from the garden of the nearest property on Bye Road.

Noise

In consideration of the enforcement appeal APP/T4210/C/18/3195131 the Planning Inspector stated:

The building is a limited distance from residential properties; notably those along Church Street and Millhouse Street. The enforcement notice has been issued partly on basis that the building is being used for housing livestock, but at my site visit I noted that it is currently being used to store hay and machinery. In addition, the appellant has suggested that a suitably worded condition could be used to preclude the use of the building to keeping animals. I agree that this is a suitable approach and would mitigate the potential harm to living conditions relating to noise from animals. Should the building be used for keeping animals in the future the Council would be entitled to take appropriate action.

The potential noise impacts of housing cattle in a building at this location was also raised by the Planning Inspector under appeal APP/T4210/W/16/3151468. The Inspector stated in this instance:

Due to the building's elevated siting, and lack of intervening structures or significant belts of planting between it and Millhouse Street, I consider that the additional noise created by

cattle in the appeal building would be of significant harm to the living conditions of the occupiers of these dwellings

When the Case Officer visited the site, cows were being kept within the shed in breach of this condition. This has also been raised by enforcement prior to submission of the application and through objections received from the consultation period.

The applicant has acknowledged the above appeals within their supporting Planning Statement. A Noise Impact Assessment has been submitted in support of the application, and is based on the building as existing without the need for any physical mitigation. The noise impact assessment undertaken measured source noise levels to predict the noise levels, due to the housing of cattle in the barn, at the nearby noise sensitive receivers. The assessment concludes that the building housing cows has a 'low impact' at the nearest sensitive noise receptors (dwellings). The report includes a 3D noise mapping model to illustrate this.

The Environmental Health team have reviewed the assessment and have stated that there should be another penalty added, distinctiveness +3dB as they consider that cow mooing is distinctive. However, with this penalty still added it would be a low impact as already stated, bringing the rating noise level above background noise level from -5dB to -2db.

Odour

When considering the impact of housing livestock within this building at appeal (APP/T4210/W/16/3151468) the Inspectorate considered the impact of noise but did not consider odour.

Odour at the site, in connection with silage and cattle farming has however been previously addressed by the Planning Inspectorate under appeal APP/T4210/W/18/3202305 the Inspector stated:

I noted at my site visit that a large number of animals are housed in nearby agricultural buildings at certain times of the year. As such there are likely to be agricultural odours in this rural setting. There is insufficient evidence before me to establish that the odours likely to emanate from the use of the building for storing silage would lead to unacceptable levels of odour above and beyond those that are likely to be reasonably experienced in rural areas.

The application site is a cattle farm, and there are fields that are in closer proximity to the dwellings on Millhouse Street/Edith Street that can be reasonably used by the cattle. Whilst acknowledged that the cattle residing in the building would be in a higher concentration than cattle in the fields, there are already cattle being housed lawfully in the buildings off Bye Road and set out previously by the inspectorate there are likely to be odours experienced in rural areas.

The LPA also needs to be mindful of the reason for attaching the restrictive condition being placed on building in the first place, which related to noise not odour which has been assessed above.

Conclusion

Given the above, it is concluded that whilst Planning Inspectors did consider that amenity and living condition impacts are likely, fundamentally, they did not have any evidence in front of them to substantiate the impact and subsequently a condition was imposed on the agricultural building based on an assessment of potential noise impacts. The application and assessment above has not only looked and assessed noise, but odour also. On the basis of advice provided by the consultees, the noise assessment provided by the applicant, and the previous planning appeals at the site it is considered that the removal of condition 2

should be allowed.

Response to representations

It is considered that the issues raised in relation to noise and odour have been addressed within the main body of the report.

The Animal Welfare Officer has been consulted on the application and is reviewing the condition of the housing of animals at the site separately.

It is acknowledged that the application presented is retrospective however an application has been submitted and the LPA is therefore required to consider the proposal. An appeal is currently pending for the partial construction of a slurry pond at the site and is not relevant to the consideration of this application. Planning Enforcement are also reviewing other reported breaches at the site.

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.

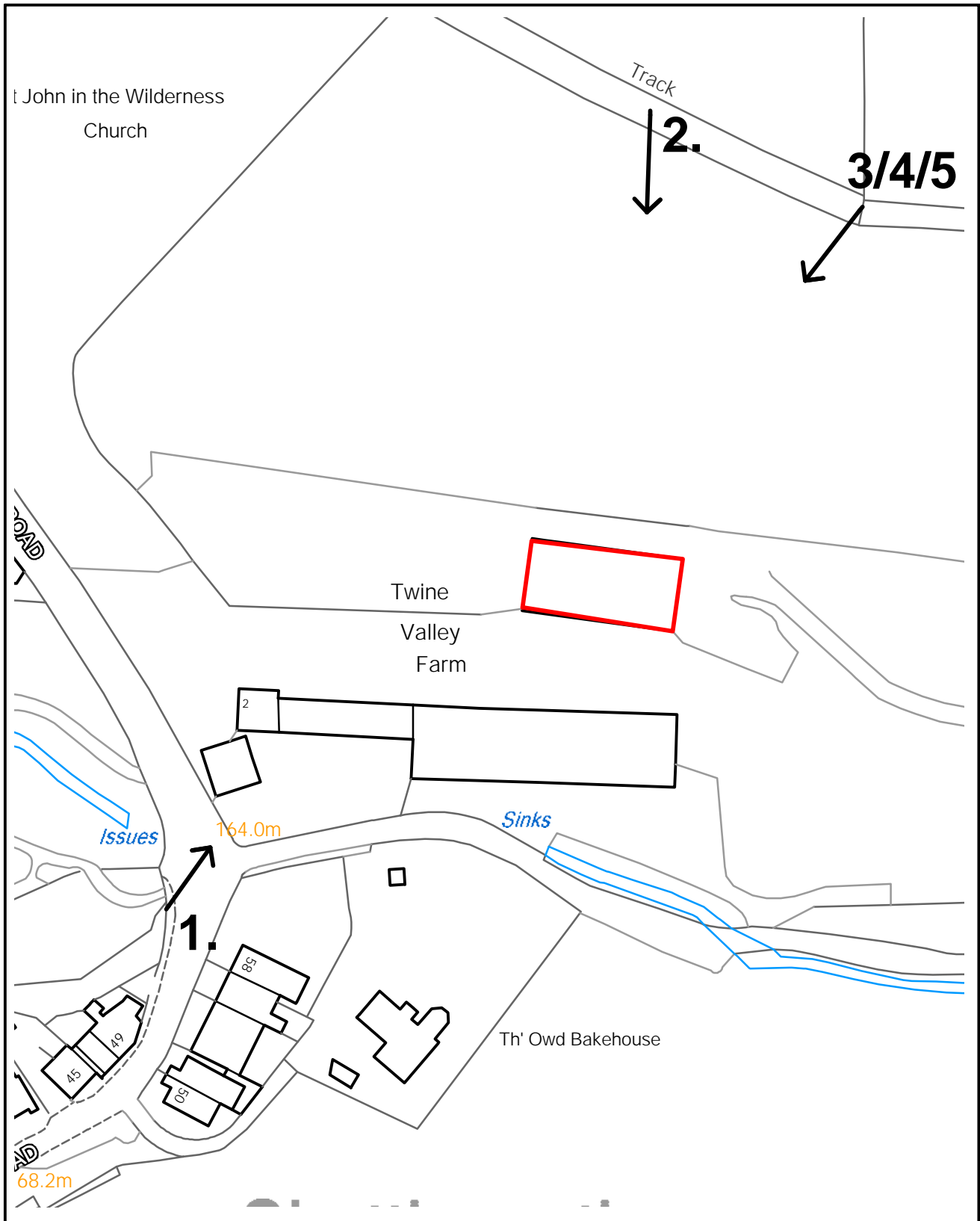
Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered Location Plan received 18th July 2025 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

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

Viewpoints - 72134



ADDRESS: Twine Valley Farm. off Church Road, Shuttleworth, Ramsbottom, Bury, BL0 0EH



Planning, Environmental and Regulatory Services

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72134

Photo 1



Photo 2



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Photo 3



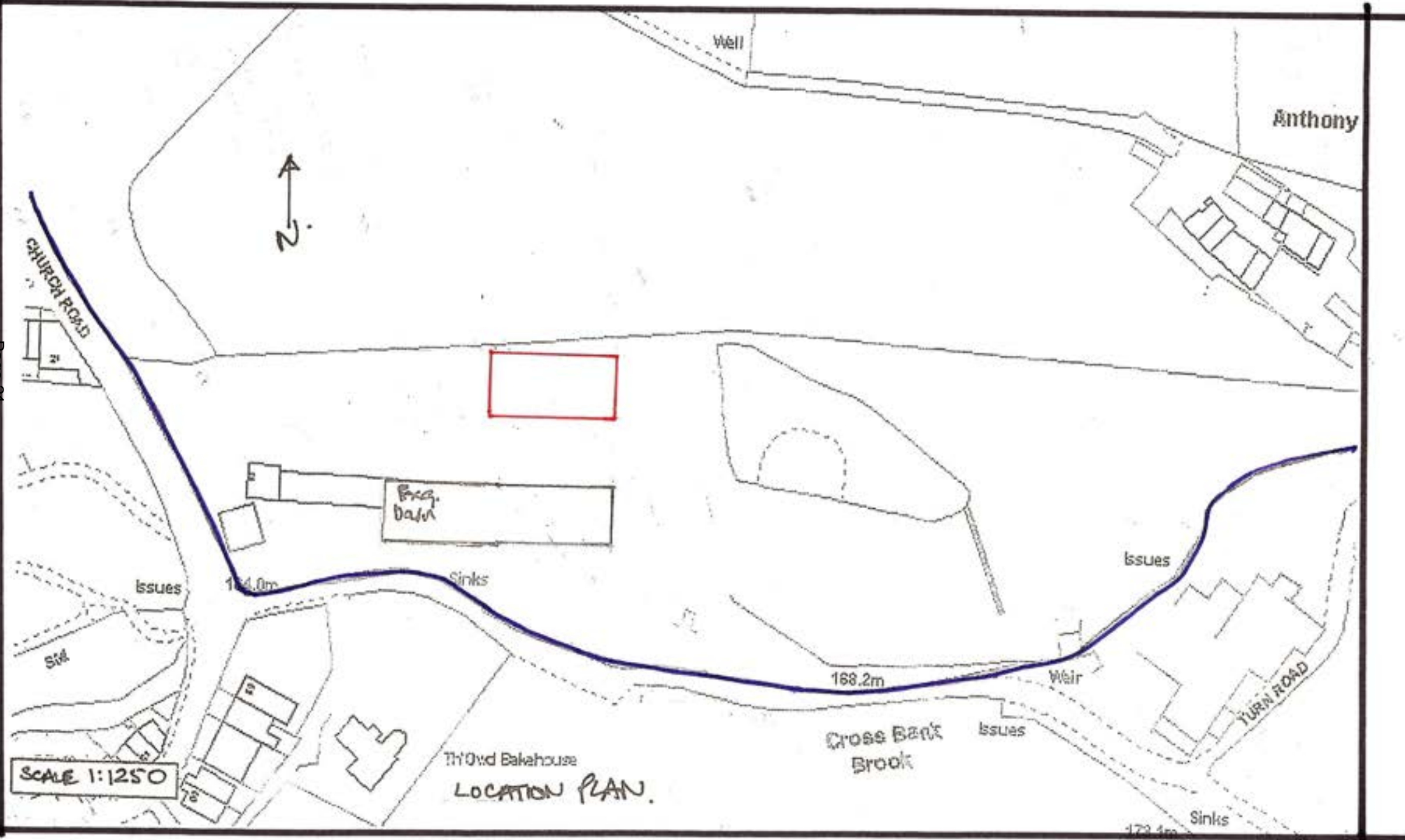
Photo 4



72134

Photo 5





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Ward: Radcliffe - North and Ainsworth

Item 02

Applicant: Failsworth Property

Location: Land at rear of Westminster Avenue, Radcliffe, Manchester, M26 3WD

Proposal: Erection of 14 garages - 2 identical blocks of 7 units each

Application Ref: 71464/Full

Target Date: 02/04/2025

Recommendation: Approve with Conditions

Description

The application relates to a piece of land located to the rear of properties on Kilburn Road, Westminster Avenue and Coronation Road. The piece of land is accessed from Westminster Avenue to the side of No. 7.

Planning permission is sought for the construction of 14 no garages. The garages proposed would be constructed in 2 blocks of 7 no. units each. The proposed garage blocks would be 6600mm deep, 24400mm long, and reach a maximum height of approximately 3400mm.

The application is partially retrospective with the hardstanding at the site being laid prior to the submission of the planning application.

The application is a resubmission of a previously refused scheme that was refused due to sub-standard sizes of garages for storage of cars, intensification of the access, lack of coal mining risk assessment and impact on residential amenity due to insufficient or conflicting plans. This application seeks to address these previous reasons for refusal

Relevant Planning History

14370 - Plot 5 - Retention of existing garage - Approve 21/04/1983

14531 - Plot 17 - Retention of Garage - Approve 02/06/1983

27770 - Plot 12 - Concrete Garage Approve - 01/10/1992

70808 - Erection of 12 garage - 2 identical blocks of 6 each - Refused 16/08/2024

Enforcement

24/0182 - Site cleared of former garages and new layout ready for new garages - 20/01/2025

Publicity

Neighbour letters sent 05/02/2025

14 representations of support received in relation to:

- Parking in area is poor need more spaces.
- Need a safe space to store my car off street to prevent damage.
- Will provide secure, dry storage.
- Have been on the Council waiting list for a garage for a number of years with no joy.
- Land was overgrown and unsafe for many years.
- Previously attracted rats

- Will be an asset to the community
- The properties surrounding this land are flats, that have no gardens so therefore I don't believe anyone's garden space is actually being taken.
- There are garages built just on the next street that have been great for the community, and have caused no issues.
- Welcome storage.
- Happy the waste ground will be used for something that will benefit the whole area.
- Almost everyone has a car and some have more than one.
- Cars are bigger and can't be accommodated on street.
- I can't understand why the odd person has left negative comments as there were council garages in the past.
- The proposed dwellings would overlook an area of public open space which I believe would increase natural surveillance of the area and would deter anti-social behaviour.

4 objections received in relation to:

- Applicant has taken Council land
- Increase in noise
- Have HSE been informed about the scrapping by machines and asbestos contaminated land and it's correct disposal.
- Support comments seem to want storage not a garage to park cars in.
- Danger to road users and pedestrians with double parking right outside the entrance.
- Drainage is not adequate. Council should use a drainage camera to check.
- There are 3 community centres that face the entrance and people already double park. Entrance is not big enough.
- Made a mess of the land, and caused damage to fencing.
- Concern that they would be used for business use rather than domestic.
- Could be open 24 hours a day.
- No planning but 500 square metres of concrete already laid.
- States connected to main drains but there are no services on this site.
- No digging permitted due to coal seam and possible release of mine gasses.

Following the receipt of amended plans, reducing the number of proposed garages and additional information in relation to drainage further neighbour letters sent 16/09/2025

1 representation of support received in relation to:

- This is a private site not a public site.
- There is a great demand for garages in the area.
- The site was formerly a Council garage site.

3 objections received in relation to:

- Why have they been allowed to submit again when coal declined beforehand?
- The drainage is a joke.
- There's enough parking for all garages aren't needed.
- Owner chopped down trees then asked for planning permission.
- Drainage work has not taken place. There is no main drain running through the site.
- No services eg gas, electric, water, drains to connect to.
- Just a 100m surface drain running into a soakaway pit.
- Was HSE informed in relation to the digging work.
- Was a risk assessment undertaken and are there any photos of the side drain.
- Was a camera survey done of where the drain led to and connected to.
- I assume the objector would have no objection to the Council putting a camera down the drain to find out.
- Land could be made better use of.

- Rare that you see a car parked in a garage anymore.
- Planning inspectors should visit the site on a Wednesday morning (alternate Wednesdays for one group) when the site is at it's busiest. Cars are double parked all over the grass verges.
- It would make much more sense to use this land as a public carpark.

Statutory/Non-Statutory Consultations

Traffic Section - Conditions requested in relation to a scheme of carriageway works at the site access, submission of a CTMP, implementation of the access gates, restriction of the use of the garages and implementation of the turning facilities.

Environmental Health - Contaminated Land- Condition requested in relation to unforeseen contamination.

The Coal Authority - No objections to the proposal subject to the imposition of a condition that requires a scheme of intrusive investigations, and remediation works. Prior to occupation a signed statement prepared by a competent person is also required.

Greater Manchester Ecology Unit - Given that the site has already been cleared, we cannot recommend that an ecological survey now takes place, however we recommend informatives in relation to protected species and conditions limiting work outside of the nesting season and requirement enhancements which could include the integration of bat or bird boxes.

Property & Technical Services - Estates Consultancy - No response

Drainage - Clarity and confirmation requested in relation to details of the 150cm VC drain. Final comments to be reported within the supplementary.

Pre-start Conditions - Not relevant - application is retrospective.

Development Plan and Policies

EN1/2	Townscape and Built Design
H3	Incompatible Uses in Residential Areas
H3/1	Assessing Non-Conforming Uses
EN6/3	Features of Ecological Value
EN8/2	Woodland and Tree Planting
EN7/4	Groundwater Protection
EN7/3	Water Pollution
JP-S4	Flood Risk and the Water Environment
JP-S2	Carbon and Energy
JP-P1	Sustainable Places
JP-C6	Walking and Cycling
JP-C5	Streets For All
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
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.

Layout and Design

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. Policy JP-P1 aims to promote a series of beautiful, healthy and varied places.

The site is an enclosed piece of land, surrounded by residential properties and accessed via Westminster Avenue.

Planning history on the site suggests that the site was formerly used as a garage colony. No applications have been approved here for garages since 1992. The application form states that the use ceased in 2019. Council Aerial photography from 2005/06, 2009/11 and 2016 shows a green vegetated area of land with trees, although the number of trees on site appears to have reduced in 2016. More recent google earth imagery also show a site that was heavily vegetated. No buildings are evident on these images.

The site is currently unallocated within the Development Plan. Given the former documented garages located on the site it is considered that the construction of domestic scale storage garages on the site is acceptable in principle and would not have a detrimental impact on the character of the area, providing that the proposal meets the required policy and material planning considerations.

The proposed garages would be largely screened from public view due to the houses that currently bound the site. The proposed garages would be constructed in 2 rows of 7 and would be single storey in height, with dual pitched roofs, constructed from blockwork and corrugated steel roofs. An existing concrete slab has been laid with a drainage channel through the middle of the site. The proposed garage are of simple, functional form and given the nature of the proposal it is considered that the design of the proposed garages is acceptable.

In relation to the assessment as to whether the garages are sufficient for the storage/parking of vehicles SPD 11 requires minimum internal dimensions of 6.4m x 3.0m for a single garage to consider the garage sufficient for parking a car in. This standard has been met and therefore it is considered that the proposed garages can be utilised for the storage of vehicles.

Amenity

Policy EN1/2 considers the relationship of the proposal to the surrounding area. UDP Policy H3 seeks to restrict the development of incompatible uses in areas which are primarily residential in nature and where possible will seek to resolve existing conflicts. This is further supported by Policies H3/1 that consider factors such as noise, vibration, smell, fumes, smoke, soot, ash, grit, dust, visual intrusion, traffic generation and parking arrangements, and hours of operation, and seeks to implement measures to control these where possible to minimise areas of conflict and potential nuisance.

It is noted that the objectors have raised concerns in relation to the use of the garages for business or trade rather than domestic storage/car parking. Given that the use of the garages for trade or business could cause intrusion in relation to noise, hours of operation and traffic generation these concerns are acknowledged. The proposed garages however are of a suitable size to park vehicles within and are located within close proximity to a number of domestic properties that can utilise the units for domestic storage if required. A condition has therefore been proposed to restrict the use of the proposed garages to solely for domestic purposes only, preventing them from being used in connection with any trade or business.

In terms of overbearing relationships the proposed garages are single storey in height, reaching an eaves height of 2.4 metres and an overall ridge height of 3.4 metres. As such SPD 6 requires these buildings to be located a minimum of 6.5 metres from the rear elevations of the dwellings that bound the site.

The proposed garages would be located approximately 14.5 metres from the rear of the dwellings on Kilburn Drive, 23 metres from the original rear elevations of the dwellings at 103-107 Coronation Road, 13-15 metres from the rear elevations of the dwellings on 115-121 Coronation Road and 14 metres from the rear elevations of the dwellings on Westminster Avenue. This would far exceed the distances required by SPD 6.

Highways and Access

Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. 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. SPD 11 also gives guidance on the sizes of garages to allow cars to be parked inside.

The size of the garages proposed has been assessed within the above body of the report.

The LPA and Traffic Section are mindful of the former use of the site as a garage colony, and that the existing access was utilised for this purpose. There are also a limited number of proposed units seeking to use this access, which would appear to be below the number of garages that were previously located on the site (plot 17 referenced in planning history).

No objections have been raised to the use of the proposed access subject to conditions in relation to the submission of a scheme of carriageway works at the proposed site access, submission of a Construction Traffic Management Plan, implementation of the proposed pedestrian access gate, restriction of the use of the garages to domestic purposes (as referenced above) and implementation of the turning facilities.

Ecology

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 187 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. Policy EN8/2 supports and encourages new woodland and tree planting within the borough. This is further supported by 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.

As the site has been cleared prior to submission of the application GMEU can not request an ecological survey is undertaken. As the application is retrospective it is exempt from

statutory Biodiversity Net Gain.

GMEU however do recommend informatives in relation to protected species, and a condition in relation to any further site clearance that should be restricted to outside of nesting season. Wherever possible measures to enhance the site for biodiversity should be secured as part of this planning application, and could include integration of bat or bird boxes. This can be secured as a planning condition.

Drainage

Policies JP-S4, EN7/3 and EN7/5 seek to protect the water courses and other water features within the Borough, and limit surface water pollution.

Substantial hardstanding has already been introduced at the site that appears to have been previously vegetated.

As described by the agent:

- all surface water from the hardstanding area and garage blocks within the site is conveyed to the existing 150mm VC drain, which ultimately discharges off-site.
- the crates, identified above the existing 150mm VC drain during the percolation test, appear to serve as a junction with storage function.
- the existing 150mm VC drain was reportedly tested on-site by the consultant and found to have sufficient capacity to accommodate the surface runoff from a 1 in 100-year storm event, including a 45% Climate Change allowance.

For clarity and confirmation, the applicant/agent has been asked to verify the above and this will be reported within the supplementary report prior to Planning Control Committee. Additionally, the applicant/agent has been asked to identify the final discharge point of this existing 150mm VC drain to ensure it connects appropriately to the public system and does not pose any risk of nuisance or flooding to the adjacent properties/highways.

Land Stability

Paragraphs 187 and 196 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 partly within the Coal Authority's defined Development High Risk Area. Therefore, within the site and surrounding area there are coal mining features present at surface or shallow depths. The risk these features may pose should be considered as part of the planning process. More specifically, the Coal Authority's information indicates that the site lies partly in an area where historic unrecorded coal mining is likely to have taken place at shallow depth. Voids and broken ground associated with such workings can pose a risk to ground stability and public safety.

The application is accompanied by a Coal Mining Risk Assessment report (December 2024, prepared by Earth Environmental & Geotechnical Limited). Based on a review of coal mining and geological information, the report acknowledges that the site is located in an area where unrecorded coal mine workings could be present at shallow depth. Accordingly, it goes on to recommend the undertaking of an intrusive investigation in order to further assess the shallow coal mining situation.

The Coal Authority have reviewed the submitted Coal Mining Risk Assessment and raised no objections to the proposal subject to the imposition of a condition that requires a scheme of intrusive investigations, and remediation works. A condition has been included that states no further above ground works shall be completed prior to these intrusive investigations

being undertaken and this may require the applicant to remove some of the existing hardstanding that was installed without permission. Prior to occupation a signed statement prepared by a competent person is also required to ensure that these investigations have been undertaken.

Contaminated Land and Air Quality

Paragraphs 187 and 196 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.

It is noted that the land was previously occupied by individual domestic garages. The application form notes that these have been demolished. There is the potential that asbestos may have been present in the construction of these garages and it is not known how carefully they were removed. As such it is recommended that a watching brief for potential signs of asbestos containing material is carried out during construction. This maybe on the surface or buried. Concrete has already been laid at the site and some aspects of this application are retrospective, but this condition should remain as a precaution and has therefore been included within the recommendation.

The site is not located within an Air Quality Management Area. Due to the scale of the development, it is considered very unlikely that the development would create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the EPUK Guidance, an air quality assessment will not be required.

The proposed development is for off-street parking; electric vehicle charging does not appear to have been considered in the application. Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement a condition that requires the installation of EV chargepoints has been included within the recommendation.

Carbon and Energy

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions. The applicant has confirmed that the proposal would meet the provisions of Part L of the building regulations.

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. Given the nature of the proposal however it is not proposed to provide digital connection at this time.

Response to representations

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

The application has been referred to the relevant statutory consultees who deal with land stability, coal mining, drainage etc and the responses reported within the main body of the report.

Any damage caused through the installation of the hardstanding would be a private matter.

The application was submitted following an enforcement complaint and works on site have ceased following this. Whilst a previous application was refused that the site the applicant is well within their rights to resubmit to address the previous reasons for refusal.

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. This decision relates to drawings numbered Location Plan, LAWA-DC 01 Rev 04, LAWA-DC-BP 02 Rev 05, LAWA-DC-BP 03 Rev 07 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.
2. The garages hereby approved shall be used solely for domestic purposes only and shall not be used in connection with any trade or business.
Reason. The garages are located close to residential properties and the garages use for domestic purposes only would maintain appropriate levels of residential amenity pursuant to Policies EN1/2 - Townscape and Built Design, H3 - Incompatible Uses in Residential Areas and H3/1- Assessing Non-Conforming Uses.
3. The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

4. Prior to occupation the applicant shall provide:

- A minimum of 1 no. electric vehicle (EV) charging point (minimum 7kW*) per 10 parking/garage spaces and at least one in every five remaining parking/garage spaces must be provided with cable routes.

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. The infrastructure shall be maintained and operational in perpetuity.

*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 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

5. No further above ground development shall commence until;
a)a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
b)any remediation works and/or mitigation measures to address land instability arising from past coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations, remedial works and mitigatory measures shall be carried out in accordance with authoritative UK guidance.

Reason. The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 196 and 197 of the National Planning Policy Framework.

6. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason. The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 196 and 197 of the National Planning Policy Framework.

7. A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of any further above ground works at the site. The contents of the plan should include native tree and 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 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 enhancements and net gains for biodiversity and in the interests of visual amenity pursuant to Policies EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting, 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. No works to trees or shrubs or demolition 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 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. Notwithstanding the details indicated on the approved plans, no further development shall commence unless and until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

1. Scheme of carriageway resurfacing works on the proposed site access between the junction with Westminster Avenue and the proposed gate position, and all associated remedial/accommodation works;
2. Measures to prevent the discharge of surface water from the site and site access onto the adjacent adopted highway.

The highway works subsequently approved shall be implemented to an agreed programme before the development hereby approved is brought into use.

Reason. To ensure good highway design and the intervisibility of the users of the site and the adjacent highways in the interests of road safety and to maintain the integrity of the adopted highway Development Plan Policies Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and JP-P1 - Sustainable Places.

10. No further 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 leading to and abutting the site in the event that subsequent remedial works are required following construction of the development, replacement of all boundary features and as a result of any 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 from Westminster Avenue and all temporary works required to facilitate access for construction vehicles;
4. If proposed, details of site hoarding/gate positions, incorporating the provision, where necessary, of temporary pedestrian facilities/protection measures;
5. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Westminster Avenue;
6. Confirmation of hours of operation, delivery & construction vehicle sizes that can be accommodated on Westminster Avenue and enter and leave the site in a forward gear and number of vehicle movements;
7. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
8. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
9. Measures to ensure that all mud and other loose materials are not spread onto the adjacent 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.

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 Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and JP-P1 - Sustainable Places.

11. The proposed site access gates indicated on approved plan reference LAWA-DC-BP 03 Rev 07 Received on the 6th October 2025 shall be installed prior to the development hereby approved being brought into use and shall subsequently be maintained at all times.

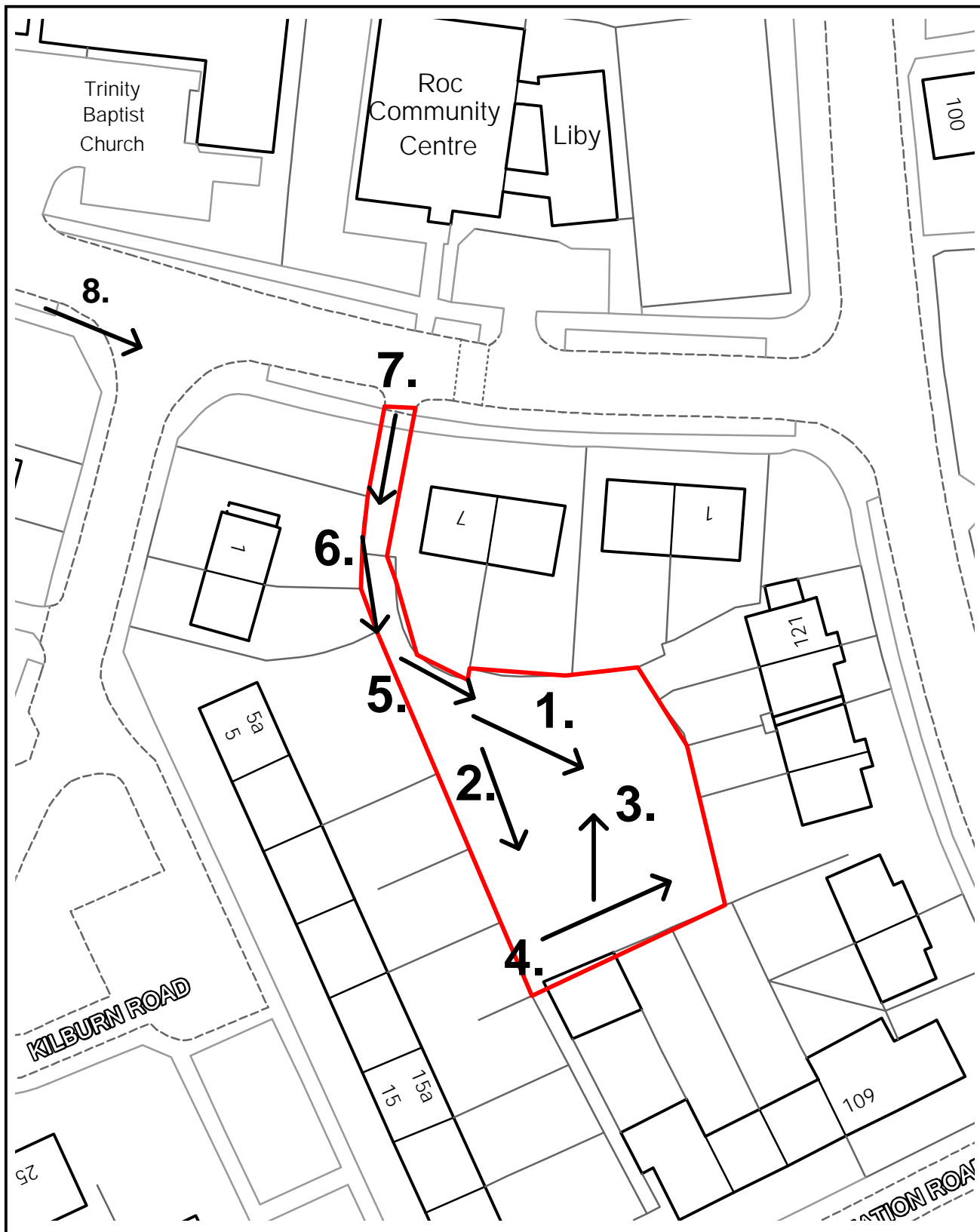
Reason. To ensure adequate pedestrian access to the site, in the interest of pedestrian safety pursuant to Development Plan Policies Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and JP-P1 - Sustainable Places.

12. 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/new access road, in the interests of road safety pursuant to Development Plan Policies Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and JP-P1 - Sustainable Places.

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

Viewpoints - 71464



ADDRESS:

Land at rear of Westminster
Avenue, Radcliffe, Manchester,
M26 3WD



Planning, Environmental and Regulatory Services

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71464

Photo 1



Photo 2



71464

Photo 3



Photo 4



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Photo 5



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Photo 6



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Photo 7



71464

Photo 8





The existing site gates are to be replaced with new site gates including integral pedestrian access door reflective of the example image above, the location of the gates is to remain the same.

Kilburn Road

Westminster Avenue

PROPOSED SITE PLAN 1:250

SUPPLEMENTARY DRAINAGE INFORMATION TO BE SUPPLIED
DRAINAGE SPECIALIST - (QUICK DRAINS) - NOTE THE TOP WATER
IS PROPOSED TO CONNECT INTO THE EXISTING DRAINAGE SYSTEM



CDM REGULATIONS
The owner, main contractor should they need to do so, must abide by the Construction Design and Management Regulations 2015 which relate to any building works involving more than 500 man hours or longer than 30 days duration. It is the client's responsibility to appoint a Planning Supervisor on all projects that require compliance with the CDM Regulations, this may be undertaken by the main contractor if agreed in writing.

HEALTH AND SAFETY
The contractor is reminded of their liability to ensure due care, attention and consideration is given in regard to safe practice in compliance with the Health and Safety at Work Act 1974 and CDM 2015.

MATERIALS AND WORKMANSHIP
All works are to be carried out in a workmanlike manner. All materials and workmanship must comply with Regulation 7 of the Building Regulations, all relevant British Standards, European Standards, Agreement Certificates, Product Certification of Schemes (Kite Mark) etc. Products conforming to a European technical standard or harmonised European product should have a CE marking.

SITE PREPARATION
Ground to be prepared for new works by removing all unsuitable material, vegetative matter and trees or shrub roots to a suitable depth to prevent future growth. Soil up, cap off, disconnect and remove existing redundant services as necessary. Reasonable precautions must also be taken to avoid danger to health and safety caused by contaminants and ground gases e.g. landfill gases, radon, vapours etc on or in the ground covered, or to be covered by the building.

DEMOLITION
All demolition work to comply with the Construction (Design and Management) Regulations 1994 and a Health and Safety plan is to be provided by the principal contractor.

DEVELOPMENT CONTROL
The parameters of permitted development have been obtained. To the client and it has been advised that a planning application may be required with the local authority for a certificate of lawfulness in order to get written consent / full plans. The designer has been employed in producing the drawings and supporting information only and will take no responsibility where planning consent is not gained where required.

RETAINED STRUCTURAL ELEMENTS
Any proposed retained structural elements are to be fully exposed and assessed on site - then accommodating increased loadings as a result of the proposed scheme may require remedial works or replacing. Once exposed on site to be assessed by the building control body or structural design engineer to ascertain requirements.

PARTY WALL ACT
Party wall notification to be served where required by the client - all relevant agreements to be ascertained in writing where possible prior to works commencing on site - Any excavations adjacent to a party wall to be discussed with designer / BCN depending if foundation depths are higher than proposed excavations.

Where proposed works to take place on a boundary property the homeowner / client must ascertain all relevant permissions prior to works commencing on site from land owner / agent.

EXISTING SUB FLOOR VENTILATION - To be maintained where existing air bricks are to be covered as part of the proposed works on site - Note air bricks may not be viable at the time of the site survey and therefore may not be marked on the plans - Any existing sub floor ventilation issues on site can not be substantiated by the proposed works such as well / dry rot.

SERVICES
Where services GAS, Water, Electric require moving as part of the proposed works the client must seek adequate prior approval and determination of the proposed new location of such from the service provider regardless of whether such details are shown on these drawings.

EXTENT OF SERVICES
These drawings have been put together for the purpose of obtaining planning consent only for the proposed works - A separate building control application will be required to be designed and produced by other.

REV	DETAIL	BY	CHK	DATE

REVISION	
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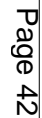
CLIENT	
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ADDRESS	
LAND TO THE REAR OF WESTMINSTER AVENUE RADCLIFFE BURY M26 3WD	

PROJECT	
PROPOSED GARAGE BLOCKS	

DRAWING	
PLANNING PERMISSION	

PLANNING PERMISSION			
DRAWING CODE LAWA-DC-BP		DRAWING NUMBER 03	
SCALE 1:250		PAPER A1	REVISION 07
DATE OCT 25	DRAWN RG	CHECKED	



PROPOSED LAYOUT PLAN 1:50



EXISTING SITE IMAGES

REV DETAIL						BY		CHK DATE	
REVISION									
CLIENT									
ADDRESS LAND TO THE REAR OF WESTMINSTER AVENUE RADCLIFFE BURY M26 3WD									
PROJECT PROPOSED GARAGE BLOCKS									
DRAWING PLANNING PERMISSION									
DRAWING CODE LAWA-DC					DRAWING NUMBER 01				
SCALE 1:50					PAPER A1			REVISION 04	
DATE JULY 25 RG			DRAWN		CHECKED				



PROPOSED SITE PLAN 1:500

PROPOSED SITE PLAN 1:250

EXISTING SITE PLAN 1:500

CDM REGULATIONS
The owner, main contractor should they need to do so, must abide by the Construction (Design and Management) Regulations 2015 which relate to any building works involving more than 500 man hours or longer than 30 days duration. It is the client's responsibility to appoint a Planning Supervisor on all projects that require compliance with the CDM Regulations, this may be undertaken by the main contractor if agreed in writing.

HEALTH AND SAFETY
The contractor is reminded of their liability to ensure due care, attention and consideration is given in regard to safe practice in compliance with the Health and Safety at Work Act 1974, and CDM 2015.

MATERIALS AND WORKMANSHIP
All works are to be carried out in a workmanlike manner. All materials and workmanship must comply with Regulation 7 of the Building Regulations, all relevant British Standards, European Standards, Agreement Certificates, Product Certification of Schemes (Kitemark) etc. Products conforming to a European technical standard or harmonised European product should have a CE marking.

SITE PREPARATION
Ground to be prepared for new works by removing all unsuitable material, vegetable matter and trees or shrub roots to a suitable depth to prevent future growth. Soil is to be capped, uncovered and removed existing redundant services as necessary. Reasonable precautions must also be taken to avoid danger to health and safety caused by contaminants and ground gases e.g. landfill gases, radon, vapours etc on or in the ground covered, or to be covered by the building.

DEMOLITION
All demolition work to comply with the Construction (Design and Management) Regulations 1994 and a Health and Safety plan is to be provided by the principal contractor.

DEVELOPMENT CONTROL
The parameters of permitted development have been explained to the client and it has been advised that a planning application may be lodged with the local authority for a certificate of lawfulness in order to get written consent / full plans. The designer has been involved in providing the drawings and supporting information only and will take no responsibility where planning consent is not gained where required.

RETAINED STRUCTURAL ELEMENTS
Any proposed retained structural elements are to be fully exposed and assessed on site - then accommodating proposed buildings as a result of the proposed scheme may require remedial works or reinforcing. Once exposed on site to be assessed by the building control body or structural design engineer to ascertain requirements.

PARTY WALL ACT
Party wall regulations to be served where required by the client - all relevant agreements to be ascertained in writing where possible prior to works commencing on site. Any excavations adjacent to a party wall to be discussed with designer / BCB depending if foundation depths are higher than proposed excavations.

Where proposed works to take place on a leasehold property the homeowner / client must secure all relevant permissions prior to works commencing on site from land owner / agent.

EXISTING SUB FLOOR VENTILATION - To be maintained where existing air bricks are to be covered as part of the proposed works on site - Note air bricks may not be visible at the time of the site survey and therefore may not be marked on the plans - Any existing sub floor ventilation issues on site can not be substantiated by the proposed works such as wet / dry etc.

SERVICES
Where services GAS, Water, Electric require moving as part of the proposed works the client must seek adequate prior approval and determination of the proposed new location of such from the service provider regardless of whether such details are shown on these drawings.

EXTENT OF SERVICES
These drawings have been put together for the purpose of obtaining planning consent only for the proposed works - A separate building control application will be required to be designed and produced by other.

REV	DETAIL	BY	CHK	DATE
REVISION				
CLIENT				
ADDRESS LAND TO THE REAR OF WESTMINSTER AVENUE RADCLIFFE BURY M26 3WD				
PROJECT PROPOSED GARAGE BLOCKS				
DRAWING PLANNING PERMISSION				
DRAWING CODE LAWA-DC-BP		DRAWING NUMBER 02		
SCALE 1:500	1:250	PAPER A1	REVISION 05	
DATE JULY 25	DRAWN RG	CHECKED		

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Ward: Ramsbottom

Item 03

Applicant: Mr & Mrs J Packun

Location: Higher Ash Barn, 12 Hawkshaw Lane, Tottington, Bury, BL8 4LD

Proposal: Change of use of land to residential, engineering operations and erection of a garage/garden outbuilding.

Application Ref: 71009/Full

Target Date: 04/08/2025

Recommendation: Approve with Conditions

Description

The application relates to a site which comprises Higher Ash Barn, a residential dwelling and associated land.

The site is located in the Green Belt, Landscape Character Area and West Pennine Moors and is an area characterised by open land and fields. It is accessed off Hawkshaw Lane which leads from the village of Hawkshaw just over half a mile away. The nearest residential property is Higher Ash Farm directly to the north which shares access from Hawkshaw Lane. Withins Farm is just over 100m away to the north west. To the south west is Hawkshaw Hall approx 200m away.

All three of these neighbouring properties and the application site are on the Council's Draft Local List as Non-Designated Heritage Assets.

Two public rights of way (PRoW) cut through the site. One PRoW runs west to east between the Barn and Higher Ash Farm and the other crosses the site in a north/south direction.

The application seeks the change of use of land to residential, engineering operations and erection of a garage/garden outbuilding.

The proposed outbuilding would be located on a piece of land to the east of the dwelling. The land has been excavated out to a lower level than the barn which required planning permission, hence its inclusion in the description. The change of use of the land is required as it was outside the red edge site of the planning application for the conversion of the barn to dwelling.

The proposed building would be located to the east of the dwelling approximately 8.5m away and would be 5.5m in length, 6.4m wide, 2.4m to eaves with a ridge height of 4m.

The outbuilding would be accessed via two full height timber double doors on the south elevation. The garage would provide parking for 2 cars with 2 EV chargepoints and would also accommodate plant equipment for the heating system within the house and storage for garden equipment and such like.

Materials would comprise timer clad elevations and a slate roof.

The application is a resubmission of a scheme which was previously refused for a detached garage/store which was refused for 4 reasons -

1. Siting, scale, massing and height which would be harmful to the openness of the Green belt
2. Design and appearance including full height roller shutter doors and an external staircase would be introduce discordant and unsympathetic features which would be detrimental to the landscape and harmful to the setting of the NDHA
3. Siting, scale and massing and impact on the residential amenity of the adjacent residential property.
4. Insufficient information with regards to need, proposed siting and design and assessment of the special qualities of the of the landscape are and Green Belt which should include a case for Very Special Circumstances.

The applicant states that to address the reasons for refusal, the scheme has been redesigned, reduced in height and scale to reduce the impact on the Green Belt and special landscape area and have provided new plans and topographical details to enable a full assessment of the proposal.

Procedural matters

The application was originally submitted and validated 21/8/24.

It later transpired the application was invalid due to inaccuracies in the description, inaccurate red edge application site area and concerns with regards to the size and scale of the proposed outbuilding.

Following receipt of revised information and plans, the application was made valid on 9/6/25
The application was thereafter publicised and neighbours re-notified.

Relevant Planning History

01551/E - Proposed conversion of barn to one dwelling - Enquiry completed 14/08/2014

02530/E - Proposed change of use/conversion of barn to form one dwelling with associated single storey extension, external alterations (including new/replacement doors and windows), external works associated with access/parking/hardstanding areas, new pond and hard/soft landscaping - Enquiry completed 23/03/2021

02741/E - Construction of a garage/garden outbuilding - Enquiry completed 20/07/2022

59866 - Conversion of barn to one dwelling including roof extension - Approve with Conditions 28/04/2016

66085 - Change of use of barn to form dwelling including single storey, two storey and roof extensions; External alterations include hardstanding area, new pond and landscaping - Refused 11/12/2020. Allowed on appeal 15/7/21.

66739 - Change of use from barn to dwelling; Associated single storey, two storey and roof extensions; External alterations; External works soft and hard landscaping - Approve with Conditions 07/06/2021

68772 - Erection of two storey garage/garden outbuilding - Refused 31/07/2023

Publicity

Letters sent to 7 properties on 10/09/24

Site notice posted 23/8/24

Press advert 21/8/24

The application as initially submitted resulted in the following representations being received.

2 objections -

- On the basis that the building is to be built on green belt land without strong or necessary justification is surely grounds enough for it to be rejected.
- The application has already been rejected and not a great deal has changed since the

original detail.

- The area of outstanding natural beauty will not be improved by the construction and the precedent set for additional applications in the area should it be approved would be very negative and concerning.
- The construction would add to the already excessive traffic along Hawkshaw Lane which causes ongoing damage to the road surface particularly by large construction vehicles.
- The building would be visible from the surrounding area.
- The water treatment plant must be already housed somewhere else as they have been living there. The heat pump would normally be outside in any case .
- The proposed garage is actually 126m² i.e. 1,356 sq ft which is the size of a detached house and this perhaps gives a clue as to the nature of the application

2 support -

- Cannot see a problem with the garage
- properties have been made more appealing in the area and the applicant has done a good job of the barn conversion
- being a widespread area there is a need for a secure garage
- the proposed building would be hidden from view.

The application was made invalid and following receipt of revised information, was subsequently made valid on 9/6/25 and re-publicised.

Letters sent to 7 properties on 10/6/25.

Site notice posted 12/6/25.

Press advert 19/6/25.

8 further representations received.

5 objections and 3 in support.

Objections

- Groundwork machinery already doing work on the site on a daily basis, spoiling the landscape and causing noise pollution. This is a residential and agricultural area and as such is not the right location for a proposed engineering works. This is Greenbelt land not an industrial site
- Object to change of use to residential (and engineering), and would hate for another residence to be built on this land, causing further traffic, noise & air pollution, damage to the already crumbling lane & further disruption from building works.
- It is a very open piece of land making it highly visible for miles around. I do not believe it will add to this area of outstanding natural beauty, but further take away from it.
- We have a property on Hawkshaw Lane, use an air source heat pump and a water filtration system. The elements kept indoors use no more than 1.5m space. Why is a 2-storey 126m² building required?
- The application refers to change of use land to residential. The application title is ambiguous.
- Stated that the proposed engineering works are in relation to a road/driveway to the proposed garage. It is submitted that works on this road/driveway may already have started due to the amount of heavy plant machinery operating at the site over the past months.
- This is a confusing re-submission of App 71009. It is not a change of use, it is not that straightforward. It is an application for the erection of a building in the Green Belt. It is a slight variation of the App 68772 which was refused for perfectly obvious and sensible reasons that still apply .

- There is no proof of very special circumstances and no visual impact assessment. Most of the houses nearby do not have garages and manage perfectly well. The site was stripped of vegetation and prepared for development some time ago to avoid Biodiversity Net Gain issues. It is a slightly smaller building than before but is still an unnecessary building and more importantly it does not comply with planning policy .
- The original application was refused for a number of reasons, the majority of which are still relevant and unaddressed.
- The development is plainly visible from both nearby footpaths and roadways.
- The development will also negatively impact the already poor condition of Hawkshaw Lane by way of repeated large vehicle access and the ongoing noise and general disruption to both the neighbourhood and the local wildlife.
- No very special Circumstances have been demonstrated.

Support

- Believe this construction should be permitted for several reasons:
- The proposed garage is set well back from the road and will be largely obscured from view. It will not affect the aesthetic or character of the surrounding area, which is predominantly residential and rural in nature. Its location ensures that the visual integrity of the neighbourhood will be preserved.
- They have already completed significant work on this home, all of which has been done to an exceptional standard. Attention to quality and detail indicates a commitment to enhancing the property in a manner that aligns with and even improves upon the standards of the community.
- The request is a reasonable and practical one. It will allow the applicant to secure tools, vehicles or equipment that would otherwise be left outside and at risk. This is not only a matter of convenience but also of security.
- The occupants have made a fantastic job of the renovations and for it to be enhanced with the proposed building can only add value to the character of the place. I own the barn and fields down the road and the conversion is a lovely property and a pleasure to look at.
- Really cant see why there should be any objection to the proposals.
- The property has been brought back to life from being a derelict barn and all the owner wants to do is build a garage to protect his vehicles, water filtration system, possible storage of feed for birds and wildlife..
- The current engineering works that is going on is that the owner is making a pond which will attract more wildlife and improve views for everyone.
- The garage will be out of sight to the majority of people
- Living in Hawkshaw for over 50 yrs we as a family have to go past the property everyday and have no objection but support the application and fully support the application.

Response by applicant

- Just for clarity, the proposed 'engineering works' are works to a road/driveway to the proposed garage.
- The garage would not be a commercial use in any way. Just a domestic garage to keep cars and gardening equipment in.
- Also the works that are in progress is a pond that has prior planning consent.

The plans have been further revised (12/9/25) to reduce the footprint of the building from 63sqm to 35.2sqm, height from 4.7m to 4m and change from stone elevations to timber cladding.

Those who have made representations have been notified of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Public Rights of Way Officer - No response received.

Conservation Officer - No objection

Environmental Health - Contaminated Land - No objection

Greater Manchester Ecology Unit - No objection subject to condition.

Pre-start Conditions - Not relevant

Development Plan and Policies

SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
OL7/2	West Pennine Moors
OL1/2	New Buildings in the Green Belt
HT2/4	Car Parking and New Development
H2/3	Extensions and Alterations
JP-S2	Carbon and Energy
JP-G1	Landscape Character
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-C2	Digital Connectivity
JP-C5	Streets For All

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 JP-G9.

Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF makes it clear that development in the Green Belt is inappropriate unless one of eight exceptions apply:

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), including buildings, 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 (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h. Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Case law (most recently *Warwick DC vs. SoS Levelling Up, Housing and Communities* 2022 EWHC 2145) establishes the following general points with regard to Paragraph 154(c):

- [154(c), formerly 149(c)] is not to be interpreted as being confined to physically attached structures but that an extension for the purposes of that provision can include structures which are physically detached from the building of which they are an extension
- that separation alone does not prevent a development from being part of a dwelling, and that a detached garage could be considered a normal domestic adjunct.

The proposed siting of the garage is approximately 8.5m from the existing dwelling however topographically, the site is located at a different level to the main house. This is still considered to be relatively close to the main house and therefore it is considered that erection of a garage could be considered to be an extension of the dwellinghouse at Higher Ash Barn.

The revised proposal would reduce the footprint and height significantly, and as such considered not to result in a disproportionate additions over and above the size of the original building (Higher Ash Barn).

The proposed garage would be set back within the site and close to established development. It would be single storey and have a footprint and height of a typical domestic garage and the timber externality would be appropriate within the character of the former barn setting.

As such, it is considered the proposed development would be acceptable and comply with the principles of the NPPF and in particular para 154 (c) compliant and as such there is no requirement to demonstrate very special circumstances.

Landscape Character

The site is within the Holcombe to Greenmount and Higher Summerseat Landscape Character Area (LCA 22), an area of Open Moorlands and Enclosed Upland Fringes (West/South Pennines) as assessed by the GM Landscape Character and Sensitivity Assessment.

Policy JP-G1: Landscape Character states that development within a Landscape Character Type should reflect and respond to the special qualities and sensitivities of the key landscape characteristics of its location, including having regard to:

- Topography, geology and drainage;
- Land use and field patterns;
- Semi-natural habitats and woodland cover;
- Archaeology and cultural heritage;
- Settlement, road pattern and rights of way; and
- Views and perceptual qualities.

The interface of new development with the surrounding countryside/landscape is of particular importance. These transitional areas require well-considered and sensitive treatment. In particular, opportunities to improve the intactness and condition of the landscape should be taken.

The proposal has been reduced significantly in footprint and height, and is proposed to be timber clad which would sensitively respond to the surrounding landscape without any undue impact.

Siting and appearance

Garages and outbuildings are normally considered to be an urban element in the Green Belt. Where garaging and other buildings are required, SPD8 advises that the design should be subservient to and closely related to existing buildings.

The garage would be located approximately 8.5m from Higher Ash Barn and as such considered closely related to the host building. It would be a single storey building with a ridge height of 4m and a footprint of 35.2 sqm and considered a subservient addition within the site. Elevations would comprise timber cladding and in terms of the size, design and external appearance would be similar to farm or stable type buildings commonly seen in such rural locations.

The site is located over 80m away from Hawkshaw Lane and whilst the land rises away from the lane towards the site, the garage would be set back into the site next to the rear boundary and therefore not highly visible to views from the west. The ground on which the garage would be located has also been excavated out which would result in the garage sitting at a lower position to the Barn and as such less visible from these views.

The proposed garage would also be screened by mature trees to the south and southern boundary and nestled into the site and located close to the host building as advised in SPD8 and set at a lower level, the development would not be highly visible from the surrounding area.

It is therefore considered that given the siting, scale and design of the garage, it is considered the proposed development would not have a significantly harmful impact on the Landscape Character Area or the visual and special character of the Green Belt location and as such would comply with policies JP-G1, JP-G9, OL1/2 and SPD8.

Impact on residential amenity

The nearest property to the site would be Higher Ash Farm which is located to the north of the site. This dwelling faces Higher Ash Barn and is set at a slightly higher level by just over 1m. The proposed outbuilding would be approximately 20m away from the front elevation of the neighbour's property and would be off-set from direct views. There would also be a gap retained through the site towards the south when viewed from the neighbour's property.

Given the distance away and difference in levels, it is considered the proposed development would not have a significantly harmful impact on this neighbour.

In terms of impacts on the wider area, Hawkshaw Lane lies to the west, approximately 67m away. There are also 2 public rights of way which cross through the site.

The proposed garage would be positioned in the northern part of the site which is the farthest point from public views when travelling along Hawkshaw Lane which is also set at a lower level. The proposed garage would also be positioned close to the host building and as such the proposal would be related to the dwelling rather than becoming a sprawled site.

It is therefore considered that the proposed development would not have detrimental harmful impacts on adjacent properties or views both close to and further afield and as such would comply with Policies EN1/2 and SPD8.

Heritage

Higher Ash Barn is considered to be a Non-Designated Heritage Asset (NDHA). Paragraph 216 of the National Planning Policy Framework states 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 directly or indirectly affect 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 outbuilding would have an indirect impact on the setting of the NDHA identified.

By virtue of the proposals' size, scale, design, materials and resultant massing with the NDHA the proposal would not represent a level of visual impact on the setting of the NDHA that would lead to a loss of significance warranting refusal.

Highway issues

The proposed development would not result in any additional traffic or trips to and from the site.

The proposed garage would facilitate the parking of 2 cars for the barn dwelling.

SPD11 - Parking Standards in bury states that the Council; will only consider garages as providing a functional car space where the design would genuinely provide for them to be usable on a casual daily basis.

According to SPD11, minimum internal dimensions for a double garage are 6.4m x 5.5m. the proposals would have an internal footprint of 8.6m x 6.6m and as such would be a usable space for storing cars. The proposed garage would also be located adjacent to the host building and readily accessible.

It is therefore considered from a highway perspective, there would be no associated issues or concerns and the proposed development would comply with HT2/4 and SPD11.

Ecology

Summary

The only potential issue is biodiversity net gain

Bats

Whilst a bat roost was identified previously in the barn under conversion, the additional proposals for a garage will not directly impact the barn or any habitats that may benefit bats in the area. GMEU are therefore satisfied that the proposed garage/outbuilding is very unlikely to affect the conservation status of the local bat population. No further information or measures are required.

Other Wildlife

The location of the building is hardstanding. It is very unlikely that there will be any other wildlife issues including to nesting birds. No further information or measures are required.

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 would be located on hardstanding, which will be replaced with a building. Both negligible value habitats.

With regard to biodiversity net gain, GMEU note the development is partly outside the red edge of the approved barn conversion and therefore the hardstanding on which the application is located is not covered by the existing permission. Google earth imagery indicates that no vegetation has however been present in this location since prior to 2020. (no vegetation on the 2019 aerial, but clearly vegetated in 2013). Therefore whilst this may have been brownfield or bare ground in 2020, GMEU are satisfied that no deliberate damage to vegetated habitats has occurred since the cut-off date for mandatory BNG is any works that have occurred were incidental and permitted development and that the development is exempt under the de minimis rule.

As mitigation/enhancement GMEU would recommend one bird box. This would be conditioned.

Response to objectors

- Revised plans have been received to reduce the height and footprint of the building and change the external materials to timber cladding.
- the change of use of land is required as the application site was not within the applicant's residential curtilage.
- BNG has been assessed as not required for this development.
- All other issues have been covered in the above report.

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. 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 -

Proposed plans - Location plan, site plan, elevations and floor plans C-267-3 rev G

and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

3. Prior to first occupation/use of the development hereby approved, 1 no. electric vehicle (EV) charging point (minimum 7kW*) per parking space shall be provided.

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. The infrastructure shall be maintained and operational in perpetuity.

*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>.

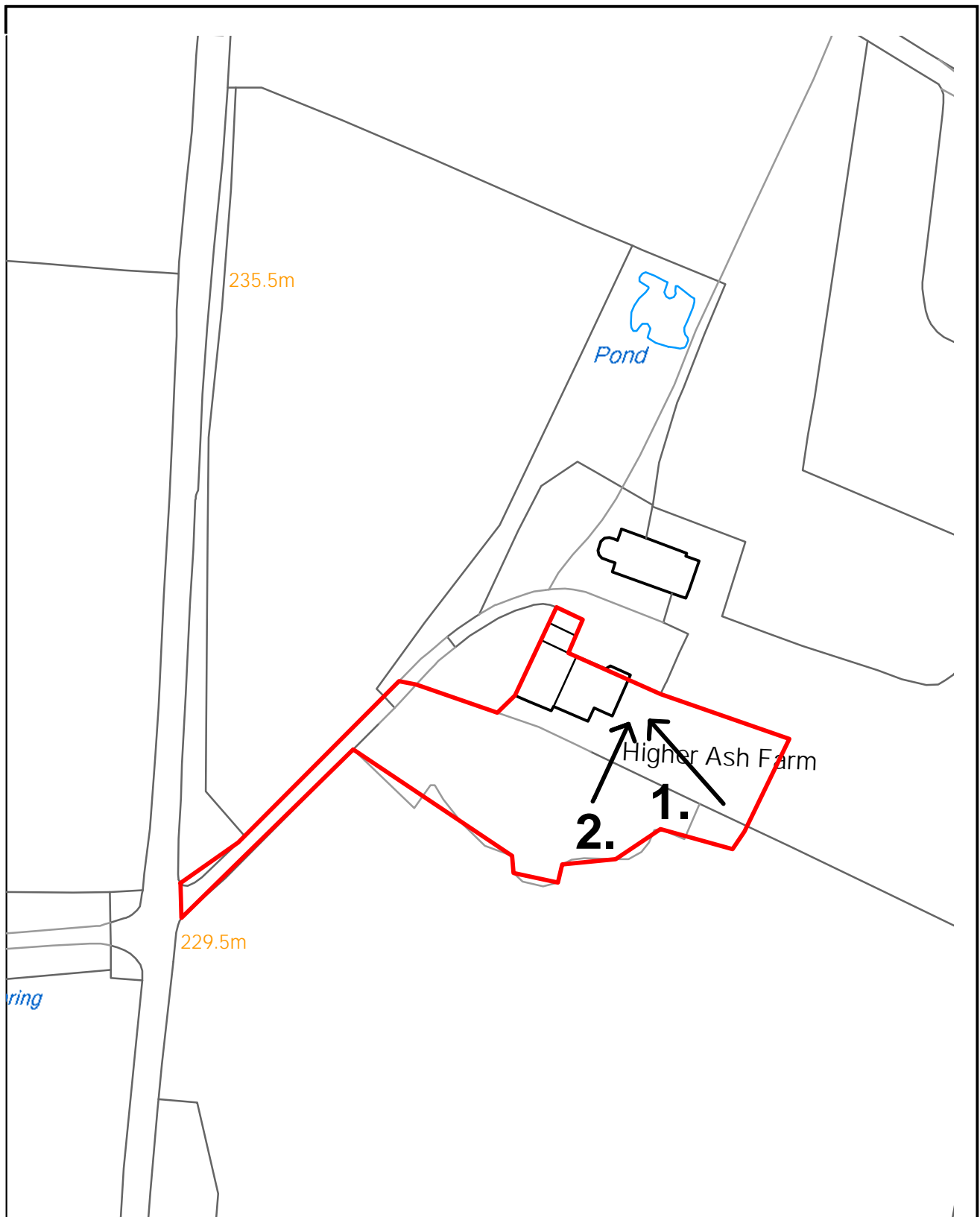
Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

4. The development hereby approved shall be carried out in accordance with the materials detailed on the approved plan C 267-3 rev G for timber clad elevations.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design and SPD8.

For further information on the application please contact **Jennie Townsend** on **0161 253-5320**

Viewpoints - 71009



ADDRESS: Higher Ash Barn, 12 Hawkshaw Lane, Tottington, Bury, BL8 4LD



Planning, Environmental and Regulatory Services

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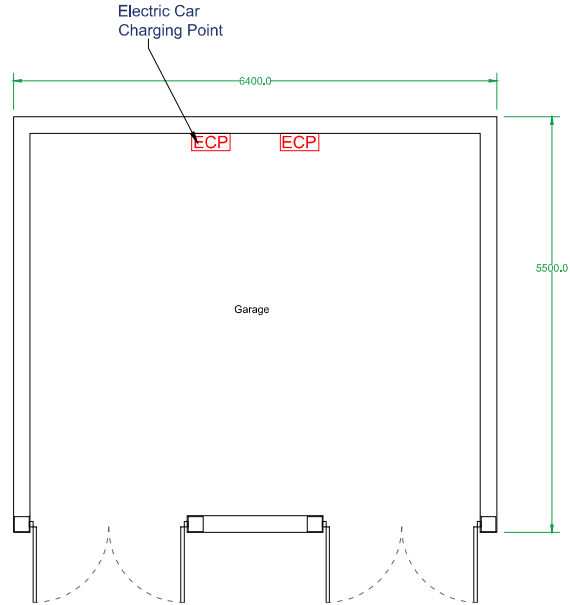
71009

Photo 1

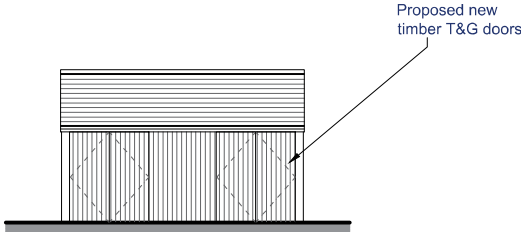


Photo 2

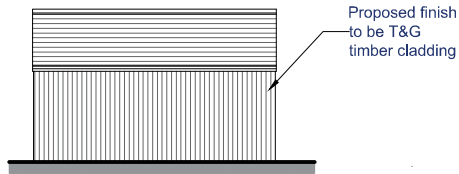




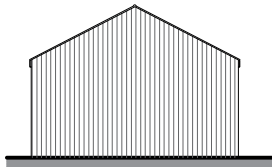
Proposed Garage Ground Floor Plan
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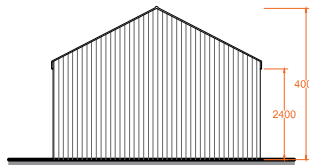
Proposed Garage Front Elevation
Scale (1 : 1 0 0)



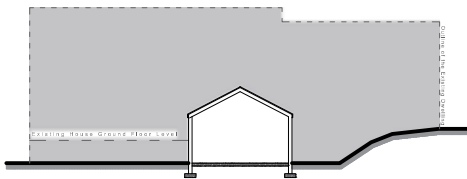
Proposed Garage Rear Elevation
Scale (1 : 1 0 0)



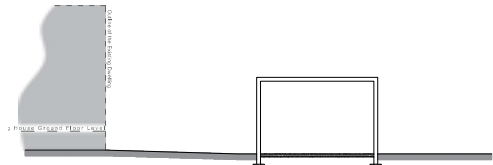
Proposed Garage Side Elevation
Scale (1 : 1 0 0)



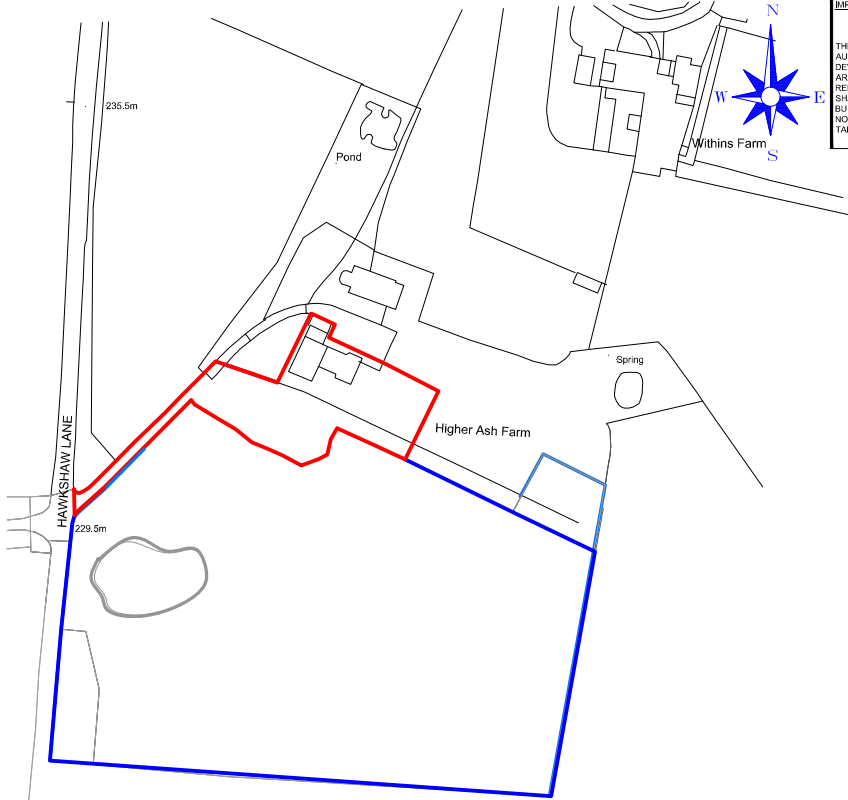
Proposed Garage Side Elevation
Scale (1 : 1 0 0)



Proposed Section A - A
Scale (1 : 2 0 0)



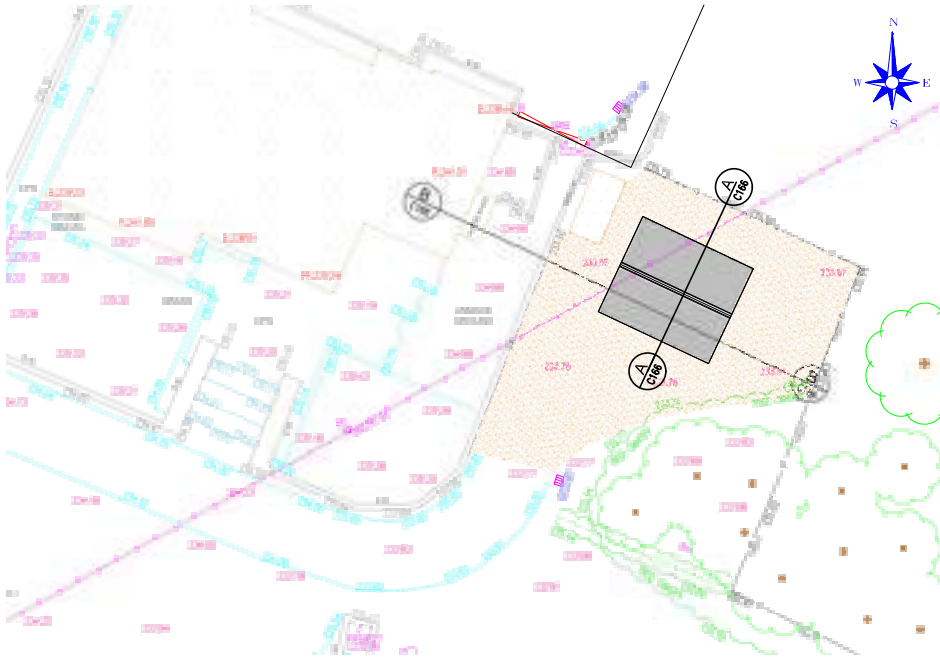
Proposed Section B - B
Scale (1 : 2 0 0)



Location Plan
Scale (1 : 1 2 5 0)
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Existing Site Plan
Scale (1 : 5 0 0)



Proposed Site Plan
Scale (1 : 2 0 0)

IMPORTANT NOTES

DO NOT SCALE FROM THIS PLAN

THESE ELEVATIONS ARE DRAFTED TO ALLOW THE PLANNING AUTHORITY TO MAKE A DECISION ON THE PROPOSED DEVELOPMENT AND FOR NO OTHER PURPOSE. THESE ELEVATIONS ARE NOT BUILDING REGULATION COMPLIANT AND SHOULD NOT BE RELIED UPON AS SUCH. THE DECISION NOTICE (WHEN AVAILABLE) SHALL PROVIDE THE EXACT DIMENSIONS OF THE PROPOSED BUILDING AND SHOULD BE RELIED UPON. THESE PLANS SHOULD NOT BE USED AS DEFINITIVE AND ANY MEASUREMENTS SHOULD BE TAKEN AND CHECKED FROM THE PROPOSED SITE.

Proposed Volume of New Garage

115m³

G.	Garage footprint amended at the request of the L.P.A.	11/09/25
F.	Height reduced on one section 4m overall and external finish amended to render at the request of the L.P.A.	13/08/25
E.	Height reduced to 4m overall at the request of the L.P.A.	01/08/25
D.	Amended at the request of the L.P.A.	28/04/25
C.	Annotation changed on plan	19/08/24
B.	Additional information noted on plan at the request of L.A.	16/04/24
A.	Additional information noted on plan at the request of L.A.	10/10/22
Revision		Date

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Drawing Title:

Proposed Garage

Site Location:

Higher Ash Barn, Hawkshaw,
BL8 4LD

Drawing Status:

Proposed Plans

Date: 05/05/2022 **Drawn by:** JHolden

Scale: 1:50 / 1:100 @ A1 **Ref:** C 267-3 **Revision:** G.

Client: Mr & Mrs Packun

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Ward: Prestwich - Sedgley

Item 04

Applicant: on behalf of Prestwich Muslim Welfare Trust

Location: 52 Bury Old Road, Prestwich, Manchester, M25 0ER

Proposal: Demolition of the Existing Mosque and Community Facility and the Erection of a Replacement Mosque and Community Facility (F1 (f)).

Application Ref: 71422/Full

Target Date: 11/04/2025

Recommendation: Mind to Approve

The application was deferred from the September meeting to carry out a site visit,

The application is subject to a s106 Agreement to secure a contribution towards additional parking enforcement officers.

Description

The application relates to an existing single storey building which serves as a mosque and teaching facility for the local Muslim community. The building sits within a rectangular shaped plot, circa 1350 sq m in size and is set back from the frontage by approx 19m, running linear and adjacent to the north western boundary. Due to the gradual rise in levels through the site, the building sits at a higher level to Bury Old Road.

There is a private car park in front of the building for 17 cars and a separate public car park to the south east which shares the access off Bury Old Road. The site is bounded by a 1.5m wall along the Bury Old Road frontage behind which is a timber fence with a wall and fence bounding the rear of the site

To the north east are houses on Woodthorpe Grange, behind the site boundary are houses on Woodthorpe Court to the north east and to the south west across Bury Old Road is a row of shops designated as a Local shopping centre which are served by a separate access road and lay-by for parking. There are houses which continue along the frontage of Bury Old Road to the south.

The building has been extended in an ad hoc manner over a period of years and the building had deteriorated in its state. The applicant states that it provides limited facilities for the Mosque community and is no longer viable or feasible to continue to add to the existing building.

This application seeks to demolish the existing building and provide a new place of worship, teaching and community facilities.

The footprint of the proposed building would be sited approximately 6.5m from the back edge of the pavement on Bury Old Road and would project towards the rear of the site by 27m. It would run linear to the boundary with Nos 2 and 4 Woodthorpe Grange and would be 16.5m wide. A landscape buffer and paved area would be provided from the front entrance to Bury New Road and a paved pathway would continue round the perimeter of the building for access purposes.

Twenty parking spaces in total would be provided, 11 (including 2 accessible spaces) would

located in a row along the south eastern elevation and a further 9 spaces at the back of the site along the northern boundary where there would also be an area for a drop-offs and a cycle stand for 18 bikes and bin store.

The existing shared site access would continue to be used and there would be no loss of parking provided within the public car park as a result of the development

On the matter of design and appearance, the building would be 3 storey in height comprising a lower ground floor, ground floor and first floor which would be set back from the main front elevation by 5m. Due to the gradient of the site and difference in levels, part of the site would be excavated and the building would be located at a lower ground level.

The design of the building would be bespoke, and the building designed to be identifiable for a particular religious community. The build would comprise sandstone elevations with ashlar stone surrounds and detailing with full height glazed openings along the front and side elevation facing the car park. The north western elevation would be blank and the rear elevation would have windows to part of the ground and first floors and a second access to the back of the site.

Whilst the size of the building and footprint area would increase, the intention is to provide the same but improved community facilities.

The lower ground floor would provide a youth recreation room, library and community meeting space, ablution room, storage and WC facilities. On the ground floor would be the prayer hall with 200 sqm of floorspace (the same floorspace as the existing prayer hall), mortuary, ablution room, office and storage and WC facilities.

The first floor would contain the teaching areas comprising separate male and female lecture/teaching rooms and 4 classrooms, an office and store. Access through the building would be via lift or stairs.

The main entrance would be on the front with a secondary entrance at the rear.

The applicant has provided a breakdown of the existing and proposed floor areas as follows -

Existing

Whole building - 466 sqm

Main prayer hall - 200 sqm

Office - 20 sqm

Circulation areas - 71 sqm

Classroom 70 sqm

Ablution area - 72 sqm

Proposed

Whole building - 1205 sqm

Lower ground floor level - 410 sqm (youth recreation room 134 sqm, library and community space 111 sqm, ablutions 12 sqm, office, WC's and plant room 47 sqm)

Ground floor - 410 sqm (main prayer hall - 200 sqm, mortuary 21 sqm, ablutions 24 sqm, toilets, mortuary 21 sqm, office, store, WC's and plant 43 sqm)

First floor - 385 sqm (male and female teaching lecture rooms 166 sqm, 4 classrooms 67 sqm, office, store and plant 28 sqm).

It is stated that the proposal would not intensify the use at any one time to what is already provided within the existing building. The purpose being to provide better quality and more functional spaces and facilities, with no increase in the number of people who would visit the main prayer room or number of children taught.

The size of the proposed main prayer hall would not change from what is currently provided, staying the same size at 200 sqm.

Relevant Planning History

02891/E - Demolition of existing mosque and Islamic Centre and proposal for the erection of replacement mosque/Islamic Centre (Class F1(f)) - Enquiry completed 13/05/2024

53283 - Single storey extension (retrospective) - Refused 24/01/2011

56824 - Single storey extensions to form washroom facilities and kitchen (retrospective) - Approve with Conditions 21/01/2014

60004 - Temporary Siting (for 3 years) of 1 no. Portacabin for use as a Classroom and Alterations to Car Park Layout - Approve with Conditions 27/07/2016

68057 - Extension of temporary permission of 3 years for retention of existing portacabin for use as a classroom with the addition of main entrance extension and toilet facility at rear;

Alterations to car park layout - Approve with Conditions 24/06/2022

Publicity

Letters sent to 31 properties on 15/1/25.

Site notice posted 21/1/25

Press advert 23/1/25

A total of 1180 representations have been received

Objections - 164

Support - 1009 and a petition with 1630 signatures

Comments - 7

Objections (includes 3 objections from planning agents on behalf of residents)

Parking and traffic issues

- Already insufficient parking available to accommodate the mosque's users.
- During prayer times, vehicles park at corners, block residential driveways, park on pavements and create hazardous conditions for other road users. Enforcement has either not been carried out effectively or has been entirely absent, allowing the problem to worsen.
- As the responsible authority, Bury Council must take immediate and sustained action to enforce parking laws and ensure that residents are no longer subject to repeated obstruction and inconvenience.
- The current situation is not sustainable and places an unfair burden on local residents, in direct violation of the Council's statutory duties under the Highways Act 1980, the Road Traffic Regulation Act 1984, and the Traffic Management Act 2004.
- Congestion caused by uncontrolled parking is restricting access for emergency vehicles and other road users, creating a serious risk to public
- Inadequate parking capacity for the anticipated rise in visitors
- The Council owned car park is barricaded off and unusable for shoppers and marshals have not resolved any issues.
- Over 2 and a half times bigger than existing, over 3 storeys and only 3 additional parking spaces.
- Negligible net gain of parking for 3 extra spaces

- As local residents we constantly face parking issues at prayer times.
- Parking issues have been raised with local councillors on numerous occasions and no resolutions found
- The development relies totally on the existing access to Brooklands Car Park and 2 bays will not be used during drop of classes to enable vehicles to manoeuvre
- Insufficient information to understand travel distances of the congregation.
- The applicants appear to have limited control over the access and no control of the public car park.
- Clear current worshippers do not find modes other than the car to travel to the site. No concrete strategy is offered to reduce car use.
- No formal agreement to secure off-street parking and needs a full and transparent assessment of traffic and parking impacts and a realistic mitigation strategy.
- Proposal to provide parking at Heaton Park would not be feasible. There is no evidence of formal agreement, control, or long-term viability. Lack of enforceable usage control make this proposal speculative and unfit to be relied upon in determining a major development.

Impact on residential amenity

- The proposed development is out of scale and character with the surrounding residential area
- Overbearing and overlooking to adjacent houses
- Impacts on privacy
- Noise and disturbances with the extended operational hours and increased occupancy

Environmental issues

- Increased traffic will exacerbate air pollution in an area that already struggles with clean air standards
- Additional vehicles and congestion will be worse and contrary to objectives of reducing pollution and improving sustainability.
- Tree removal with environmental impacts

Design

- Overspill of people at the front will block pavements and cause obstructions
- Imposing, dominant to the streetscene
- The architectural design is unsympathetic to the area and the features are incongruous with the existing terraces, detached houses, and shops.
- Materials of white render on images but white sandstone on plans
- Impact is compounded by the selection of white coloured materials over 3 storeys.
- Little or no space for landscaping
- Contrary to what the applicant says, an increased size of 250% will significantly intensify the use of the building and people using it.

Other issues

- Could set a precedent for further non-residential developments in this quiet residential area.
- A mortuary is now proposed - a number of funeral processions would therefore start at the mosque - intensified use
- Should find an alternative location which can accommodate the scale of building and parking needed
- Strain on local services due to increased visitors and users causing more issues for residents.
- Continuous overlapping of activities is a significant intensification of use.
- The schedule of activities was submitted late in the application process and raises questions over the true extent of the original description.
- The Schedule of Activities and Parking Addendum were both submitted after the formal consultation window closed. These documents materially alter the understanding of the proposed development's scale and impact.

- Introducing these documents at this stage undermines transparency and procedural fairness for neighbours, consultees, and members of the public.
- Request that the Council refuse the application as submitted or require a revised application that provides a complete and transparent mitigation strategy backed by secured mechanisms, and demonstrably aligned with adopted parking standards and national policy.

Objection received which was reported in the Supplementary Agenda for the 2nd September Planning Committee meeting -

- Write on behalf of a group of concerned residents and the officer's report now prepared for Committee.
- Formally request that this matter be deferred due to critical omissions in the assessment of parking impacts, which undermine the integrity of the consultation process and the reliability of the recommendation being presented.
- Despite the extensive number of objections submitted by local residents, the volume of complaints to Bury Council and Greater Manchester Police regarding existing parking issues, and the submission of additional planning documents by the applicant, these concerns remain substantively unaddressed in the officer's report and by the statutory consultee response from the Highway Authority.
- The Highway Authority's final response is dated 19 August 2025. This is a crucial date, as it falls after the applicant submitted their Schedule of Activities (14 April 2025) and their updated Addendum Travel Plan (July 2025). These documents provide a significant revision to the scale and frequency of use proposed for the site, introducing extended hours of activity throughout weekdays, weekends, and evenings. Yet despite this, the Highways response makes no reference whatsoever to the Schedule of Activities, nor does it evaluate the implications of this more intensive use on local traffic and parking.
- It is clear that the current proposal would offer a net gain of only three parking spaces-increasing from 17 to 20-while greatly increasing activity at the site.
- There is no evidence that the applicant has provided any meaningful mitigation, and the Highway Authority appears not to have tested the submitted travel data against Bury Council's adopted parking standards or wider national guidance, including the National Planning Policy Framework (NPPF) paragraphs 110 and 111, which require that new development avoids creating unacceptable impacts on the road network.
- The current situation on surrounding streets is already untenable. Residents have documented numerous instances of blocked driveways, pavement obstructions, and inappropriate parking on corners and yellow lines. These are issues that have been repeatedly reported and are a known problem for the area. Yet the officer's report provides no analysis of how this development would affect that existing pressure, nor how the proposal would help manage or alleviate the well-evidenced problems that already exist.
- To proceed to Committee based on this incomplete and inadequate assessment would not only be procedurally improper but would risk a decision that is legally and substantively unsound. The Highways Authority had the necessary documents in their possession when they issued their final response but failed to address them. Their conclusions therefore cannot be relied upon to demonstrate compliance with local or national transport policies.
- We urge the Council to defer this application and require a full reassessment by the Highways Authority that explicitly considers the Schedule of Activities, Addendum Travel Plan, and the numerous local objections relating to the safety, accessibility and amenity of residents affected by existing and future parking pressures.

Support

- Keeping this mosque ensures continued contribution to education, charity, and social harmony, preserving diverse, inclusive, and thriving community for generations.
- Desperately need a new mosque and community facility. the existing building is not fit for purpose.
- There is only one in Bury South within a 6 mile radius to serve the community
- Current building cannot accommodate the worshippers at prayers times nor is it suitable for the children's classes that take place their every evening.
- A new mosque is not just about increasing physical space; it's about expanding opportunities for spiritual growth, community engagement, and collective well-being.
- The proposed extension will allow for improved facilities, educational growth, community Services
- There are several volunteers from the mosque, identifiable by their high-visibility jackets, who are on-site to assist with parking and ensure minimal disruption in the area
- The new mosque design aims to be modern and environmentally sustainable, demonstrating a commitment to reducing carbon footprint.
- The proposals has been reduced in height from the full 3 storeys
- There are no windows which would overlook neighbouring properties
- Parking, while currently a challenge during specific times of the week will be significantly improved by the proposed 20 spaces
- Arrangements have been made to rent out a nearby car park to accommodate additional vehicles.
- This development is not expected to increase footfall
- Improved toilet and ablution facilities would be provided and upgrade a poor building
- An open space at the front would minimise crowding and 2 entrances would prevent congestion.
- The mosque has the potential to strengthen inter faith relations and contribute to the social fabric of Prestwich.

Petition of support

The planning application fits in with the Bury Council's 'Inclusion Vision for Bury 2030 - and Inclusion Strategy and Objectives 2021-2025

- The mosque is an asset to the community of Bury South in terms of its numerous activities that are held and to maintain this community structure and facility which has been vastly beneficial over the years.

The proposed building would not result in an increased congregation but will allow for much needed necessary facilities

- Careful to make sure the building would fit in with the surrounding area and the height of the building would not surpass the other surrounding buildings. The additional space in the proposed building
- the additional space would be for accommodating extra facilities which would not increase the flow of traffic as they are no part of main Friday prayer facilities. In short the number of parishioners would remain the same in the new building and numbers attending Friday prayers would remain the same.

There would be 20 parking spaces excluding the 48 spaces in Maccabi and excluding bury Council car park.

- SCP (an independent organisation) carried out a parking assessment which concluded there was capacity on street to park.
- The number attending the mosque would not increase
- Bury council's parking standards are set out as maximums and as such the proposal does not need to meet these maximum requirements. in context the site is in a highly sustainable location for walking and cycling.
- should not be refused on highway grounds, as there is sufficient evidence there will not be an impact on capacity or safety

- There should be a review of the Travel plan and marshalling plan and are open to agreeing a localised traffic plan for a residents parking scheme.

Response to objections by applicant

The applicant has provided a response to the objections and concerns raised, which are summarised as follows -

Parking and Traffic Issues

- Proactively sought to address both current and potential issues arising from the proposed development.
- Engaged transport specialists who carried out a parking survey of the area focusing on peak prayer times, particularly a Friday.
- The management has successfully implemented a traffic marshal system and which has significantly reduced congestion, leading to a proposal to continue the Traffic Marshal System on Fridays.
- Whilst the new building would have a larger footprint than the current, its function and purpose would remain unchanged.
- The prayer hall would remain the same size as the existing at 200 sqm. The classrooms would be purpose built with segregated teaching and bathroom facilities.
- The mosque serves a local community where majority of visitors reside within walking distance, typically less than a five-minute journey. The site is in a highly sustainable location, encouraging walking and cycling, with a significant Muslim population and a relatively low level of car ownership.
- The proposed development aligns with sustainable transport measures.
- The development includes cycle stands to promote alternative modes of transport.

Pollution

- The development encourages sustainable transport options and the implementation of travel plans will further mitigate any potential environmental impact.
- In respect of traffic concerns related to the nearby school, it is located 0.9 miles away from the mosque and school dismissal times do not overlap with peak periods.
- Initiatives including cycling club, walking club will encourage healthier and more environmentally friendly commuting options.

Scale and design concerns

- It is not feasible or viable for continued extensions to the building which have in the past been ad hoc and not relate well to the building or area.
- The proposed building has been scaled down and reduced in height from initial designs. It still addresses the streetscene but set back from the frontage to align better with the surrounding development pattern.
- a significant number of religious buildings are a focal point of the community and it would be uncharacteristic for them to be hidden away. They should be open, visible, available and solidify the character of a particular area.
- The build would not be much higher than the adjacent dwellings on Woodthorpe grange and only 2m taller than No 48 Bury old road. This is due to the raised levels of the neighbours properties and flat roof design of the proposed mosque.
- There is significant separation distance between the proposed building and the dwelling at 48 Bury Old Road (32m).
- Screen planting would also be provided between the highway and the building to soften the buildings appearance within the street.
- Given the above, the height and size would not appear out of scale or character to the detriment of the surrounding built environment. The build would make better use of the site in this sustainable location.

Impact on Residential Amenity and Privacy

- To the houses on Woodthorpe Grange/Court, there is tree planting along a sizable boundary fence and wall which greatly limits views into the site. There would be a distance of 37m from the rear of these houses to the side elevation of the building. The dwellings on Woodthorpe Court are positioned on a substantially greater land level and the build would also retain a distance of 27m to the backs of these properties.
- It is considered height above existing ground levels would not represent an overbearing or dominant feature and would meet the interface distances between properties as set out by the Council. Given the level differences and boundary, there would not be overlooking or privacy issues.
- A daylight and sunlight assessment has been carried out which concluded impacts on neighbours would be minimal.
- On-site noise monitoring concluded no adverse impact would be experienced.
- The new layout will improve vehicle flow and reduce congestion, with dedicated drop-off points and increased parking spaces.

Social and Community Impact

- This is an existing established facility which has operated from the site for more than 20 years. Generally, it has an excellent relationship with all faith groups in the surrounding area.
- The new mosque would address community needs by providing a purpose built facility catering for all ages and genders to offer better quality facilities and services.
- Would provide a long term and durable use for the future

Environmental Impact

- A detailed landscaping scheme is included as part of the development to ensure biodiversity within the site and bat and bird boxes provided within the development.
- BNG would be provided off-site to meet biodiversity objectives.
- vehicle emission would not increase to cause harm to air pollution.

Economic Impact

- The number of attendees would not increase, the building would be more fit for purpose.
- The value of properties is not a material consideration. This would be a local community project and would enhance the social and amenity benefits in the area.

Those who have made representations have been notified of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions.

Borough Engineer - Drainage Section - No comments received

Environmental Health - Contaminated Land - No objection subject to conditions

Environmental Health - Pollution Control - No objection

Waste Management - No objection

Greater Manchester Police - designforsecurity - No comments received

United Utilities (Water and waste) - Recommend a drainage condition

Greater Manchester Ecology Unit - No objection subject to conditions

Property & Technical Services - Estates Consultancy - No response received.

Prestwich Village Neighbourhood Forum - No response received.

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

Development Plan and Policies

NPPF National Planning Policy Framework

EN1/2	Townscape and Built Design
EN1/7	Throughroutes and Gateways
EN7/2	Noise Pollution
CF1/1	Location of New Community Facilities
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-P1	Sustainable Places
JP-P3	Cultural Facilities
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
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.

Public Sector Equality Duty

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.

Religion or belief is a protected characteristic under the 2010 Act and the main report sets out how, in considering this application, regard has been had to how any implications in relation to equality is based on objective material planning considerations.

Principle

PfE Policy JP-P3 - Cultural Facilities - Seeks to protect existing cultural and community venues, facilities and uses and supports the development of new cultural venues in town centres and places with good public transport connectivity. The policy also seeks to promote new, or enhancing existing, locally-distinct clusters of cultural facilities, especially where they can provide an anchor for local regeneration and town centre renewal.

UDP Policy CF1/1 - Location of New Community Facilities takes into account 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 private and public transport;
- the needs and requirements of the disabled.

The site and building has an established use as a place for public worship and teaching and the principle of the redevelopment of the site for the same purpose in land use terms would be acceptable.

The main issues relate to the scale, design and appearance of the building, access and parking and impacts on the surrounding area. arising from the constraints of the existing building's size and state of dilapidation.

These issues are covered in the report below.

Layout and siting

The layout and siting of the building have been largely informed by factors including the need to provide a more functional, accessible, and safer facility to serve the needs of the community, balanced with providing parking whilst being sensitive to the surrounding residential properties and the relationship of the building within the streetscene.

Having investigated various options, it is proposed to set the building back from the pedestrian footway on Bury Old Road by approximately 6.5m. This would result in the frontage positioned halfway between No 2 Woodthorpe Grange to the north (set close to the main road)) and No 50 Bury Old Road to the south (which is set further back) and as such it is considered the building would integrate appropriately between the existing built development and assimilate within the streetscene.

There would be a paved area and landscape buffer which would provide a safe area away from the pavement and highway for people to meet before entering the building. Planting along the frontage would also soften the front of the site.

The building would extend 27m towards the rear of the site and would cover a footprint area of approximately 460 sqm. Around the perimeter of the building, a paved pathway would be provided which would facilitate the safe movement of pedestrians away from the car parks and facilitate access to the rear of the building and the secondary entrance.

The proposed parking would now be moved to the side and rear of the building to provide a total of 20 parking. There would be 11 spaces (including 2 accessible spaces) located in a row along the south eastern elevation and 9 spaces along the rear boundary. Moving the parking away from the frontage would remove the sense of parking at the front and allow the building to address the streetscene in a positive way.

The rear of the site would provide a bin store and cycle parking for 18 bikes.

The development would continue to use the existing access which is shared with the adjacent public car park and which ramps upwards into the site from Bury Old Road.

Whilst the proposed re-development of the site would result in changes to the current layout, including size and position of the building's footprint, location of the parking which is now proposed to the side and rear of the building and servicing and store area, the usability of the site would be bettered for pedestrians by creating a safer and route to and from the area and around the building and would maximise the parking potential. The set back of the building from the highway and planting and paved area to the frontage would also provide a relief within the street scene.

The proposed development would deliver a practical and functional facility for the community as opposed to the existing building which has past served its purpose.

It is therefore considered the proposed development would be acceptable and comply with policies EN1/2, CF1/1 and JP-P3.

Scale, design and appearance

The final design of the building has been influenced by a number of factors. Providing a usable and modern building with segregated facilities for children including welfare facilities, accessible and safe for all was a critical consideration for the applicant in terms of the how the building could serve the community now and into the future, whilst being aware of the surrounding development and sensitive receptors.

Having scaled back the building from initial design stages, where a 3 storey build set close to the front of Bury Old road was proposed, and whilst in parts the build would still be 3 storeys, the second floor would be set back from the ground and first floors by 5m and the footprint moved back 6.5m from the road frontage and as such this would aide in reducing the massing and scale within the streetscene.

Comparative to the surrounding properties, which are residential in both character and scale, the building would not be dissimilar in height and this is due to the topography of the site where houses on Bur Old Road to the south east are set back from the road and in a higher position, the elevated houses on Woodthorpe Court to the north east.

Land levels within the site would also be reduced and the flat roof design of the building would aide in the integration of the building within the streetscape and therefore not overly dominant or overbearing within the context of the surrounding area.

In terms of the actual design and elevations, the building form derives from a specific religious community and this is acknowledged in the design features which have been incorporated, including ornamental infill patterns, feature arches and domes and main entrance arch above which would be the name of the place of worship. Aluminium curtain wall glazing would also feature primarily on the south east elevation facing the car park and on the front elevation. The primary material would be a sandstone build with ashlar surrounds and detailing and the final palette of materials would be secured by condition.

As a building to serve a specific need and community group, the building has a role to play comparative to the surrounding existing development and as such it is accepted that the design approach reasonably identifies the intended form and function.

It is therefore considered that the scale, design and appearance would be acceptable within the streetscene and in this location and as such considered to be acceptable and comply with policies CF1/1, EN1/2, JP-P3 and the principles of the NPPF.

Impact on residential amenity

There are residential properties to three boundaries of the site.

Woodthorpe Grange

To the north west are houses on Woodthorpe Grange. The building would be set 1.5m away from the shared boundary with Nos 2 and 4 and would run linear to this shared boundary.

The applicant has carried out a daylight and sunlight assessment to these properties given they are the closest and likely be the most affected.

The study shows that to the windows at Nos 2 and 4 Woodthorpe Grange, the loss of vertical sky would equate to no more than 1.8% and loss of sunlight during both the summer and winter months would be no more than 2% as a result of the development.

There would be some overshadowing to the gardens of these houses but it would be at the far end of the gardens and affect a thin strip of land to the western side of the garden only.

The building would be approximately 37m from the rear elevations of the houses and whilst visible from these dwellings and gardens, there are substantial trees along the rear boundary which would screen the new building to some degree.

It is therefore considered that there would not be a significantly adverse impact on these neighbours in terms of overshadowing, loss of light or overbearing relationship.

Woodthorpe Court

To the rear of the site are houses on Woodthorpe Court which are set at a higher level to the site. The proposed site section plan shows that apart from the projecting structures on the roof of the proposed building, given the levels differences and that the lower ground floor would be excavated into the land, the top of the main roof would be no higher than the dwellings on Woodthorpe Grange and the relationship similar to that of a 2 storey building. There would be a separation distance of 26m.

Given the level of separation and difference in levels it is considered the proposed development would be acceptable and there would not be a detrimental impact on occupiers of Woodthorpe Court.

Bury Old Road

To the south of the site are houses which front Bury Old Road. No 50 is located next to the boundary with the public car park and there would be a distance of more than 28m from the side elevation of the dwelling to the new building.

Given the distance away and the intervening car park and that windows on the side elevation of this dwelling appear to be to non-habitable rooms it is considered that impacts on occupiers would be limited.

Whilst the development would result in a larger sized building in terms of both its footprint and height on the site, with the separation distances and level differences to the adjacent houses, impacts on privacy, outlook and sunlight are considered not to be adverse or detrimental to impact neighbours to any significant degree.

It is therefore considered that the proposed development would be acceptable and comply with policies CF1/1 and EN1/2.

Highway issues

PfE Policy JP-C8 - Transport Requirement of New Developments - requires new development to be located and designed to enable and encourage walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, liveable and sustainable environments. Appropriate provision for deliveries and servicing should be provided.

UDP Policy HT2/4 - Car Parking and New Development requires development to make adequate provision for parking and servicing requirement.

SPD 11 - Parking Standards in Bury provides further detail and specifies that for a place of worship, 1 parking space per 10 sqm of public floorspace would need to be provided and 1 cycle space per 200 sqm.

Parking overview

The main parking problems arise reflecting the Friday prayer time, from 12pm to 3pm, which is the time the building is most intensely used and visited. Attendance numbers are generally in the region of between 100 and 150 people.

Residents who live nearby and local businesses have objected on the matter of parking, with local streets heavily parked, fly parking on the footways of Bury Old Road, cars blocking driveways and complaints of not being able to park on the adjacent public car park adjoining the site.

This has been a problem for a period of time and continues to be a problem.

The existing mosque car park provides 17 spaces and this gets full early on at main Friday prayers. Similarly the adjacent public car park is heavily parked at this time. Under an informal agreement which has been in place for a few years, additional parking at the Maccabi sports centre 170m to the north is used as an 'overflow' car park for those attending Friday prayers although there is no formalised agreement and it cannot be relied on should the sports club decide to no longer make this available to the mosque.

This application proposes to provide 20 spaces which would be located along the side elevation next to the public car park and at the rear of the building.

Whilst the building itself would have a combined floor area of circa 2 and 1/2 times that of the existing over 3 floors, it is important to note that the size of the proposed main prayer hall at 200 sqm would be the same as currently provided in the existing building and would serve only the existing congregation.

However, as there is an existing problem and potential for increased capacity of the building, the proposed new development should seek to improve current conditions.

The Highway Authority have maintained concerns about the increased floor area and scale of the proposed development, with limited proposed on site parking and the existing problem of on street parking without any contingencies or additional parking formally secured off-site

To summarise the issues -

- There would be an increase in floor space in the new building comparative to the existing building (from 466 sqm to 1205 sqm) and therefore the potential for a worsened parking situation should some or all of the uses be available at one time, particularly if the uses occur at the main Friday prayer time
- Only 3 additional parking spaces (20 in total) for the increased floorspace.
- Existing and unacceptable pressure on street parking in the area during main Friday prayer times
- Lack of any formal and long term agreement to provide additional parking in the vicinity.

Applicant's proposals for parking and alternative travel

The applicant has carried out a travel survey to understand how attendees travel to the mosque. Of those who responded to the survey, 70% travelled to the mosque as a one-off

journey with 30% on their way to or from another location.

A significant proportion, 55% chose to travel by car, 31% travelled on foot, 8% car shared, 5% cycled and 1% arrived by public transport. There is clearly scope for a change in behaviour about the way some attendees travel to the site.

In finding a way forward, a number of initiatives have been secured to address the obvious parking problems which occur at the Friday prayer time.

Contribution to additional parking enforcement

In discussion with the Highway Authority, the applicant has agreed to make a financial contribution of £6,000 which would be secured by a s106 legal agreement to fund additional parking enforcement officers. This contribution would initially cover a 12 month period and would be reviewed annually with periodical monitoring to identify how many tickets have been issued to those visiting the mosque and when the tickets were issued.

Should unlawful parking on the streets cease, or noticeably decline at the main Friday prayer times, then a revised contribution could be negotiated and agreed with the applicant. Annual reviews however would remain in place should the parking problems arise again in the future.

The applicant has also agreed to a condition to restrict the use of the mosque so that during the Friday prayer times, no other programmed activity, teaching session of any other facility be provided or available, or that any other part of the mosque be hired out for use whilst Friday prayers take place.

During the week and evenings, there appears to be a much lesser problem with parking. That said, the building's footprint would significantly increase comparative to what is there now and the building could offer a combination of facilities at any one time.

Building utilisation - combined uses and times

In terms of the different uses and the times they would be held, the applicant has provided a breakdown of each use and the times they would take place.

Prayer Hall - upper ground floor

Prayers - 5 times daily and up to 25 attendees.

Friday prayers - two afternoon gatherings between 100-150 attendees

Youth recreation space - lower ground floor

Main use at weekend for youth activities

Library and community space - lower ground floor

New facility for public use and drop-ins

4 classrooms/lecture room - first floor

Children's education classes, Monday to Friday 5-7pm, up to 50 attendees

Adult education, weekends 10am to 4pm, up to 20 people

The above breakdown shows that after the Friday prayer time, the next popular facility would be the children's education classes where 4 classrooms would be provided. In total the classrooms would comprise 67 sqm of floor area. There is currently one classroom which is 70 sqm in area.

The proposed teaching rooms would provide better educational facilities and enable different year groups and curriculums to be taught. There would not be an increase in floor area or the number of children attending the classes.

Adult education would be at the weekends, limited to approximately 20 people. The youth recreation room would mainly be used at weekends with expected limited activities.

In terms of the other uses, there would be less demand for parking than for the Friday prayer time.

This notwithstanding, there is the opportunity for services and facilities to expand and for more people to use and visit the mosque at other times of the week. It is this 'unknown' which still gives rise to concerns that parking problems could occur on the local highway. This being the case, the S106 contribution would cover additional enforcement officers during the week for a period of time. Again, this would be monitored and if enforcement officers are no longer needed or if no problem arises, the scope would be reviewed.

The legal agreement and contribution would necessarily need to be fluid and flexible and be so designed to ensure controls are in place in the event future parking issues arise but also be reasonable and rationale for the applicant.

Other parking initiatives

The applicant has also secured parking spaces off site at Heaton Park (accessed from Sheepfoot Lane). The agreement with the park would secure 25 permits which could be used 24 hours a day 7 days a week, to be renewed on an annual basis. The permits would be allocated those who regularly drive to the mosque who would then park up and either walk to the mosque or catch a pre-arranged minibus for the Friday prayer times. Should the agreement cease, the applicant would need to secure off-site parking elsewhere. This is written into a Travel Plan which would be conditioned.

The Travel Plan also sets out a number of objectives and targets to reduce the reliance on the car and promote alternative modes of travel. Measures proposed are as follows -

- Travel awareness - provide a travel information pack for all attendees, to include maps of the local area highlighting public transport routes and local cycle and walking routes, taxi contact details.
- Promote walking initiatives
- Promote cycling including provision of cycle stands and storage (9 cycle stands proposed which would comply with SPD11).
- Promote car sharing
- The Travel Plan would be monitored and reviewed annually and it is hoped the secured off-site parking and these initiatives would see a reduction in car users.

The applicant has confirmed they are agreeable to the condition for the Travel Plan to be adhered to.

The informal agreement with Maccabi would also continue.

Conclusion

There are a number of factors to consider -

- The current building operates lawfully with a prayer room floorspace of 200 sqm and this proposal would offer the exact same floor area for the prayer room.
- A condition would be included to restrict any other facility or activity at the mosque during Friday peak prayer time.
- Agreed contribution towards funding additional parking enforcement officers

- Off-site parking at Heaton Park which would be secured by conditioning the travel plan.
- Informal arrangement with Maccabi sports club
- Fallback position that the existing building could continue to operate at the same capacity during Friday prayer times without any additional benefits.
- The site is also in a highly sustainable and accessible area. PfE Policy JP-C1: An Integrated Network seeks to deliver an accessible, low carbon Greater Manchester by delivering a pattern of development that minimises both the need to travel and the distance travelled by unsustainable modes and by locating and designing development to deliver a significant increase in the proportion of trips that can be made by walking, cycling and public transport. The applicant is committed to promoting sustainable modes of travel to and from the mosque which are detailed in the Travel Plan (to be conditioned).

It is therefore considered that given the above, in view of the contribution to fund additional parking enforcement, controls which would be put in place and the applicant's commitment to working with the Council, the proposals seek to minimise adverse highway impacts which would otherwise warrant refusal of the application on highway grounds.

The proposed development is therefore considered acceptable and would comply with policies CF1/1, EN1/2, HT2/4, JP-P3, JP-C1, JP-C5 and JP-C6.

Drainage

United Utilities (UU) have been notified of the application.

Following review of the revised Drainage Strategy, UU have confirmed there is no objection in principle and recommend a condition that the development be carried out in accordance with the submitted strategy.

Ecology

Summary

Ecological Issues include nesting birds, wall cotoneaster and biodiversity net gain.

Bats

An updated bat assessment has been provided. As previously the building was assessed as having negligible bat roosting potential. GMEU have no reason to doubt the findings of the report. No further information or measures are required.

Nesting Birds

Bramble scrub will be lost, 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. GMEU recommend a condition be applied to any permission to restrict the removal of vegetation.

Wall Cotoneaster

This species is listed under 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. Only one specimen was however recorded, the site would not be regarded as wild and this species is primarily an issue in calcareous areas. GMEU are therefore satisfied that the risk of an offence is very low and that all that is required is an informative to advise the applicant of their responsibilities under the Wildlife & Countryside Act 1981.

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 an area of bramble scrub and associated bird nesting habitat. The consultant has also taken in to account previously cleared vegetation along the frontage in line with government guidance. This included a line of likely leylandii and two trees facing on to Bury Old Road. Wildlife issues are restricted to loss of bird nesting opportunities. New soft landscaping is proposed along the road frontage.

The development is subject to the general biodiversity gain condition. A BNG assessment and metric have been provided. These indicate that off-site compensation will be required for area based habitats, to cover a shortfall of 0.28 units. There is a net gain of linear units in excess of 10%. The loss is small and therefore off-site compensation should not result in an obstacle to the discharge of the general biodiversity gain condition.

The consultant has correctly identified the line of tree and trees along the frontage and taken a precautionary approach.

There is however potentially evidence that the two trees on the frontage could be assessed otherwise, based on historical streetview imagery, which show both the trees lost to be sycamore. They also appear not to have reached maturity or to have any ecological niches. Second, it is also arguable that they form part of a hedge with trees.

GMEU are therefore willing to accept an amendment to the baseline for this habitat.

GMEU have responded in terms of BNG, the on-site measures include urban tree and section of hedge.

Both are medium distinctiveness habitats but the units generated very small.

Therefore whilst defined as distinctive under defra guidance, control by legal agreement would be unreasonable. GMEU therefore recommend the mitigations are retained for 30 years via a simplified HMMP condition. The statutory general gain condition will also apply with regards both the on and off-site measures

GMEU recommend provision of a bird box on one of the mature trees adjacent to the site and there is the potential for the inclusion of swift bricks within the development. The details can be provided via condition.

The proposed development would therefore be acceptable and comply with policies JP-G8 and the principles of the NPPF.

Air quality

Environmental Health Officers have been consulted on the proposals. The site is not located within an Air Quality Management Area. Due to the scale of the development, it is considered very unlikely that the development would not create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the EPUK Guidance, an air quality assessment will not be required.

The proposed development will have off-street parking. Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, and the requirements of the Building Regulations (The Building Regulations 2010, Approved Document S, Infrastructure for the charging of electric vehicles), the team recommends a condition to be placed on any grant of permission for a minimum of 1 no. electric vehicle (EV) charging point (minimum 7kW*) and at least one in every five remaining parking spaces must be provided with cable

routes.

PfE Policy JP-S2 - Carbon and Energy

Sets out the steps required to achieve net zero carbon emissions and development proposals should set out how this has been achieved in an energy statement in accordance with the energy hierarchy.

The applicant states that energy efficient measures and renewable energy technologies would be integral to the building's design and specification and passive design measures have also been included to prevent overheating and subsequently reduce carbon emissions.

Compliance with Building Regulations will be achieved through high levels of thermal insulation and efficient heating systems and the development would provide EV charge points in line with Part S of Building Regulations.

It is therefore considered the development would comply with Policy JP-S2.

PfE Policy JP-C2 - Digital Connectivity

Requires new development to have full fibre to premises connections unless technically infeasible and/or unviable.

The applicant states they would ensure the new development would have future ready digital infrastructure including full fibre connections and multiple provider capacity and would encourage local community involvement to identify specific needs and shape digital connectivity.

Response to objections

- The submitted schedule of activities does not introduce any new information which is not already contained in the Planning Statement and the Design and Access Statement. The schedule of activities provides a more readable comparison of the proposed facilities and when they would be used. The proposed floor plans have not changed which also show the full extent of the proposed uses. There is no requirement for re-notification of neighbours if further information is subsequently submitted and in this case, the information was supplemental to the original application.
- It is stated that the Local Highway Authority (LHA) response was received after the applicant submitted the Schedule of Activities and updated Travel Addendum. There would be little point to the LHA making their recommendation until after all information relevant to the application had been received, reviewed and conclusions drawn to inform their response and the other mitigation measures which have been agreed.
- As detailed in the Officer Report, the applicant has sought to offer solutions and mitigation to provide parking in addition to the 20 spaces proposed on site, by securing off-site parking at Heaton Park, implementation of a travel Plan, continuing the agreement, albeit informally, with Maccabi and agreeing to enter a S106 legal agreement for additional parking enforcement officers to deter unlawful parking in the area.
- There is a known problem with parking at the Friday prayer time. However, the fallback position is that the existing building could continue to operate at the same capacity during Friday prayer times without any of the additional benefits proposed here.
- The LHA is satisfied that the mitigations negotiated with the applicant are sufficient to support the application and there would be no reason for the recommendation to be deferred.
- In terms of the use of the building, Places of Worship are often used for other

- community uses such as education and training which are in the same use class. Any other facility/use within the building would be considered to be ancillary to the main use.
- All other issues have been covered in the above report.

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

Location plan LU281-P01C
Existing site plan LU281-P02A
Existing section LU281-P03
Existing floor plans and elevations LU281-P04
Proposed site plan LU281-P05H
Proposed floor plans LU281-P06D
Proposed site section LU281-P07E
Proposed elevations LU281-P08A
Swept path analysis 360-22-4

Revised drainage plan by Redford dated 18th February 2025
Acoustic Survey and Assessment by martin Environmental Solutions Feb 2024 report no. 2663-1
Carbon and energy statement Nov 2024
Digital connectivity statement April 2025
Travel Plan by SCP ref 240049 August 2024
Addendum to Travel Plan dated May 2025

Biodiversity Net Gain Assessment by Pennine ecological November 2024
Preliminary ecological Appraisal by Pennine ecological November 2024
Arboricultural Impact assessment

and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

3. The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

4. Prior to occupation the applicant shall provide:

- A minimum of 1 no. electric vehicle (EV) charging point (minimum 7kW*) and at least one in every five remaining parking spaces must be provided with cable routes.

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. The infrastructure shall be maintained and operational in perpetuity.

*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 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

5. The (Biodiversity Gain Plan and) Habitat management and monitoring plan shall be prepared in accordance with on-site habitat creation proposals within the Biodiversity Net Gain Assessment dated November 2024 and prepared by Pennine Ecological. The HMMP shall include:

1. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
2. the management measures to implement and maintain the proposed tree and species rich native hedge for a period of 30 years from the completion of

development; and

3. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to and agreed 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.

6. No scrub removal shall occur between the 1st March and 31st August in any year unless a precautionary working method statement for nesting birds by a suitably experienced ecologist has been supplied to and agreed in writing by the LPA.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
7. The landscaping shown on the approved site plan LU281-P05H shall be implemented prior to the first occupation/use of the development hereby approved. The development shall also provide a bird box on a mature tree adjacent to the site which shall thereafter be maintained. 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 EN1/2 - Townscape and Built Design, EN6/3 - Features of Ecological Value and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
8. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing Proposed Drainage Layout , Dated 18/02/2025 which was prepared by REFORD. For the avoidance of doubt surface water must drain at the restricted rate of 8.9 l/s. 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 pursuant to PFE policy JP-S4 and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
9. Details/Samples 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 before the development is commenced. 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
10. Other than Friday prayers, no other facility or activity in the mosque shall take place or be available on a Friday between midday and 3pm and the Friday prayers

shall be restricted to the 200 sqm prayer room as approved on the proposed upper ground floor plan .

Reason. To control and manage the occupation and use of the building to limit trips and activity to the site and the surrounding area in the interests of highway safety and to protect the amenity of nearby occupiers pursuant to policies EN1/2, CF1/1 and JP-P1.

11. The development hereby approved shall be carried out in accordance with the approved Travel Plan and 'Addendum to the Travel Plan' dated May 2025 which shall be implemented on first use of the building hereby approved. The Travel Measures shall thereafter be retained.
Reason. To promote alternative sustainable modes of travel and secure off-site parking to support the development in the interests of residential amenity and the amenity of the users of the development pursuant to policies EN1/2, HT2/4, JP-P1 and JP-C8 and the principles of the NPPF.
12. 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/shared site access to the Local Planning Authority:
 - (1) Formation of the proposed vehicular and pedestrian access alterations and improvements to a scope and specification to be agreed, incorporating the reconstruction of the Bury Old Road footway abutting the site, replacement of the tactile paved crossing point at the shared Brooklands public car park/site access, demarcation of the limits of the adopted highway, and all associated highway and highway drainage remedial works.
 - (2) Formation of the proposed 'Paved Area' abutting Bury Old Road, to a level, scope and specification to be agreed, incorporating the demarcation of the limits of the adopted highway, measures to prevent the discharge of surface water onto the adopted highway, measures to prevent vehicle encroachment of/access to the pedestrianised area from both Bury Old Road and the adjacent car parking areas, demarcation of the limits of the adopted and all associated highway and highway drainage remedial works.
 - (3) Provision of visibility splays on land within the applicant's control at the junction of the site access with Bury New Road in accordance with the standards in Manual for Streets for a design speed of 30mph, with no obstructions with the splays above the height of 0.6m.
 - (4) Scheme of carriageway resurfacing works on the shared access between Bury Old Road and the new car park access to the rear of the building, to a scope and specification to be agreed.
 - (5) Measures to demarcate the proposed 'Public Access'/pedestrian route to the north of the shared access between Bury Old Road and the new car park access to the rear of the building, to a scope and specification to be agreed.
 - (6) Provision of new give-way markings at the junction with Bury Old Road and all required alterations to refreshing of existing road markings/waiting restrictions abutting the site.
 - (7) Swept path analysis of the proposed refuse collection arrangements/ access to the proposed bin store at the rear of the building on land within the applicant's control and in a vehicle size to be agreed, incorporating, if required, alterations to the proposed servicing and car parking arrangements.

The details subsequently approved shall be implemented to an agreed programme prior to the development hereby approved being brought into use.

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 policies HT2/4, JP-C5, JP-C6 and JP-C8.

13. No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include:

- (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 demolition works, construction of the development and as a result of statutory undertakers connections to the site.
- (2) Access route for all demolition/construction vehicles to the site from the Key Route Network.
- (3) Access point/arrangements for demolition/construction traffic, taking into consideration the need to maintain safe pedestrian/vehicular access to adjacent Brooklands public car park and all temporary works required to facilitate access for demolition/construction vehicles.
- (4) Hours of work for site preparation, delivery of materials and demolition/construction works 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 demolition/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 required security hoarding clear of adequate visibility splays onto Bury Old Road.
- (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.
- (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 shared car park access 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.
- (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 demolition and construction periods and the measures shall be retained and facilities used for the intended purpose for the duration of the both periods.

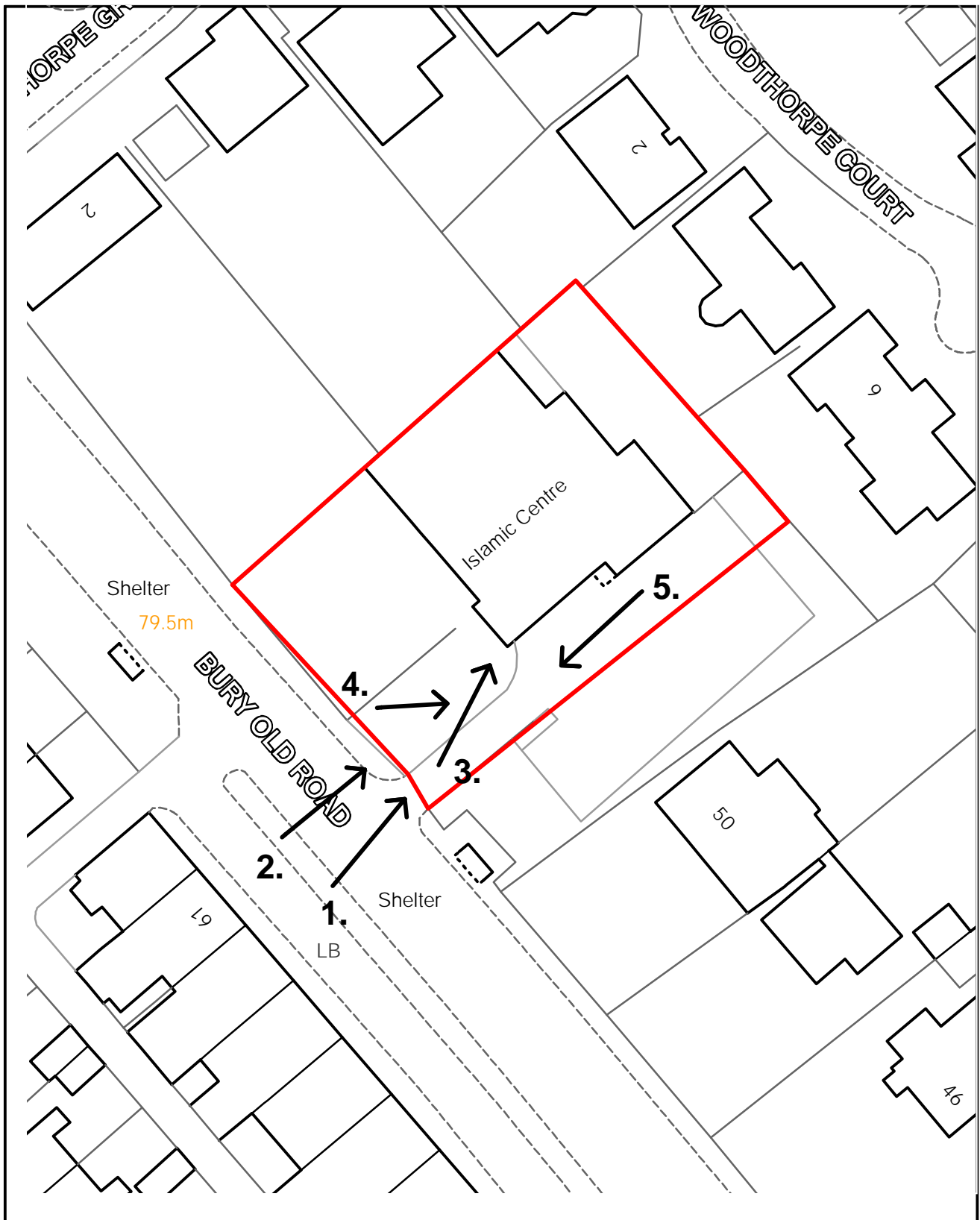
Reason. Information not submitted at application stage. To mitigate the impact of

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 Policies EN1/2 and JP-C8.

14. The turning facilities indicated on the approved plans, including at 'Bay 7 and 8 to be kept clear during class times to aid manoeuvring within rear car park area', 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/times specified.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to policies HT2/4 and JP-C8.
15. The car 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.
16. 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 each dwelling pursuant to policy JP-C8.

For further information on the application please contact **Jennie Townsend** on **0161 253-5320**

Viewpoints



ADDRESS: 52 Bury Old Road, Prestwich,
Manchester, M25 0ER



Bury
Council

Planning, Environmental and Regulatory Services

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71422

Photo 1



Photo 2



71422

Photo 3



Photo 4



71422

Photo 5





EXISTING SITE PLAN
1:200

LUM

LUMITEKTON

LU281-P02A

Revisions

revision	date	comments
A	22.11.23	Red line amended

N

W

E

S

Job Title

Demolition of existing Al-Bilal Mosque and erection of new purpose built Islamic Community Centre

Site Address

Al Bilal Islamic Centre
52 Bury Old Rd
Prestwich
M25 0ER

Drawing Title

Existing Site Plan

Scale

1:200 @ A1

Date

07.10.22

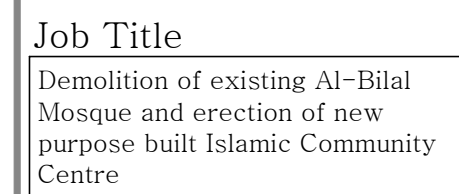
Drawn

uf

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revision	date	comments
A	22.07.23	Building repositionaloned Parking amended Exit lane removed Adjacent levels shown
B	17.08.23	Levels amended
C	22.11.23	Red line amended
D	24.11.23	Further detail clarified
E	22.12.23	Building moved back and bered
F	22.03.24	Top tier moved further back
G	18.11.24	Retaining wall removed. Dis spaces added, bollards added, EV points
H	18.11.24	Cycle store relocated path made continuous



Site Address
Al Bilal Islamic Centre 52 Bury Old Rd Prestwich M25 0ER

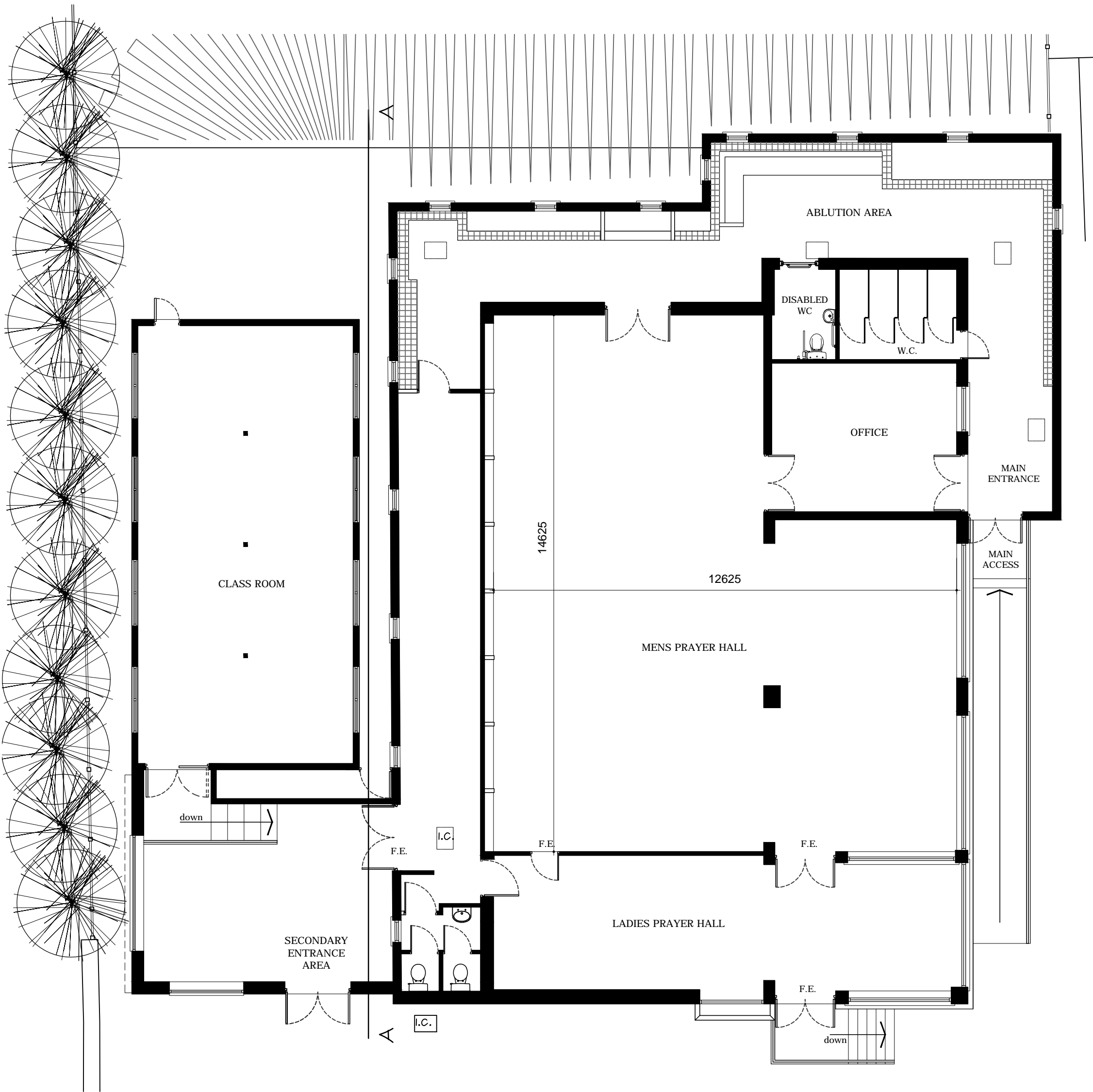
Drawing Title
Proposed Site Plan

Scale
1:200 @ A1

Date
07.10.22

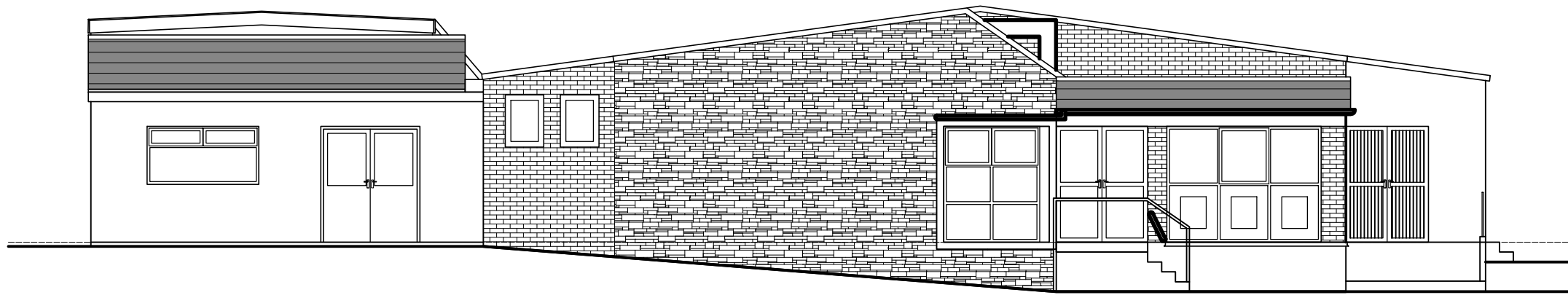
Drawn
uf



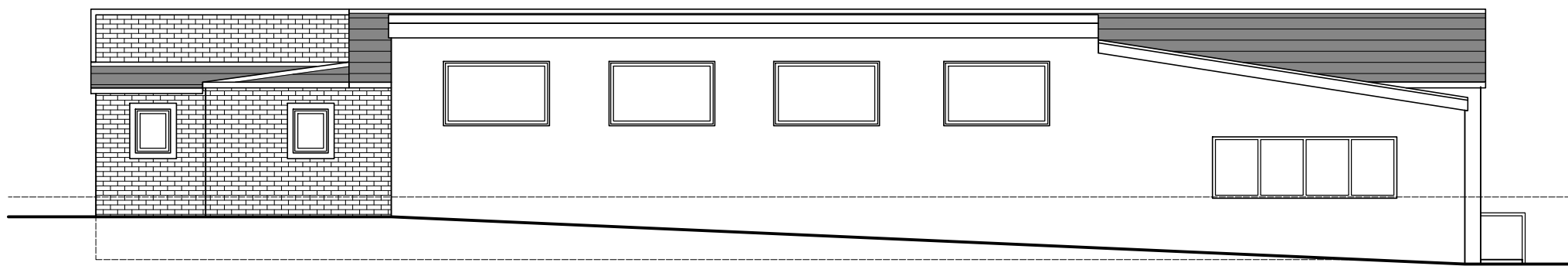


EXISTING GROUND FLOOR PLAN
1:100

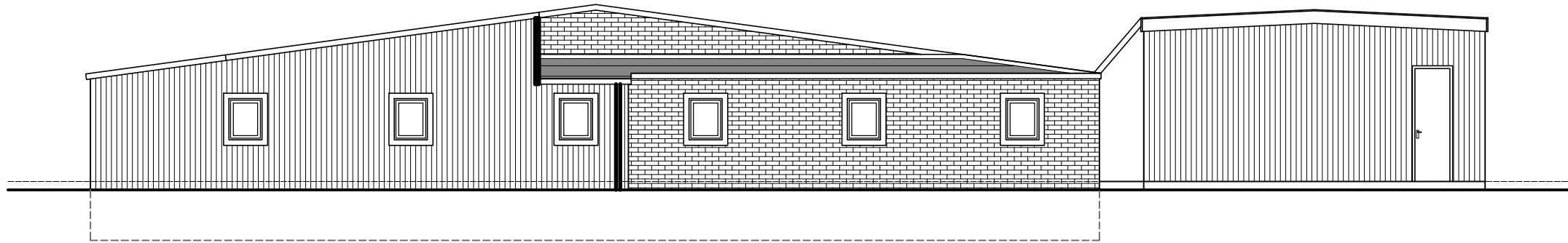
EXISTING FLOOR AREA	
WHOLE BUILDING	466m2
MENS PRAYER HALL	155m2
WOMENS PRAYER HALL	45m2
OFFICE	20m2
CIRCULATION AREAS	71m2
CLASSROOM	70m2
ABLUTION AREA	72m2



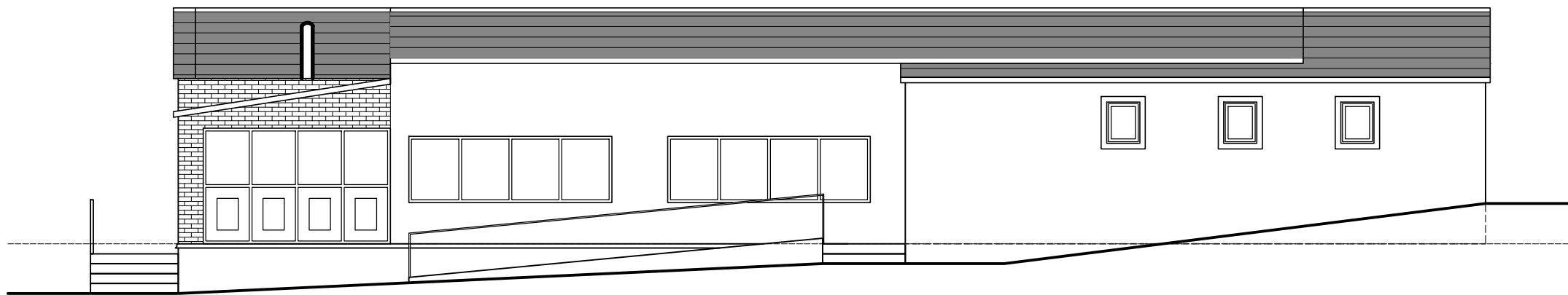
EXISTING FRONT ELEVATION (SW)
1:100



EXISTING SIDE ELEVATION (NW)
1:100



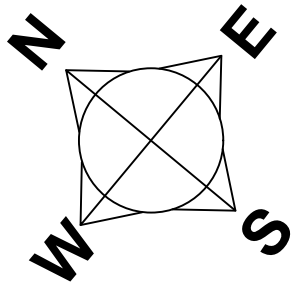
EXISTING REAR ELEVATION (NE)
1:100



EXISTING SIDE ELEVATION (SE)
1:100

Revisions

revision	date	comments
----------	------	----------



Job Title
Demolition of existing Al- Bilal Mosque and erection of new purpose built Islamic Community Centre

Site Address
Al Bilal Islamic Centre
52 Bury Old Rd
Prestwich
M25 0ER

Drawing Title
Existing drawings

Scale
1:100 @ A1

Date
07.10.22

Drawn
uf

A. 275a Upper Brook St
Manchester
M13 0HR
T. 07894401574
E. info@lumitekton.com

EXISTING FLOOR AREAS

WHOLE BUILDING	466m2
MENS PRAYER HALL	155m2
WOMENS PRAYER HALL	45m2
OFFICE	20m2
CIRCULATION AREAS	71m2
CLASSROOM	70m2
ABLUTION AREA	72m2

NOTE:

PLANS SHOWN FOR PLANNING
SUBMISSION AND MAY BE SUBJECT TO
CHANGE

PROPOSED FLOOR AREAS

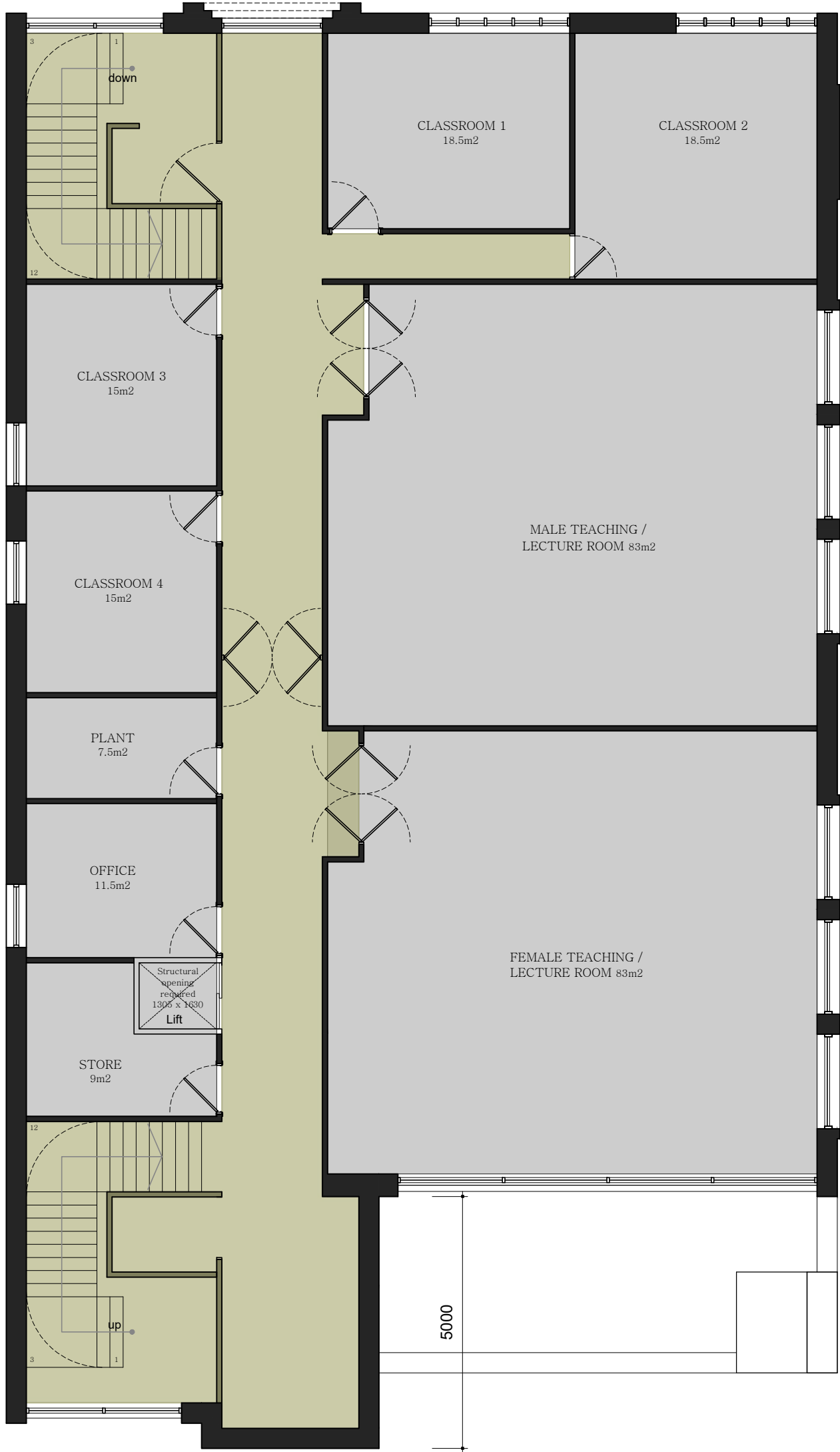
WHOLE BUILDING	1205m2
LOWER GROUND FLOOR LEVEL	410m2
UPPER GROUND FLOOR LEVEL (Prayer hall size)	410m2 200m2
FIRST FLOOR LEVEL	385m2



PROPOSED LOWER GROUND FLOOR PLAN
1:100



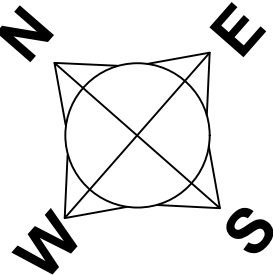
PROPOSED UPPER GROUND FLOOR PLAN
1:100



PROPOSED FIRST FLOOR PLAN
1:100

Revisions

revision	date	comments
A	28.07.23	Building moved back / left
B	22.12.23	Building set back, tier formed
C	22.03.24	Upper tier set back further
D	18.11.24	Cycle store relocated



Job Title

Demolition of existing Al-Bilal Mosque and erection of new purpose built Islamic Community Centre

Site Address

Al Bilal Islamic Centre
52 Bury Old Rd
Prestwich
M25 0ER

Drawing Title

Proposed floor plans

Scale

1:100 @ A1

Date

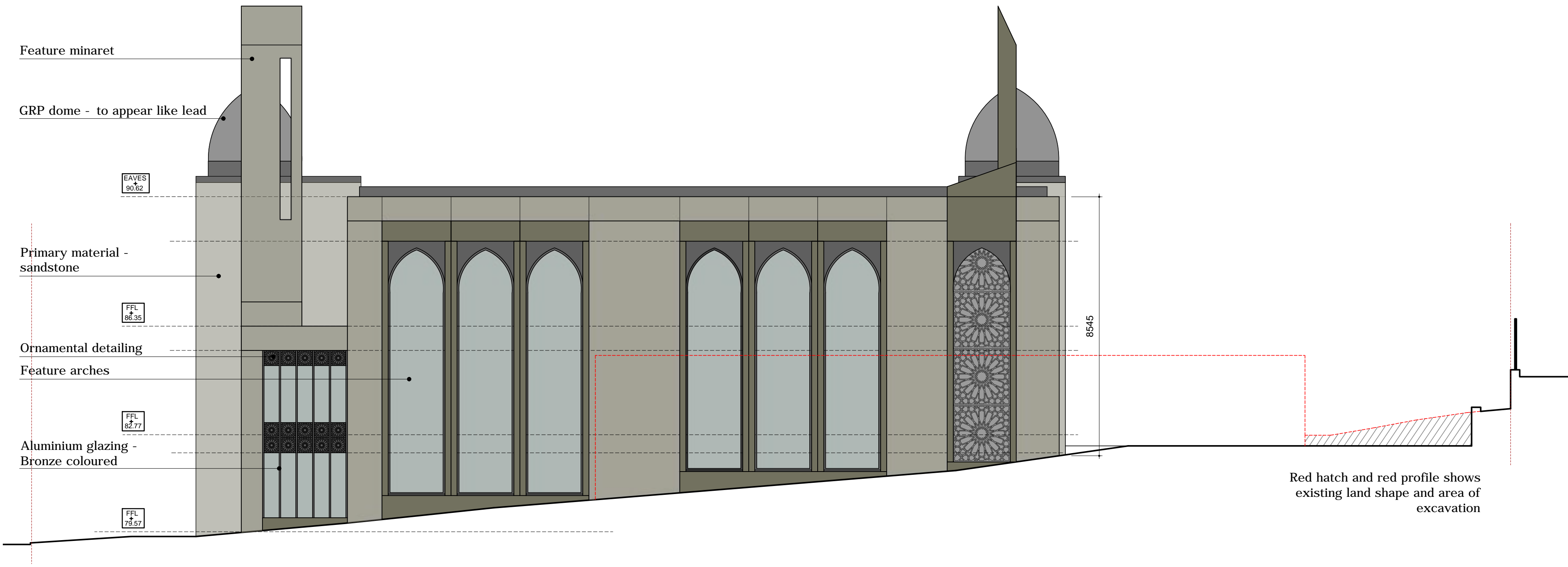
07.10.22

Drawn

uf

Revisions

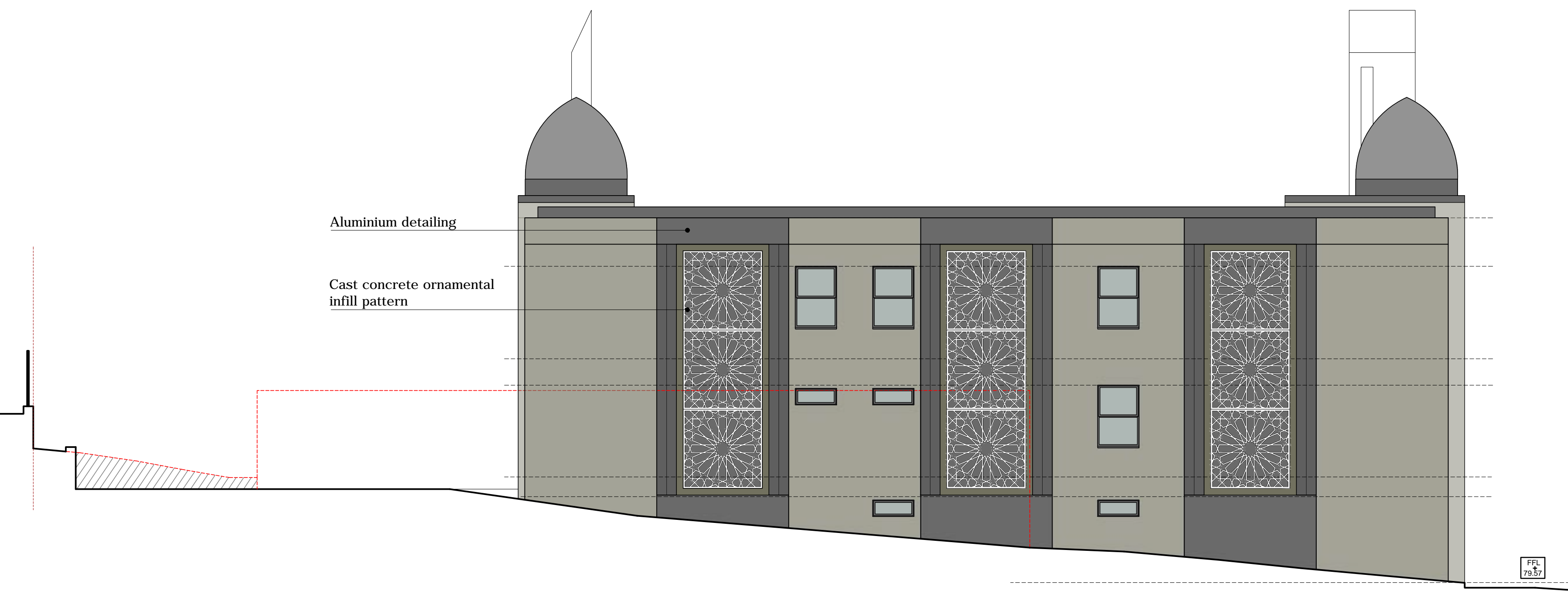
revision	date	comments
A	22.12.23	Building setback and tiered
B	22.03.24	Full details added, top tier set further back



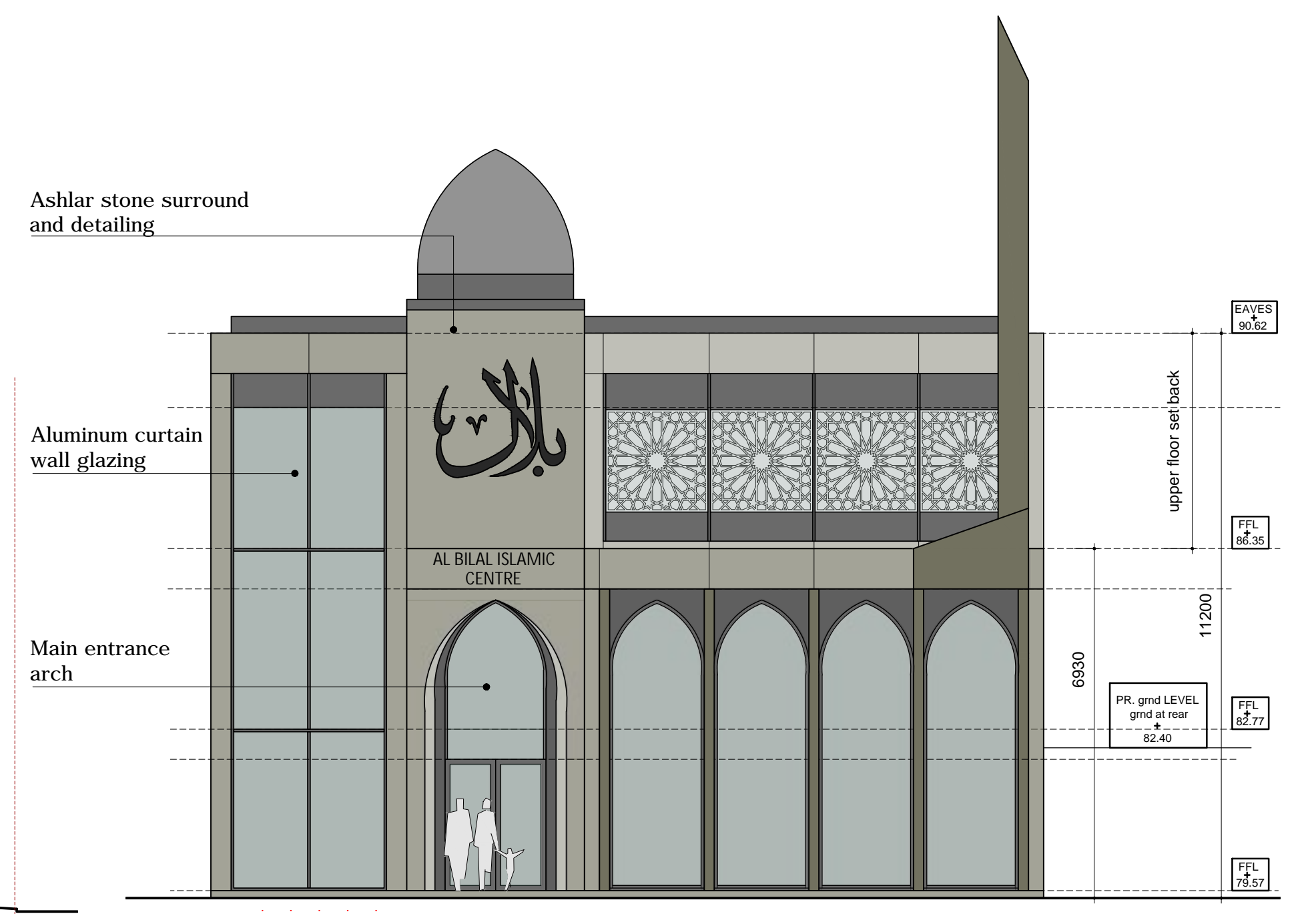
PROPOSED SIDE ELEVATION
1:100



PROPOSED REAR ELEVATION
1:100



PROPOSED SIDE ELEVATION
1:100



PROPOSED FRONT ELEVATION
1:100

Job Title

Demolition of existing Al- Bilal Mosque and erection of new purpose built Islamic Community Centre

Site Address

Al Bilal Islamic Centre
52 Bury Old Rd
Prestwich
M25 0ER

Drawing Title

Proposed Elevations

Scale

1/100/1:200 @ A1

Date

17.08.23

Drawn

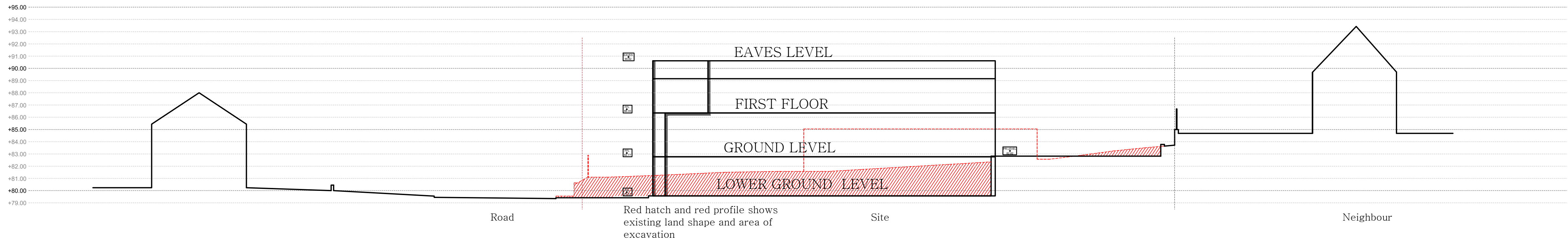
uf

A. 275a Upper Brook St
Manchester
M13 0HR

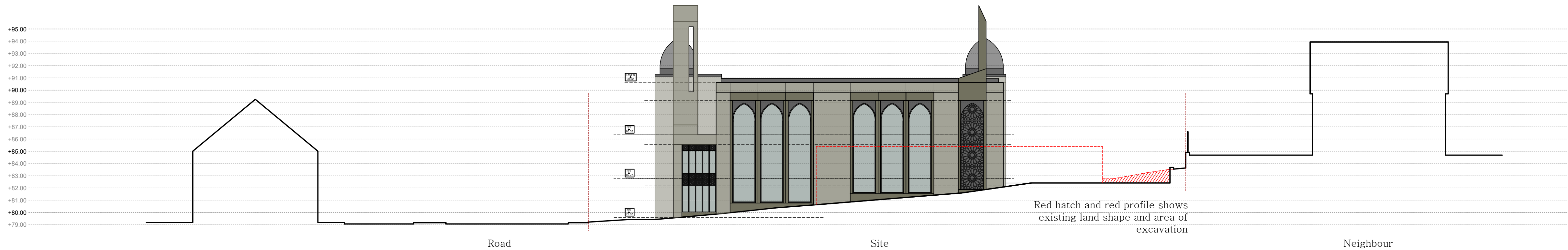
T. 07894401574
E. info@lumitekton.com

Revisions

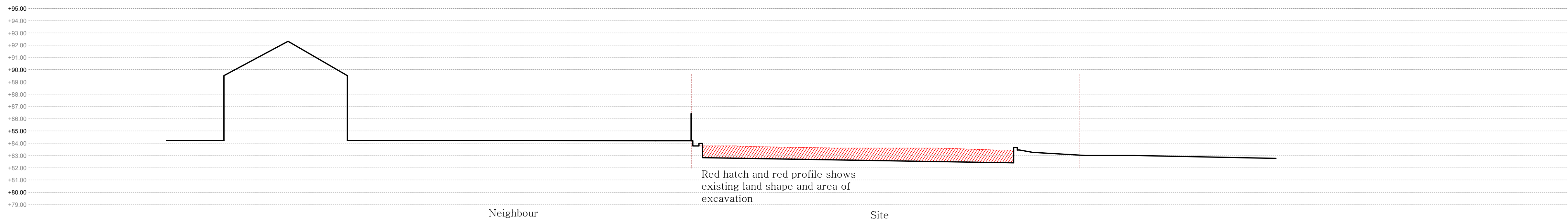
revision	date	comments
A	25.07.23	Building shown in new position
B	17.08.23	Levels updated
C	22.12.23	Building setback and tiered
D	22.03.24	Top tier set further back
E	18.11.24	All sections updated



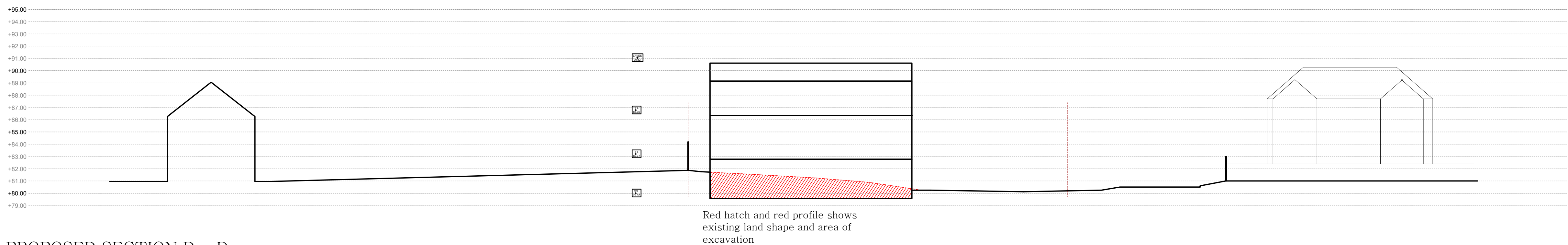
PROPOSED SECTION A - A
1:200



PROPOSED SECTION B - B
1:200



PROPOSED SECTION C - C
1:200



PROPOSED SECTION D - D
1:200

Job Title

Demolition of existing Al-Bilal Mosque and erection of new purpose built Islamic Community Centre

Site Address

Al Bilal Islamic Centre
52 Bury Old Rd
Prestwich
M25 0ER

Drawing Title

Proposed Site Sections

Scale

1:200 @ A1

Date

07.10.22

Drawn

uf

A. 275a Upper Brook St
Manchester
M13 0HR

T. 07894401574
E. info@lumitekton.com













Ward: Radcliffe - North and Ainsworth

Item 05

Applicant: A&J Riu Ltd T-A Casalingo

Location: 23 Church Street, Ainsworth, Bolton, BL2 5RA

Proposal: Single storey flat roof rear extension

Application Ref: 72105/Full

Target Date: 22/09/2025

Recommendation: Approve with Conditions

This application is being presented to Planning Control Committee as it has been submitted on behalf of Cllr J Lancaster

Description

The application site lies within Ainsworth Conservation Area. It relates to a property in use as a restaurant (Class E) located at 23 Church Street, Ainsworth. It is a white rendered property that is located on Church Street at the crossroads junction of Victoria Street and Bradley Fold Road. The application site is on the corner of Victoria Street.

The rear of the property backs onto an unadopted lane which shares a border with properties on Camden Close. The gable of no. 4 Camden Close is located directly behind the application site, albeit is orientated away from the back street, so the property does not directly overlook the rear of the application site.

The building forms the western end of a terrace row of properties, nos. 23 - 41 (odd) Church Street.

Historically, the application site was two properties. It is in use as a restaurant (Use Class E) - 'Casalingo Italian Restaurant'. It has a stainless steel flue projection on the rear elevation which extends up the rear elevation and projects above eaves level by approximately 0.55 metres. It also has a small brick built pitched roof single storey extension. Part of the rear elevation of the building is rendered, part is traditional brick. The rest of the terrace to which the application site forms have rendered rear elevations.

Permission is sought for a single storey rear extension that proposes to be fully rendered. The rear extension would project from part of the rear elevation of the building by approximately 3.0 metres. The extension would have a width of approximately 4.7 metres. It would have a mono-pitch roof with an eaves height of approximately 2.8 metres.

Relevant Planning History

27135 - Single storey rear extension - Approved, 28/05/1992

26497 - Single storey extension at rear to form Laundry Room - Approved, 28/11/1991

25674 - Change of Use of part of dwelling (no.21) to provide extension to Lounge and Bar Area of adjoining Restaurant - Approved, 23/05/1991

01843 - 2 campoes on side elevation at first floor level - Refused, 28/07/1989

15147 - Escape staircase, flue enclosure and box fascia sign - Approved, 10/11/1983

Publicity

The application has been advertised by Site Notice erected in front of the property.

9 neighbours have also been notified by letter.

One representation has been received that questioned how big the proposed extension would be and raised concerns that the loss of the car parking space within the rear yard would put further pressure on the lack of car parking provision in the locality.

Statutory/Non-Statutory Consultations

Conservation Officer - No objections

Environmental Health - Contaminated Land - No objections

Environmental Health - Pollution Control - No objections

Traffic Section - No objections, subject to a condition securing details of where construction materials would be stored.

Pre-start Conditions - Not relevant

Development Plan and Policies

EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
JP-C1	Our Integrated Network
JP-C4	Strategic Road Network
JP-C8	Transport Requirements of New Development
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.

Sites location within a Conservation Area and Visual Amenity

The application site is within Ainsworth Conservation Area. The first consideration in the assessment of this application is therefore the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of planning functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

As defined by the NPPF, the Conservation Area is a designated heritage asset.

UDP Policies EN2/1 and EN2/2 concern themselves with development in conservation areas requiring all development to accord with the requirements of the above-mentioned act. Extensions should be compatible with the host building and the character and appearance of the conservation area.

The proposed extension would be single storey and have a flat roof. It would be positioned centrally upon the rear elevation of the building.

The proposed extension would appear subordinate to the host property. Due to its single storey scale, it being set well in from the gable end of the property, its massing, design and materials, the proposal would have a neutral impact on the character and appearance of the conservation area. Accordingly, the proposal would preserve the character and appearance of Ainsworth Conservation Area. Given the above, then proposal also complies with the relevant criteria within UDP Policy EN1/2.

Residential Amenity

Neighbouring properties exist on either side of the application site. One of the neighbouring properties, no.21 Church Street, is positioned on the opposite corner of Victoria Street to the application property. No. 25 Church Street shares a party wall with the application site. Properties on Camden Close boarder the back lane/ street to the rear.

Due to the single storey nature of the proposed development, its central location on the rear elevation of the application building and the presence of the traditional brick boundary wall along the back lane/ street, the proposal would be sited a sufficient distance from neighbouring dwellings and would not cause any loss of light or privacy.

To conclude, the proposal would not cause any demonstrable harm to the amenity of neighbouring residents.

Parking and Highway Safety

The representation asserts that parking is at capacity within Ainsworth village. Having visited the village in an evening, it is evident that the on-street car parking bays are full, as too, were adjoining and nearby streets. The representation advises that the applicant parks their car within the rear yard area. The proposal seeks to extend the kitchen facilities at the restaurant. Whilst the reason for this has not been stated, it is likely to be due to health and safety legislation and a better running operation. Whilst the kitchen area is proposed to increase, the proposal would not increase the number of covers/ customers eating/ attending the property.

The proposal would result in the loss of part of the rear yard area, which appears to have been used to park one car. Whilst this may be the case, the NPPF is clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe. The addition of one car, parking on-street, would not result in conditions that would be demonstrably detrimental to highway safety and certainly would not cause severe residual impacts on the highway network. The proposal thus accord with the requirements of paragraph 116 of the NPPF (2024) and PfE Policy JP-C1.

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 the following drawings:

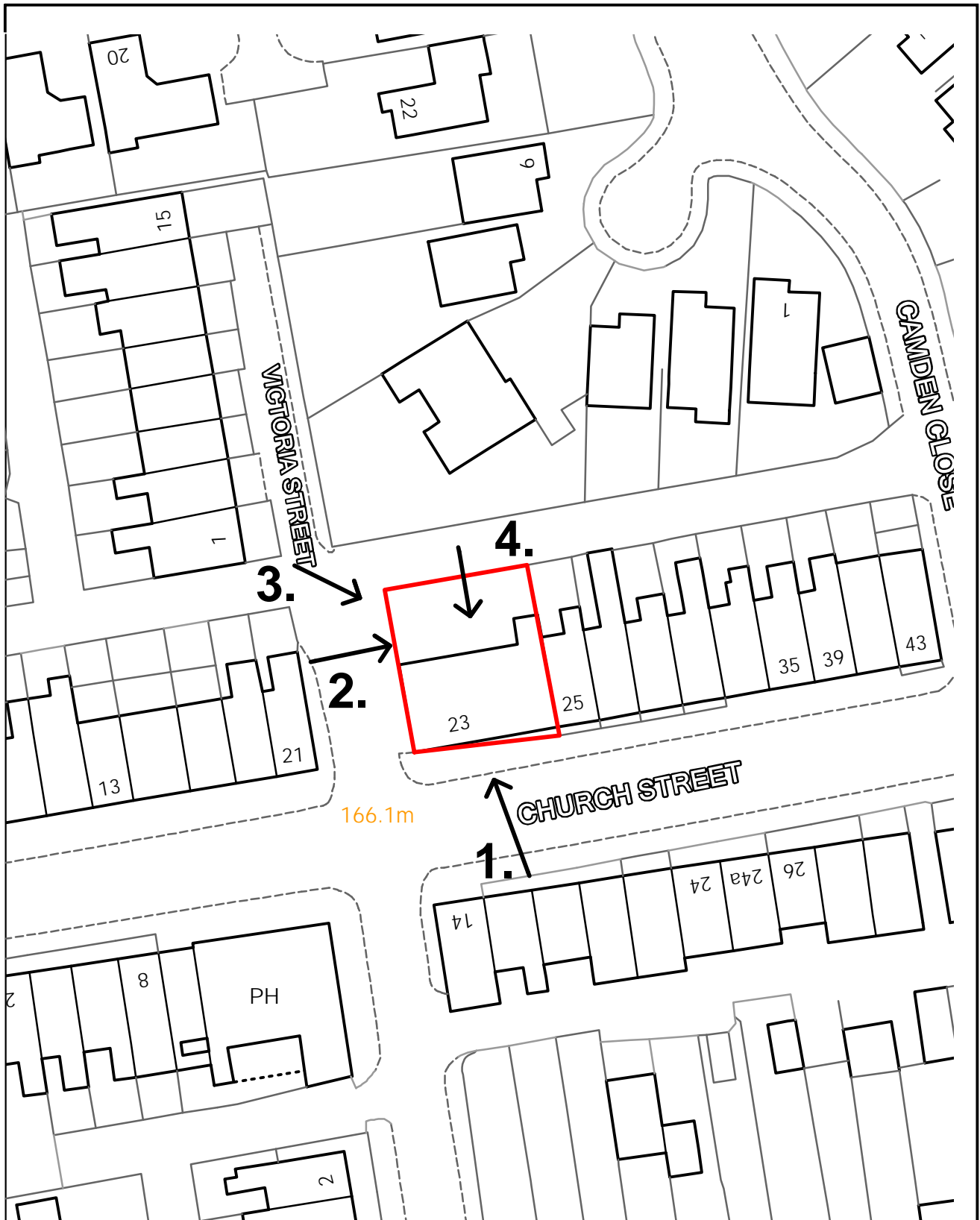
Drawing no. 347-404: Location Plan;
Drawing no. 247-406: Proposed Block Plan
Drawing no. 347 - 401 Rev.A: Proposed Floor Plan; and,
Drawing no. 347 - 403 Rev. A: Proposed Elevations

numbered and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

For further information on the application please contact **Claire Booth** on **0161 253 5396**

Viewpoints - 72105



ADDRESS: 23 Church Street, Ainsworth,
Bolton, BL2 5RA



Planning, Environmental and Regulatory Services

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72105

Photo 1 - Church Street Frontage



Photo 2 - View from Victoria Street of the rear yard area



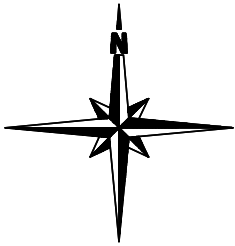
72105

Photo 3 - Rear and Side Elevation



Photo 4 - View from street at rear





Proposed Works



-

Client

CASALINGO

Date June 2025 Status Planning

Drawn JB Checked JS

Scale 1:1250 Size A4

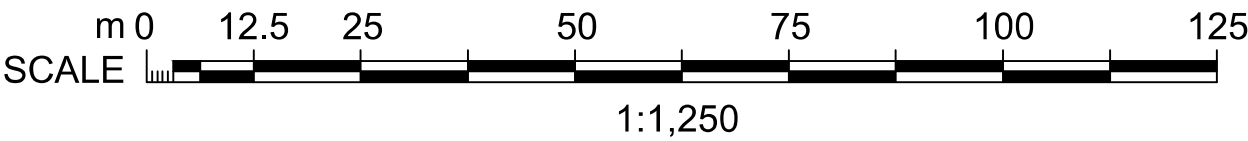
Rev. - Drawing No. 347 - 404

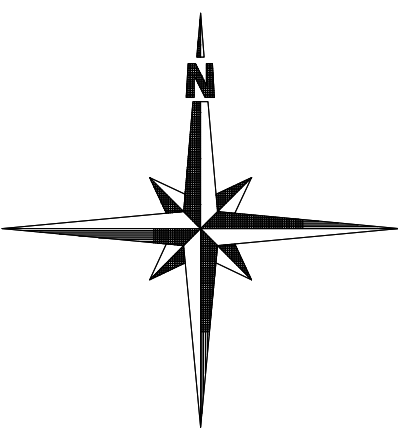
Drawing Title
Location Plan

Project Title
Casalingo Restaurant
23 Church Street, Ainsworth
Bolton, BL2 5RA



JSA DESIGN





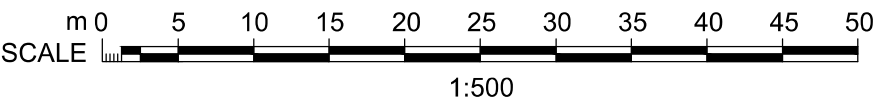
Client CASALINGO			
Date	June 2025	Status	Planning
Drawn	JB	Checked	JS
Scale	1:500	Size	A3
Rev.	-	Drawing No.	347 - 406

Drawing Title
Proposed Block Plan

Project Title
Casalingo Restaurant
23 Church Street, Ainsworth
Bolton, BL2 5RA



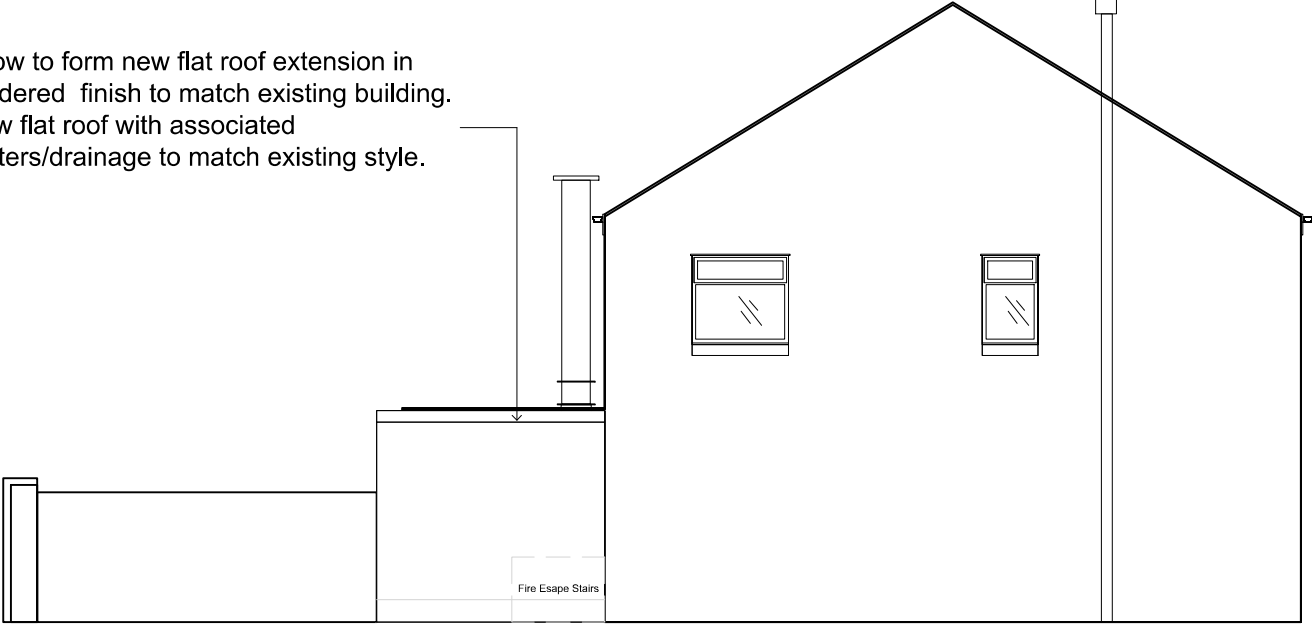
All levels and dimensions must be checked on site by contractor prior to commencement of works. Any variations must be reported to JSA Design. All information hereon in is the copyright of JSA Design. Copying in full or in part is forbidden without the written permission from JSA Design.





PROPOSED FRONT ELEVATION Scale 1:50

Allow to form new flat roof extension in rendered finish to match existing building.
New flat roof with associated gutters/drainage to match existing style.



PROPOSED EAST FACING ELEVATION Scale 1:50

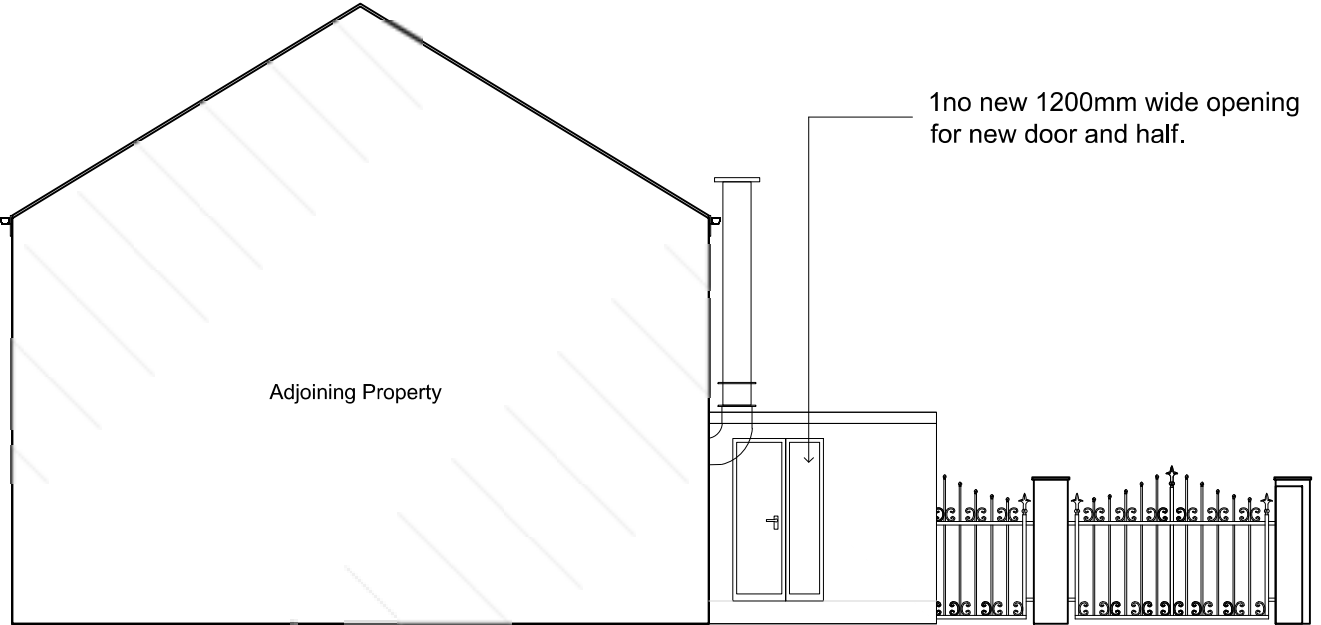
1no new 1200mm wide upvc window.

Allow to form new flat roof extension in rendered finish to match existing building.
New flat roof with associated gutters/drainage to match existing style.



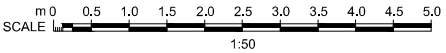
PROPOSED BACK ELEVATION Scale 1:50

1no new 1200mm wide opening for new door and half.

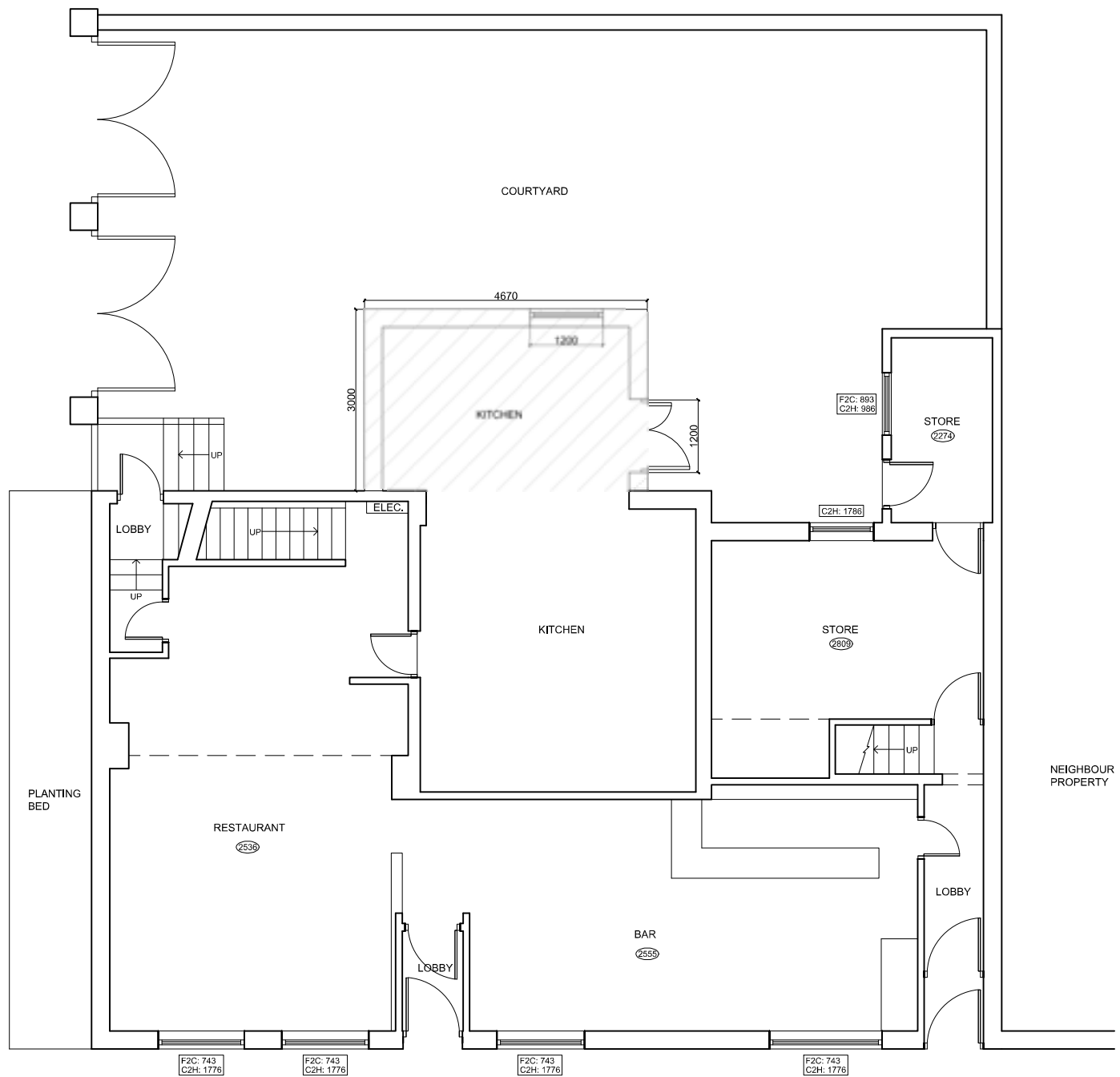
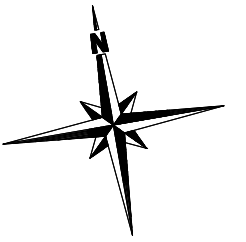


PROPOSED WEST FACING ELEVATION Scale 1:50

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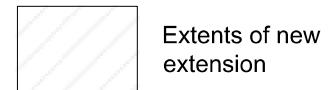
A 25-07-25 Flue added to all elevations.	
Client CASALINGO	
Date	June 2025
Drawn	JB
Scale	1:50
Rev.	A
Drawing No. 347 - 403	
Drawing Title Proposed Elevations	
Project Title Casalingo Restaurant 23 Church Street, Ainsworth Bolton, BL2 5RA	
JSA DESIGN	



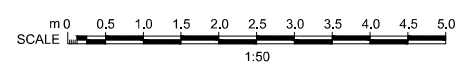
PROPOSED GROUND FLOOR PLAN

NOTES:

- Form new flat roof extension in rendered finish to match existing building.
- New flat roof with associated gutters/drainage to match existing style.
- 1no new 1200mm wide opening for new door and half.
- 1no new 1200mm wide upvc window.



All levels and dimensions must be checked on site by contractor prior to commencement of works. Any variations must be reported to JSA Design. All information hereon is the copyright of JSA Design. Copying in full or in part is forbidden without the written permission from JSA Design.



A 25.07.25 Extension use labelled.

Client CASALINGO	
Date June 2025	Status Planning
Drawn JB	Checked JS
Scale 1:50	Size A1
Rev. A	Drawing No. 347 - 401
Drawing Title Proposed Floor Plan	
Project Title Casalingo Restaurant 23 Church Street, Ainsworth Bolton, BL2 5RA	
JSA DESIGN	

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Ward: North Manor

Item 06

Applicant: Windlehurst Estates Limited

Location: Lord Raglan, Mount Pleasant, Nangreaves, Bury, BL9 6SP

Proposal: Conversion of existing public house to 5 no. apartments and changes to land levels at side and rear of the building to create parking area

Application Ref: 70213/Full

Target Date: 06/05/2024

Recommendation: Approve with Conditions

Description

The proposal relates to a vacant public house and its rear and side curtilage located on Walmersley Old Road, Nangreaves. The Public House is a grade II listed building that falls within the Mount Pleasant Conservation Area and the Green Belt. The application site also sits within the Pennine Foothills (West/South Pennines: Knowl and Rooley Moors, Fringes and Foothills) landscape character area.

The application site is located at the northern end of the former cotton mill complex and associated factory village of Mount Pleasant. It is accessed off a cobbled road which rises up hill towards Harden Moor. The application site is in an elevated position relative to the neighbouring buildings to the south and west. Surrounding land also rises to the north and east.

The northern boundary of the application site forms the southern boundary of a car park that was previously associated with the former public house use. The land to the rear/ west of the application building, which includes a rendered two storey flat roof extension, falls westwards from the rear of the building.

The boundary of the application site with the former pub car park is formed by retaining walls at the juxtaposition with the curtilage area to the public house as the application site is at a lower level than the adjoining former pub car park.

Planning permission is sought for the conversion of the former pub to 5 self-contained 2 bedroom apartments, along with external alterations.

During the course of this application, the development has reduced the submitted red edge to exclude the car park which contained 3 no. terraced dwellings.

The proposed conversion of the Lord Raglan would comprise:

- Conversion of the public house to create 5 no. two bedroom apartments; 3 of which are proposed to be duplex apartments;
- Insertion of two rooflights to the principal roof slope;
- Installation of a glazed roof lantern on part of the existing flat roof rear extension;
- Demolition of an external steel staircase and blocking up of the associated fire door;
- Removal of the trees and planting to the rear of the building and the re-grading of the land to the rear of the building to create car parking provision and space for refuse storage;
- Erection of retaining walls to the side and rear of the listed building.

Relevant Planning History

59669 - Listed building consent for installation of defibrillator and cabinet on front elevation - Approve with Conditions 31/03/2016

64476 - Conversion of existing public house to 4 no. apartments and erection of 6 no. terraced houses - Withdrawn 10/12/2019

64594 - Listed building consent for conversion of existing public house to 4 no. apartments and erection of 6 no. terraced houses - Withdrawn 10/12/2019

65331 - Listed building consent for conversion of existing public house to 4 no. apartments and erection of 4 no. terraced houses - Withdrawn 09/09/2022

70214 - Listed building consent for conversion of existing public house to 5 no. apartments - Received 06/05/2024

Publicity

The neighbouring properties were notified by means of a letter on 13th March 2024 and a press notice was published in the Bury Times on 21st March 2024. Site notices were posted on 14th March 2024.

The neighbouring properties and objectors were notified of revised plans on 1 October 2024, 28 January 2025 and 1 August 2025. The revised plans removed 3 dwellings and as such, any representations that relate to the proposal for 3 dwellings on the adjacent car park are not included in this report.

28 representations from the surrounding community have been received, which raise the following issues:

- The Raglan lies in the conservation area and it is in the Green Belt.
- The Lord Raglan is a Grade II Listed building in the Conservation Area. Local and national planning policies are designed to protect the green belt, conservation areas and listed buildings and the previous reasons for refusal still apply. The development would have a negative on the conservation area and listed building.
- The pub is a community asset and the only building in Nangreaves where locals could get together. Removal would result in the loss of the one community asset in the village.
- Residents desperately need a community hub - there are no other buildings in the village.
- The village have come together with a viable business plan to open the Raglan as a community asset.
- It will be of no community value at all if it is converted into more residences.
- It is suggested by the applicant that the licensed business did not sell because it was unviable. Offers were made but not accepted.
- There is already a large new build estate less than a mile from the pub, therefore additional housing is not required in the area. No additional need for housing in the area
- No confidence the conversion would be sympathetic to the area
- Negative visual impact and out of keeping with Mount Pleasant
- Building on the site will bring undue disturbance to the village in terms of traffic, noise and pollution.
- Pressure on existing infrastructure.
- Impact on wildlife.

- Assert weight should be given to Policy LP:CM4: 'Community Facilities' within the draft Local Plan which seeks to protect community buildings.
- The road to the village is in a terrible state and is already subject to heavy loads from farm vehicles. To subject it to construction traffic will bring further damage which the council clearly do not have the money to repair.
- The car park should also be a community asset as it provides overspill and visitor parking to the village, which is essential due to the village having no parking.
- Building on the car park conflicts with policy around the local conservation plan, the greenbelt and are further reasons to refuse this application.
- Already parking issues in the area - where will other residents and visitors park?
- Is the road a sufficient width to facilitate a fire engine?
- Please confirm the upgrade of the road.
- The Highway Technical Note highlights the existence of the hourly bus service into Bury, a lifeline for many residents. This service is currently under threat due to the excessive number of vehicles in the area, frequently blocking the bus turnaround and leading to cancelled services. Further parking demands on Walmersley Old Road will only exacerbate this issue.
- Cycling does not present a viable alternative to car owning for current Mount Pleasant residents.
- How will drainage be addressed?
- The water pressure would be severely compromised.
- The revised plans area cosmetic changes to previously refused applications.
- Provide an Environmental Impact Assessment including confirmation and scope of works and interruptions for all utility connections and confirm sufficient capacity within the existing infrastructure. Written calculations and statements from utility providers to be provided.
- Nangreaves has long faced challenges relating to the condition of the roads, accessibility and parking and as a resident, I see these challenges become worse year on year.
- The scheme is unsustainable development.

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

Statutory/Non-Statutory Consultations

Traffic Section - Objection. Recommend refusal as level of parking is insufficient, proposed access and parking would be substandard and concerns about parking spaces parallel to the adopted highway, which would obstruct pedestrian access.

These comments were received prior to submission of revised parking layout on 19 September 2025.

Drainage Section - No objections, subject to a condition relating to surface water drainage scheme.

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

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

Environmental Health - Commercial Section - No response.

Environmental Health - Pollution Control - No objections.

Conservation Officer - No objections, subject to conditions relating to appropriate windows

and fenestration.

Waste Management - No response.

Design for Security - No comments or observations received.

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

GM Ecology Unit - No objections, subject to a condition relating to the submission of a landscaping scheme to secure native tree planting, bat and bird boxes.

Rossendale Borough Council - No response.

GM Fire Service - No objection, subject to a condition securing sprinklers within the building.

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
H2/4	Conversions
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
EN6/3	Features of Ecological Value
EN7/5	Waste Water Management
OL1/2	New Buildings in the Green Belt
OL1/4	Conversion and Re-use of Buildings in the Green Belt
EN7/5	Waste Water Management
OL1/4	Conversion and Re-use of Buildings in the Green Belt
HT2/4	Car Parking and New Development
JP-P1	Sustainable Places
JP-P2	Heritage
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-G1	Landscape Character
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
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

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 of Development

Housing Land Supply and Presumption in Favour of Sustainable Development

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 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 this instance the site relates to a Listed Building and is located within the Green Belt and so therefore paragraph 11 (d)(i) applies, and the proposal needs to be assessed against the relevant heritage and Green Belt policies which are set out in detail below.

Sites location within the Green Belt

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

NPPF Chapter 13 - Protecting Green Belt Land and OL policies of the UDP set out the national and local considerations of development within the Green Belt. UDP Policies are largely consistent with the NPPF and therefore hold significant weight. The policies of the NPPF hold substantial weight in terms of the consideration of development within the Green Belt, not least as these policies are more up to date than the UDP.

Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF makes it clear that development in the Green Belt is inappropriate unless one of eight exceptions apply:

- 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), including buildings, 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 (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h. Other forms of development provided they preserve its openness and do not conflict with

the purposes of including land within it. These are:

- i. mineral extraction;
- ii. engineering operations;
- iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
- v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

UDP Policy OL1/4 - Conversion and Re-use of Buildings in the Green Belt is not inappropriate development and would be permitted provided that:

- it would not have a materially greater impact than the present use on openness;
- any extensions of re-used buildings and any associated uses of land surrounding the building do not conflict with the openness of the green belt;
- the buildings would be capable of conversion without major or complete reconstruction; form, bulk and design would be in keeping with the surroundings;
- suitable access and traffic can be accommodated;
- necessary services can be provided;
- no damage to habitats or protected species.

In terms of the requirements of the NPPF, paragraph 153 of the Framework states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The proposed development would involve the conversion of an existing building to 5 dwellings. The building is constructed from stone with a slate roof and as such, is capable of conversion. The issues of form, bulk, design and access will be addressed later in the report. Therefore, the proposed development would be in accordance with the exception in paragraph 154 h) iv of the NPPF and would be appropriate development.

Impact on Openness

The proposal seeks to convert the building, with no extensions. The proposed development involves the creation of an access to the side of the building and a car park and bin storage area to the rear. These changes would involve the erection of a wall with a planted hedgerow along the northern boundary. The proposed conversion of the building and the proposed changes to the side and rear would not cause significant harm to the openness of the Green Belt. Therefore, the proposed development would not have significant adverse impact upon the openness of the Green Belt and would be in accordance with UDP Policy OL1/4 and the NPPF.

Access to services and amenities

PfE Policy JP-C1: 'An Integrated Network' seeks to deliver an accessible low carbon Greater Manchester. They seek to do this via a range of measures, including, amongst other things, delivering a pattern of development that minimises both the need to travel and the distance travelled by unsustainable modes to jobs, housing and other key services and locating and designing development, to deliver a significant increase in the proportion of trips that can be made by walking, cycling and public transport

The application site is on the main Walmersley Old Rd and is within a short walk of the bus stop. This bus stop has an hourly service, therefore linking the village to the public transport network within the borough. Although the representations received, concern has been raised over how long this service will last, the Council has to take into consideration that the settlement of Mount Pleasant is served by an hourly bus service.

Loss of a Community Facility

NPPF 2024 makes clear that to support a prosperous rural economy, planning decisions should enable the retention of accessible community facilities including public houses. Paragraph 88 of the NPPF states planning policies and decisions should enable, amongst other things, the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

PfE Policy JP-P3: 'Cultural Facilities' seeks to develop and support cultural businesses and attractions, where appropriate, including, amongst other things, protecting existing heritage, cultural and community venues, facilities and uses.

Representations received, assert weight should be given to the emerging Draft Local Plan, Policy LP-CM4: 'Community facilities' which seeks to resist proposals that would result in the loss of sites and premises currently, or last used for the provision of community facilities and states:

"Their loss will only be accepted if:

- a. It can be clearly demonstrated that the community use is no longer needed or economically viable; or
- b. Alternative provision of equivalent or greater community benefit is made available in a location that continues to serve the community from which the facility is to be lost."

In terms of the weight to be given to this Draft Local Plan policy, the preparation of the Council's local plan is at early stage in the preparation process of creating a new Local Plan. It is part way through Regulation 18 stage which allows local planning authorities to seek public and stakeholder feedback on draft options and issues before a more formal consultation under Regulation 19 Publication stage. The Council is currently in the process of reviewing the representations received following closure of the initial consultation period ending in May, 2025.

Due to the Council's Draft Local Plan being at this stage, case law directs Council's to give a Draft Local Plan at this stage in the plan preparation process very limited weight. In contrast, the adopted plans; Bury Unitary Development Plan and the Greater Manchester Places for Everyone Joint Development Plan, should be given full weight in the assessment of planning applications.

In addition to the above, it is important to understand the history of the site becoming vacant. The application site was put up for sale for approximately three years before the former landlord retired and its closure at the end of October 2017 as a result of the former landlord retiring. Since its closure local residents have formed a community cooperative, 'The Raglan Community Hub' (RCH), who have advised that since the closure of the Pub they have established a legal structure, won grant aid to support their efforts, commissioned a specialist professional survey and valuation of the pub and developed a Business Plan setting out a financial and organisational model for its successful renovation and reopening. The RCH was helped with this work by other successful community based 'Pub Is The Hub' initiatives. The RCH also asked the Council to include the building on the Council's List of

Assets of Community Value (ACV).

The process of including Assets of Community Value on the Council's ACV list is separate from the planning process. It recognises that the land has in the recent past furthered the social wellbeing of the interests of the community. Section 88(2) of the Localism Act 2011 provides that land in a local authority's area is an ACV if:

'There is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and it is realistic to think that there is a time in the next five years when there could be a non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or interests of the local community'.

The effect of the listing is that if the landowner intends to sell the land, community interest groups have a right to be treated as a potential bidder and if they do so, the sale cannot take place for six months to allow the community group to put a bid together. However, at the end of this "moratorium", it is entirely up to the owner to determine whether a sale goes through, to whom, and for how much. There is no requirement for the owner to accept an offer that may be made by the community and this means that the community bid may not be the successful one.

It is also important to note that the provisions also do not place any restriction on what an owner can do with their property, once on the list, so long as it remains in their ownership. This is because it is planning policy that determines permitted uses for particular sites. In this regard, planning applications have to be determined in accordance with the development plan unless material considerations indicate otherwise.

The owner of the site gave notice to the Council of the intention to sell the site on 02/07/2018. This triggered the 6 month moratorium period where the owner could not sell the site unless to a local community group.

Through the ACV process, the owner is under no obligation at any point to sell the pub to the community group, providing the 6-month moratorium has been adhered to, which in this case it was. The applicant also does not have to demonstrate whether the pub is or was a viable business and they can choose to seek alternative uses should they wish. After the moratorium, the owner is free to sell the site to whoever they chose and at whatever price.

The moratorium ended on 02/01/2019 and whilst the Raglan Community Hub submitted a bid for the application site, it was not an acceptable bid to the former owner of the building and therefore the application site was not sold to the community group.

The application site was subsequently sold to the applicant in 2020 and following the sale, the Council was required to remove the site from the Council's ACV Register. It would have been removed in any event after 5 years. Following the sale local residents subsequently sought to re-include the building on the ACV list which was unsuccessful. In light of the above, the application site is no longer on the Council's list of Assets of Community Value. As such this has no material weight in the planning consideration.

Whilst considering residents concerns and their assertion they have the funds to both buy and run the building as a pub again, the applicant has advised that the offer verbally given to him was not enough and also points out that the offer was not put forward formally. The planning application process cannot force an owner to sell their site.

Taking the above into consideration; the fact that the former owner tried to sell the site as a

going concern before selling to the applicant, the offers made to the current owner (the applicant) and that the owner does not want to sell the building to the community at the price they have offered and that the planning system cannot force an owner to sell their land/property, along with the fact that the closure of the pub occurred at the end of October 2017, the Grade II listed building has been vacant and thus the former pub has not served as a community facility for the last 8 years, or held a place within the community for the same length of time and it is clear through the AVC process and since that time, that the community has not been able to purchase it. The building has therefore has not been recently used or is presently used for or by the community. These facts lead officers to conclude that the proposal does not conflict with PfE Policy JP-P3: 'Cultural Facilities'.

Principle of Development Conclusion

The proposed development of converting the existing building would comply with Green Belt Policy and would not have a significant adverse impact upon the openness of the Green Belt.

It has been demonstrated that there is no justification to resist the application based on the loss of the community pub that has now been vacant for very nearly 8 years, which has been proved through the AVC process and following it.

Based on the above, the proposal to convert the building into 5 dwellings would be acceptable in principle and would be in accordance with Policies H1/2 and OL1/4 of the UDP and the relevant paragraphs of the NPPF.

Heritage Assets

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 a listed building and the setting of a listed building.

Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Paragraph 202 of the NPPF states heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations

Paragraph 210 of the NPPF states that in determining applications, local planning authorities should take account of:

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

Paragraph 212 of the NPPF states that 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 213 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.

Mount Pleasant conservation area is located on the exposed shoulder of Snape Hill below Harden Moor to the north of Bury. According to the Mount Pleasant Conservation Area Appraisal the settlement developed as an isolated factory village and illustrates an important aspect of early textile industrial growth in the Upper Pennine area. The Mill complex employed over a 100 people at its height.

The Mill has now been demolished and the village redeveloped to incorporate new housing which blends into the stone terrace style of the original village. The conservation area covers the whole of the building group. The earliest surviving buildings date from the 18th century and substantial numbers of the buildings have been included on the National Heritage List for England (NHLE), including the former Public House and the adjoining terrace, which are all designated as Grade II listed buildings. Together they form a group of listed buildings providing group value within the conservation area.

It is understood and accepted that the heritage significance of the former Lord Raglan Public House is derived from its architectural and historic interest by virtue of its age, design, use of local materials and its communal connection to the factory village and as such it makes a strong contribution to the character and appearance of the conservation area.

In respect of the proposed internal adaptations, the proposal would result in works that would be reversible requiring the soft strip of non-historic fixtures and fittings within the building. As such, subject to sympathetic windows, doors, rooflights and fenestration details being used, where they need to be replaced, its group value within the conservation area would be preserved and its significance as a listed building would not be harmed. Similarly the proposed sprinkler system to meet GM Fire Service requirements is considered to not harm the listed building.

In terms of the external alterations to the listed building, the submission contains plans indicating timber top hung windows would be provided. The Conservation Officer has indicated that mock sash windows would be appropriate but of a single sash sliding type. On the front roofslope of the property two rooflights are proposed to serve two bedrooms. It is considered that these rooflights should be conservation area style rooflights. Details in relation to window details, rooflights and rainwater goods have been secured by condition.

Subject to the use of conditions, the proposed works and changes would safeguard the character of the listed building and minimise the effect any external changes on the character and appearance of the conservation area.

The works proposed within the area to the rear and side of the listed building, within its former rear service area, include; removal of soft landscaping, creation of a slightly wider access and the regrading of this part of the application site, to create a level area in which to accommodate the proposed car parking, a small amenity area for future occupiers, and the refuse storage and cycle storage facilities.

This area of the proposals would have the more noticeable effect on visual amenity primarily due to the loss of the planting and trees that are currently present on the application site. These are visible in views from Bury Old Road and also from the rear of neighbouring properties.

The proposal also includes rebuilding the boundary wall separating the site at its lower level from the former car park that was associated with the building and its former use as a Public

House. However, the proposed external changes could be sympathetically incorporated into the area at the side and rear of the building by constructing the proposed altered boundary walls out of materials appropriate to this rural conservation area and securing soft planting within the proposed amenity space to the rear of the building and on top and/ or within the proposed new retaining wall. This would be secured by planning condition.

The proposed alterations to form parking provision, landscaping, bin storage and amenity space would have no more significant visual impact on the setting of the listed building than the existing arrangements have. As such, the alterations listed above would not lead to any loss of significance of the listed building. Similarly, the external proposals would result in a small reduction of the former car park, which represents a negative feature within the conservation area, and would have no more of an impact upon the conservation area than the existing arrangements. As such, the proposed development would be considered to be neutral in terms of impact and therefore would preserve the character and appearance of the conservation area.

In conclusion, the proposed development would preserve the character of the listed building and the conservation area and would be in accordance with Policies EN2/1, EN2/2, EN2/3 of the Bury Unitary Development Plan and Policy JP-P2 of the Places for Everyone Joint Development Plan and the NPPF.

Highway Safety

PfE Policy JP-C8: 'Transport Requirements of New Development' states that new development will be required to be located and designed to enable and encourage walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, livable and sustainable environments. It also requires, amongst other things, developments to make adequate car parking provision, including for disabled drivers and passengers; ensuring that car parking provision is well integrated and unobtrusive, so it supports the street scene and incorporates enough secure and covered cycle parking to meet long-term demand from occupiers and visitors in a convenient location that helps to maximise its use.

The application site is on the main Walmersley Old Rd and it has a bus stop linking it to the public transport in close proximity. Vehicular access is proposed to the side of the former Public House, between the property and the former car park. This would utilise the existing access and lead to a parking area, refuse storage and an amenity area.

The Traffic Section has raised objections to the proposed intensification of use of this existing access, which they consider to be sub-standard in design and have also raised concern that the visibility splay to the north of the access relies on land not within the applicants ownership.

To address these objections, the planning application is supported by a Transport Statement prepared by WA (ref ST20131 0001) which demonstrates that there is sufficient visibility for vehicles emerging from the site access in line with advice in Manual for Streets (MfS) based on a 30mph speed limit (referring to WA drawing number ST20131-004) and that a large refuse collection vehicle has sufficient space to utilise the proposed site access for turning (referring to WA drawing number ST20131-005).

Whilst it is recognised that reversing manoeuvres present a higher safety risk than forward manoeuvres, it should also be acknowledged that existing traffic flows on this part of Walmersley Old Road are very low. The proposed development of 5 dwellings would generate significantly less traffic than the existing use of the building as a pub. As such, the level of traffic using this road would not be materially changed by the proposed development, and chances of any interactions with existing vehicles would be very low. In

addition, it is evident that the Council collect refuse from properties located north of the application site and therefore it is unlikely the refuse wagon would turn around here, particularly as the Council's Waste Management and Collection team have not used the former pub car park for turning round since the closure of the pub and the car park a few years ago.

In addition, the proposal provides a splayed access. The visibility splay to the north of the application site crosses the former car park, which is not within the applicants ownership. However, it should be noted that no application has been submitted to the Council for development on this land and the land would remain open. If an application was to be submitted, the Council could reasonably insist that the visibility splay for the current proposal must be accommodated within any proposed development. As such, the proposed development would provide the required level of visibility and would not be detrimental to highway safety.

The applicant has also amended the layout of the proposed rear car park so any users would enter and leave the proposed car park in a forward gear. This would ensure that future users would have a safe access/egress which they could enter and leave in forward gear.

In their recommended reason for refusal, the Traffic Section has raised objections relating to the car parking provision being inadequate and substandard, at a site where off-highway parking could be "easily accommodated" on the former car park. As such, the proposed parallel parking spaces, would lead to vehicles parking and carrying out manoeuvres on Walmersley Old Road to the detriment of the free flow of traffic. The applicant has confirmed that the car park is in separate ownership and does not form part of this application.

Walmersley Old Road is a cobbled road that is effectively made single-track by existing kerbside parking, leading to a low-speed environment leading to surrounding farms and properties. Along Bury Old Road in front of the terraces which face onto the road, kerbside parking is part of the existing character of the road, and continuation of this at the site frontage would have no material impact on the operation of the road.

Walmersley Old Road is generally a low speed road which has negligible amounts of through traffic, as there are only a handful of farm and former farmstead properties who access their homes and businesses by the road to the north of the site and therefore collisions are likely to be very low, and certainly not severe, as the NPPF requires.

Therefore, the proposed development would not have a severely detrimental impact upon highway and pedestrian safety and would be in accordance with Policies EN1/2, H2/1 and HT2/2 of the Bury Unitary Development Plan and Policies JP-C5, JP-C6 and JP-C8 of the Places for Everyone Joint Development Plan.

Parking

The application site is located within Parking Standards Zone 4, as defined by SPD11. This SPD requires that apartment developments provide car parking provision of 1.5 spaces per apartment/ dwelling, 1 covered and secure cycle parking storage provision per residential unit, and either 6% of the parking spaces should provide bays suitable for disabled parking, or 3 disabled parking spaces, whichever is the greater.

This equates to 8 parking spaces, 5 secure cycle storage provision and 3 disabled parking bays.

The proposed development would provide 7 parking spaces, 1 disabled parking bay and no

cycle parking would be provided. 6 parking spaces would be provided at the rear of the building and there would be 1 parking space and 1 disabled parking bay at the front of the building.

The applicant has also removed one formal car parking space initially proposed to the front of the building, to aid in visibility at the access to the rear car park. Given the nature and location of the development and given that only 1 of the apartments has a level access for a person with mobility difficulties, the number of parking bays and disabled parking spaces would be acceptable in this instance. This is acceptable given the application site is a listed building and the provision of a lift within the building would be highly likely to adversely affect the historic fabric of the listed building.

The submitted Transport Assessment presents census data from 2021 that shows that the overwhelming majority of households within the existing village own 1 or 2 cars. There is no evidence to dispute this claim and no reason to assume that future residents of the proposed development would have a higher prevalence of car ownership, particularly as the development comprises apartments. It is proposed that each apartment would have at least one designated car parking bay and therefore 3 spaces would operate on a first home basis.

Whilst cycle parking is referred to in the supporting information, none is shown on the proposed plans. The submitted floor plans and site plans demonstrate that there is space both within the basement area of the building to safely secure bikes and this could be secured by a condition.

Therefore, the level of parking provision would be acceptable, and the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Drainage/Flooding

The site is not in an area at risk of flooding and has previously been in use, with the building already served by drainage. The proposal is not expected to increase flooding further down stream.

In respect of the surface water drainage and flooding, particularly from the proposed changes to the land to the rear of the application building, concerns have been raised within the representations received that discharge of water onto adjoining farm land would not be acceptable to the land owner, as it would prevent the use of their agricultural land for their agricultural business. In respect of this, paragraph 200 of the NPPF is clear that new developments should not put unreasonable restrictions on existing businesses.

The Drainage Section have therefore been made aware of this concern and have no objections, subject to the inclusion of a condition relating to surface water drainage. scheme. On the basis of this, it is considered the proposal would sufficiently accord with PFE Policy JP-S4: Flood Risk and the Water Environment, and would also meet the requirement of paragraph 200 of the NPPF.

Layout and Design

The application site sits within the Pennine Foothills (West/South Pennines), Knowl and Rooley Moors, Fringes and Foothills, landscape character area.

PfE Policy JP-G1: 'Landscape Character' requires development within a Landscape Character Type, should reflect and respond to the special qualities and sensitivities of the key landscape characteristics of its location, including having regard to:

- Topography, geology and drainage;

- Land use and field patterns;
- Semi-natural habitat and woodland cover;
- Archaeology and cultural heritage;
- Settlement, road pattern and rights of way; and
- Views and perceptual qualities.

The interface of new development with the surrounding countryside/landscape is of particular importance. These transitional areas require well-considered and sensitive treatment.

By virtue of securing a new use for the listed building, subject to the repair, alteration and maintenance materials for the building being secured by condition, the proposals would enhance the worn down appearance of the building and in turn the landscape in which the building is set. Similarly, planning conditions can be used to ensure the alterations proposed to the rear of the site, including the proposed retaining walls, are constructed in materials appropriate to this rural landscape and are suitably landscaped. Therefore, the proposed development would be in accordance with Policies EN1/2, JP-G1 and JP-P1.

PfE Policy JP-H3: 'Type, Size and Design of New Housing' states that all new dwellings must:

1. Comply with the nationally described space standards; 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.

This is further supported by UDP Policy H2/4: 'Conversions' that seeks to consider the impact of any proposals on the amenity of the occupants.

The proposed apartments would each provide two bedrooms. All bedrooms proposed exceed the minimum bedroom sizes set out in the nationally prescribed space standards and would therefore provide a satisfactory level of living accommodation. Three of the five apartments proposed would be duplex apartments and all habitable rooms would be served by windows, thus the proposal would secure a satisfactory standard of living for future occupiers.

Compliance with Part M4(2) is secured by condition.

Ecology

PfE Policy JP-G8: 'A Net Enhancement of Biodiversity and Geodiversity' 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: Features of Ecological Value that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 187 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. Policy EN8/2: 'Woodland and Tree Planting' supports and encourages new woodland and tree planting within the borough.

Bats

The loft of the existing premises has already been converted, and the external works required to facilitate the proposed conversion are minor. As such, Greater Manchester Ecology Unit (GMEU) consider that the proposal would be a low risk for bats and recommend that an informative would be appropriate informing the applicant of what should be done should a bat/ bats be found during works.

Other Protected Species

GMEU are satisfied that it is very unlikely that any other protected species will be present within the building, on or within the zone of influence of the development. No further information or measures are therefore required.

Nesting Birds

The development appears to result in the loss of the trees/shrubs to the rear of the existing building, potential bird nesting habitat. Birds may also nest on the exterior of the former public house. 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 has therefore been applied to restrict works to trees and shrubs to outside of the nesting season.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)
While every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, commencement and transitional arrangements, due to some exemptions. This means that certain permissions are not subject to biodiversity net gain (BNG). The application for planning permission was made before 2nd April 2024 and is therefore exempt from statutory BNG requirements.

That said, as set out above, paragraph 187 of the NPPF requires developments to contribute to an enhance the natural environment and this can still be accommodated within the development through suitable mitigation. The development would result in the loss of a small area of vegetation to car parking to the rear of the existing buildings. Potential adverse effects on wildlife include loss of bat roosting and bird nesting opportunities. It appears likely that full mitigation could be achieved on the site through appropriate soft landscaping proposals. An indicative landscaping scheme has been submitted with the proposal that indicates areas of hedgerow and lawn, but no tree planting and no provision for bat and bird boxes. As such a landscaping condition is proposed to secure these details.

Subject to conditions securing both landscape/ countryside appropriate landscaping and bat and bird box provision, the proposal would accord with PfE Policy JP-G8.

Amenity

UDP Policy H2/4: 'Conversions' requires applications for conversion to have regard to the effect on the amenity of the neighbouring properties through noise, visual intrusion, the position of entrances, impact of parking areas, extensions and fire escapes.

The application site is attached to neighbouring residential properties via a flat roof two storey side addition. It has an open aspect to three of its four elevations. It has clear views to its front and rear over the adjoining countryside. Its north facing elevation overlooks the former car park associated with its former use and the countryside beyond

Other terraced properties are orientated at 90 degrees to the application site and are positioned to its south-west. The area to the rear of the application site borders detached garden areas, located to the rear of Nos. 13-28 Mount Pleasant.

The position of the openings on the existing building would not change and would all serve the proposed apartments. The first floor of the existing building was in use as residential accommodation for the landlord of the pub and as such, the proposed development would not have any greater impact upon the amenity of neighbouring properties than the existing arrangements.

The rooms in the roofspace would be served by rooflights and as such, would not have a significant adverse impact upon the neighbouring properties.

At the rear, the existing two storey rear flat roof extension would have full height glazing and would relate to a staircase. As this would not be habitable, the proposed glazing would be acceptable. In addition, a lightwell would be provided to ensure full illumination of the rear staircase.

The accommodation within the existing flat roof rear extension located to the rear and side of the building, is orientated to face away from neighbouring properties. Therefore, occupation of the building for the residential uses proposed would not directly overlook any neighbouring residential properties.

In terms of noise and disturbance, the permitted fallback use for the property is its use as a public house. At its busiest, this Public House served food and was well used, as is indicated by the size of the adjacent former car park. The proposed occupation of the building by up to 10 occupants (2 occupants per apartment), plus any visitors, would be quieter than the previous use. As such, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties in terms of noise.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties in terms of noise and loss of privacy/light and would be in accordance with Policies EN1/2, H2/4 and EN7/2 of the Bury Unitary Development Plan.

Carbon and Energy

PfE Policy JP-S2: 'Carbon and Energy' sets out the steps required to achieve net zero carbon emissions. The submitted details state the proposals would align with the 2022 Part L Building Regulations and therefore the proposal accords with the requirements of this policy.

Digital Connectivity

PfE Policy JP-C2: 'Digital Connectivity' requires all new development to have full fibre to premises connections unless technically infeasible and / or unviable. The policy supports the provision of free, secure, high-speed public wi-fi connections, particularly in the most frequented areas.

In compliance with PfE Policy JP-C2, the submission advises that the proposed development would support high-quality digital infrastructure through the following measures:

- Full Fibre Superfast Internet will be installed to the development, when and if it is available in Nangreaves.
- Mesh network throughout the property, ensuring seamless fast wireless internet to all rooms.

A mesh network Wi-Fi system uses multiple access points (nodes) to create a single, seamless Wi-Fi network throughout a home or building, eliminating dead zones and providing consistent coverage. Unlike traditional routers, which broadcast from a single point, mesh systems distribute the Wi-Fi signal from multiple access points, ensuring a strong and reliable connection everywhere. The proposal would therefore comply with Policy JP-C2.

Response to objections

- With regards to the asset of community value, the Lord Raglan is no longer listed as a

- formal ACV and has stood vacant for 8 years.
- As detailed above, the proposed development would bring back into use an important historic building within the conservation area which would preserve the longevity of the building for years to come. The proposed development is therefore considered to be appropriate development in compliance with planning policies and which would contribute to the Borough's housing stock.
- Details of materials would be sought by condition to ensure an appropriate and sympathetic development.
- A Construction Traffic Management Plan, including a dilapidation survey prior to the commencement of development would be included.
- A scheme for 5 apartments is considered not to be of a scale to add significant levels of traffic to the area to cause demonstrable highway safety or parking issues.
- All other issues raised have been covered in the above report and by condition relevant.

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. 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 -
 - Location plan 101 rev 2
 - Site - block plan 102 rev 2
 - Existing and proposed site plan 002 rev 17
 - Existing GA plans 002
 - Existing elevations 003 rev 2
 - Proposed GA plans 004 rev 3
 - Fire plan 020 rev 3
 - Finishes 030 rev 2
 - Window schedule and elevations 081 rev 2
 - Setting out elevations 012 rev 1
 - Driveway and retaining walls sections - proposed 221 rev 2
 - Driveway and retaining wall sections - proposed 0.221 rev 2
 - Driveway and retaining wall sections - existing 222
 - Existing and proposed sections 223
 - Existing and proposed landscape plan 0.002 rev 17
 - Existing and proposed sections - pub rear 0.223

and the development shall not be carried out except in accordance with the

drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

3. No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:
With consideration to human health, controlled waters and the wider environment, the following documents shall be completed to characterise potential risk to sensitive receptors and submitted to the Local Planning Authority for approval:

- I. Preliminary Risk Assessment (PRA). Submission of this document is the minimum requirement.

- II. Generic Quantitative Risk Assessment (GQRA). Submission of this document only if PRA requires it.

- III. Detailed Quantitative Risk Assessment (DQRA). Submission of this document if GQRA requires it.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

4. No development hereby permitted (except demolition and site clearance) shall take place until the works relating to land contamination detailed below are fully completed:
In accordance with the findings of site characterisation and risk assessment as previously approved, documents from the following shall be submitted to the Local Planning Authority for approval:

- I. Remedial Options Appraisal.

- II. Remediation Strategy.

- III. Verification Plan.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

5. The development hereby permitted within any approved phase shall not be occupied/brought into use until the works relating to land contamination detailed below are fully completed:
Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.
A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

6. The development hereby approved within any approved phase shall not be

brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

7. Any soil or soil forming materials to be brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use.

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 the Local Planning Authority for approval prior to any soil or soil forming materials being brought onto site.

The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc.) submitted to Local Planning Authority for approval prior to the development being brought into use.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

8. No works to trees or shrubs shall occur or conversion works 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. A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include native tree and 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 the buildings 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 EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

10. Development shall not commence until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. The scheme 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). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

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 Policies JP-S4 Flood Risk and the Water Environment and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

11. Prior to first occupation of the development hereby approved, a sprinkler/misting system to meet the requirements of BS 9251:2014 or other subsequent standard that meets the requirements of Greater Manchester Fire and Rescue Service and deemed suitable to overcome the site's emergency access deficiencies, shall be installed in each of the dwellings hereby approved and shall thereafter be maintained at all times.

Reason. In the interests of fire safety and to ensure the safe and satisfactory development of the site and for its future occupiers pursuant to Development Plan Policies H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design and JP-C8-Transport Requirements of New Development.

12. Notwithstanding the submitted information, no development shall commence until details of all external materials and finishes to be used for the repair, maintenance and refurbishment of the building, the erection of any external boundary walls and for the retaining walls has been submitted to, inspected, and approved in writing by the Local Planning Authority. All works shall be undertaken in accordance with the details so approved which shall thereafter be maintained for the lifetime of the development.

Reason. A pre-commencement condition is required in order to ensure that the details are satisfactory to preserve the listed building and its setting and character in accordance with EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control, EN2/3: Listed Buildings of the Bury Unitary Development Plan, Policy JP-P2: Heritage of the Greater Manchester Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

13. Prior to occupation the applicant shall provide:

{Residential less than 10 parking spaces}

- 1 no. electric vehicle (EV) charging point (minimum 7kW*) per dwelling/parking

space.

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. The infrastructure shall be maintained and operational in perpetuity.

*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 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

14. The development hereby approved shall not be commenced unless and until the scope of a photographic dilapidation survey of the access to the site has been submitted to/agreed with the Local Planning Authority and the undertaking of the agreed dilapidation survey has been submitted to and approved by the Local planning Authority. Within one month of completion of the development, a further survey shall be undertaken to assess the condition of the route. Any remedial works required as a result of damage caused by demolition/construction traffic shall be undertaken at the expense of the applicant to a specification and programme to be agreed with the Local Planning Authority.

Reason. To maintain the integrity of the adjacent Public Right of Way and in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - the Layout of New Residential Development, and JP-C8 - Transport Requirements of New Development.

15. 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. Access route for all construction vehicles to the site from the Key Route Network;
2. Access point/arrangements for construction traffic from Radcliffe New Road and all temporary works required to facilitate access for construction vehicles;
3. If proposed, details of site hoarding/gate positions, incorporating the provision, where necessary, of temporary pedestrian facilities/protection measures;
4. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Radcliffe New Road;
5. Confirmation of hours of operation and delivery & construction vehicle sizes;
6. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
7. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
8. Measures to ensure that all mud and other loose materials are not spread onto the adjacent 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 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.

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, JP -C6 Walking and Cycling and JP-C8 - Transport Requirements for New Development.

16. 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.
Reason. To ensure good highway design and adequate off-street car parking arrangements and provision, in the interests of road and pedestrian safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development, HT2/4 - Car Parking and New Development and Supplementary Planning Document 11: Parking Standards in Bury.
17. The bin storage facilities indicated on the approved plans shall be made available prior to the use hereby approved commencing and maintained thereafter.
Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to Development Plan Policies En1/2 - Townscape and Built Design, H2/4 - Conversions, H2/2 - The Layout of New Residential Development, JP-C5 Streets for all, JP-C6 Walking and Cycling and JP-P1 Sustainable Places.
18. The turning facilities indicated on the approved plans shall be provided before the development hereby approved is first occupied 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, JP -C6 Walking and Cycling and JP-C8 - Transport Requirements for New Development.
19. 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.
20. 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 F of Part 2 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Development Plan listed.
21. No development shall commence unless and until a scheme for secured cycle

storage has been submitted to and approved by the Local Planning Authority. The approved scheme only shall thereafter be implemented prior to first occupation and thereafter maintained.

Reason. To provide acceptable levels of facilities for future occupiers and provide alternative means of sustainable travel pursuant to Policies H2/4 of the Bury Unitary Development Plan, Policy JP-C6 of the Places for Everyone Joint Development Plan and Supplementary Planning Document 11 - Parking Standards in Bury

22. All roof lights shown on drawing no. DA18037 012 rev 1 - Setting out elevations shall be of a 'conservation style' to sit flush with the roof surface and shall not protrude from the roof plane.

Reason. To ensure a sympathetic relationship with the character and appearance of the host building, a listed building and in accordance with the requirements of Policies EN2/3: Listed Buildings of the Bury Unitary Development Plan, Policy JP-P2: Heritage of the Greater Manchester Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

For further information on the application please contact **Claire Booth** on **0161 253 5396**

Ward: North Manor

Item 06

Applicant: Windlehurst Estates Limited

Location: Lord Raglan, Mount Pleasant, Nangreaves, Bury, BL9 6SP

Proposal: Listed building consent for conversion of existing public house to 5 no. apartments

Application Ref: 70214/Listed Building
Consent

Target Date: 06/05/2024

Recommendation: Approve with Conditions

Description

The proposal relates to a vacant public house and its rear and side curtilage. The Public House is a Grade II Listed Building and falls within the Mount Pleasant Conservation Area and the Green Belt. The application site also sits within the Pennine Foothills (West/South Pennines), Knowl and Rooley Moors, Fringes and Foothills Landscape Character Area.

The site is situated to the north of the former cotton mill complex and associated factory village Mount Pleasant. It is in an elevated position relative to the neighbouring buildings to the south. The cobbled road on which the property fronts rises up hill towards Harden Moor.

The land falls westwards from the rear of the building and continues to rise to the north and east. The northern boundary of the application site forms the southern boundary of the car park that was previously associated with the former public house use. This boundary is formed by retaining walls at the juxtaposition with the curtilage area to the public house, which is at a significantly lower level than the former car park.

During the course of this application, the development proposals have revised and reduced, with the submitted red edge to exclude the car park formally used by the Public House, on which the initial scheme proposed the erection of 3 no. terraced dwellings on the car park area. These have been removed from the proposal, hence the proposal now solely seeks permission to convert the building into 5 x 2 bedroom apartments and for changes to the area to the rear of the former Pub.

This application seeks Listed Building Consent.

The conversion of the Lord Raglan would comprise:

- Insertion of two rooflights to the principal roof slope;
- Installation of a glazed roof lantern on part of the existing flat roof rear extension;
- Demolition of an external steel staircase and blocking up of the associated fire door;
- Conversion of the public house to 5 no. two bedroom apartments.
- Removal of the trees and planting to the rear of the building and re-grading of the land to the rear of the building to create car parking provision and space for refuse storage
- Erection of retaining walls to the side and rear of the listed building.

The submission is supported by a Planning, Design and Access Statement and a Heritage Statement and a statement on the proposals compliance with relevant policies within the

Places for Everyone Joint Development Plan.

A full planning application has also been submitted for the conversion of the Lord Raglan , reference 70213.

Relevant Planning History

59669 - Listed building consent for installation of defibrillator and cabinet on front elevation. Approve with Conditions 31/03/2016

64476 - Conversion of existing public house to 4 no. apartments and erection of 6 no. terraced houses. Withdrawn by Applicant 10/12/2019

64594 - Listed building consent for conversion of existing public house to 4 no. apartments and erection of 6 no. terraced houses. Withdrawn by Applicant 10/12/2019

65331 - Listed building consent for conversion of existing public house to 4 no. apartments and erection of 4 no. terraced houses. Withdrawn by Applicant 09/09/2022

65428 - Conversion of existing public house to 4 no. apartments and erection of 4 no. terraced houses. Refused 14/04/2022.

70213 - Conversion of existing public house to 5 no. apartments and erection of 3 no. terraced houses on existing car park - Presently undetermined.

Publicity

Due to the application being a Grade II Listed Building, located within Mount Pleasant Conservation Area, the application has been advertised in the Press and by Site Notice. 115 letters to both nearby properties, Councillors and persons who made representations to the original scheme have been sent.

5 representations have been received which raise the following issues -

- The revised plans area cosmetic changes to previously refused applications.
- Building on the car park conflicts with the policy around the local conservation plan, green belt and are further reasons to refuse this application.
- The pub is also a Grade II listed building and was the only building in Nangreaves where locals could get together.
- The Council recognised the pub as an asset of community value and the community has come together with a viable business plan to buy and reopen it as a community pub in line with other thriving community owned hubs throughout the country.
- We need a community hub for the village.
- There is already a large new build estate less than a mile from the pub, therefore additional housing is not required in the area.
- I presume the application still contravenes numerous constraints and policies, particularly H1/2, EN1/1, EN1/2, EN2/1, EN2/2, EN2/3, OL1/2 and OL1/3 of the Bury UDP and NPPF
- Question the ability of emergency services to react to potential incidents north of Mount Pleasant.

- It also reduces the turning spaces for all vehicles but especially large ones in the cul-de-sac that is Walmersley Old Rd/Bury Old Rd.
- Do we really want fire tenders and trailered farm vehicles performing a U-turn on the widest part of the lane, a road bridge over the M66?
- The current owners care nothing for the village as demonstrated by the dilapidation they have allowed to scar the village. Please do not allow this change of use and inappropriate development.
- The road cannot take any more traffic

Those who have made representations have been notified of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Listed buildings - National Amenity Societies: No comments received.

Conservation Officer: No objection subject to conditions.

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

Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
JP-P2	Heritage

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.

NPPF and the Presumption in Favour of Sustainable Development

The NPPF at Paragraph 7 outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraphs 8-10 provide more details on sustainable development with paragraph 8 identifying that the planning system has three overarching objectives (economic, social and environmental) which are interdependent and need to be pursued in mutually supportive ways.

Paragraph 10 advises that so that sustainable development is pursued in a positive way at the heart of the framework is a presumption in favour of sustainable development. The Framework should be read as a whole (including its footnotes and annexes). Paragraphs 11 and 12 re-affirm that decisions should be taken in accordance with the development plan where it is up-to-date.

The National Planning Policy Guidance (NPPG) which lays out detailed guidance on the application of planning policy to accompany the NPPF. Due regard should be given to this guidance when determining planning applications.

Heritage Assets

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.

Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Paragraph 202 of the NPPF states heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations

Paragraph 210 of the NPPF states that in determining applications, local planning authorities should take account of:

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

Paragraph 212 of the NPPF states that 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 213 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.

Mount Pleasant conservation area is located on the exposed shoulder of Snape Hill below Harden Moor to the north of Bury. According to the Mount Pleasant Conservation Area the settlement developed as an isolated factory village and illustrates an important aspect of early textile industrial growth in the Upper Pennine area. The Mill complex employed over a 100 people at its height.

The Mill has now been demolished and the village redeveloped to incorporate new housing which blends into the stone terrace style of the original village. The conservation area covers the whole of the building group. The earliest surviving buildings date from the 18th century and substantial numbers of the buildings have been included on the National Heritage List for England (NHLE), including the Lord Raglan which is Grade II listed.

The Lord Raglan is set adjacent to a number of terraces which are also Listed Buildings. Together they form a group of listed buildings providing group value within the conservation area.

It is understood and accepted that the heritage significance of the former Lord Raglan Public House is derived from its architectural and historic interest by virtue of its age, design, use of local materials and its communal connection to the factory village and as such it makes a strong contribution to the character and appearance of the conservation area.

The conversion of the listed Lord Raglan would be acceptable in that it would be brought back into a viable use compatible with its conservation. The external works would be sensitively incorporated within the original fabric of the building and internally, works to convert the building into apartments would largely retain its legibility.

In respect of the proposed internal adaptations the proposal would result in works that would be reversible requiring the soft strip of non-historic fixtures and fittings within the building. However, it must be noted that there is nothing of any historical significance remaining within the building to the additions and alterations carried out over many years. As such, subject to sympathetic windows and doors being used, where they need to be replaced, its group value within the conservation area would be preserved and its significance as a listed building would not be harmed. Any replacement doors and windows can be secured by planning condition, and such a condition is therefore recommended. Sympathetic rainwater goods that are appropriate to a listed building and the conservation area are also recommended to be secured by planning condition.

The works proposed within the area to the rear of the listed building within its former rear service area, include removal of overgrown landscaping and the regrading of this part of the application site, to create a level area in which to accommodate car parking associated with the proposed development, a small amenity area for future occupiers, and the refuse storage and cycle storage facilities required for future occupiers of the building.

The proposal also includes rebuilding the boundary wall separating the site and its lower level from the former car park that was associated with the building and its former use as a Public House. However, the proposed external changes could be sympathetically incorporated into the area at the side and rear of the building by constructing the proposed altered boundary walls out of materials appropriate to this rural conservation area, and securing soft planting within the proposed amenity space to the rear of the building and on top and/ or within the proposed new retaining wall. These works are recommended to be secured by planning condition.

The alterations to parking provision, landscaping, bin storage and amenity space would have no more significant visual impact on the setting of the listed building than the existing arrangements. As such the alterations to that part of the setting of the listed building would not lead to any loss of significance of the listed building.

Given the above, it is considered that subject to the recommended planning conditions, the proposed conversion and associated changes to the rear of the listed building would either comply with, or not be contrary to, UDP policy EN2/3 - Listed Building, Policy JP-P2: Heritage of the Places for Everyone Joint Development Plan and the heritage policies within the National Planning Policy Framework.

Response to objections

- The Asset of Community Value listing for the Lord Raglan expired in December 2022. The applicant purchased the building in 2019 and the community failed to purchase the

- building from the applicant (refer to the planning application ref 70213 for further detail).
- Issues raised relating to the Green Belt, Conservation Area, parking and access are not relevant to this Listed Building application and are detailed in the associated planning application.
- The analysis of this application concludes that the proposals to convert the listed building would bring back into use an important historic building which has been vacant since 2017 and as such would safeguard its future and historic importance. Adaptations and works would be sensitively carried out and conditions would secure the details of the external and internal works are carried out appropriately.

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

- The development must be begun not later than the expiration of three years beginning with the date of this permission.
Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- This decision relates to drawings Project number DA18037 -

Location plan 101 rev 2
 Site - block plan 102 rev 2
 Existing and proposed site plan 002 rev 17
 Existing GA plans 002
 Existing elevations 003 rev 2
 Proposed GA plans 004 rev 3
 Fire plan 020 rev 3
 Finishes 030 rev 2
 Window schedule and elevations 081 rev 2
 Setting out elevations 012 rev 1
 Driveway and retaining walls sections - proposed 221 rev 2
 Driveway and retaining wall sections - proposed 0.221 rev 2
 Driveway and retaining wall sections - existing 222
 Existing and proposed sections 223
 Existing and proposed landscape plan 0.002 rev 17
 Existing and proposed sections - pub rear 0.223

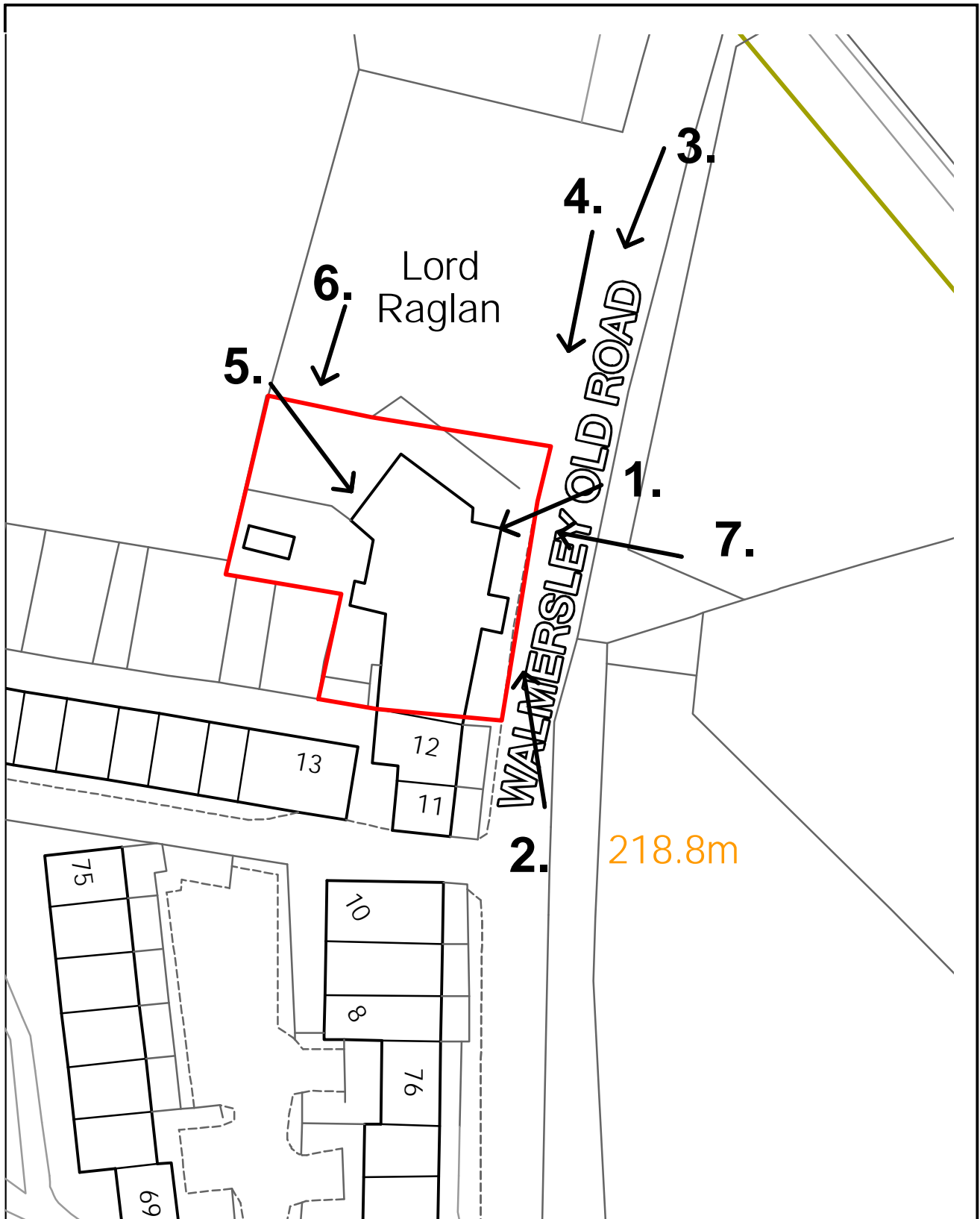
and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

3. Notwithstanding the submitted information, no development shall commence until details of all external materials and finishes to be used for the repair, maintenance and refurbishment of the building, the erection of any external boundary walls and for the retaining walls has been submitted to, inspected, and approved in writing by the Local Planning Authority. All works shall be undertaken in accordance with the details so approved which shall thereafter be maintained for the lifetime of the development.
Reason. A pre-commencement condition is required in order to ensure that the details are satisfactory to preserve the listed building and its setting and character in accordance with EN2/3: Listed Buildings of the Bury Unitary Development Plan, Policy JP-P2: Heritage of the Greater Manchester Places for Everyone Joint Development Plan, and the National Planning Policy Framework.
4. Notwithstanding the submitted plans, all external joinery including windows and doors shall be of a timber construction only. Details of their design, specification, method of opening, method of fixing, finish, and there set back in to the reveals, in the form of drawings and sections of no less than 1:20 scale, shall be submitted to and agreed in writing by the Local Planning Authority before the windows and doors hereby approved are installed. The works shall be carried out only in accordance with the agreed window and door details.
Reason. In order to preserve the special architectural or historic interest of the building in accordance with policies EN2/3 - Listed Buildings, JP-P2 - Heritage and the principles of the NPPF.
5. All roof lights shown on drawing no. DA18037 012 rev 1 - Setting out elevations shall be of a 'conservation style' to sit flush with the roof surface and shall not protrude from the roof plane.
Reason. To ensure a sympathetic relationship with the character and appearance of the host building, a listed building and in accordance with the requirements of Policies EN2/3: Listed Buildings of the Bury Unitary Development Plan, Policy JP-P2: Heritage of the Greater Manchester Places for Everyone Joint Development Plan, and the National Planning Policy Framework.
6. Details/Samples of the materials to be used in the external elevations of the retaining wall along the access road, 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 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

For further information on the application please contact **Claire Booth** on **0161 253 5396**

Viewpoints - 70213 and 70214



ADDRESS: Lord Raglan, Mount Pleasant,
Nangreaves, Bury, BL9 6SP



Planning, Environmental and Regulatory Services

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70213 & 70214

Photo 1



Photo 2



70213 & 70214

Photo 3



Photo 4



70213 & 70214

Photo 5



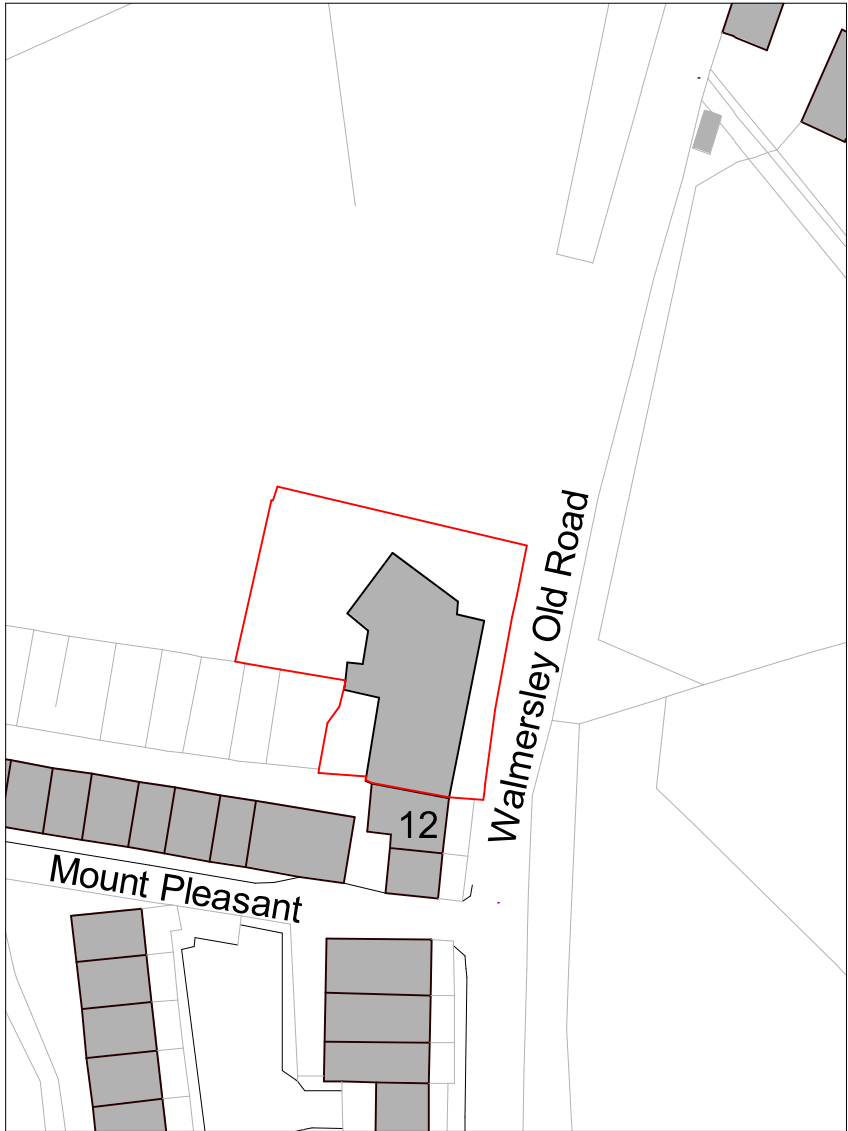
Photo 6



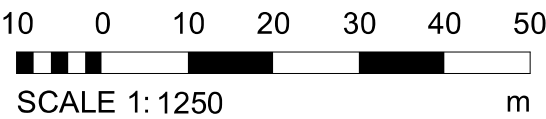
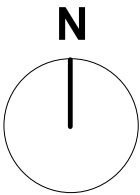
70213 & 70214

Photo 7





1. Site - Location Plan
1 : 1250



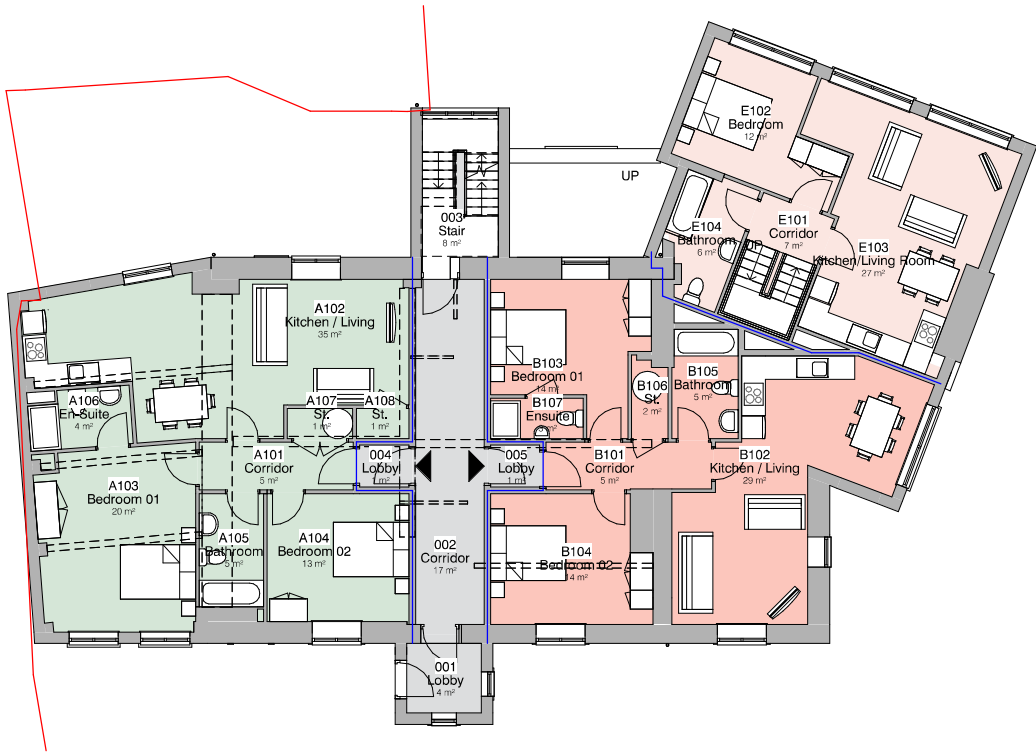
Legend - Boundaries

— Site Boundary

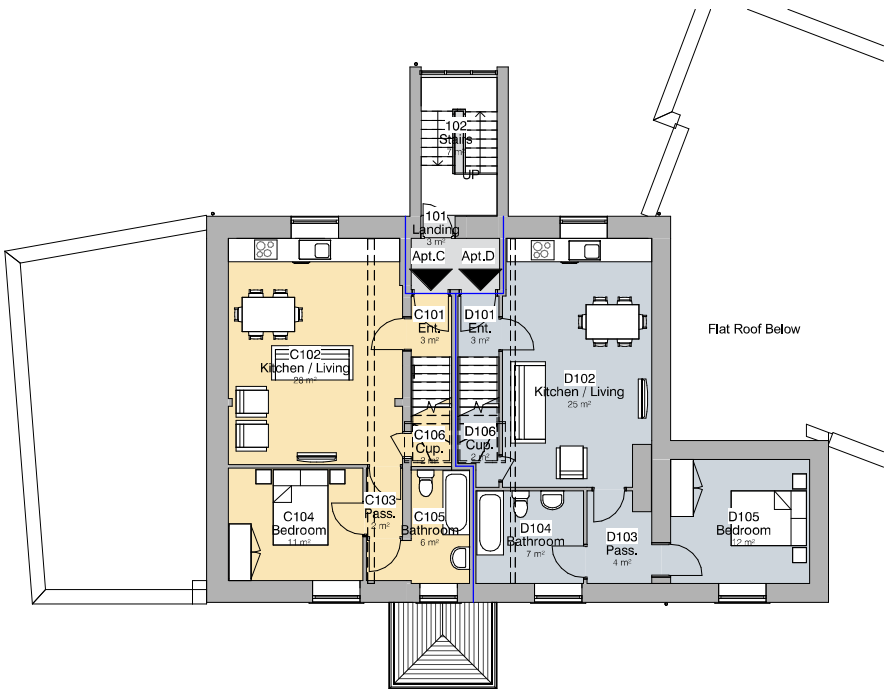
— Site Ownership

2	Site Boundary amended	SP	12/11/24
1	Drafting tweaks	SP	28/11/23
REV	DESCRIPTION	BY	DATE

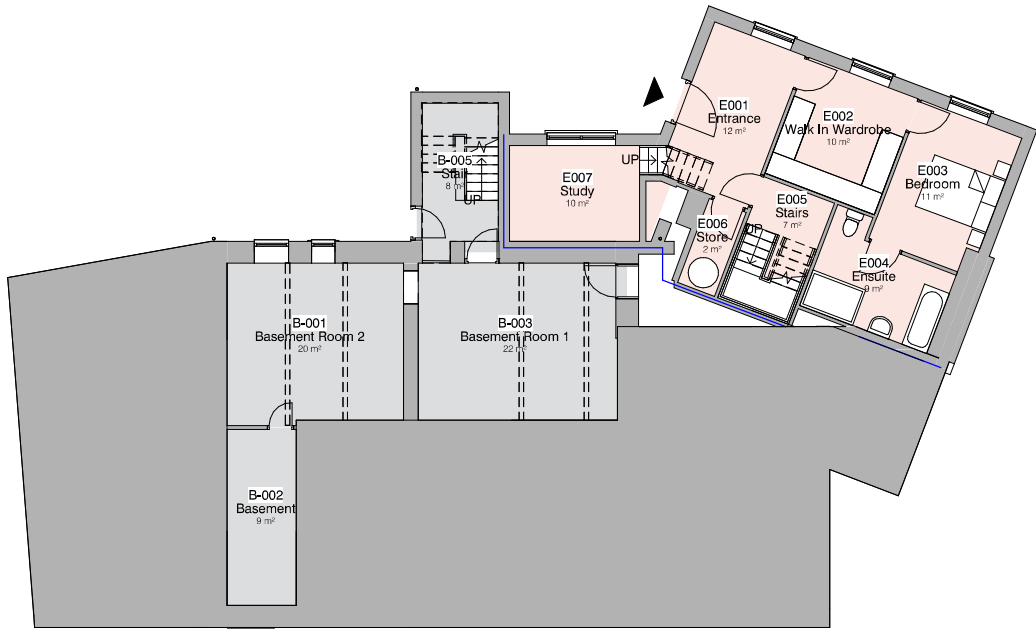
PROJECT	SCALE @ A3	DATE	DRAWN BY
The Lord Raglan - Site Model	As indicated	28 NOV 2023	SP
CLIENT	STATUS		
City View Estates	PLANNING		
TITLE	PROJECT NO.	DRAWING NO.	REV.
Site - Location Plan	DA18037.0.	101.	2
	NOTES		
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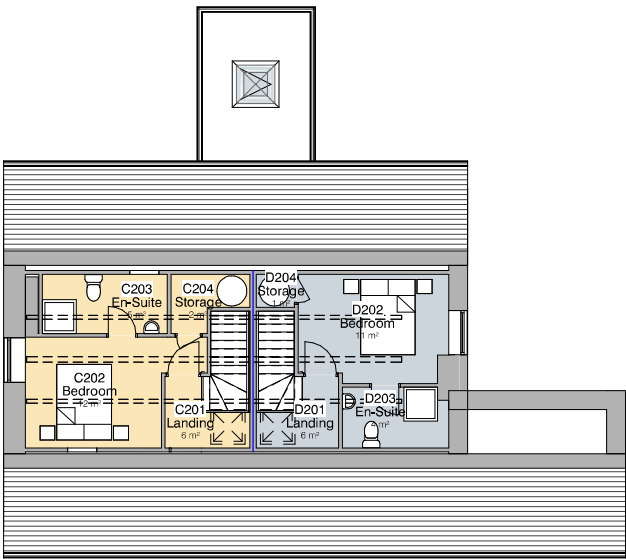
1. Level 0 - GA Proposed
1 : 100



2. Level 1 - GA Proposed
1 : 100



3. Level B1 - GA Proposed
1 : 100



4. Level 2 - GA Proposed
1 : 100

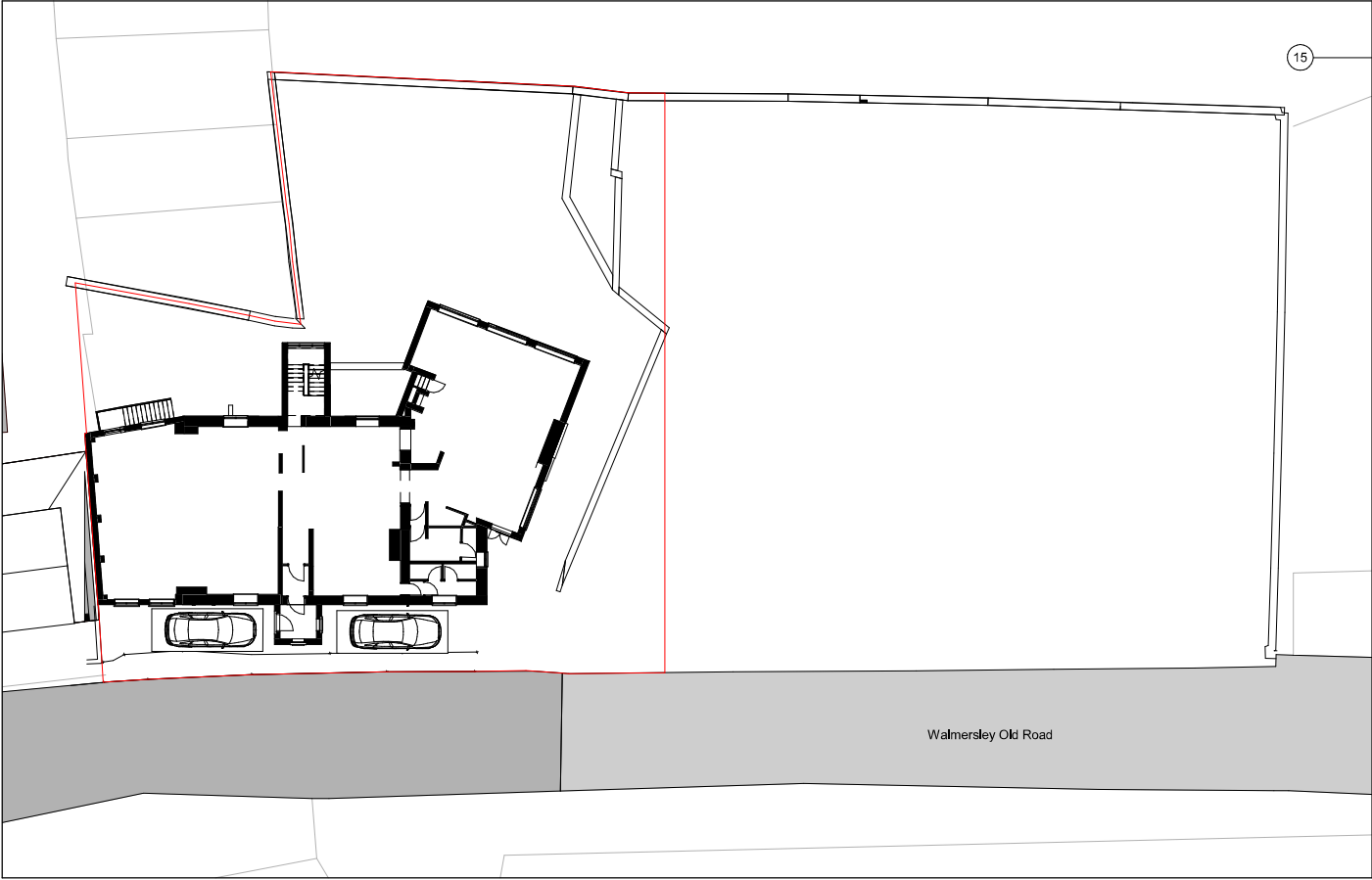


PROJECT	SCALE & A1	DATE	DRAWN BY
The Lord Raglan	1 : 100	01 Feb 2019	SP
CLIENT	STATUS		
City View Estates	Preliminary		
FILE	PROJECT NO.	DRAWING NO.	REV.
Proposed GA Plans	DA18037.	004.	3
NOTES			
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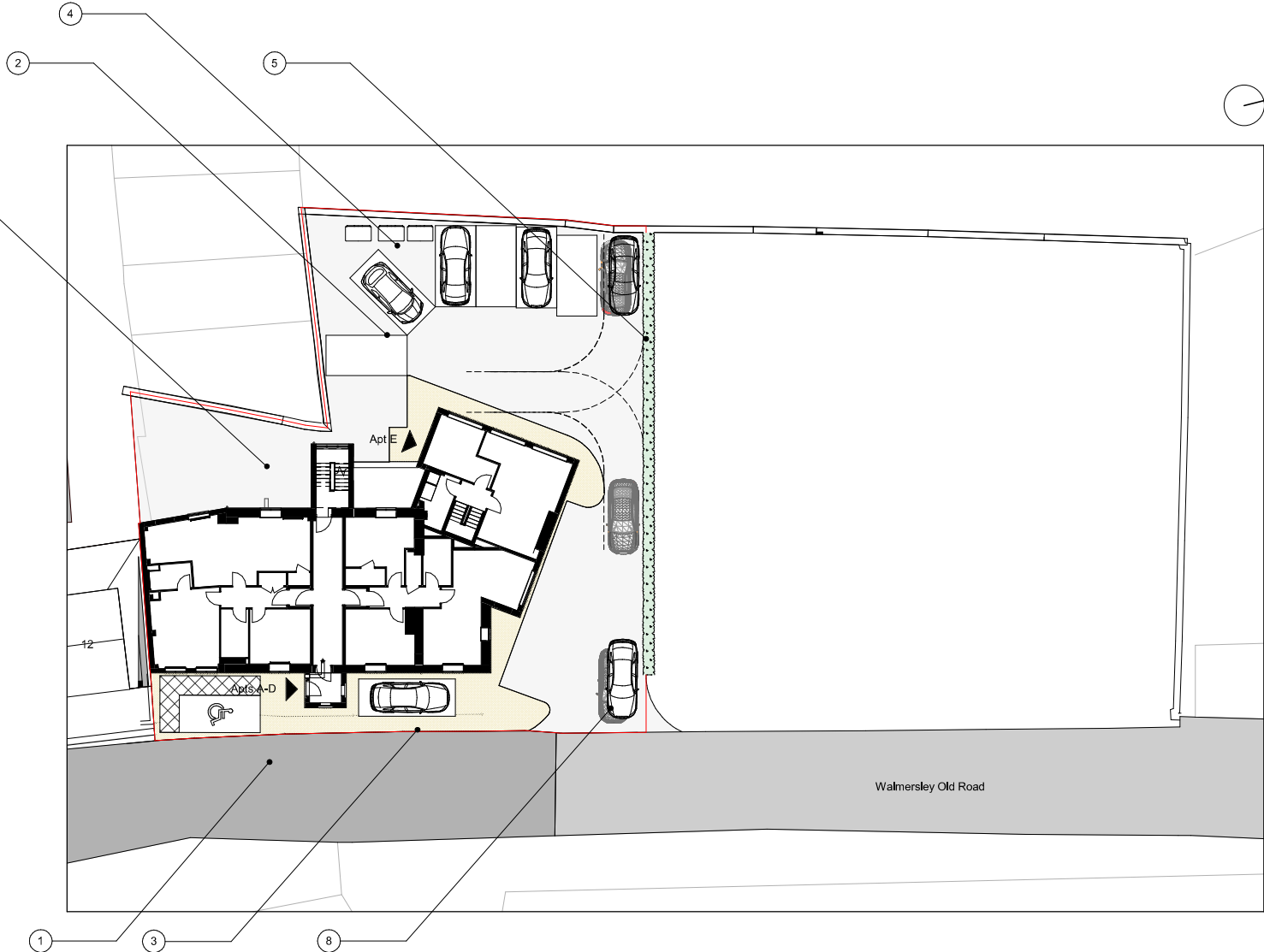


6	Drafting Tools	SP	11/02
5	Planning Drawing Updates	SP	31/01
4	Approved Scheme	SP	04/06
3	Site Wall Outline	BP	23/01
2	Planning Amendments	BP	17/01
1	Join to Client	SA	20/02

PROJECT	SCALE	DATE	BY
The Lord Raglan	1 : 100	01 Feb 2019	SP
CURRENT	STATUS		
City View Estates	Preliminary		
NOTE	PROJECT NO.	DRAWING NO.	REV.
Proposed GA Elevations	DA18037.	005.	6
 <p>NOTES</p> <p>THE DRAWINGS MUST NOT BE REPRODUCED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF DEBTAL ARCHITECTURE. ANY REPRODUCTION OR REPRODUCTION OF ANY PART OF THE DRAWINGS WITHOUT THE WRITTEN PERMISSION OF DEBTAL ARCHITECTURE IS PROHIBITED. THE DRAWINGS ARE THE PROPERTY OF DEBTAL ARCHITECTURE AND ARE NOT TO BE LOANED, REPRODUCED, COPIED, OR IN ANY MANNER REPRODUCED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF DEBTAL ARCHITECTURE. THE DRAWINGS ARE THE PROPERTY OF DEBTAL ARCHITECTURE AND ARE NOT TO BE LOANED, REPRODUCED, COPIED, OR IN ANY MANNER REPRODUCED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF DEBTAL ARCHITECTURE.</p>			



2. Site - Existing
1 : 200



1. Site - Landscaping Plan
1 : 200

Note Block - Landscaping

- Existing parking removed
- 8 No. parking spaces for new apartments.
- 2 No. Visitor parking spaces.
- Apartment refuse storage area.
- Site retaining wall in stone or similar to match local stone walling. With planted hedgerows in troughs
- Paved front entrance area in natural stone paving flags or similar.
- Open access to communal garden area.

Note Block - Landscaping

- Apartments parking access
- Plot dividing wall in stone or similar to match local stone walling. With hedgerow.
- 1 No. Parking spaces per house + 1 No. Visitor Space.
- Paved rear patio area in natural stone paving flags or similar.
- Lawn area in grass.
- Rear garden access gate in timber.
- Access steps from pavement down to dwelling entrance level.
- Amenity Space

Legend - Landscaping

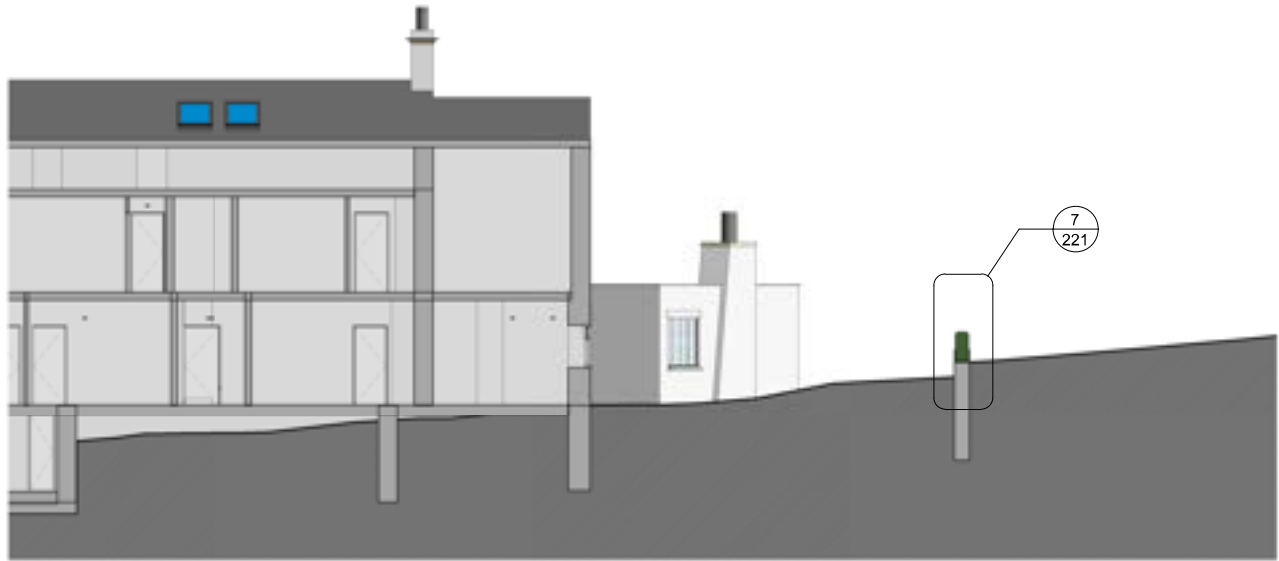
- Site Boundary
- Parking Space Parallel
- Parking Space Standard Bay
- Paving - Natural stone flags or similar
- Tarmacadam - Permeable

Legend - Landscaping

- Lawn
- Hedgerow
- Refuse - Domestic Wheelie Bin
- Refuse - Eurobin

0.5 0 0.5 1 1.5 2 2.5
SCALE 1:50
m

PROJECT	1 : 200	DATE	03 Apr 2019	DRAWN BY	SP
CLIENT	City View Estates	STATUS	Planning		
TITLE	Site - Existing and Proposed Landscape Plan	PROJECT NO.	DA18037.0. 002.	REV.	17
NOTES					



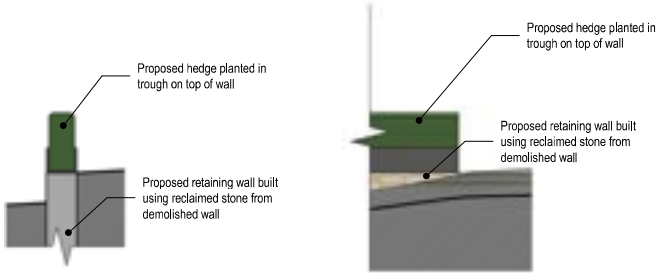
2. Section - Site - Proposed - Driveway - A-A - Front
1 : 100



3. Section - Site - Proposed - Driveway - B-B - Mid
1 : 100



4. Section - Site - Proposed - Driveway - C-C - Rear
1 : 100

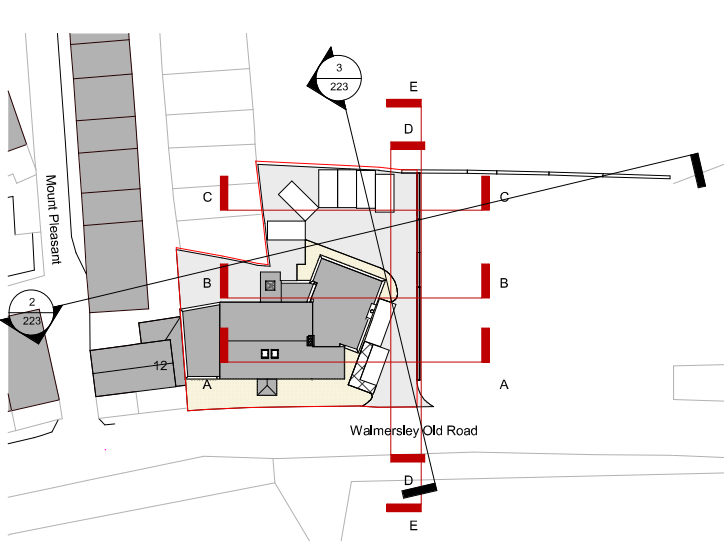


7. Detail - Retaining Wall Section
1 : 50

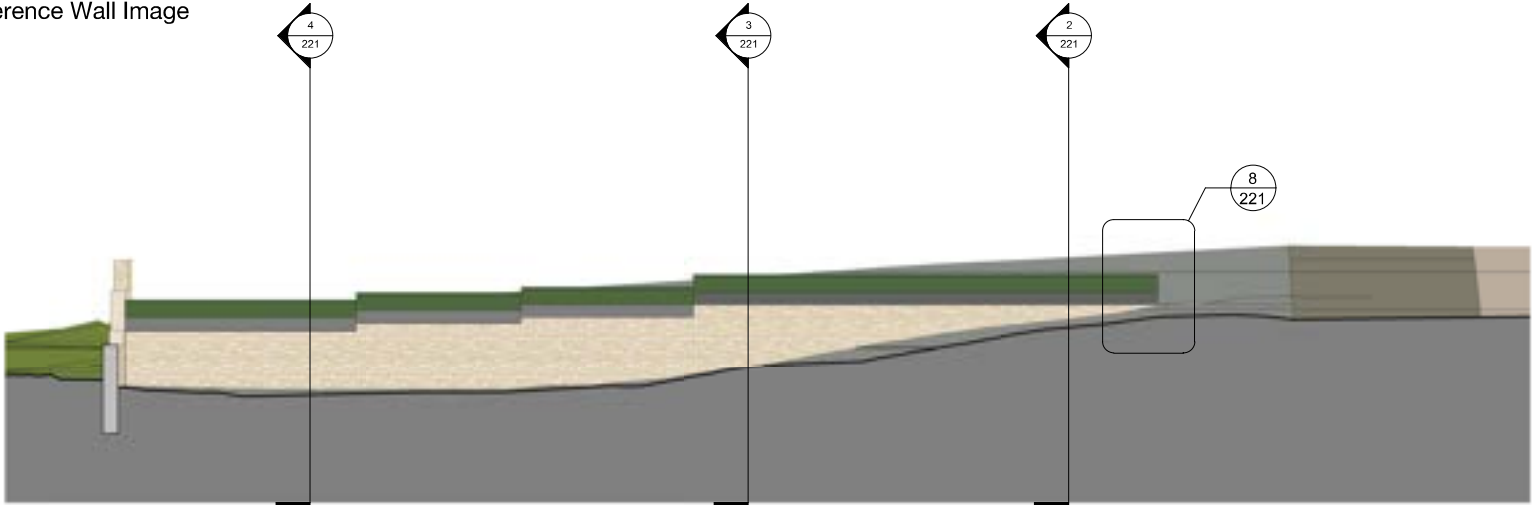
8. Detail - Retaining Wall Elevation
1 : 50



? Reference Wall Image



1. Site - Retaining Wall - Key Plan - Proposed
1 : 500



5. Section - Site - Proposed - Driveway - D-D - Long
1 : 100




6. Section - Site - Proposed - Driveway - E-E - Long
1 : 100

PROJECT	SCALE	DATE	DRAWN BY
The Lord Raglan - Site Model	As indicated	13 JAN 2025	SP
CLIENT	STATUS	PROJECT NO.	DRAWING NO.
City View Estates	PLANNING	DA18037.0.	221.
REVISIONS	DATE	BY	CHK
1	13 JAN 2025	SP	SP

An architectural elevation drawing of a building complex. On the left, a long, low, grey structure with a flat roof extends across the frame. To its right, a cluster of buildings is shown. These include a multi-story building with a dark roof and several windows, a smaller building with a gabled roof, and a larger, more complex structure with multiple levels and windows. The drawing is in a simple, schematic style with flat colors and black outlines.

An architectural elevation drawing of a house built into a hillside. The house features a traditional gabled roof with a chimney on the left side. A modern, two-story extension with large windows and a flat roof is attached to the main structure. The hillside is shaded with diagonal lines, and a small, stylized tree is visible on the left. The drawing is a black and white line art.

PROJECT	SUBJECT	DATE	BY	DATE
The Lord Raglan - Site Model	As indicated	17 JULY 2025	SP	
CURRENT	STATUS			
City View Estates	PLANNING			
FILE	PROJECT NO.	DRAWING NO.	REV.	
Site - Existing and Proposed Sections - Pub Rear	DA18037.0.	223.		
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Ward: Whitefield + Unsworth - Unsworth

Item 07

Applicant: Mclean

Location: Elms Bank Specialist Arts College, Ripon Avenue, Whitefield, Manchester, M45 8PJ

Proposal: Installation of temporary Portakabin single-storey building to be used as a classroom for a temporary period of 156 weeks.

Application Ref: 71926/Full

Target Date: 16/09/2025

Recommendation: Approve with Conditions

Description

The application relates to a specialist secondary school which primarily caters for the needs of children with mental and physical health disabilities. The school is located on Ripon Avenue, Whitefield, within a predominantly residential area. The application site is flanked on all boundaries by houses on Apollo Avenue, Sandown Road, Heathfield Road and Ripon Avenue, off which is the main vehicular and pedestrian access into the site and the school building.

The car park is located to the front of the school where there is parking for staff, visitors and school minibuses. The pedestrian and vehicular access is off Ripon Avenue and is formed in a one-way system round the school car park which is located to the front of the main building. The 'in' route is from the eastern side next to No 27 Ripon Avenue and the exit from the western side of the car park onto Ripon Avenue. This was granted planning consent in 2015 (ref 56564). The permission also included segregated pedestrian routes at both access points from Ripon Avenue, accessed via a gate.

Permission is sought for the installation of temporary single-storey modular building to be used as a classroom for a temporary period of 156 weeks/ 3 years to enable the school to accommodate 8 more children. It seeks to be sited along the side elevation of the school building along the rear boundary of the school site which borders properties on Sandown Road and part of the side boundary of no. 29 Ripon Avenue. A small strip of land which is naturally landscaped and contains trees and other soft landscaping, separates the site from the boundaries of these neighbouring residential properties

The proposed building would have a length of approximately 16.7m, that would extend along the rear boundary of the application site. It would have a width of 7.4m. It would have a flat roof and a maximum height of 3.5m. The building would be dark grey in colour.

The representations received indicate the proposed Portacabin building has been placed on the application site during assessment of this application proposal already. The accompanying photographs taken at the time of the Council's Site Visit show this is the case. The proposal therefore seeks retrospective planning permission for this development.

On visiting the site, it was evident that two air-conditioning units are present on the rear elevation of the building.

Relevant Planning History

43308 - EXTENSION TO FORM DRAMA STUDIO - Approved with Conditions, 14/10/2004

51222 - COVERED SEATING AREA/SHELTER; STORAGE AREA AND WALL PANELS - Approved with Conditions, 16/06/2009

56257 - Variation of condition no. 11 (lifetime homes checklist) of planning permission 55383 for demolition of existing garages and erection of 5 no. dwellings with amendments to vehicular access - Approved with Conditions 12/06/2013

56791 - New two storey classroom block with single storey link corridor to main school building; Construction of paved patio area with retaining walls and installation of multi use games area with path access from adjacent new building; Installation of land drainage system in the remaining area of the playing field and marking out of grass football pitch on existing playing field; 9 additional parking spaces; a temporary access off Ripon Avenue for the construction period. - Approve with Conditions, 18/12/2013

58564 - Creation of new vehicular and pedestrian access from Ripon Avenue; Extension to existing car park; Replacement of existing canopy to main school entrance; Erection of a 3M high fence to football pitch; Erection of a 2.4M high boundary fence - Approved with Conditions, 03/06/2015

62051 - Creation of hardstanding car park for 7 no. spaces, (to rear of 97-107 Heathfield Road and 21-27 Ripon Avenue) and erection of 2.2 metres high boundary fence - Approved with Conditions, 11/12/2017

62519 - Construction of new hydrotherapy pool and changing rooms and demolition of existing hydrotherapy pool, drama studio, sensory room, changing rooms and garage. - Approved with Conditions, 03/05/2018

68122 - Extension of car park for 19 new parking spaces - Refused, 01/03/2023

Publicity

Letters sent to 12 neighbouring properties on 24 July 2025.

3 representations have been received which raise the following concerns:

- Concerned about over-development of the site, which borders domestic gardens
- Concerned that the proposal would increase the number of pupils at the site and exacerbate the traffic congestion and on-street car parking that takes place on Ripon Avenue.
- Questioning what happens when the temporary time period comes to an end.
- Stating the diagrams submitted in the planning application do not illustrate or describe any heating, ventilation or air conditioning vents or equipment and stating they have reason to believe that the air conditioning equipment is to be installed on the North elevation, directly facing their garden. They raise concerns that if any equipment or vents are installed on the North elevation, that they could produce unwanted noise that will be directed towards their property and neighbours to the detriment of their amenity.
- Background information provided over the course of action previously taken by colleagues in the Council's Environmental Protection section relating to noisy vents that were present on a former building located on the application site, which caused a noise nuisance to neighbouring residents. Advise they do not want to experience such noise disturbance as

a result of this building.

- Advise the proposed building has been placed on the application site, during the assessment timeframe of this application.

Those who have made representations have been notified of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objections.

Environmental Health - Contaminated Land - No objections.

Greater Manchester Ecology Unit - No observations or recommendations received.

Pre-start Conditions - Not applicable.

Development Plan and Policies

EN1/2	Townscape and Built Design
JP-P5	Education, Skills and Knowledge
JP-C8	Transport Requirements of New Development
NPPF	National Planning Policy Framework
EN7/2	Noise Pollution

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 of Development

The school was asked by the Local Education Authority (This Council) to accommodate 8 additional SEND children this school year. The Council has a duty to provide education for its residents.

The school advises it is already operating at capacity and therefore this building is necessary to accommodate the 8 children that needed a space at this specialist school this school year (2025/2026).

PfE Policy JP-P5: 'Education, Skills and Knowledge' seeks to enable the delivery of new and improved accessible facilities for all ages. The proposal is to provide additional teaching accommodation for the School. On this basis, the proposal is acceptable in principle.

Siting and Design

The proposed modular building is typical of similar modular buildings used at other educational establishments. Its design therefore meets the needs of teachers and

students.

It is sited to the rear of the school building which is bordered by a belt of trees, which exists between the School and the residential properties along Sandown Road and is sited in close proximity to the main school building.

The belt of trees provides a screen to ensure that the proposed building would not be visually prominent when viewed from neighbouring gardens or any public vantage points. The proposed development is therefore considered to be suitably sited from a visual amenity perspective. The proposal therefore complies with the relevant criteria laid out within UDP Policy EN1/2: 'Townscape and Built Design'.

Parking and Highway Safety

Although the proposal would provide 8 no. additional school places for children attending this School, this number of pupils would not intensify the number of pupils so significantly to justify refusal of the application on highway safety grounds, particularly as many of the children to the school arrive in mini-buses.

Residential Amenity

The presence of the belt of trees and soft landscaping between the application site and the properties on Sandown Road, nos. 20 - 24 (even) Sandown Road and 29 Ripon Avenue, would ensure that the bulk and massing of the proposed building would not cause demonstrable harm to the amenity of the above-mentioned properties.

Whilst visiting the application site, it was noted that two air conditioning units have been installed on the rear elevation of the proposed building.

No information relating to the noise generated by these air conditioning units accompany this application. Given the noise nuisance neighbouring residents have experienced via a previous building/ use on the application site, it is not unreasonable of neighbouring residents to raise concern. This said, the building appears to have been in use since the start of the new school year in September (2025)

Paragraph 56 of the NPPF states: "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations". Paragraph 57 of the NPPF states that Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Taking account of the above and noting that the Council's Environmental Protection department has received no complaints since the building was put in situ, and has been in use since the beginning of September, it is reasonable that a planning condition be imposed to require the noise output of both units working at the same time be submitted to and approved by the Local Planning Authority, along with a scheme of any necessary mitigation, if required. Such a condition is therefore duly recommended.

Conclusion

The Local Authority is responsible for providing school places for children and young adults with SEND needs. The proposal therefore accords with the requirements of PpE Policy JP-P5.

The proposed building is located at the rear of the school which is bordered by a belt of trees and other soft landscaping. The proposal is therefore suitably sited in close proximity to the School and would not cause demonstrable visual harm, if any at all.

Subject to the recommended planning condition, the amenity of neighbouring residential occupiers will also be satisfactorily protected.

Based on all of the above, subject to the recommended planning condition, it is recommended that the application be approved.

Response to Objections

- The relationship of the development in relation to outlook, amenity and noise have been discussed within the above report.
- s73A of the Town and Country Planning Act permits applications to be submitted retrospectively and conditions to be imposed that meet the statutory tests.

Recommendation: Approve with Conditions

Conditions/ Reasons

- . Permission is hereby granted for a limited period only, namely for a period expiring 3 years from the date of this decision notice, 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. 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.

- . This permission relates to the following plans:

Drawing no. JE420066054A: Location Plan, Proposed Block Plan; and,

Drawing no. HD/14251/01: Proposed elevations & floor plan

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan, the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

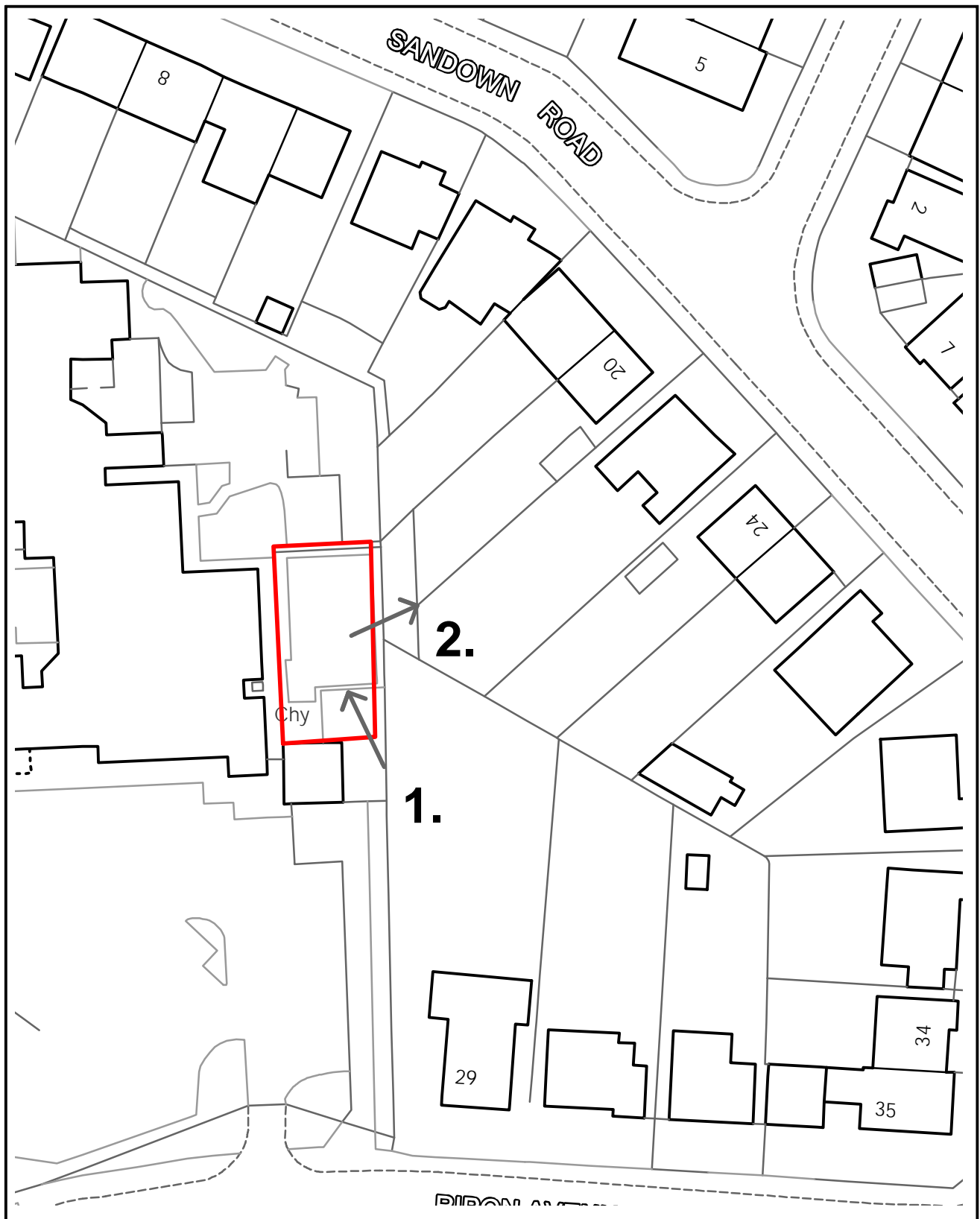
- . Within 3 months of the date of this permission, a scheme to demonstrate noise output from both air conditioning units together with any appropriate noise insulation shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented in full within 8 weeks of any subsequent approval by the Local Planning Authority

Reason. To safeguard the amenities of the occupiers of the building and occupiers of nearby properties pursuant to UDP Policy EN7/2 Noise Pollution.

For further information on the application please contact **Claire Booth** on **0161 253 5396**

Viewpoints - 71926



ADDRESS: Elms Bank Specialist Arts
College, Ripon Avenue,
Whitefield, Manchester, M45 8PJ



Planning, Environmental and Regulatory Services

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71926: Elms Bank Specialist Arts College

Photo 1: Aerial Imagery from Google Maps

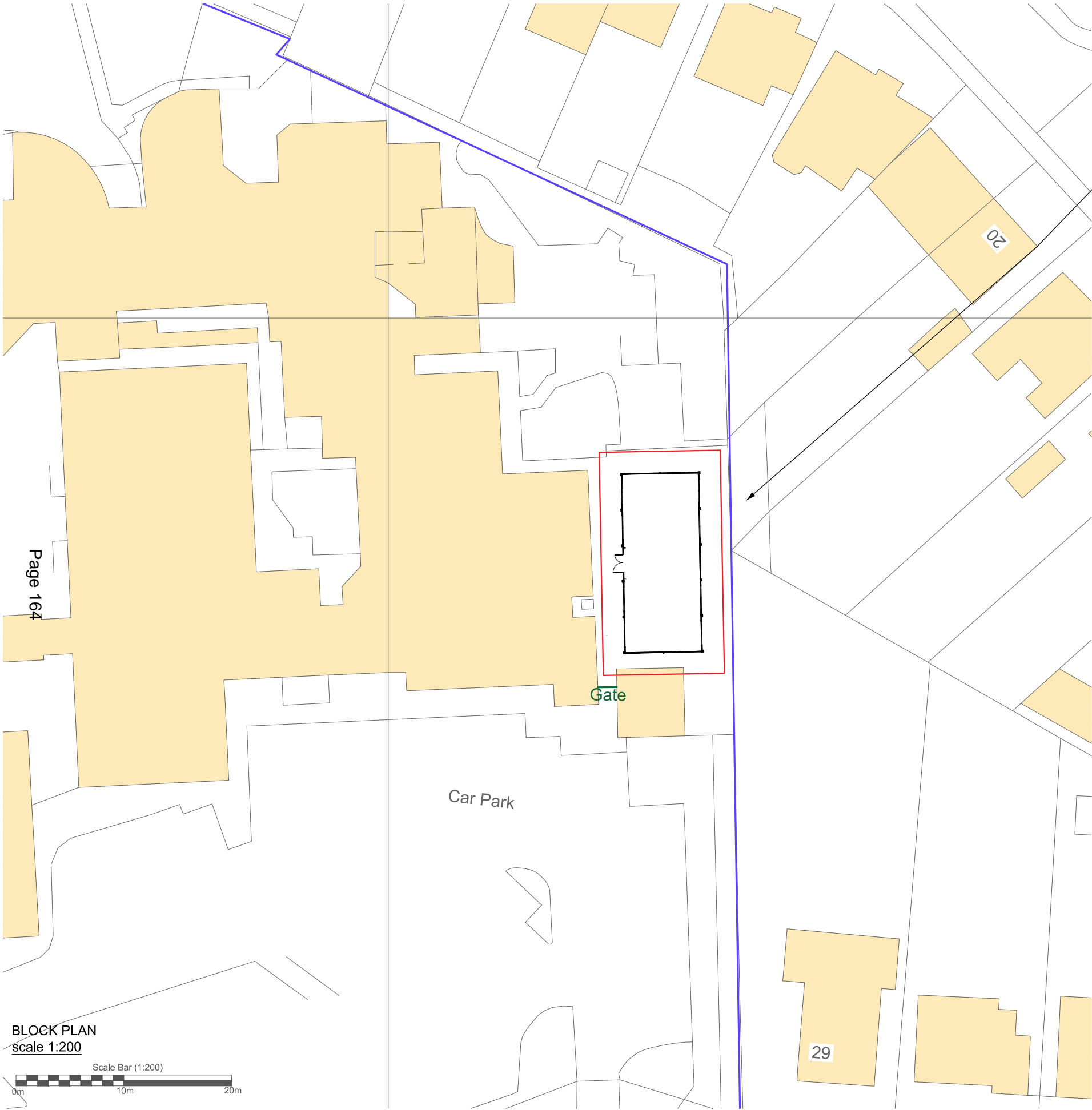


Photo 2: viewing the rear elevation from the side showing distance to boundary fence

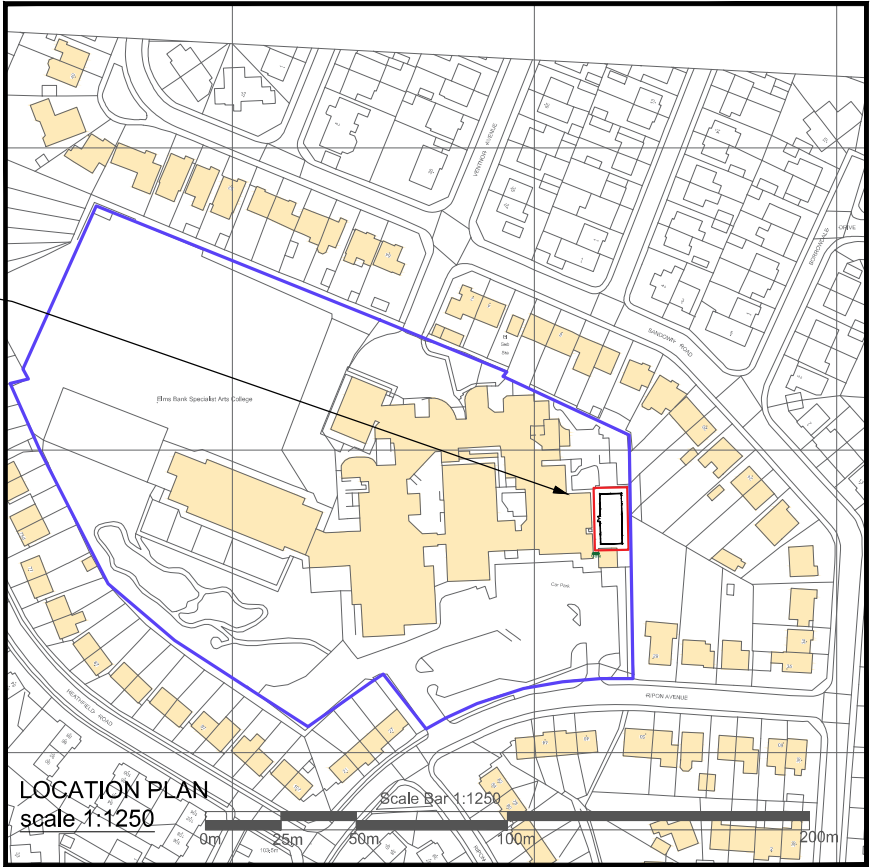


Photo 3: View from the rear of the proposed building looking towards properties on Sandown Road





Proposed location of
single storey
Portakabin Building.



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BLOCK PLAN
scale 1:200



NOTES:
- Site plan is based on existing Ordnance Survey information
- Responsibility is not accepted for errors made by others in scaling from this drawing. Contractors must check all dimensions on site. Discrepancies must be reported to the drawing owner before proceeding.

- KEY:
- Application Boundary
 - Area owned by client but not in application
 - Existing fencing 1.8mH
 - Proposed foul drainage route
 - Proposed grey water drainage route
 - Proposed surface water drainage route
 - Proposed fencing

Portakabin Limited 2000
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to anyone without written permission.

Portakabin

Title
Proposed Block Plan

Elms Bank Schoola

Ripon Ave,
Unsworth,
Manchester
M45 8PJ

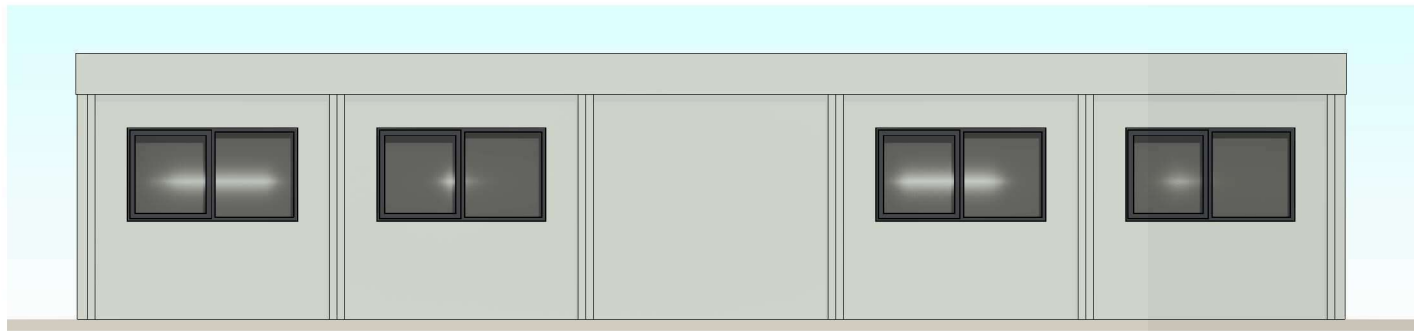
Date: 11th April 2025

Scale : 1:200 & 1:1250 @ A1

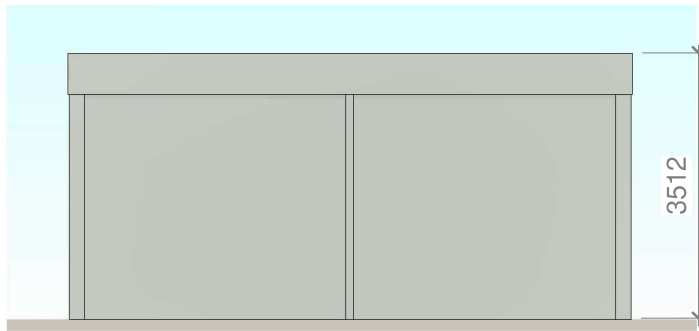
Drawing Number
JE420066054A

Rev.	Date	Notes	

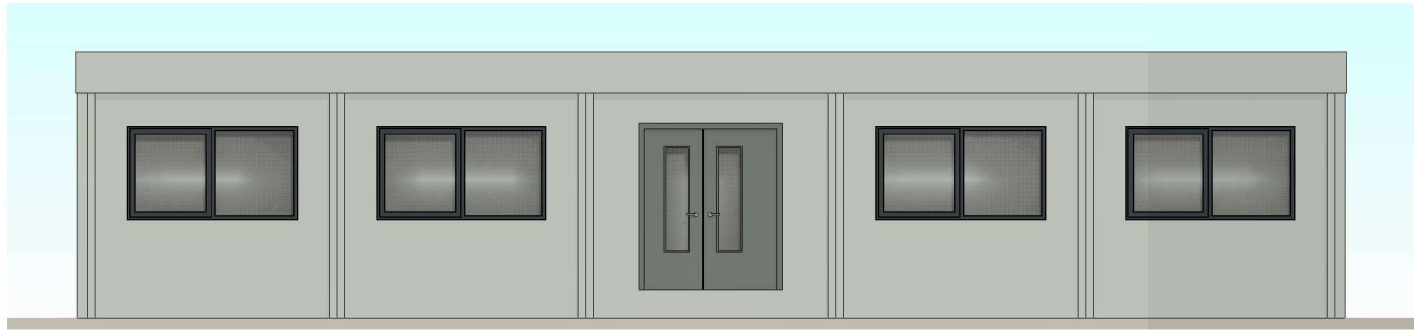
Rev	Description	Date	By
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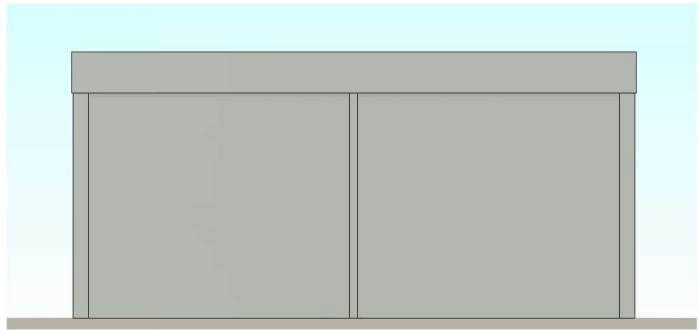
2 North Elevation
1 : 100



3 East Elevation
1 : 100

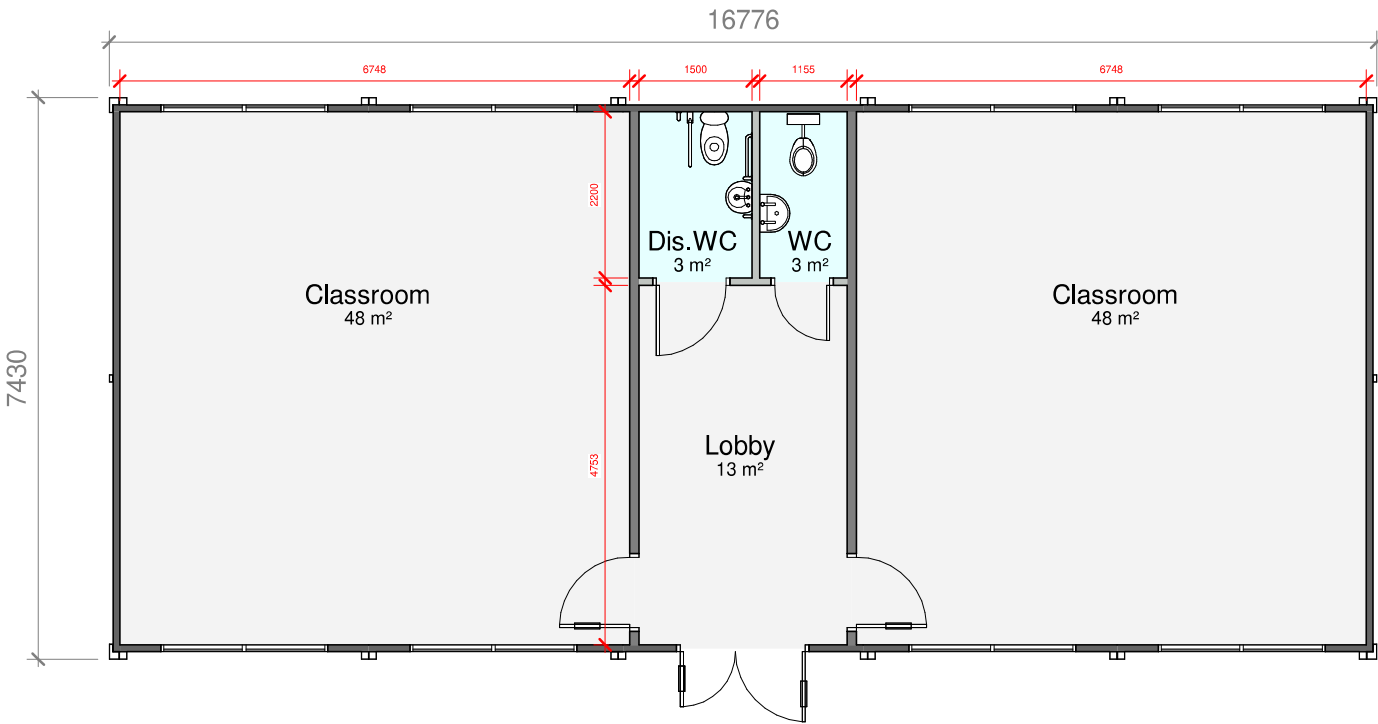


4 South Elevation
1 : 100

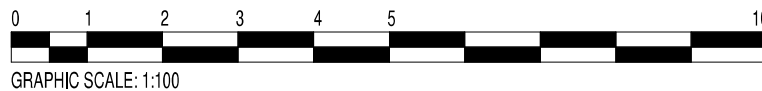


5 West Elevation
1 : 100

Page 165



1 Proposed Layout
1 : 100



Safety Flooring
Vinyl

Total Floor Area - 116m²

- 99mm Single Skin Partition
- 124mm Double Skin Partition
- Indicates where 30 min fire rating to be maintained
- Indicates where 60 min fire rating to be maintained

Fire Strategy to be confirmed. Subject to Fire/building officer approval. Max compartment size to be confirmed when location of nearest existing (functional) hydrant is known. If found to be more than 100m from the proposed buildings (where a hose can run), upgraded 60min wall construction or full redesign may be required to reduce compartments to 280m². Alternatively additional hydrant(s) could be installed as per building regs requirements'

Standard floor loading is 3kN/m². Any loading imposed on a floor that is greater than 3kN/m² may require strengthening. Please contact your hire centre if you expect to exceed 3kN/m².

Any fire strategy shown on this drawing is subject to Fire Officer and Building Control approval!

Please note that this and any accompanying drawing(s) are for illustrative purposes only and as such, the building shown may vary from the actual finished building on site.

The position of windows, external doors and electrical fixtures (if shown) are dependent on stock availability at time of order.

EXTERNAL COLOUR SCHEME | Ultima

Walls - Goosewing Grey - nearest BS ref 10 A 05
Vertical wall trim - Goosewing Grey - nearest BS ref 10 A 05
Bottom wall trim - White - nearest BS ref 00 E 55
Long wall fascias (covering wall) - Goosewing Grey - nearest BS ref 10 A 05
Long wall fascia (covering beam) - White - nearest BS ref 00 E 55
Short wall composite fascia - Goosewing Grey - nearest BS ref 10 A 05
Roof - White - nearest BS ref 00 E 55
External Skirt - Goosewing Grey - nearest BS ref 10 A 05
Columns, external corners - Grey - BS 4800 00 A 05
Columns, intermediate - Grey - BS 4800 00 A 05
Windows - Blue Grey - nearest BS 4800 18 B 29
Doors (insulated door) - Slate grey - nearest BS 18 B 25

Internal Portakabin Note
For connection details please see drawing DQ0539



Portakabin®

Portakabin Limited New Lane Huntingdon
York YO32 9PT United Kingdom
+44 (0)1904 611655
portakabin.co.uk

Client:	Bury Council Children's Services		
Project:	Elms Bank - Classroom		
Title:	Proposed Layout, 5 x UK073 Ultima Modules.		
Scale @ A3:	Date:	Drawn By:	
1 : 100	27.03.2025	MT	
Drawing Number:	Rev:		
HD/14251/01			

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Ward: Bury West

Item 08

Applicant: Jaguar Paw Properties Ltd

Location: 240 Bolton Road, Bury, BL8 2PA

Proposal: Change of use from dwelling (Class C3) to 8 bed house in multiple occupation (HMO) (sui generis) including extending/raising the roof over existing rear garage

Application Ref: 71978/Full

Target Date: 21/08/2025

Recommendation:

Description

The application relates to a large end terraced dwelling which has a front garden and a rear yard area which is located on Bolton Road on the corner of Glenboro Avenue. Back Bolton Road North, a cobbled street runs along the rear of the terrace to which the application site forms part.

Planning permission is sought to change the use of the property from a dwelling (Class C3) to an 8 bedroom house in multiple occupation (HMO) (sui generis). Permission is also sought to both extend and raise the roof over an existing flat roof rear garage.

The accommodation proposed would be spread over three floors as follows:

Ground Floor: Kitchen and dining, Lounge and dining, W/C and storage; Bedroom 1 and 2

First Floor: Bedrooms 3, 4, 5 and 6

Second Floor: Bedrooms 7 and 8

All rooms have ensuite facilities

During the course of the application the application has amended the proposal, as follows:

- Reduced the number of bedrooms from 9 to 8
- Created a communal Lounge Area
- Removed the front external amenity space
- Relocated the bicycle storage to be stored inside the garage
- Added more private external amenity space to the rear yard (approx. 18m²)
- Widened the garage door to 2.5m for better access to park a car
- Moved the access to the ground floor communal WC to the hallway.

Relevant Planning History

71521 - Lawful development certificate for proposed loft conversion with hip to gable roof extension solar panels at front and rooflights at rear - Lawful Development, 02/05/2025.

Publicity

The application has been advertised by consulting adjoining and nearby properties by letter and by erecting Site Notices adjacent to the front boundary of the site and on a pole located on the corner of the application site at the junction of Glenboro Avenue with Back Bolton Road North.

11 (addressee) representations objecting to the proposal have been received raising the

following objections:

- Experiencing noise problems (during construction).
- This is a bigger development and will be managed by the same company, which will pose more issues for residents and lower property value in an already overcrowded area.
- This is also next to a nursery so poses safe guarding issues.
- The fact the developer has converted this without correct planning and approval whilst being misleading when questioned by the council and residents sets a dangerous standard if he is allowed to get away with what he has done.
- There have also been modifications that have not been approved such as the windows overlooking the nursery and the skylight on the front.
- They have already been issues with this development including damage to residents property and working all hours.
- This development should not be approved, it has been submitted in retrospect to the work already having been carried out, the work completed in preparation should be ordered to be reverted to its original state. A HMO in close proximity is affecting the right to sell our home as people do not wish to reside close to an HMO obvious reasons
- This is a retrospective application after being caught after a s196A was filed by the council as part of a formal complaint
- The following will/have been an issue with this development – property damage, waste, noise, antisocial behaviour, loss of water pressure, parking and overcrowding
- The only people gaining anything from this development are the developer/owner and the subletting company, who will be making money off it.
- overdevelopment is completely out of place on our street.
- Party Wall concerns
- There is already limited parking, and this increase in occupancy will only worsen congestion and impact road safety.
- People have been heard and seen at the property with cars already parking outside other properties and obstructing garages.
- The yard is not big enough for 5 bins. 2 cars tables to seat 14 people and a bike store And gates that open inwards.
- By having this many people in a terrace house with only a kitchen as living space it would inevitably present noise or disruptive behaviour.
- 8 bedrooms is still too many for the size of the property. The rooms are all double bedrooms with potential for guests/ visitors. This is likely to result in excessive noise and disruption.

Objectors have been informed of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Adult Care Services - No comments or observations received.

Traffic Section - Any response shall be provided within the supplementary.

Environmental Health - Pollution Control – Adjoining walls should be soundproofed

Greater Manchester Police - designforsecurity - – No comments received

Waste Management – No response received

United Utilities - No objections. Advice provided where residents can approach the provider regarding concerns around water pressure.

Housing - Public Protection – No comments received

Pre-start Conditions - Not relevant

Development Plan and Policies

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
SPD13	Conversion of Buildings to Houses in Multiple Occupation
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-S2	Carbon and Energy
JP-P1	Sustainable Places

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.

Process

The property had been subject to a Certificate of lawfulness which confirmed that the property to be altered internally and including the loft space would not require planning permission.

The officer report noted -

Whilst the proposed plans show a layout similar to an HMO the dwellinghouse has not yet been occupied as such and thus its lawful use remains that of a dwellinghouse and as such it retains its permitted development rights. Also worth noting is the high court judgement London Borough of Brent v Secretary of State for Levelling Up, Housing and Communities & Anor [2022] EWHC 2051 (Admin). This judgement confirms that the meaning of a 'dwellinghouse' is wider than Use Class C3. It includes Use Class C4 and may also include large HMOs and other uses provided they meet the Gravesham test. A such even if the conversion to an HMO had taken place the property would retain its permitted development rights and would therefore be lawful.

The applicant then submitted an Initial Notice to Building Control concerning the change of use of the property to a 9 bed HMO. This is a statement that all Building Regulations matters were to be assessed by a private inspector. The Local Planning Authority (LPA) did speak to the applicant who confirmed that the initial notice was incorrect and that the proposals to be implemented were for a 6 bed HMO.

Despite this, following complaints received, the LPA's Enforcement team arranged a visit and indeed the property had been converted into a 9 bed HMO.

This planning application now under consideration and was submitted very shortly after Enforcement's visit to the site.

Section 73A of the Town & Country Planning Act 1990 (as amended) confirms applications can be made retrospectively.

Permitted Fallback Position

A dwelling changed to a 6 bed HMO is Permitted Development. The applicant could therefore utilise the existing property as a 6 bed HMO without the need for planning permission. This is the permitted fallback use of the property.

The LPA will therefore only be able to assess whether two additional occupants over and above the fallback use would cause demonstrable harm when considering the proposals as a whole.

Principle of Development

UDP Policy H1/2: 'Townscape and Built Design' 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.

UDP Policy H2/4: 'Conversions', has specific regard to effects on amenity of neighbouring properties, general character of the area, amenity of occupants, effects from external changes on the street scene, car parking, and servicing requirements. This is supported by SPD 13: 'The Conversion of Buildings to Houses in Multiple Occupation', that seeks to ensure that properties are of a sufficient size to accommodate the proposals and are large enough to offer satisfactory levels of accommodation for future residents. This document also seeks to ensure that HMO's are located in suitable locations. SPD 13 is rather dated in absolute terms (adopted in May 2007) and in some of the assumptions expressed (e.g. HMO's tend to attract residents in their teens and twenties who by their nature can be a little more energetic than older people, leading to a more active social life in the evenings). However, the general factors against which proposals should be assessed at UDP Policy H2/4 remain relevant.

PfE Policy JP-H3: 'Type, Size and Design of New Housing' 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 *"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"*, however, no direct reference is made to HMOs or buildings of multiple occupation. For clarification, a house in multiple occupation is a form of housing tenure, where occupants live together forming more than one household (i.e. where facilities such as kitchen, living areas, and/ or bathrooms can be shared with other tenants).

The conversion of properties to multiple occupation can often make an important contribution to local housing stock. However, it is recognised that such conversions can put pressures on buildings, sites and areas depending upon the amount of accommodation to be provided, demands created from parking etc and thus have an adverse effect on

residential amenity and the character of an area. The main issues in relation to this proposal is the consideration of the impact of the proposed accommodation in relation to the suitability of the site and location, impacts on amenity, nature of the local environment, surrounding land uses and highway issues. These issues are discussed in more detail below and in light of the policies set out above.

Accessibility of the site to services, jobs and amenities

PfE Policy JP-C1, seeks to deliver an accessible, low carbon Greater Manchester with world-class connectivity, by, amongst other things, delivering a pattern of development that minimises both the need to travel and the distance travelled by unsustainable modes to jobs, housing and other key services, including healthcare, education, retail, recreation and leisure facilities, green space and green infrastructure; and locating and designing development, to deliver a significant increase in the proportion of trips that can be made by walking, cycling and public transport;

The application site fronts onto a busy throughroute where there are ample bus services to and from the Town centre and heading west to Bolton and Radcliffe. It is located within walking distance of bus stops leading to both directions. As such, the application site is considered to be suitably located for this type of residential accommodation.

Character of the area

UDP Policy H2/4 - 'Conversions' takes into consideration the concentration of building conversions for multiple occupation and the impact this can have to the character of an area. The justification for this policy makes it clear that it is necessary to ensure that dwelling standards are maintained and to ensure that, generally, an over provision of building conversions does not adversely affect the need to maintain a good mix of housing types, or adversely affects the character and amenity of residential areas.

Having visited the application site, checked the Planning register and the HMO Licensing register, there two properties in use as homes in multiple occupancy within 50 metres of the application site and therefore the proposal would not result in an over concentration of HMOs in this area and therefore the area would maintain a good mix of housing types.

Amenity of neighbouring occupiers

UDP Policy H2/4 requires applications for conversion to have regard to the effect on the amenity of the neighbouring properties through noise, visual intrusion, the position of entrances, impact of parking areas, extensions and fire escapes.

The existing property fronts a very busy road and has a residential property adjoining.

Houses in Multiple Occupation tend to operate as a normal house, however, due to this proposal seeking 8 single occupants, the use of the property, the use would intensify occupation of the property. It is therefore recommended that a condition securing the imposition of soundproofing to the party walls of the property be secured by planning condition. Such a condition is duly recommended.

Subject to the recommended condition, the proposed internal arrangement is unlikely to generate additional noise, disturbance and activity to cause serious harm to neighbour amenity and thus the proposal complies with UDP Policy and guidance relating to HMO's.

Amenity of future occupiers

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

1. Comply with the nationally described space standards; 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.

This is further supported by UDP Policy H2/4 that seeks to consider the impact of any proposals on the amenity of the occupants.

All bedrooms and storage areas proposed would comply with the national prescribed space standards. Due to the access to the front and rear of the property using pre-existing historic steps, it would be impractical to make the property 'accessible and adaptable'.

In terms of the proposed communal spaces, the spaces are considered generous and there are more than one communal area which would assist to disperse concentrations and maintain a reasonable standard of space within the property.

The National Design Guide states that an aspect of ensuring development is well designed by ensuring that refuse bins are accessible and well-integrated into the design of streets, spaces and buildings, to minimise visual impact, unsightliness and avoid visual clutter.

The proposed Site Plan indicates sufficient refuse storage provision can be provided. The revisions of the layout to put parking within the garage has enabled more amenity space to be provided within the curtilage of the property. Secure cycle storage would now be provided within the garage area for up to 8 bikes and is considered to be appropriate.

All of the above, leads me to conclude that the proposals would provide satisfactory living accommodation for future occupiers.

The proposal thus accords with PfE Policy JP-H3.

Visual Amenity

The proposals involve alterations to the garage elevation of the property. This would include raising the boundary wall and roof. This change is considered to be minor and would be considered acceptable even if a private individual sought to do the work.

Other changes include the conversion of the roof void area. Rooflights are to be provided to this space.

The proposed dormer would comprise slate cladding to the elevations and a flat roof and would be set up from the eaves of the property by approximately 200mm. Windows proposed on the new dormers will comprise white uPVC which will match the existing windows. The external alterations are in keeping with the character of the existing properties and surrounding context.

The proposed rear dormer would have limited visibility, but would be visible from the commercial property behind and from Hampson Mill Lane. However, HMO's up to 6 people have a permitted development fallback, which establishes such alterations are acceptable to the rear roof slopes of dwellinghouses. Whilst an 8 bedroomed HMO is considered to be a use classed as Sui-Generis, i.e. a use which does not fall into a specific use class, the permitted fallback position is a material consideration which should be given substantial weight in the decision making process.

Waste Management

The proposed scheme includes the provision of bins within the rear alley (as existing) which would allow for the segregation of refuse and recyclable waste and would ensure the storage of bins would not adversely impact on the street scene. The number of bins provided has been shown as eight, which is considered satisfactory for the numbers of occupants proposed.

Bins would continue to be collected from Hampson Mill Lane as they are currently and it is therefore considered that there would be a no detrimental effect on the safety and operation of the local highway network, as it would operate in the same manner as the existing site and nearby properties.

The concern raised about the number of bins causing a fly nuisance, if this does occur, neighbouring occupants could report this issue to the Council's Environmental Health, Public Protection section.

Highway Safety

There are no specific car parking standards for HMO's in SPD11: 'Parking Standards in Bury'. SPD 13: 'The Conversion of Buildings to Houses in Multiple Occupation' gives some general advice. It states that parking and road safety issues will be important considerations when assessing a planning application and any proposal that is considered to have a detrimental impact on highway safety or harm to amenity will not be permitted.

PfE Policy JP-C1: 'An Integrated Network' seeks to deliver an accessible, low carbon Greater Manchester with world-class connectivity. It seeks to achieve this by a range of measures, including, amongst other things, delivering a pattern of development that minimises both the need to travel and the distance travelled by unsustainable modes to jobs, housing and other key services, including healthcare, education, retail, recreation and leisure facilities, green space and green infrastructure; and locating and designing development, to deliver a significant increase in the proportion of trips that can be made by walking, cycling and public transport.

Off-road car parking is possible, with one garage space and a second within the yard area. Notwithstanding this, HMO's are best located in sustainable areas well served by public transport and close to amenities, services and facilities, which can reduce the demand of parking.

The application site is located on Bolton Road, a strategic road within the borough, close to the convenience store at the Petrol Filling Station and is within walking distance of bus stops on either side of Bolton Road. 170m to Bury direction; 55m Bolton direction.

The proposals would accommodate a secure and covered cycle store with space for eight bikes (100%) provision as indicated on the submitted drawings. This will promote cycling as a viable and attractive means of travel. The level of provision proposed within the scheme will also help to support a reduction in reliance upon the private car and help to encourage use of more environmentally friendly and sustainable modes of transport amongst future occupants of the proposed development.

The site is also within a residential area, and is therefore suitably located for a development of this nature.

In terms of assessing highways matters paragraph 111 of the NPPF is relevant which advises '*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.

This is a high bar policy test and it is not considered that the development would be associated with severe adverse highway impacts which would warrant a refusal.

It has been demonstrated that the scheme accords with the transport requirements of the NPPF; UDP Policy HT2/4 and would be acceptable when assessed against part e of UDP

Policy H2/4 and the relevant cycle parking storage guidance within SPD 11.

Carbon and Energy

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions. The submitted details state the proposals will align with the 2022 Part L Building Regulations and therefore the proposal accords with the requirements of this policy.

Digital Connectivity

PfE Policy JP-C2 requires all new development to have full fibre to premises connections unless technically infeasible and / or unviable. The policy supports the provision of free, secure, high-speed public wi-fi connections, particularly in the most frequented areas.

In compliance with Policy JP-C2 of the PfE plan, the submission advises that the proposed development would support high-quality digital infrastructure through the following measures:

- Full Fibre Superfast Internet will be installed to the development
- Mesh network throughout the property, ensuring seamless fast wireless internet to all rooms.

A mesh network Wi-Fi system uses multiple access points (nodes) to create a single, seamless Wi-Fi network throughout a home or building, eliminating dead zones and providing consistent coverage. Unlike traditional routers, which broadcast from a single point, mesh systems distribute the Wi-Fi signal from multiple access points, ensuring a strong and reliable connection everywhere.

Safeguarding

The site is located close to a nursery. Many objections have been raised in relation to concerns of occupants and use being in close proximity to the nursery to the rear. Many properties have the same degree of overlooking and Planning cannot control the occupants of such properties. HMOs do provide an alternative type of residential accommodation and there is no known direct link that the use would be occupied by residents of any difference to other properties within the row.

The application as proposed with a higher number of occupants before being revised was consulted upon with the GM Police and no comments were received.

There is no demonstrable evidence that crime or misdemeanors would have any higher possibility of occurring as part of the implementation of this scheme by its occupants and therefore would not give any ground to resist the proposals on this basis.

Response to Objections

Retrospective applications are able to be submitted under the main planning act. It must be noted that the risk of securing permission rests with the developer and indeed any additional controls that may be imposed by a decision maker also mean the risk rests with the developer.

It is not relevant to planning why the applicant went down the LDC route without expressing their intentions, despite the submission of the initial notice to Building Control. It is unfortunate that the developer did not liaise with the LPA in good time or indeed prior to undertaking works. However, as was demonstrated through the assessment, the initial application for 9 occupants was reduced due to available internal space and the demands 9 occupants would have upon the space available within the site. Again this demonstrates the risk that the developer chose to take.

Issues of damage during implementation to other people's property, including the party wall

are private civil matters and are otherwise controlled through the Party Wall Act 1996. This act ensures that appropriate discussions and agreements, together with notifications and the right to arbitration exist to prevent or adjudicate when issues occur. However, these matters take place away from the planning process and are for aggrieved parties to undertake their own civil recourse.

Noise and disruption experienced during implementation of a development is otherwise governed by the Environmental Protection Act. Building works ordinarily are short term and whilst some disruption may occur, there is not normally a significant concern. Nevertheless, the overriding issue is that nuisance is a matter that Environmental Health consider.

Residents have experienced low water pressure, allegedly as a result of the increased occupants of the site. This is a matter for the Water Companies to address to ensure that appropriate water provision is maintained to residential properties.

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:

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 the following plans:

Drawing no. Location plan, dated 28 May 2025,
Drawing no. HAD3912-02-01Rev. A: Existing Plans 01
Drawing no. HAD3912-02-02: Existing Plans 02
Drawing no. HAD3912-02-03: Existing Elevations 01;
Drawing no. HAD3912-02-04: Existing Elevations 02;
Drawing no. HAD3912-02-05: Existing Section;
Drawing no. HAD3912-02-06 Rev. B: Existing and Proposed Site Plans;
Drawing no. HAD3912-02-07 Rev. B: Proposed Plans 1;
Drawing no. HAD3912-02-08 Rev. A: Proposed Plans 2;
Drawing no. HAD3912-02-09 Rev. B: Proposed Elevations 01;
Drawing no. HAD3912-02-10 Rev. A: Proposed Elevations 02;
Drawing no. HAD3912-02-11 Rev. B: Proposed Section;
Drawing no. HAD3912-02-12 Rev. A: Bike and Bin Store Details; and,
Drawing no. HAD3912-02-17 Rev. B: Proposed Refuse Plan (Check REV).

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 development, pursuant to the policies of the Bury Unitary Development Plan, the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

3. The cycle and bin storage facilities indicated on the approved plans shall be made available prior to the use hereby approved commencing and maintained thereafter.

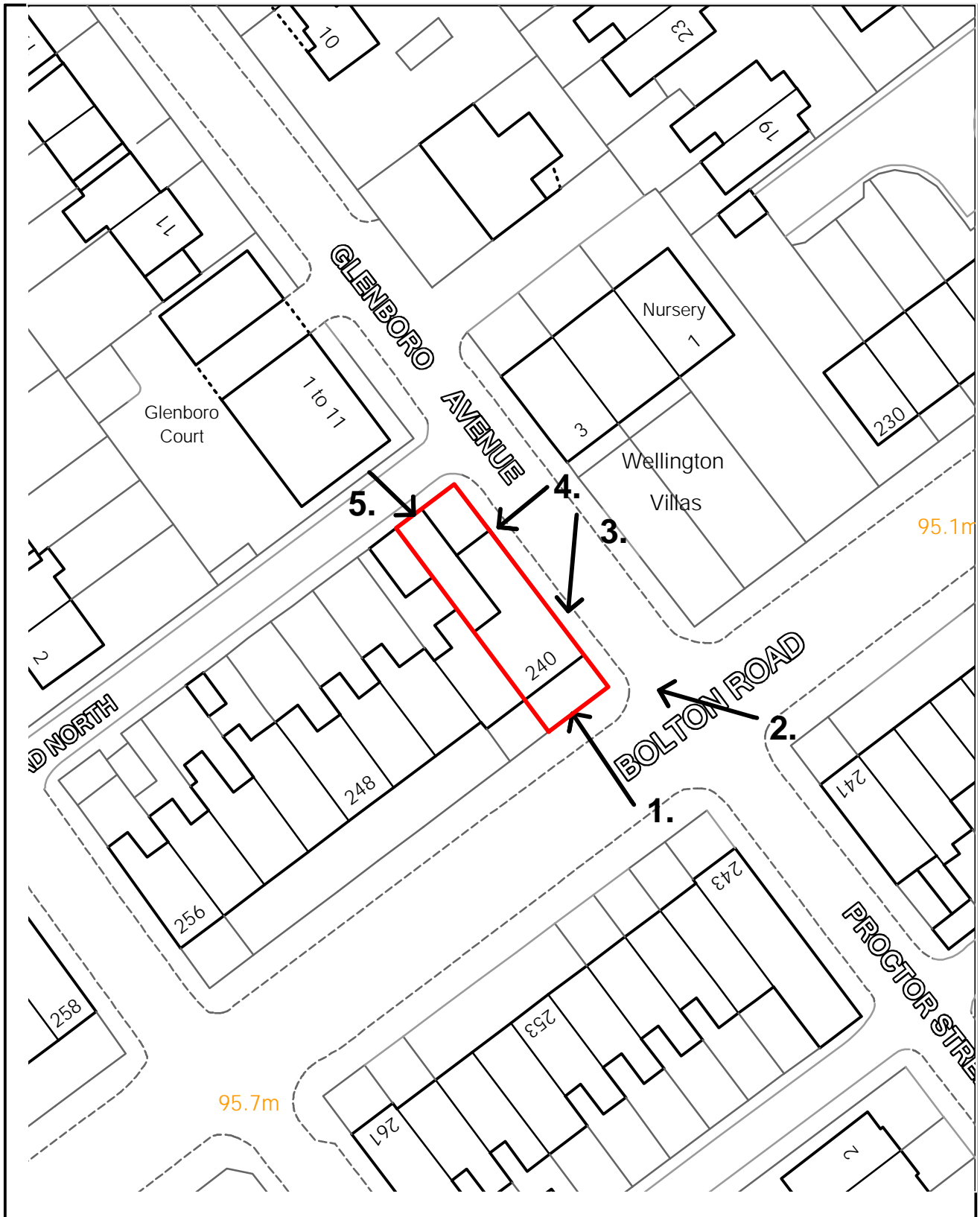
Reason. To ensure adequate cycle storage arrangements and provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway, in the interests of highway safety pursuant to Development Plan policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design, H2/4 - Conversions, JP-C5 Streets For All and JP-C6 Walking and Cycling.

4. Within 3 months of the development hereby approved, sound insulation of the party walls shall be improved in accordance with Building Regulations Approved Document E (or similar method), and thereafter maintained.

Reason. To reduce nuisance from noise to the occupiers of the adjoining dwelling pursuant to the NPPF and UDP Policy EN7/2 Noise Pollution.

For further information on the application please contact **Claire Booth** on **0161 253 5396**

Viewpoints



ADDRESS: 240 Bolton Road, Bury, BL8 2PA



Bury
Council

Planning, Environmental and Regulatory Services

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71978

Photo 1: Front Elevation – Google Street View image



Photo 2: Side Elevation – View from Bolton Road - Google Street View image



Photo 3: Gable Elevation from Glencoe Avenue



71978

Photo 4: Side of rear flat roof projection taken from Glencoe Avenue



Photo 5: Photo of rear elevation



Location Plan

Site Address: 240, Bolton Road, Bury, BL8 2PA

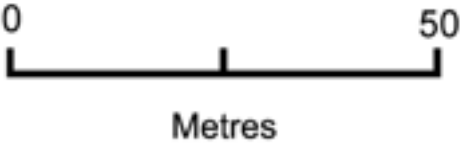


Date Produced: 28-May-2025

Scale: 1:1250 @A4



Planning Portal Reference: PP-14029524v1





Notes:
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Do not scale off the drawings, if in doubt ask.
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CDM REGULATIONS 2015
The client must abide by the Construction Design and Management Regulations 2015. The client must appoint a contractor, if more than one contractor is to be involved, the client will need to appoint (in writing) a principal designer (to plan, manage and coordinate the planning and design work) and a principal contractor (to plan, manage and coordinate the construction and ensure there are arrangements in place for managing and organising the project).

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OR
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• Support of beam
• Insertion of DPC through wall
• Raising a wall or cutting off projections
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• Underpinning
• Insertion of lead flashings
• Excavations within 3 metres of an existing structure where the new foundations will go deeper than adjoining foundations, or within 6 metres of an existing structure where the new foundations are within a 45 degree line of the adjoining foundations.
A Party Wall Agreement is to be in place prior to start of works on site.

THERMAL BRIDGING
Care shall be taken to limit the occurrence of thermal bridging in the insulation layers caused by gaps within the thermal element, (i.e. around windows and door openings). Reasonable provision shall also be made to ensure the extension is constructed to minimise unwanted air leakage through the new building fabric.

MATERIALS AND WORKMANSHIP
All works are to be carried out in a workmanlike manner. All materials and workmanship must comply with Regulation 7 of the Building Regulations, all relevant British Standards, European Standards, Agreement Certificates, Product Certification of Schemes (Kite Marks) etc. Products conforming to a European technical standard or harmonised European product should have a CE marking.

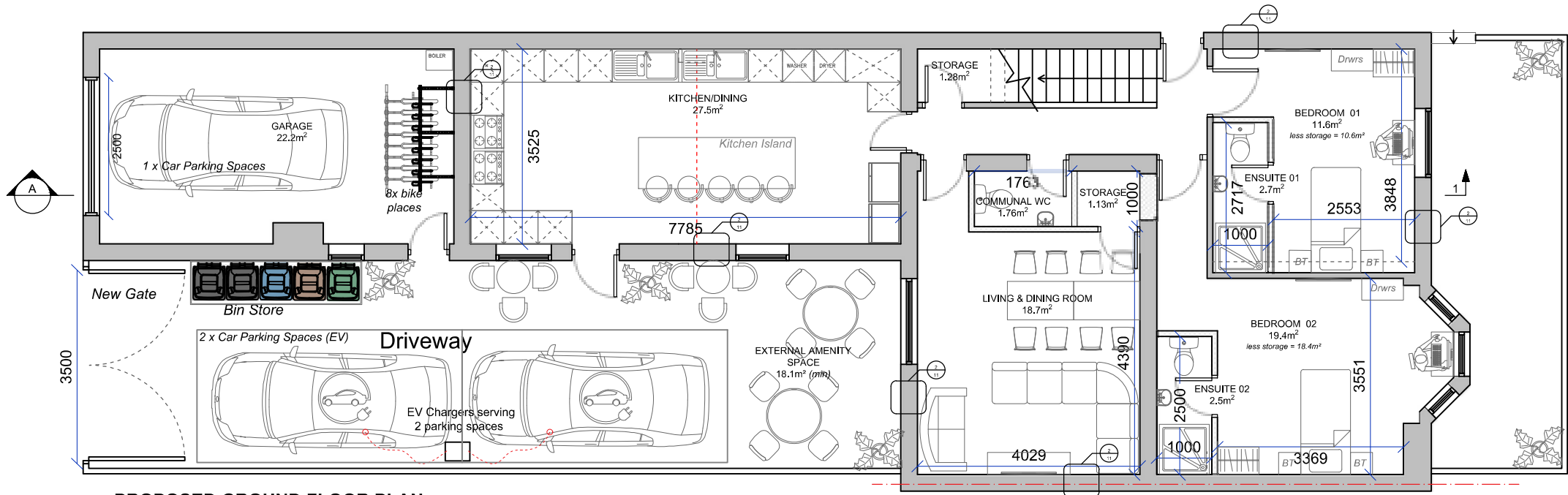
Revisions List:

a- Updated to show new external layout
b- Bikes to be stored in garage

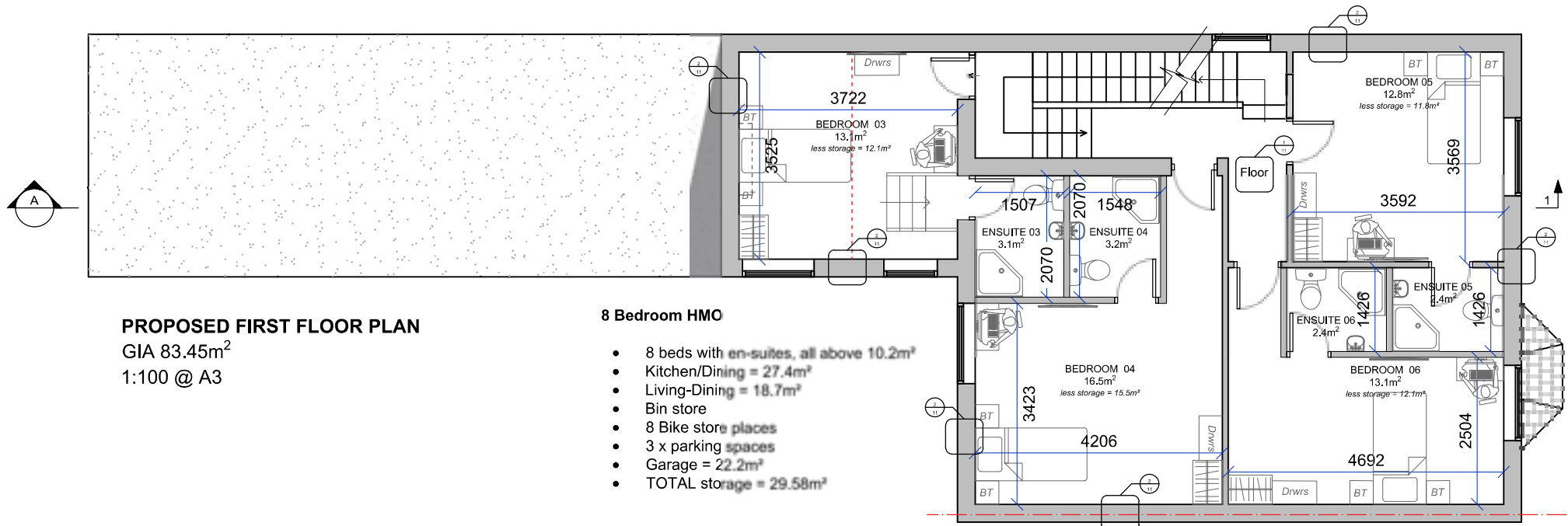
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www.hadmanchester.co.uk
0161 327 2529

Address: 240 Bolton Road,
Bury,
BL8 2PA

Title: Existing and Proposed Site Plans	Drawn: RAY
Client: James Harrison-Sherlock	Checked: NME
Date: 10-09-2025	Paper: A3
Drawing No: HAD3912-02-06	Scale: 1:200
Revision:	a b



PROPOSED GROUND FLOOR PLAN
GIA 98.67m²
1:100 @ A3



PROPOSED FIRST FLOOR PLAN
GIA 83.45m²
1:100 @ A3

8 Bedroom HMO

- 8 beds with en-suites, all above 10.2m²
- Kitchen/Dining = 27.4m²
- Living-Dining = 18.7m²
- Bin store
- 8 Bike store places
- 3 x parking spaces
- Garage = 22.2m²
- TOTAL storage = 29.58m²

Storage for each bedroom:

- Wardrobe, 750mm x 500mm = 0.375m²
- Bedside tables (x2), 400mm x 400mm = 0.32m²
- 4-drawer chest of drawers, 760mm x 400mm = 0.304m²
- **TOTAL storage each bedroom = 0.999m²**
- Requirements for single bedrooms NDSS = 0.36m²

Built in storage:

- Ground floor under stairs = 1.25m²
- Ground floor living room store = 1.13m²
- Second floor store on stairs = 2.22m²
- **TOTAL built in storage = 4.6m²**
- Requirement for 6b 8p = 4m²
- Additional eaves storage for bed 7 = 9.8m²
- Additional eaves storage for bed 8 = 7.19m²

TOTAL storage including provision for each bedroom = 29.58m²

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Revisions List:

a- Reduced scheme, revised parking, added more communal space, storage areas shown, details added.
b- Bikes stored in garage, garage door widened, external amenity area to rear yard.



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0161 327 2529

Address: 240 Bolton Road,
Bury,
BL8 2PA

Title: Proposed Plans 1

Drawn: RAY

Client: James Harrison-Sherlock

Checked: NME

Date: 10-09-2025

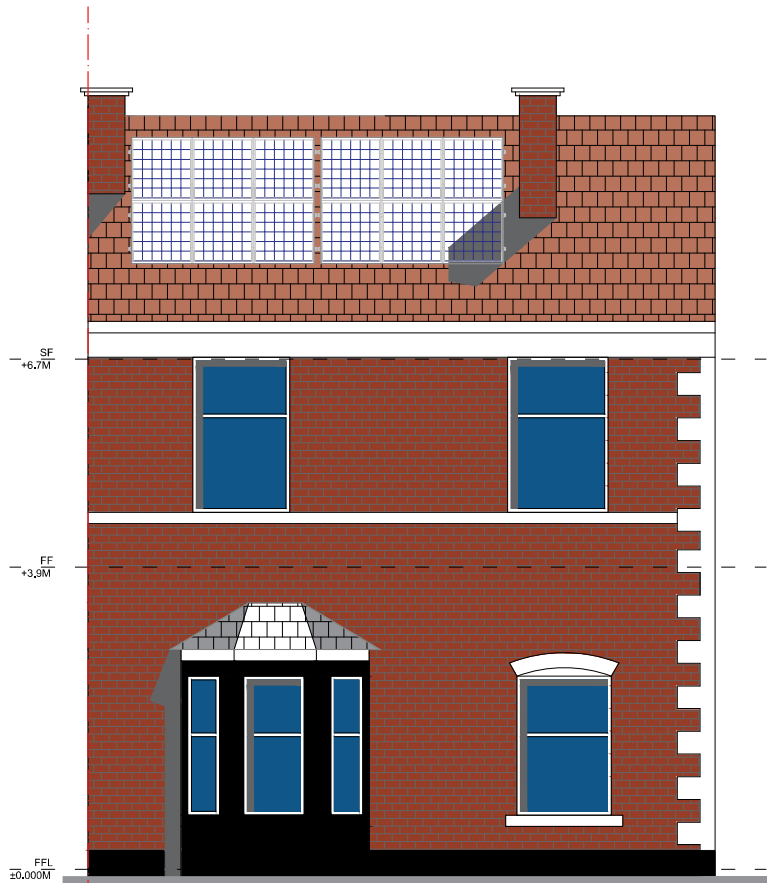
Paper: A3

Drawing No: HAD3912-02-07

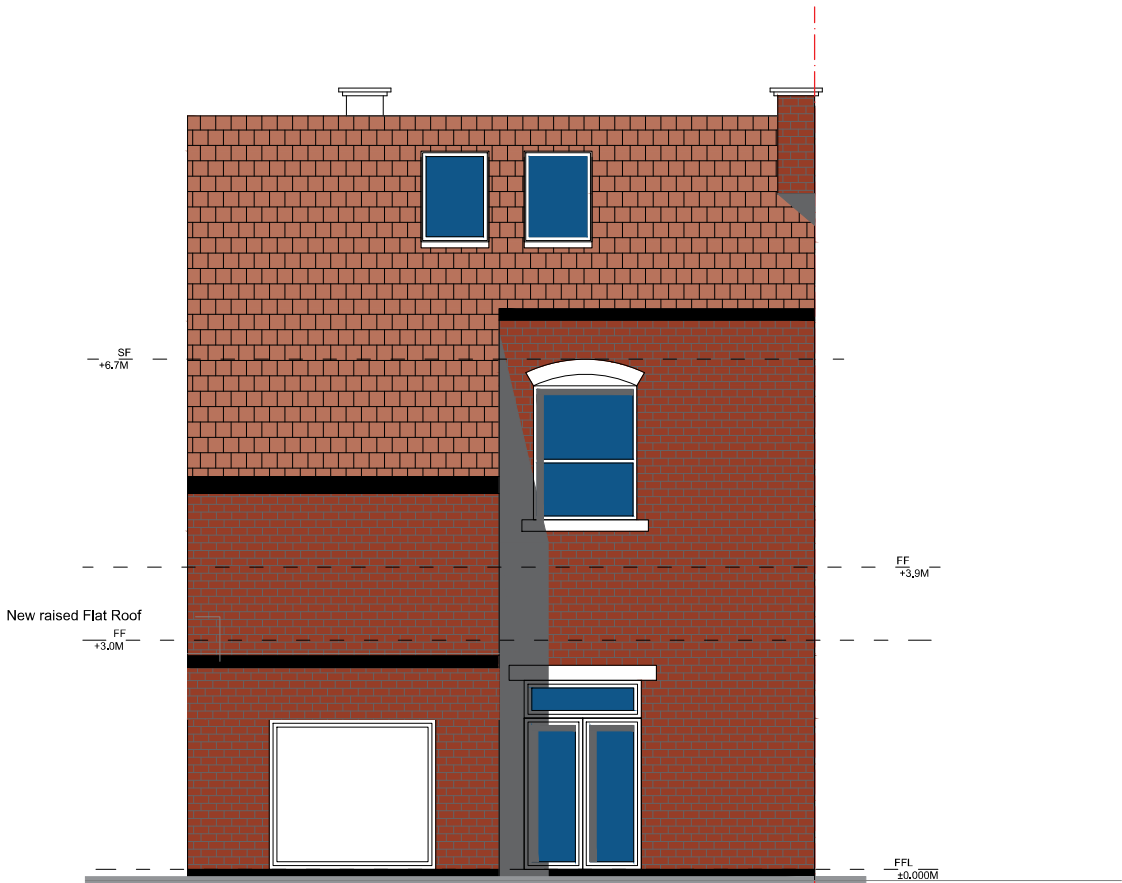
Scale: 1:100

Revision: a b





PROPOSED FRONT ELEVATION - No Changes
1:100 @ A3



PROPOSED REAR ELEVATION - Raised Garage roof
1:100 @ A3



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Revisions List:



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0161 327 2529

Address: 240 Bolton Road,
Bury,
BL8 2PA

Title: Proposed Elevations 01	Drawn: RAY
Client: James Harrison-Sherlock	Checked: NME
Date: 19-05-2025	Paper: A3
Drawing No: HAD3912-02-09	Scale: 1:100
Revision:	

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REPORT FOR NOTING

**Agenda
Item**
5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	21 October 2025
SUBJECT:	DELEGATED DECISIONS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	The report lists: Recent delegated planning decisions since the last PCC
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A
Wards Affected:	All listed
Scrutiny Interest:	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

Planning applications decided using Delegated Powers Between 21/08/2025 and 12/10/2025



Ward:

Application No.:	71673	App. Type:	CONDIS 17/09/2025	Split Decision
Location:	Saw Mills Off, Spring Street, Ramsbottom, Bury, BL0 9JQ			
Proposal:	Application to discharge conditions on planning permission 71343: 4 & 5 (contaminated land), 10 (landscaping), 12 (drainage), 13 (water main)			
Application No.:	71941	App. Type:	CONDIS 01/10/2025	Approve
Location:	Land off James Street & Alfred Street, Bury			
Proposal:	Application to discharge condition 4 on planning permission 70109: Submission of Streetworks Permit (HZ762UU6161KM01-01) signed off by Bury Highways; The permanent vehicular access arrangements incorporating inward opening gates have been implemented to the specification indicated on the approved plans: 80062003-02-GHD-092LR-99-DR-01-00030 P03 and 80062003-02-GHD-092LR-99-DR-01-00031 P03.			
Application No.:	71974	App. Type:	CONDIS 04/09/2025	Approve
Location:	Longfield Shopping Centre/Car Park & adjoining land at Bury New Road, Rectory Lane & Fairfax Road, Prestwich, Manchester, M25 5AY			
Proposal:	Application for the discharge of condition 18 (Bird Nesting and Roosting provisions), condition 22 (Highway Improvement Works) and condition 40 (Low/Zero Carbon Energy Sources) pursuant to application reference 70449			
Application No.:	72064	App. Type:	CONDIS 01/10/2025	Approve
Location:	Holcombe Brook Sports and Tennis Club, Hazel Hall Lane, Tottington, Bury, BL0 9FS			
Proposal:	Application to discharge condition 4 (works to trees or shrubs), condition 5 (Biodiversity Gain Plan) and condition 6 (Habitat Management and Monitoring Plan) and Statutory Biodiversity Gain Plan Condition on planning permission 71043			
Application No.:	72118	App. Type:	CONDIS 28/08/2025	Approve
Location:	Lowes Park Golf Club Ltd, Hill Top, Lowes Road, Bury, BL9 6QS			
Proposal:	Application to discharge condition no. 2 (Technical Approval of Highway Structures) on planning permission 71687			
Application No.:	72148	App. Type:	CONDIS 04/09/2025	Approve
Location:	Land off Victoria Avenue, Whitefield, Manchester, M45 6DP			
Proposal:	Application to discharge condition 17 (highway works) on p/p 68691			
Application No.:	72168	App. Type:	REG5 21/08/2025	Raise Objections
Location:	Junction of Sunny Bank Road & Westdale Avenue, Bury, BL9 8ES			
Proposal:	Regulation 5 notice (ref. BRY046) for removal of existing 15m high streetpole with 2No antennas and replacement with a proposed 18m high streetpole (with wraparound cabinet) accommodating 6No new antennas, 1No relocated transmission dish and ancillary development. The proposal also involves the installation of 2No equipment cabinets at ground level and ancillary equipment thereto.			

Application No.:	72170	App. Type:	REG5	26/08/2025	Raise No Objection
Location:	Highways verge at Junction 17, M60 & Hardmans Road, Whitefield, Manchester, M45 7BD				
Proposal:	Regulation 5 notification (ref.CS 13287024) of intention to remove existing 15m pole to be replaced with proposed 20m pole on new foundation: <ul style="list-style-type: none"> Existing equipment on existing pole to be removed Proposed installation of 6No. Antennas Proposed installation of 3No. ERS modules Proposed installation of 1No. 300mm dish Proposed relocation of 1No. GPS module onto new pole Proposed installation of 1No. meter cabinet Ancillary equipment as per drawings 				
Application No.:	72171	App. Type:	REG5	26/08/2025	Raise Objections
Location:	Pavement near 7 Croich Green, Tottington, Bury, BL8 4PH				
Proposal:	Regulation 5 notification of intention to install 1 new 10m medium wooden pole				
Application No.:	72172	App. Type:	REG5	21/08/2025	Raise No Objection
Location:	Grass verge before Heaton Farm, Heywood Old Road, Rochdale, Manchester, M24 4RP				
Proposal:	Regulation 5 notification of intention to install 1 no. 8m light wooden pole				
Application No.:	72177	App. Type:	REG5	26/08/2025	Raise No Objection
Location:	Fernhill streetworks, end of Hardman Street, Bury, BL9 5BJ				
Proposal:	Regulation 5 notice (ref. CS13210723) of intention to replace and reposition 20M pole supporting 6 no. antennas with 20M pole supporting 9 no. antennas, removal of 1 no. cabinet, installation of 2 no. cabinets and ancillary development thereto (revision of notification dated 01/05/2025)				
Application No.:	72182	App. Type:	CONDIS	01/09/2025	Approve
Location:	Warth Industrial Park, Warth Road, Bury, BL9 9NB				
Proposal:	Application to discharge condition 6 (bird nest survey) on planning permission 70993				
Application No.:	72194	App. Type:	CONDIS	11/09/2025	Approve
Location:	Ainsworth Nursing Home, Knowsley Road, Ainsworth, Bolton, BL2 5PT				
Proposal:	Application to discharge condition no 11 (Surface Water Sustainable Drainage Assessment) of planning permission 68661				
Application No.:	72195	App. Type:	CONDIS	19/09/2025	Approve
Location:	21 Pinfold Lane, Whitefield, Manchester, M45 7NY				
Proposal:	Application to discharge condition nos. 3 (Site Verification Report) 4 (EV charging) 8 (Bat Mitigation Licence) & 10 (Biodiversity Enhancement Scheme) of planning permission 69677				
Application No.:	72204	App. Type:	REG5	01/09/2025	Raise No Objection
Location:	Corner of Bridge Hall Lane (opposite Burger King), Bury, BL9 7PB				
Proposal:	Regulation 5 notice (ref. BRY021) of intention to install Proposed 19.0m High Phase 7.2 streetworks pole with wraparound cabinet with 3no antennas; Removal of the existing 17m High Phase 4 Monopole; Proposed 2no cabinets and ancillary development				

Application No.:	72209	App. Type:	CONDIS 01/10/2025	Approve
Location:	47 Knowsley Street, Bury, BL9 0ST			
Proposal:	Application to discharge condition 3 (sound insulation) on planning permission 71276			
Application No.:	72210	App. Type:	CONDIS 03/10/2025	Approve
Location:	Land on south east side of Milltown Street, Radcliffe, Manchester, M26 1WN			
Proposal:	Application to discharge condition 4 (construction environmental management plan - CEMP), condition 5 (construction traffic management plan - CTMP) and condition 6 (method statement for invasive species) on planning permission 67946			
Application No.:	72232	App. Type:	CONDIS 26/09/2025	Approve
Location:	15 Barwood Lea, Ramsbottom, Bury, BL0 9AX			
Proposal:	Application to discharge condition 3 (reinstatement roof slates) on planning permission 71984			
Application No.:	72242	App. Type:	CONDIS 23/09/2025	Approve
Location:	Higher House Cottage, Moor Road, Ramsbottom, Bury, BL8 4NY			
Proposal:	Application to discharge condition nos. 3 (roof material), 4 (external elevation and boundary wall materials), 5 (window frame material) and 6 (gate and door materials) on listed building consent 71823			
Application No.:	72244	App. Type:	CONDIS 23/09/2025	Split Decision
Location:	Higher House Cottage, Moor Road, Ramsbottom, Bury, BL8 4NY			
Proposal:	Application to discharge condition nos. 4 (contamination), 5 (soil materials) and 6 (roof material), 7 (external elevation and boundary wall finish), 8 (window frames materials) and 9 (gates and doors materials) on planning permission 71808			
Application No.:	72254	App. Type:	CONDIS 07/10/2025	Approve
Location:	Site of Car Time, Bell Lane, Bury, BL9 6BB			
Proposal:	Application to discharge condition 3 (contaminated land/remediation measures) and condition 9 (construction traffic management plan (CTMP)) on planning permission 70945			
Application No.:	72263	App. Type:	REG5 22/09/2025	Raise No Objection
Location:	Pavement adj Bury Elton Gas Works, Victoria Street, Bury, BL8 2SL			
Proposal:	Regulation 5 notice of intention to install 1 no. 9M medium wooden pole (ref. OGEEA2149381)			
Application No.:	72265	App. Type:	CONDIS 26/09/2025	Approve
Location:	Ferns Farm, Turton Road, Tottington, Bury, BL8 3QH			
Proposal:	Application to discharge condition 4 (construction traffic management plan (CTMP)) on planning permission 71688			
Application No.:	72266	App. Type:	CONDIS 26/09/2025	Approve
Location:	Star Academy, Spring Lane, Radcliffe, M26 2SZ			
Proposal:	Application to discharge condition 4 (Remediation Strategy Closure Statement) on planning permission 71529			
Application No.:	72267	App. Type:	REG5 08/09/2025	Raise No Objection
Location:	Pavement adj 7 Cemetery Road, Radcliffe, Manchester, M26 4FT			
Proposal:	Regulation 5 notice of intention to install 1 no. 9M light wooden pole (ref. OGEEA1963101)			

Application No.: 72279 **App. Type:** CONDIS 29/09/2025 Refused
Location: Site of former Riverside High School, School Street, Radcliffe, M23 5BW
Proposal: Application to discharge condition no. 9 (Construction and Environmental Management Plan) of planning permission 69233

Application No.: 72281 **App. Type:** CONDIS 26/09/2025 Approve
Location: Land south of Pimhole Business Park (adj Rover Roch), Alfred Street, Bury
Proposal: Application to discharge condition nos. 12-15 (Biodiversity Net Gain) of planning permission 71027

Application No.: 72369 **App. Type:** REG5 17/09/2025 Raise No Objection
Location: Land at 26 Chapel Road, Prestwich
Proposal: Regulation 5 Notice for intention to install 1 no. 9m light pole (ref. 54032)

Application No.: 72401 **App. Type:** REG5 09/10/2025 Raise No Objection
Location: Pavement at Walshaw Road, Bury
Proposal: Regulation 5 notice of intention to install GPS node on existing pole, installation of 6130 cabinet, installation of half bowler cabinet, installation of link AC cabinet and ancillary development

Ward: Bury East

Application No.: 71024 **App. Type:** FUL 17/09/2025 Approve with Conditions
Location: 28 Haymarket Street, Bury, BL9 0AY
Proposal: Replacement of timber windows at first and second floor levels with timber framed sliding sash style windows

Application No.: 71927 **App. Type:** FUL 09/10/2025 Refused
Location: 1 The Rock, Bury, BL9 0JP
Proposal: Change of use of basement, rear of ground floor and 1st/2nd/3rd/4th floors from commercial (Class E) to 10 no. self-contained flats with external alterations

Application No.: 71928 **App. Type:** LBC 09/10/2025 Refused
Location: 1 The Rock, Bury, BL9 0JP
Proposal: Listed building consent for change of use of basement, rear of ground floor and 1st/2nd/3rd/4th floors from commercial (Class E) to 10 no. self-contained flats with external alterations

Application No.: 71997 **App. Type:** ADV 09/09/2025 Approve
Location: 29-33 The Rock, Bury, BL9 0JP
Proposal: Internally Illuminated ATM and MFD external Collars

Application No.: 72017 **App. Type:** FUL 19/09/2025 Approve with Conditions
Location: Angouleme Way, Bury, BL9 0EL
Proposal: Erection of access staircase between Angouleme Way underpass and Metrolink platform for a temporary period of 3 years.

Application No.:	72044	App. Type:	FUL	23/09/2025	Approve with Conditions
Location:	Metrolink car park, Haymarket Street, Bury, BL9 0AY				
Proposal:	Erection of site office and welfare compound; 2 no. smoking shelters; 2.4m high hoarding for a temporary period of 3 years				
Application No.:	72103	App. Type:	FUL	05/09/2025	Approve with Conditions
Location:	First Floor, 18 Bolton Street, Bury, BL9 0LQ				
Proposal:	Change of use from Class E (professional services) to Class F1 (learning and no-residential educational institutions)				
Application No.:	72116	App. Type:	FUL	03/10/2025	Approve with Conditions
Location:	The Art Picture House, Haymarket Street, Bury, BL9 0AY				
Proposal:	Installation of 5 additional condensers and two grilles to the rear elevation				
Application No.:	72133	App. Type:	LDCP	05/09/2025	Lawful Development
Location:	459 Rochdale Old Road, Bury, BL9 7TB				
Proposal:	Lawful development certificate for proposed loft conversion including dormer window to rear elevation, roof lights to front elevation and change of use from Dwellinghouse (C3) to 6 person HMO (C4)				
Application No.:	72144	App. Type:	LDCP	29/08/2025	Lawful Development
Location:	108 Rochdale Old Road, Bury, BL9 7LR				
Proposal:	Lawful development certificate for proposed conversion of dwelling into HMO				
Application No.:	72165	App. Type:	FUL	05/09/2025	Approve with Conditions
Location:	Pyramid Park, Market Street, Bury, BL9 0BG				
Proposal:	Variation of the approved Habitat Management and Monitoring Plan (HMMP) associated with the Biodiversity Gain Plan (BGP) condition				
Application No.:	72167	App. Type:	P3JPA	03/10/2025	Prior Approval Required and Granted
Location:	14-16 Bolton Street, Bury, BL9 0LQ				
Proposal:	Prior approval for change of use of existing first and second floors from (Class E) into residential use (Class C3) (7 no. apartments in total)				
Application No.:	72169	App. Type:	P3JPA	09/09/2025	Prior Approval Required and Granted
Location:	First floor, 60 Bolton Street, Bury, BL9 0LL				
Proposal:	Prior approval for proposed change of use from first floor office (Class E) to 1 no. flat (Class C3)				
Application No.:	72187	App. Type:	FUL	03/09/2025	Approve with Conditions
Location:	64-66 The Rock, Bury, BL9 0PB				
Proposal:	Alterations to existing shop front to include the removal of the timber effect slats, installation of a new fascia panel and the redecoration of window frames and door.				
Application No.:	72188	App. Type:	ADV	03/09/2025	Approve with Conditions
Location:	64-66 The Rock, Bury, BL9 0PB				
Proposal:	1 no. internally illuminated fascia sign with 1 no. yellow internally illuminated golden underscore and the redecoration of the existing projecting sign.				

Application No.: 72269 **App. Type:** LDCP 02/10/2025 Lawful Development
Location: 10 Irwell Street, Bury, BL9 0HE
Proposal: Lawful development certificate for proposed change of use from C3 dwelling, to maximum 6 person HMO C4 use, with Loft Conversion including Dormer Extension to Rear Elevation and Roof Lights to Front Elevation.

Application No.: 72322 **App. Type:** ADV 09/10/2025 Approve with Conditions
Location: 24 Central Street, Bury, BL9 0JN
Proposal: Front-lit box letters logo to shopfront; Internally illuminated replacement sign to existing projecting sign housing; Internally illuminated lightbox mounted to internal display window wall behind shopfront (high level); Internally illuminated digital display screen (behind shopfront)

Ward: **Bury East - Moorside**

Application No.: 72031 **App. Type:** FUL 22/08/2025 Approve with Conditions
Location: Pavement adjacent to car park in front of 174-176 Walmersley Road, Bury, BL9 6LL
Proposal: Installation of 1 no. BT Street Hub Unit with 2 no. digital 75 inch LCD display screens either side of unit and relocation of existing phone kiosks

Application No.: 72032 **App. Type:** ADV 22/08/2025 Approve with Conditions
Location: Pavement adjacent to car park in front of 174-176 Walmersley Road, Bury, BL9 6LL
Proposal: Advertisement consent for 2 no. digital 75 inch LCD display screens either side of 1 no. BT street hub unit

Application No.: 72121 **App. Type:** FUL 26/08/2025 Approve with Conditions
Location: 75 Fairlands Road, Bury, BL9 6QB
Proposal: Single storey extension at side/rear; Replacement 1.8M high fence/gates at side/rear

Application No.: 72203 **App. Type:** LDCP 02/10/2025 Lawful Development
Location: 23 Monmouth Avenue, Bury, BL9 5DU
Proposal: Lawful development certificate for proposed change of use from 2 no. flats to 1 no. dwelling

Application No.: 72251 **App. Type:** FUL 25/09/2025 Approve with Conditions
Location: 2 Beech Grove Close, Bury, BL9 6ES
Proposal: Single storey rear extension and front porch

Ward: **Bury East - Redvales**

Application No.: 72075 **App. Type:** FUL 27/08/2025 Approve with Conditions
Location: 1 Wiltshire Close, Bury, BL9 9EY
Proposal: Side extension; Single storey rear extension; Loft conversion with front & rear dormers; Relocation of main entrance to front elevation; Front porch & canopy; Bay windows to front elevation; Relocation of vehicular access to side/rear

Application No.:	72101	App. Type:	FUL	08/09/2025	Approve with Conditions
Location:	21 Devon Street, Bury, BL9 9BN				
Proposal:	Single storey extension at the rear; rear dormer extension and 2 no. roof lights to front elevation				
Application No.:	72113	App. Type:	GPDE	04/09/2025	Prior Approval Required & Granted - Ext
Location:	74 Gigg Lane, Bury, BL9 9HU				
Proposal:	Prior approval for proposed single storey rear extension				
Application No.:	72181	App. Type:	LDCP	04/09/2025	Lawful Development
Location:	44 Manchester Road, Bury, BL9 0SX				
Proposal:	Lawful development certificate for proposed change of use from C3 dwelling, to 6 bed, 6 person HMO C4 use, with internal works and new velux roof lights to front and rear				
Application No.:	72246	App. Type:	FUL	22/09/2025	Approve with Conditions
Location:	3 Kent Drive, Bury, BL9 9DL				
Proposal:	Front porch and single storey / two storey extension at rear				
Application No.:	72249	App. Type:	CONDIS	07/10/2025	Approve
Location:	Land south of Pimhole Business Park, adjacent to the River Roch				
Proposal:	Application to discharge condition nos. 8 (land contamination) and 11 (access arrangements) on planning permission 71027				
Application No.:	72252	App. Type:	FUL	25/09/2025	Approve with Conditions
Location:	42 Wellington Road, Bury, BL9 9BQ				
Proposal:	Part single/part two storey rear extension.				

Ward: Bury West

Application No.:	72062	App. Type:	FUL	29/08/2025	Approve with Conditions
Location:	116 Ainsworth Road, Bury, BL8 2RX				
Proposal:	Single storey rear extension				
Application No.:	72072	App. Type:	FUL	29/08/2025	Approve with Conditions
Location:	Sullivan Works, Wood Street, Bury, BL8 2SL				
Proposal:	Over cladding of an existing mono pitch asbestos roof to rear and replacement of existing slated roof to front				
Application No.:	72145	App. Type:	FUL	04/09/2025	Approve with Conditions
Location:	289 Ainsworth Road, Bury, BL8 2LS				
Proposal:	Two storey side extension; single storey front and rear extensions and extension of existing vehicular access and driveway				
Application No.:	72299	App. Type:	FUL	02/10/2025	Approve with Conditions
Location:	2 Winmarleigh Close, Bury, BL8 2TA				
Proposal:	Two storey side extension				

Application No.:	72302	App. Type:	FUL	09/10/2025	Approve with Conditions
Location:	12 Abbey Drive, Bury, BL8 2HP				
Proposal:	First floor side extension				

Ward: **Bury West - Elton**

Application No.:	71608	App. Type:	FUL	27/08/2025	Approve with Conditions
Location:	12 Holbeach Close, Bury, BL8 1XA				
Proposal:	Single storey extension at side/rear				

Application No.:	71952	App. Type:	FUL	21/08/2025	Approve with Conditions
Location:	1 Rudgwick Drive, Bury, BL8 1YA				
Proposal:	Single storey side and rear extension, including raising of eaves and ridge heights; side dormers; demolition of existing garage at side and erection of single storey outbuilding at rear				

Application No.:	72176	App. Type:	FUL	01/09/2025	Approve with Conditions
Location:	96 Scholes Street, Bury, BL8 2RA				
Proposal:	Demolition of part rear single storey extension				

Application No.:	72199	App. Type:	FUL	11/09/2025	Approve with Conditions
Location:	31 Rudgwick Drive, Bury, BL8 1YA				
Proposal:	First floor front extension and external alterations				

Application No.:	72261	App. Type:	GPDE	26/09/2025	Prior Approval Not Required - Extension
Location:	378 Brandlesholme Road, Bury, BL8 1HJ				
Proposal:	Prior approval for proposed single storey rear extension				

Application No.:	72296	App. Type:	FUL	07/10/2025	Approve with Conditions
Location:	12 Springside View, Bury, BL8 4LU				
Proposal:	Single storey front extension, first floor side extension over existing garage with conversion of garage to living accommodation; Addition of render finishes and cladding to external elevations				

Ward: **North Manor**

Application No.:	71217	App. Type:	FUL	03/09/2025	Approve with Conditions
Location:	Bassfield Farm, Manchester Road, Ramsbottom, Bury, BL9 5LY				
Proposal:	Change of use of building from storage to residential				

Application No.:	71552	App. Type:	FUL	11/09/2025	Approve with Conditions
Location:	15 Brooklands Road, Ramsbottom, Bury, BL0 9SW				
Proposal:	Variation of Conditions 2 (approved plans) 3 (Materials) and 5 (parking arrangements) of planning permission 68279 - To take account of the revised drawings showing the elevational treatment and parking arrangements				

Application No.:	71746	App. Type:	FUL	08/09/2025	Approve with Conditions
Location:	Miller & Carter, Brandlesholme Road, Tottington, Bury, BL8 4DS				
Proposal:	Installation of roof mounted 43.23kW solar PV system comprising of 95 x Canadian Solar 455w modules				
Application No.:	71827	App. Type:	FUL	17/09/2025	Approve with Conditions
Location:	2A Beech Grove, Tottington, Bury, BL8 4DY				
Proposal:	Single storey side extension				
Application No.:	71922	App. Type:	FUL	01/09/2025	Approve with Conditions
Location:	Falshaws Farm, Rowlands Road, Bury, BL9 5LJ				
Proposal:	Construction of a lined earth bank slurry lagoon and installation of a slurry separator				
Application No.:	72056	App. Type:	LDCP	21/08/2025	Lawful Development
Location:	125 Mather Road, Bury, BL9 6SL				
Proposal:	Lawful development certificate for proposed single storey extension to the rear				
Application No.:	72136	App. Type:	FUL	28/08/2025	Approve with Conditions
Location:	7 St Austell Drive, Tottington, Bury, BL8 4EY				
Proposal:	Variation of condition 2 (approved drawings) and 3 (approved materials) of planning permission 71837 to allow for a pitched roof on the rear dormer and replace the proposed render finish on both front and rear dormer with tile hanging				
Application No.:	72211	App. Type:	FUL	07/10/2025	Approve with Conditions
Location:	1 Kimble Close, Tottington, Bury, BL8 4QQ				
Proposal:	Two storey extension at side				
Application No.:	72213	App. Type:	LDCP	16/09/2025	Lawful Development
Location:	188 Railway Street, Summerseat, Ramsbottom, Bury, BL9 5QB				
Proposal:	Lawful development certificate for proposed single storey rear extension - following existing roof to outbuilding				
Application No.:	72239	App. Type:	GPDE	26/09/2025	Prior Approval Not Required - Extension
Location:	514 Holcombe Road, Ramsbottom, Bury, BL8 4EJ				
Proposal:	Prior approval for proposed single storey rear extension				
Application No.:	72255	App. Type:	FUL	29/09/2025	Approve with Conditions
Location:	2 Kimble Close, Tottington, Bury, BL8 4QQ				
Proposal:	First floor extensions at front and rear; External alterations to include render and cladding to external elevations				
Application No.:	72259	App. Type:	PIP	01/10/2025	Refused
Location:	Land on south side of Bolton Road, Hawkshaw, BL8 4JF				
Proposal:	Application for permission in principle for residential development of between 4 and 7 dwellings				

Application No.:	72277	App. Type:	FUL	09/10/2025	Approve with Conditions
Location:	14 Hillstone Close, Tottington, Bury, BL8 4EZ				
Proposal:	Single storey rear extension; Front porch				
Application No.:	72286	App. Type:	FUL	10/10/2025	Refused
Location:	6 Tor Avenue, Tottington, Bury, BL8 4HG				
Proposal:	Increase wall height of front boundary wall to maximum 2.8m high and installation of new gates to driveway				
Application No.:	72290	App. Type:	FUL	01/10/2025	Approve with Conditions
Location:	1A Rowlands Road, Summerseat, Ramsbottom, Bury, BL9 5NF				
Proposal:	Single storey extension at front/side and two storey rear extension; Replacement/alteration to existing windows/doors, rendering of existing dwelling and replacement of existing gate				

Ward: Prestwich - Holyrood

Application No.:	71907	App. Type:	FUL	05/09/2025	Approve with Conditions
Location:	10 Penrith Avenue, Whitefield, Manchester, M45 6UJ				
Proposal:	Removal of conservatory and erection of single storey extension at side/rear; Conversion of existing garage to living accommodation				
Application No.:	72057	App. Type:	FUL	26/08/2025	Approve with Conditions
Location:	1 Pine Grove, Prestwich, Manchester, M25 3DR				
Proposal:	Raising of roof ridge height with hip to gable roof extension, loft conversion and rear dormer				
Application No.:	72131	App. Type:	FUL	12/09/2025	Approve with Conditions
Location:	4 Peveril Close, Whitefield, Manchester, M45 6NR				
Proposal:	Two storey extension at side/rear and single storey rear extension with roof alterations; Replacement front porch				
Application No.:	72141	App. Type:	FUL	23/09/2025	Approve with Conditions
Location:	27 Oaklands Drive, Prestwich, Manchester, M25 1LJ				
Proposal:	Replace flat roof with a pitch roof on existing side extension; single storey rear extension and front porch				
Application No.:	72142	App. Type:	FUL	28/08/2025	Approve with Conditions
Location:	39 Simister Lane, Prestwich, Manchester, M25 2SU				
Proposal:	Variation of condition 2 (approved drawings) of planning permission 64576 - To Breedon anthracite smooth concrete tile & Cladco black dormer cladding				
Application No.:	72150	App. Type:	FUL	11/09/2025	Approve with Conditions
Location:	4 Croft Avenue, Prestwich, Manchester, M25 2SE				
Proposal:	Single storey front extension				
Application No.:	72189	App. Type:	FUL	26/09/2025	Approve with Conditions
Location:	209 Heywood Road, Prestwich, Manchester, M25 2QH				
Proposal:	Single storey rear extension; 1.8m fence to side elevations				

Application No.: 72192 **App. Type:** FUL 19/09/2025 Approve with Conditions
Location: 20 Nursery Road, Prestwich, Manchester, M25 3DG
Proposal: Demolition of a single storey rear extension and conservatory; Two storey rear extension

Application No.: 72223 **App. Type:** FUL 11/09/2025 Approve with Conditions
Location: 15 Guest Road, Prestwich, Manchester, M25 3DJ
Proposal: Single storey rear pitch roof to flat roof with parapet wall

Ward: **Prestwich - Sedgley**

Application No.: 71572 **App. Type:** FUL 29/08/2025 Refused
Location: 15 Bishops Road, Prestwich, Manchester, M25 0HT
Proposal: Loft conversion with raised ridge and front and rear dormers

Application No.: 71800 **App. Type:** FUL 01/10/2025 Refused
Location: 299 Middleton Road, Manchester, M8 4LY
Proposal: Demolition of existing dwelling and erection of 1 no. replacement dwelling

Application No.: 71967 **App. Type:** FUL 09/09/2025 Approve with Conditions
Location: 8 Chandos Road, Prestwich, Manchester, M25 9WW
Proposal: Single storey front extension; Single storey extension at side and rear; Hip to gable roof extension with loft conversion and dormer extensions at front and rear

Application No.: 72001 **App. Type:** FUL 03/09/2025 Approve with Conditions
Location: 6 Hardman Avenue, Prestwich, Manchester, M25 0HB
Proposal: Loft conversion with rear dormer and 2 no. front dormers

Application No.: 72013 **App. Type:** FUL 25/09/2025 Approve with Conditions
Location: 106 Kings Road, Prestwich, Manchester, M25 0FY
Proposal: Proposed side extension; proposed front porch; proposed first floor rear extension; pitched roof above existing first floor flat roof; alterations to the front and side window arrangements.

Application No.: 72018 **App. Type:** FUL 01/09/2025 Approve with Conditions
Location: 3 Blackburn Street, Prestwich, Manchester, M25 1FT
Proposal: Single storey rear extension

Application No.: 72097 **App. Type:** FUL 01/10/2025 Refused
Location: 27 Bury New Road, Prestwich, Manchester, M25 9JY
Proposal: Retrospective application for a freestanding pergola to the front of the restaurant, used as an outdoor dining area ancillary to the existing Class E use.

Application No.: 72099 **App. Type:** FUL 03/10/2025 Approve with Conditions
Location: 86/88 Kings Road, Prestwich, Manchester, M25 0FY

Proposal: Single storey extension at rear (86 Kings Road); first floor extension at rear (88 Kings Road); extension to existing retaining wall at rear (86 Kings Road); new roof to existing single storey rear extension (88 Kings Road) and new fencing at front, sides and rear (86/88 Kings Road)

Application No.: 72114 **App. Type:** FUL 01/09/2025 Approve with Conditions
Location: 64 Park Road, Prestwich, Manchester, M25 0FA

Proposal: Single storey side & rear extensions and loft conversion with rear dormer along with internal and external alterations

Application No.: 72173 **App. Type:** GPDE 05/09/2025 Prior Approval Not Required - Extension
Location: 1 Mowbray Avenue, Prestwich, Manchester, M25 0LP

Proposal: Prior approval for proposed single storey rear extension

Application No.: 72183 **App. Type:** FUL 11/09/2025 Approve with Conditions
Location: 6 Hilton Crescent, Prestwich, Manchester, M25 9NQ

Proposal: Single storey side extension with steps to garden level; Dormer at rear

Application No.: 72191 **App. Type:** FUL 04/09/2025 Approve with Conditions
Location: 24 Brookfield, Prestwich, Manchester, M25 1EL

Proposal: Two storey/single storey rear/side extensions

Application No.: 72275 **App. Type:** FUL 26/09/2025 Approve with Conditions
Location: 12 Windsor Road, Prestwich, Manchester, M25 0DZ

Proposal: Front porch

Ward: **Prestwich - St Mary's**

Application No.: 71973 **App. Type:** FUL 10/09/2025 Approve with Conditions
Location: 142 & 144 Butterstile Lane, Prestwich, Manchester, M25 9TJ

Proposal: Conversion of 2 no. shops into 1 no. shop; alterations to shop front; new window / door and external staircase at rear for first floor access.

Application No.: 71982 **App. Type:** FUL 01/10/2025 Refused
Location: Land adjacent to 49 Rainsough Brow, Prestwich, Manchester, M25 9XW

Proposal: Erection of a two storey mixed use development consisting of 1 no. shop (Class E) on the ground floor and 1 no. apartment on first floor (Class C3) and associated car parking, landscaping and boundary treatment

Application No.: 72125 **App. Type:** LDCP 10/09/2025 Lawful Development
Location: 102 Gardner Road, Prestwich, Manchester, M25 3JE

Proposal: Lawful development certificate for proposed replacement of pitched roof with flat roof on existing rear extension

Application No.: 72152 **App. Type:** LDCP 04/09/2025 Lawful Development
Location: 71 Agcroft Road West, Prestwich, Manchester, M25 9RF

Proposal: Lawful development certificate for proposed - Demolish existing garage, remove existing front porch, remove rear bay window and construction of single storey side extension and alterations to fenestrations

Application No.: 72198 **App. Type:** FUL 26/09/2025 Approve with Conditions
Location: 5 Woodward Road, Prestwich, Manchester, M25 9TX
Proposal: Removal of existing garage and erection of single storey extension at side/rear

Application No.: 72245 **App. Type:** FUL 18/09/2025 Approve with Conditions
Location: 30 Sandy Lane, Prestwich, Manchester, M25 9NA
Proposal: Two storey side extension and and single storey rear extension

Application No.: 72276 **App. Type:** FUL 29/09/2025 Approve with Conditions
Location: 55 Gardner Road, Prestwich, Manchester, M25 3HX
Proposal: Single storey rear extension

Application No.: 72303 **App. Type:** FUL 07/10/2025 Approve with Conditions
Location: 71 Agecroft Road West, Prestwich, Manchester, M25 9RF
Proposal: Remove existing garage/front porch/rear bay window and construction of single storey side extension; Alterations to fenestrations including insulation/replacement of all windows and render to all external elevations

Ward: Radcliffe - East

Application No.: 71000 **App. Type:** FUL 18/09/2025 Approve with Conditions
Location: Eton Business Park, Eton Hill Road, Radcliffe
Proposal: Erection of 17 no. small light industrial units (Class B2) with associated servicing and car parking

Application No.: 71145 **App. Type:** FUL 04/09/2025 Approve with Conditions
Location: Champion Mouldings Ltd, Eton Hill Industrial Estate, Eton Way South, Radcliffe, Bury, M26 2ZT
Proposal: Erection of a surface-mounted ancillary storage building anchored to existing hardstanding; render to existing brick office building and expansion of car parking.

Application No.: 71563 **App. Type:** FUL 18/09/2025 Approve with Conditions
Location: Site of Whittaker House, Whittaker Street, Radcliffe, Manchester, M26 2TD
Proposal: Variation of condition nos. 1, 14, 15 and 16 of planning permission 63805 in accordance with revised drawings submitted.

Application No.: 71812 **App. Type:** FUL 19/09/2025 Approve with Conditions
Location: Station Works, Bury Road, Radcliffe, Manchester, M26 2UA
Proposal: Variation of condition no. 12 following approval of planning permission 69463 - To change the wording for the foul and surface water drainage at the site

Application No.: 72054 **App. Type:** FUL 19/09/2025 Refused
Location: Land off Brookbottom Road, Radcliffe, Manchester, M26 4HX
Proposal: Demolition of 2 no. Stable Blocks; Erection of 5 no. Dwellings and a Stable Building

Application No.: 72119 **App. Type:** FUL 26/08/2025 Approve with Conditions
Location: 19 Davenport Avenue, Radcliffe, Manchester, M26 4HS
Proposal: Single storey extension at side

Application No.: 72258 **App. Type:** FUL 03/10/2025 Approve with Conditions
Location: 78-80 Church Street West, Radcliffe, Manchester, M26 2SY
Proposal: External works to existing fenestration and demolition of single storey rear extension

Ward: Radcliffe - North and Ainsworth

Application No.: 71846 **App. Type:** LDCP 18/09/2025 Lawful Development
Location: Unit 34, Bradley Fold Road, Radcliffe, Bolton, BL2 6RS
Proposal: Lawful development certificate for proposed development of yard area for the provision of temporary material storage bays using movable concrete 'lego' blocks.

Application No.: 71955 **App. Type:** FUL 21/08/2025 Approve with Conditions
Location: 27 Knowsley Road, Ainsworth, Radcliffe, Bolton, BL2 5PY
Proposal: First floor extension at side and garage conversion

Application No.: 71988 **App. Type:** FUL 23/09/2025 Approve with Conditions
Location: 1 Pendennis Close, Radcliffe, Manchester, M26 3UH
Proposal: Single storey front extension

Application No.: 71991 **App. Type:** FUL 18/09/2025 Approve with Conditions
Location: 56 Starling Road, Radcliffe, Manchester, M26 4LN
Proposal: Demolition of existing double garage; Single storey rear extension

Application No.: 72138 **App. Type:** LDCP 03/09/2025 Lawful Development
Location: 179 Turks Road, Radcliffe, Manchester, M26 3WW
Proposal: Lawful development certificate for proposed single storey rear extension

Application No.: 72196 **App. Type:** FUL 26/09/2025 Approve with Conditions
Location: 139 Turks Road, Radcliffe, Manchester, M26 3WW
Proposal: Single storey rear/side extension

Application No.: 72205 **App. Type:** GPDE 09/09/2025 Prior Approval Not Required - Extension
Location: 125 Starling Road, Bury, BL8 2HF
Proposal: Prior approval for proposed single storey rear extension

Ward: Radcliffe - West

Application No.: 72140 **App. Type:** LDCP 11/09/2025 Lawful Development
Location: 165-167 Stand Lane, Radcliffe, Manchester, M26 1JR
Proposal: Lawful development certificate for proposed change of use from Indoor sports to Shop & storage (Class E)

Application No.: 72287 **App. Type:** FUL 03/10/2025 Approve with Conditions
Location: 61 Coronation Road, Radcliffe, Manchester, M26 3RA
Proposal: Demolition of existing rear outbuilding and erection of two storey extension at side and single storey extension at rear

Application No.: 72297 **App. Type:** FUL 26/09/2025 Approve with Conditions
Location: 21 Wolsey Street, Radcliffe, Manchester, M26 3AS
Proposal: Single Storey Rear Extension; Chimney Removal

Ward: Ramsbottom

Application No.: 71705 **App. Type:** FUL 10/09/2025 Approve with Conditions
Location: 46-48 Bolton Street, Ramsbottom, Bury, BL0 9HX
Proposal: Proposed new air conditioning condenser unit to side elevation; alterations to shop front and installation of louvres to the rear elevation.

Application No.: 71706 **App. Type:** ADV 10/09/2025 Approve with Conditions
Location: 46-48 Bolton Street, Ramsbottom, Bury, BL0 9HX
Proposal: 1no. externally illuminated fascia sign and 1no. externally illuminated projecting sign

Application No.: 71914 **App. Type:** FUL 12/09/2025 Approve with Conditions
Location: 47 Dundee Lane, Ramsbottom, Bury, BL0 9HL
Proposal: Demolition of conservatory; single storey rear extension; Side dormer

Application No.: 71949 **App. Type:** FUL 26/09/2025 Refused
Location: Bast House Cottage, 335 Manchester Road, Ramsbottom, Bury, BL9 5LZ
Proposal: Replace existing windows with UPVC woodgrain windows; change window to ground floor front & side elevation to glazed door, addition of window to first floor rear elevation and increase size of window to existing ground floor rear elevation. Upgrade house insulation to improve thermal performance which will need side gable recessed bay to be insulated and rendered white externally

Application No.: 71950 **App. Type:** LBC 26/09/2025 Refused
Location: Bast House Cottage, 335 Manchester Road, Ramsbottom, Bury, BL9 5LZ
Proposal: Listed Building Consent to replace existing windows ; change window to ground floor front & side elevation to glazed door, addition of window to first floor rear elevation and increase size of window to existing ground floor rear elevation. Upgrade house insulation to improve thermal performance which will need side gable recessed bay to be insulated and rendered white externally

Application No.: 72026 **App. Type:** FUL 10/09/2025 Approve with Conditions
Location: Brook Bottom Farm, Bury Old Road, Shuttleworth, Ramsbottom, Bury, BL0 0RZ
Proposal: Change of use of dwelling (Class C3) to 5 no. holiday let units

Application No.: 72027 **App. Type:** FUL 10/09/2025 Approve with Conditions
Location: Brook Bottom Farm, Bury Old Road, Shuttleworth, Ramsbottom, Bury, BL0 0RZ
Proposal: Detached holiday let unit, hydrotherapy pod & 2 no. hot tubs

Application No.:	72076	App. Type:	PIAPA	01/09/2025	Prior Approval Required and Granted
Location:	83 Bolton Street, Ramsbottom, Bury, BL0 9HY				
Proposal:	Prior approval for change of use building from commercial (Class E) to 1no. dwellinghouse (Class C3)				
Application No.:	72081	App. Type:	FUL	29/08/2025	Refused
Location:	Unit, 1-2 Halter Inn Works, 11 Redisher Croft, Ramsbottom, Bury, BL0 9SA				
Proposal:	Variation of condition no. 2 of planning permission 69702 (Demolition of existing industrial buildings and erection of 3 no. detached dwellings): alterations to the design and size of the proposed dwellings to increase internal floor area; balcony at first floor; roof amended and gables increased and changes to fenestration				
Application No.:	72100	App. Type:	FUL	22/09/2025	Refused
Location:	The White Rabbit, 13 Peel Brow, Ramsbottom, Bury, BL0 0AA				
Proposal:	Retention of timber outbuildings for use as outdoor bar/seating areas and pizza bar				
Application No.:	72111	App. Type:	FUL	01/09/2025	Approve with Conditions
Location:	9 Bolton Road West, Ramsbottom, Bury, BL0 9NA				
Proposal:	Change of use from restaurant (Class E(b)) to coffee shop/hot food takeaway (Sui Generis) and installation of flue to the rear elevation.				
Application No.:	72257	App. Type:	LDCP	23/09/2025	Lawful Development
Location:	20 Stanford Hall Crescent, Ramsbottom, Bury, BL0 9FD				
Proposal:	Lawful development certificate for proposed single storey rear extension and porch				
Application No.:	72280	App. Type:	LDCP	02/10/2025	Lawful Development
Location:	8 Stanford Hall Crescent, Ramsbottom, Bury, BL0 9FD				
Proposal:	Lawful development certificate for proposed single storey rear extension on domestic dwelling under PD rights				

Ward: Tottington

Application No.:	70870	App. Type:	FUL	03/09/2025	Approve with Conditions
Location:	33 Sunny Bower Street, Tottington, Bury, BL8 3HL				
Proposal:	Conversion of part of adjoining barn to form a two storey addition to existing dwelling				
Application No.:	72149	App. Type:	FUL	26/09/2025	Approve with Conditions
Location:	Meadow View, Watling Street, Tottington, BL8 3QR				
Proposal:	Demolition and replacement of existing agricultural building				
Application No.:	72153	App. Type:	FUL	04/09/2025	Approve with Conditions
Location:	250 Turton Road, Tottington, Bury, BL8 4AJ				
Proposal:	Two storey side extension				

Application No.: 72186 **App. Type:** FUL 11/09/2025 Refused
Location: 84 Holcombe Road, Tottington, Bury, BL8 4AY
Proposal: Rear dormer; extension of the existing side dormer, and front canopy along with cladding to front & rear elevations

Application No.: 72235 **App. Type:** FUL 18/09/2025 Approve with Conditions
Location: 3 Rosewood Avenue, Tottington, Bury, BL8 3HG
Proposal: Two storey side/rear extension; Single storey rear extension

Ward: **Whitefield + Unsworth - Besses**

Application No.: 71954 **App. Type:** LDCP 21/08/2025 Lawful Development
Location: 27 Victoria Avenue, Whitefield, Manchester, M45 6BZ
Proposal: Lawful Development Certificate for proposed use of a (C3a) dwelling as a residential home for a maximum of two children with two carers who would sleep overnight on a rota basis (C2).

Application No.: 72123 **App. Type:** FUL 05/09/2025 Approve with Conditions
Location: 71 Thatch Leach Lane, Whitefield, Manchester, M45 6EN
Proposal: Two storey extension at side/rear and single storey rear extension with steps to garden level

Ward: **Whitefield + Unsworth - Pilkington Park**

Application No.: 71417 **App. Type:** FUL 03/09/2025 Approve with Conditions
Location: 4 Ringley Close, Whitefield, Manchester, M45 7HR
Proposal: Erection of replacement dwelling with landscaping and extension to driveway

Application No.: 72197 **App. Type:** FUL 04/09/2025 Approve with Conditions
Location: 41 Ringley Drive, Whitefield, Manchester, M45 7LA
Proposal: First floor side extension; Addition of first floor window to front elevation

Application No.: 72207 **App. Type:** ADV 04/09/2025 Approve with Conditions
Location: 225 Bury New Road, Whitefield, Manchester, M45 8GW
Proposal: 1 No. free standing non-illuminated sign in front garden

Application No.: 72212 **App. Type:** FUL 10/10/2025 Approve with Conditions
Location: 1 Ganton Avenue, Whitefield, Manchester, M45 7LT
Proposal: First floor side extension with extension of existing front canopy and alterations/render to front elevation

Application No.: 72260 **App. Type:** PIP 03/10/2025 Refused
Location: Hilsden Farm Stables, Ringley Road West, Radcliffe, M26 1DW
Proposal: Application for permission in principle for erection of up to 4 no. dwellings

Application No.:	71979	App. Type:	FUL	03/10/2025	Approve with Conditions
Location:	Brick House Farm, Griffe Lane, Bury, BL9 8QS				
Proposal:	Erection of 1 no. live/work unit				
Application No.:	72128	App. Type:	FUL	27/08/2025	Approve with Conditions
Location:	62 Church Meadow, Bury, BL9 8JF				
Proposal:	Single storey extension at rear				
Application No.:	72129	App. Type:	FUL	29/08/2025	Approve with Conditions
Location:	Brick House Farm, Griffe Lane, Bury, BL9 8QS				
Proposal:	Variation of condition 9 (approved materials) following approval of planning permission 65542 to change roof tiles over single storey lean-to to Planum Roof Tiles by La Escandella				
Application No.:	72208	App. Type:	ADV	04/09/2025	Refused
Location:	The Gatehouse, Connect 56 Business Hub, Manchester Road, Bury, BL9 9NY				
Proposal:	1 No. non-illuminated 5mm diabond sheet sign to front elevation				
Application No.:	72220	App. Type:	FUL	09/10/2025	Approve with Conditions
Location:	Brick House Farm, Griffe Lane, Bury, BL9 8QS				
Proposal:	Variation of condition 2 (approved plans) following approval of planning permission 70796 including removal of the proposed basement, mirroring the approved floor plans, revised window locations and removal of the proposed lean-to roof to the side/rear and replacement with a flat roof				
Application No.:	72228	App. Type:	LDCP	03/10/2025	Lawful Development
Location:	546 Manchester Road, Bury, BL9 9PA				
Proposal:	Lawful development certificate for proposed change of use from residential (Class C3) to children's residential care home for up to three children with up to three staff working on a rota basis (Class C2).				
Application No.:	72233	App. Type:	FUL	17/09/2025	Approve with Conditions
Location:	22 Ventnor Avenue, Bury, BL9 8HH				
Proposal:	Single storey side and rear extension				
Application No.:	72274	App. Type:	FUL	25/09/2025	Approve with Conditions
Location:	19 Bloomfield Drive, Bury, BL9 8JX				
Proposal:	Single Storey Rear Extension				
Application No.:	72278	App. Type:	FUL	10/10/2025	Approve with Conditions
Location:	66 Hathaway Road, Bury, BL9 8EG				
Proposal:	Variation of condition 3 (approved materials) following approval of planning permission 70103 - Change to a render finish				

Total Number of Applications Decided: 165

REPORT FOR NOTING

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	21 October 2025
SUBJECT:	PLANNING APPEALS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>Planning Appeals:</p> <ul style="list-style-type: none"> - Lodged - Determined <p>Enforcement Appeals</p> <ul style="list-style-type: none"> - Lodged - Determined
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	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:-

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**Planning Appeals Lodged
between 21/08/2025 and 12/10/2025**



Application No.: 71502/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: BT Group plc

Location Pavement adj 65-69 Rochdale Road, Bury, BL9 7AX

Appeal lodged: 15/09/2025

Appeal Type: Written Representations

Proposal Installation of 1 no. BT street hub unit with 2 no. digital 75 inch LCD display screens either side of unit

Application No.: 71641/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr Zvi Portnoy

Location 17 Belle Vue Terrace, Bury, BL9 0SY

Appeal lodged: 10/09/2025

Appeal Type: Written Representations

Proposal Change of use of existing 6 bed house in multiple occupation (HMO) to 8 bed (single occupancy) HMO (Sui Generis)

Application No.: 71905/PIP

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr Steven

Location Land between 145 and 115 Holcombe Old Road, Bury, BL8 4NF

Appeal lodged: 27/08/2025

Appeal Type: Written Representations

Proposal Permission in principle for the removal of barn/storage shed and erection of 1no. three bedroom detached dwelling

Application No.: 71982/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr Dileep Singh Ahuja

Location Land adjacent to 49 Rainsough Brow, Prestwich, Manchester, M25 9XW

Appeal lodged: 09/10/2025

Appeal Type:

Proposal Erection of a two storey mixed use development consisting of 1 no. shop (Class E) on the ground floor and 1 no. apartment on first floor (Class C3) and associated car parking, landscaping and boundary treatment

Application No.: 72009/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr & Mrs Husband

Location 177 Bolton Street, Ramsbottom, Bury, BL0 9JD

Appeal lodged: 06/10/2025

Appeal Type: Written Representations

Proposal Replacement of timber windows with UPVc

Application No.: 72039/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: BT Group Plc

Location Pavement at side of Morrisons, Bury New Road, Whitefield, Manchester, M45 8QS

Appeal lodged: 15/09/2025

Appeal Type: Written Representations

Proposal Installation of 1 no. BT Street Hub Unit with 2 no. digital 75 inch LCD display screens either side of unit and relocation of existing phone kiosk

Application No.: 72040/ADV

Decision level: DEL

Recommended Decision: Refuse

Applicant: BT Group Plc

Location Pavement at side of Morrisons, Bury New Road, Whitefield, Manchester, M45 8QS

Appeal lodged: 15/09/2025

Appeal Type: Written Representations

Proposal Advertisement consent for 2 no. digital 75 inch LCD display screens either side of 1 no. BT street hub unit

Application No.: 72088/ADV

Decision level: DEL

Recommended Decision: Refuse

Applicant: BT Group Plc

Location Pavement adj 65-69 Rochdale Road, Bury, BL9 7AX

Appeal lodged: 15/09/2025

Appeal Type: Written Representations

Proposal Advertisement consent for 2 no. digital 75 inch LCD display screen either side of 1 no. BT street hub unit

Application No.: 72100/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: The Hearth of the Lamb

Location The White Rabbit, 13 Peel Brow, Ramsbottom, Bury, BL0 0AA

Appeal lodged: 07/10/2025

Appeal Type: Written Representations

Proposal Retention of timber outbuildings for use as outdoor bar/seating areas and pizza bar

Total Number of Appeals Lodged: 9

**Details of New Enforcement Appeals Lodged
between 21/08/2025 and 12/10/2025**



Case Ref: 24/0442

Date of Appeal: 08/08/2025
Appeal Type: REP

Location: 5 Crompton Street, Bury, BL9 0AD

Issue: Unauthorised works to elevations/windows

Total Number of Appeal Cases: 01

**Details of Enforcement Appeal Decisions
between 21/08/2025 and 12/10/2025**



Location: 21 Castle Hill Road, Bury, BL9 7RN

Case Ref:

0401 / 22

Issue: Erection of fencing to front, side and rear

Appeal Decision: Dismissed 12/09/2025

Appeal Decision

by D Boffin BSc (Hons), DipTP, MRTPI, DipBldg Cons (RICS), IHBC

an Inspector appointed by the Secretary of State

Decision date: 12th September 2025

Appeal Ref: APP/T4210/C/24/3348416

Land and Property at 21 Castle Hill Road, Bury BL9 7RN

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended) (the 1990 Act).
 - The appeal is made by Clare Reynolds against an enforcement notice (EN) issued by Bury Metropolitan Borough Council.
 - The EN was issued on 9 July 2024.
 - The breach of planning control as alleged in the EN is: Without the benefit of planning permission, the erection of timber fencing in excess of 3 metres in height located on the side boundary of the property. (Noted as 'A-A' on the attached red edged plan).
 - The requirement of the EN is:
Reduce the height of the timber fencing, shown in the approximate position on the attached red edged location plan and marked 'A-A', to no more than 2 metres in height measured from natural ground level.
 - The period for compliance with the requirement is: 60 days.
 - The appeal is proceeding on the ground set out in section 174(2)(f) of the 1990 Act.
-

Decision

1. It is directed that the enforcement notice is varied by:
 - the deletion of the word "meters" and the substitution of the word "metres" in the requirement; and
 - the deletion of the word "natural" in the requirement.

Subject to the variations, the appeal is dismissed and the enforcement notice is upheld.

Preliminary Matters

2. On an appeal any defect, error, or misdescription in an EN may be corrected using the powers available in section 176(1)(a) of the 1990 Act, or the terms may be varied, where the correction or variation will not cause injustice to the appellant or local planning authority. In this case the requirement cites '*2 metres in height measured from natural ground level*'. There is a typographical error as '*meters*' should be '*metres*'. Moreover, the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) at Part 2, Class A, section A.1(b) refers to '*the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed 2 metres above ground level*'. Therefore, to ensure precision I intend to delete the word '*natural*' from the requirement. As these variations to the requirement are minor no injustice would result to any party if I used the powers available to me under section 176(1) of the 1990 Act. I will therefore do so.
3. Section 172(3) (b) of the 1990 Act states that '*the service of the notice shall take place—.....(b) not less than twenty-eight days before the date specified in it as*

the date on which it is to take effect. In this case the date of issue of the EN is 9 July 2024 and the date on which it takes effect is 23 July 2024. As such, it was not issued in accordance with section 172 of the 1990 Act. However, the appellant was able to make a valid appeal in time and therefore they have not been substantially prejudiced. As a result, if a ground (e) appeal, under section 174(2)(f) of the 1990 Act, had been made it would not have been successful.

The ground (f) appeal

4. The ground of appeal is that the requirement of the EN is excessive.
5. An EN can have the purpose of remedying the breach of planning control. This can include making any development comply with the terms (including conditions and limitations) of any planning permission granted in respect of the land or restoring the land to its condition before the breach took place. Alternatively, an EN can have the purpose of remedying any injury to amenity which has been caused by the breach.
6. Reducing the fence to no more than 2 metres in height would bring it within the terms of the planning permission granted by the GPDO at Article 3, Schedule 2, Part 2, Class A. Therefore, its purpose is clearly to remedy the breach. Retaining the fence at its current height would sustain the breach described in the EN. This would not achieve the purpose of the EN.
7. I understand the need for appropriate security to protect the occupiers of a dwelling and their property from harm and vandalism. However, that is a planning merits argument and there is no deemed planning application before me, as no ground (a) appeal has been made. Aside from retaining the fence at its current height until a neighbour has passed away, the appellant has advanced no alternative to the requirement set out in the EN. Whilst, that would eventually remedy the breach, the timescale is unknown, and no ground (g) appeal has been made. Moreover, the fence is not required to be removed only reduced in height to no more than 2 metres in height.
8. Therefore, the EN requirement is not excessive; it is a proportionate remedy involving the minimum works necessary to remedy the breach of planning control. The ground (f) appeal fails.

Conclusion

9. For the reasons given above I conclude that the appeal should not succeed. I shall uphold the enforcement notice with variations.

D Boffin

INSPECTOR