

# Public Document Pack

## 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:-

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

## AGENDA

### **1 APOLOGIES FOR ABSENCE**

### **2 DECLARATIONS OF INTEREST**

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

### **3 MINUTES OF THE MEETING HELD ON THE 27TH JANUARY 2026 (Pages 3 - 6)**

The Minutes of the meeting held on Tuesday the 27<sup>th</sup> January 2026 are attached.

### **4 PLANNING APPLICATIONS (Pages 7 - 76)**

Reports attached.

### **5 DELEGATED DECISIONS (Pages 77 - 88)**

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 89 - 112)**

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 SITES OF BIOLOGICAL IMPORTANCE: 2023 REVIEW (Pages 113 - 120)**

A report from the Head of Development Management is attached identifying the latest changes made to the GM Register of Sites of Biological Importance for the Borough. It also describes the purpose and application of the Register. During the review period 2023 one site was added to the Register, one site was deleted from the Register and gains were made at one site.

### **8 TREE PRESERVATION ORDER CONFIRMATION (Pages 121 - 138)**

A report from the Head of Development Management is attached setting out the issues relating to the current temporary tree preservation order Tree Preservation Order (No. 367) 2025 at the former Ramsbottom ambulance station.

### **9 URGENT BUSINESS**

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

**Minutes of:** **PLANNING CONTROL COMMITTEE**

**Date of Meeting:** 27<sup>th</sup> January 2026

**Present:** Councillor G McGill (in the Chair)  
Councillors C Boles, D Duncalfe, D Green, J Harris, M Hayes,  
B Ibrahim, D Quinn, G Staples-Jones, D Vernon and M Walsh

**Public Attendance:** 6 members of the public were present at the meeting.

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**PCC.1 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted by Councillor U Farooq.  
Councillor D Green acted as a substitute representative for Councillor Farooq.

**PCC.2 DECLARATIONS OF INTEREST**

There were no reported declarations of interest.

**PCC.3 MINUTES OF THE MEETING HELD ON THE 16TH DECEMBER 2025**

**Delegated decision:**

That the Minutes of the meeting held on the 16<sup>th</sup> December 2025 be approved as a correct record and signed by the Chair.

**PCC.4 PLANNING APPLICATIONS**

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

There was supplementary information to add in respect of application numbers 72368 and 72460.

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

**Delegated decisions:**

1. 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: -

**Saw Mills, off Spring Street, Ramsbottom, Bury, BL0 9JQ**

Construction of 2 no. industrial units (Use Class E(g)(iii) – Industrial processes)

2. That the Committee be **Minded to Approve** the following application in accordance with the reasons put forward by the Development Manager in the report and the supplementary information submitted subject to the signing and completion of a Section 106 agreement relating to the compensatory loss of employment land under UDP Policy EC2/2. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application and subject to all other conditions included: -

**157 Bolton Road, Bury, BL8 2NW**

Change of use from commercial (Use Class E) to 5-bedroom, 6-occupants House in Multiple Occupation (HMO) (Use Class C4) and associated external alterations (including new doors/windows, removal of advertisement hoarding/roller shutter along front elevation, and new access gate along rear boundary)

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

**12 Monmouth Avenue, Bury, BL9 5DU**

Change of use of existing residential dwellinghouse (Class C3) to 6-bedroom (6 person) house in multiple occupation (HMO) (Sui Generis); Loft conversion with rear dormer extension/new roof/rooflights and external alterations

**PCC.5 DELEGATED DECISIONS**

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

**Delegated decision:**

That the report and appendices be noted.

**PCC.6 PLANNING APPEALS**

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

**Delegated decision:**

That the report and appendices be noted.

**PCC.7 ARTICLE 4 DIRECTION PROPOSAL- HOUSES IN MULTIPLE OCCUPATION**

A report from the Head of Development Management was submitted in relation to authorisation for the making of an immediate Article 4 Direction to give greater planning controls over proposals for change of use from Use Class C3 (dwellinghouse) to Use Class C4 (HMO).

The effect of an Article 4 Direction is that planning permission would be required for conversion from a Use Class C3 (dwellinghouse) to a Use Class C4 (small HMO) if there is a material change of use. This change would not otherwise require planning permission as a result of being classed as permitted development. Proposals for HMOs for 7 or more people already require planning permission and will continue to do so and therefore would be unaffected by this Direction.

The report was due to be considered by the Planning Committee on the 16<sup>th</sup> December 2025 but was withdrawn by the Monitoring Officer for further consideration.

**Delegated decision:**

That the Planning Control Committee:-

1. Authorised the making of an immediate direction under Article 4 of the Town and Country (General Permitted Development) (England) Order 2015 to remove the permitted development rights for the material change of use from Use Class C3 dwellinghouses to Use Class C4 small Houses in Multiple Occupation for the entire Borough of Bury as identified within the Direction.
2. Authorised the Director of Legal and Governance to issue the relevant Direction and Notices to support the Article 4 Direction.
3. Noted the content of the Houses in Multiple Occupation report: Background Evidence report, as appended to this report, which had been prepared to support the making of the proposed Direction.
4. Authorised the Executive Director (Place) to consider comments received in relation to the Notice and to confirm the Direction.

**PCC.8 URGENT BUSINESS**

No urgent business was reported.

**COUNCILLOR G MCGILL**  
Chair

**(Note: The meeting started at 7.00pm and ended at 8.10pm)**

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<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>24 February 2026</b>
<b>By:</b>	<b>Development Manager</b>
<b>Status:</b>	<b>For Publication</b>

**Executive Summary**

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

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

**This report has the following implications**

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

**Policy:** Identified in each case.

**Resources:** Not generally applicable.

**Equality Act 2010:** All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:  
The elimination of discrimination, harassment and victimisation;  
The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;  
The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

**Human Rights:** All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, I have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based

upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the Planning Control Committee shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

## **Development Manager**

### **Background Documents**

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

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



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**Ward:** Radcliffe - East

Item 01

**Applicant:** Bury Metropolitan Borough Council

**Location:** Radcliffe Metrolink, Festival Gardens, Church Street West, Radcliffe, M26 2BY

**Proposal:** Construct a 4m wide ramp providing a direct access, for pedestrians and cyclists, to the eastern platform of Radcliffe Metrolink station from the A6053, Spring Lane, and Church Street West via Festival Gardens

**Application Ref:** 71284/Full

**Target Date:** 06/02/2025

**Recommendation:** Approve with Conditions

### **Description**

The application relates to Radcliffe Metrolink Station. The station is bounded by Spring Lane to the north, Festival Gardens to the east, Church Street west to the south and industrial development to the west of the stations car park.

There is a steep embankment which slopes eastwards from the Metrolink line and tram stop and which levels out to the existing footpath at Festival Gardens. It is this land which is subject to the application.

Access points to the Metrolink stop comprise vehicular and pedestrian entry and exit to the Metrolink and car park at Spring Lane (north) and a pedestrian ramped access from Church Street East to the south.

The proposal is to construct a 4m wide ramp with handrails to provide a direct access for pedestrians and cyclists to the eastern platform of Radcliffe Metrolink Station from Spring Lane (A6053) and Church Street West.

The ramp would be orientated north/south and sit within the profile of the embankment. The overall length of the ramp would be 155m and incorporate two 4m radius curves for the reverse change in direction so that the ramp can be constructed within the site area. The ramp would have a maximum gradient of 1:20 with four 5m long level sections along its length. It would be fully accessible.

The ramp would also incorporate 3 flights of stairs to provide a more direct route from the station to Festival Gardens.

Engineering operations would be required for the construction of the ramp which would involve regrading the embankment and incorporation of a series of retaining features.

Existing trees and vegetation would need to be removed to facilitate the ramp and protective fencing would be erected around trees to be retained. There are proposals for replanting and the embankments would be topsoiled and re seeded.

The ramp would be lit by existing and proposed lighting columns and the route monitored by CCTV.

The future maintenance of the ramp and details of the associated infrastructure would be agreed between Bury MBC and Metrolink.

## Relevant Planning History

N/a

## Publicity

Letters sent to 30 properties on 16/12/2024

Site notices posted 19/12/24

9 representations received.

7 objections

1 support

2 comments

## Objections

- The proposal constitutes an unnecessary expense
- Distressed to see Festival Gardens damaged.
- 2 entrances already to the metro link both suitable for walking and cycling. Disabled access could be made from church street west without going into the gardens.
- There is often anti social behaviour at the metro link a third access would be another escape route.
- The festival gardens are part of our town heritage and should be left as that.
- The trees are not only beautiful they soak up water and stabilise the embankment they should be protected. Further planting would not compensate for loss in this area.
- New Trees have been planted in the gardens in the last 10 years you now want to dig them up? Festival gardens are beautiful, the row of trees that replaced the old Poplars are well established, why do you have to destroy this lovely area? It's a joy to watch all the different birds flitting around in the trees.
- It will not encourage more people to walk or cycle to the metro link station.
- I live across from festival garden and I love the view I have. I don't want it spoilt by a ramp that will have kids causing trouble and being noisy. Why spoil a beautiful bit of land. The ramps on opposite side are sufficient.
- The wildlife that live there should be left alone to live in peace and not have more of their environment taken away from them.
- Why not maintain the existing access ramps and foliage to allow access and egress to and from the station. I don't see how destroying 50 trees is going to improve the environment.
- Object to it on the grounds it destroying trees and other vegetation and is unnecessary.
- Why is the Council even considering funding this? Money should be spent improving lighting and access of existing route paid for by TFGM
- Adequate access already. The Spring lane side would benefit from having the pavement widened as you have to step in the road sometimes.

## Support

- Fully support an accessible entrance to the station from the gardens. The access from Church Street is inaccessible and has unlawful discriminatory barriers along its length. The gradient is also too steep for wheelchairs.
- This is a much-needed improvement for the station.

## Comment

- As a regular user of this station, with mobility issues, I've not had issues at all with accessing the site. Although the Bury platform ramp access is longer than required, it is adequate and the Manchester bound ramp operates without issues.
- The only issue is where the existing planting is not correctly maintained and forces pedestrians off the footpath, onto the car park. This is an annual issue.
- Concerned that the proposed 'defensive planting' could also be an issue if not well

- maintained. Is there a contract in place to ensure maintenance?
- Would like to know if a comparison of cost has been carried out, with regard to upgrading the existing arrangements (upgrading of CCTV, lights, etc). This would be less disruptive of the park, and mean that users would not have to walk through a dark park to access the Metrolink.

Comment from Councillor Birchmore -

The general consensus is that residents are very unhappy about so many trees are going to be felled to make way for this proposed development. Further questions include:

1. Why is the existing ramp from Church Street West indicated on the attached map (highlighted by the yellow dotted line) considered to be unsuitable?
2. If work is required to improve the existing ramp to make it more suitable, why has this not been proposed rather than building a new ramp at Festival Gardens?
3. Why does the ramp need to be 4m (13ft) wide?
4. Who is paying to build this ramp? The plans show that they were drawn up for Bury Council, does this mean that the Council rather than the Metrolink is paying and if so why?
5. The plans talk about proposed mitigation of loss of trees, would this be newly planted trees in Festival Gardens and if so is it proposed to do a like for like replacement i.e. newly planted mature trees replacing the existing mature trees that will be felled?

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

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

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

**Borough Engineer - Drainage Section** - No objection subject to condition

**Environmental Health - Contaminated Land** - No objection subject to condition.

**G M Archaeological Advisory Service** - No objection

**Greater Manchester Police - designforsecurity** - No objection and recommend implementation of security measures.

**Greater Manchester Ecology Unit** - No objection subject to conditions.

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

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

**Metrolink** - Support in principle with details to be agreed Recommend 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
EN1/4	Street Furniture
EN1/5	Crime Prevention
EN1/7	Throughroutes and Gateways
EN6/4	Wildlife Links and Corridors
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
RT1/1	Protection of Recreation Provision in the Urban Area
RT3/4	Recreational Routes
HT5/1	Access For Those with Special Needs
Area	Spring Lane/Church Street West/Radcliffe Metrolink Stn
RD6	
JP-C2	Digital Connectivity

JP-C3	Our Public Transport
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-P1	Sustainable Places
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S3	Heat and Energy Networks
JP-S4	Flood Risk and the Water Environment
HT3/4	Schemes to Assist Metrolink

## **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**

Paragraph 96 of the NPPF states that planning policies and decision should aim to achieve healthy, inclusive and safe places.

Para 105 states that Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.

PfE Policy JP-Strat14: A Sustainable and Integrated Transport Network states the transport network will be improved so that half of all daily trips can be made by public transport, cycling and walking, especially those shorter journeys around neighbourhoods.

New development will have a significant role in delivering our future sustainable and integrated transport network in order to reduce car dependency and increase levels of walking, cycling and public transport.

PfE policy aims to work with Metrolink to improve reliability, capacity and customer service.

JP-P1 Sustainable Places aims to improve the east by which to move around for those of all mobility levels, particularly by walking and cycling.

UDP Policy HT3/4 - Schemes to Assist Metrolink supports the provision of new and improved stations.

The proposed development would be carried out in partnership with Metrolink to provide an improved and more user-friendly access to the Metrolink stop, thereby improving connectivity between places.

The development would provide inclusive access for all to better the experience of Metrolink users and would encourage users to use active travel methods to travel to and from the Metrolink.

Subject to issues below, the proposed development would be acceptable and comply with

PfE Policies and the principles of the NPPF.

### **Layout**

The site comprises the piece of land between the Metrolink platform and Festival Gardens which is largely an embankment and a treed/vegetated area.

The ramp would be formed from an existing path close to the platform and would be orientated north to south incorporating two bends to reverse its direction so that it could be facilitated and integrate within the area.

The ramp would connect to an existing footpath next to Festival Gardens whereby pedestrians and cyclists could connect to Spring Street to the north and Church Street to the south. The ramp would be 4m wide and include handrails either side. 5m platforms at various intervals would connect a stepped access which is also proposed to connect the platform with Festival Gardens.

The existing embankments would be regraded and topsoiled and seeded and retaining walls constructed where needed.

The area subject to the application is not a usable space within the Gardens. It is a steep, treed and planted area and as such there would not be a loss of usable amenity space.

A site survey was carried out which identified there were a total of 64 individual trees and two groups of trees on and adjacent to the site. The appraisal identified that 28 individual trees and one group of trees would be removed as a result of the development. 48 new trees are proposed to be planted.

JP-G7: Trees and Woodland states that where development would result in the loss of existing trees, replacement on the basis of two new trees for every tree lost is required unless other measures would result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area.

Mitigation for their loss are proposed within the planting plan and biodiversity net gain proposals for the site would meet the BNG metric for a 10% net gain. Specific details regarding replacement planting would be statutorily conditioned to provide a biodiversity Net Gain plan (see ecology section below).

Trees to remain would be protected by fencing and in accordance with British Standards which would be a condition of the application.

The development would incorporate lighting, CCTV and suitable ramped and stepped surfaces.

The proposed development would improve connections for cyclists and pedestrians to the Radcliffe Metrolink Station and better users experience of travelling by tram. The ramp would be fully accessible and in compliance with guidance.

The removal of trees would be mitigated in a planting scheme which would be conditioned. CCTV and new lighting would provide a safer and accessible route.

It is therefore considered the proposed development would be acceptable and comply with policies HT3/4, JP-P1, JP-Strat14 and the principles of the NPPF.

### **Impacts on the surrounding area**

The proposed development would be located west of Festival Gardens. The proposed ramp would connect to a footpath on the western side of the Gardens and would not obstruct or impede users of the paths or the park.

The nearest residential properties are to the south on Church Street West. These properties would have views of the ramp. However, there would be some trees retained between the site and these houses and there is additional planting proposed. Houses to

the east on Rectory Lane would be more than 90m away.

As identified above, the site is an unusable space within the Gardens and its construction would not reduce the amount of space available to the public.

As also identified above, the development would require the removal of a number of trees but mitigation for the loss of trees and vegetation would be covered in the biodiversity net gain plan and landscaping proposals.

It is therefore considered that on balance, the proposed development would not have a significantly harmful impact on the surrounding area given the benefits of the scheme and would comply with EN1/2, JP-P1 and the principles of the NPPF.

### **Metrolink response**

Metrolink supports the principle of this development but the interfaces the scheme has with the existing Metrolink infrastructure, such as CCTV, still need to be designed and approved. This would be achieved through the Metrolink Engineering Assurance Process.

Metrolink operates on the embankment which requires significant re-profiling to accommodate the ramp and retaining walls. These works clearly have the potential to affect the stability of the embankment and it is therefore essential that prior to any excavation works being carried out that a monitoring regime for the Metrolink track and slope is agreed, along with the trigger levels. Relatively minor movement to rails can result in derailment.

It is also important that the development be undertaken safely, ensuring, equally, that not only Metrolink infrastructure and operations are not adversely impacted but also that the safety of the users of Metrolink and those working in the vicinity is protected. To mitigate risks in this regard it is essential that the developer works closely with TfGM and Metrolink throughout the process.

In addition to the need to follow the Metrolink Engineering Assurance Process and Change Process the Developer should be made aware of the need for an Asset Protection Agreement or similar protection arrangements to be in place in advance of any works commencing, that affect Metrolink Infrastructure.

Metrolink therefore recommend the inclusion of two conditions, for the submission and agreement of design proposals, agreement to maintenance and a monitoring programme, and submission of a Metrolink specific construction management plan.

Ongoing discussions have been taking place between the applicant and Metrolink with details to be finalised and agreed. The applicant accepts both conditions.

### **Ecology**

#### Summary

The main ecological issue is biodiversity net gain. Other potential ecological issues include bats, badgers and nesting birds.

#### Bats

Six trees were assessed as having potential bat roosting features for individual bats. Four of these appear to be retained, with T3 & T6 (as identified in the walkover survey) lost to development. Current guidance is that trees with bat roosting features for individual bats can be felled without further survey, but that precautionary measures (soft felling techniques) should be utilised. GMEU therefore recommend a condition along the following lines is applied to any permission.

The felling of trees T3 & T6 and any other trees that may require removal classed as PRF-I

in the Updated Site Walkover letter Statement Ref: 80-735-L1-1 dated 17th July 2024 shall be soft felled under the supervision of a licensed bat ecologist.

The consultant also notes that the railway embankment is a potential foraging and commuting habitat for bats ie a wildlife corridor. External lighting that minimises the impact on bats and other nocturnal wildlife has therefore been recommended. GMEU accept that this is reasonable, particularly as this section of the Metrolink corridor is already subject to light pollution.

The applicant has submitted a proposed lighting scheme that demonstrates that foraging bats are unlikely to be significantly affected by the proposal. GMEU have confirmed this is acceptable and recommend the external lighting strategy be conditioned.

#### Badger

No evidence of badger or badger setts was recorded but the railway embankment and habitat was assessed as providing suitable habitat for sett creation. On balance whilst GMEU would regard the location as low risk due to partial barrier to badger movement from nearby known badger territories and levels of disturbance, they agree that the risks are sufficient that a precautionary check prior to earthworks should occur and therefore recommend a condition along the following lines is applied to any permission.

Prior to any earthworks or vegetation clearance an updated survey for badger and badger setts will be provided to and agreed in writing by the LPA. If a badger sett is found then also prior to earthworks or vegetation clearance a badger mitigation strategy should also be provided to and agreed in writing by the LPA.

#### Other Protected Species

GMEU are satisfied that it is very unlikely that any other protected species will be present on the site. No further information or measures are required.

#### Nesting Birds

Trees and scrub will be lost potential bird nesting habitat. Given the area of scrub it is very likely that birds nest within the site. 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 along the following lines be applied to any permission.

No works to trees or shrubs 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.

#### Other Wildlife

The dense bramble scrub will provide potential cover for small mammals, hedgehog and amphibians. Given the extent of the vegetation clearance, GMEU recommend a condition along the following lines is applied to any permission.

Prior to any vegetation clearance or earthworks a precautionary working measures method statement for mammals and amphibians will be provided to and agreed in writing by the LPA.

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

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021). The development will result in the loss of trees, scrub and grassland to development. There will also be a loss of potential bird nesting and bat

roosting features. No mitigation or enhancement measures appear to be proposed.

GMEU have been consulted.

GMEU initially responded that the original BNG assessment showed a shortfall of area based habitat units and hedgerow units to achieve 10% net gain. Following a revised BNG metric and proposals, GMEU are satisfied that:

- the 48 proposed small trees have been correctly represented in the metric,
- all trading rules have now been met,
- the data has been transferred on to the correct BNG metric version,
- and the post development landscape plan has been amended according.

After construction of the development, on site biodiversity remediation and the 10% net gain requirement there is due to be a gain of 0.61 Area Habitat units and 0.04 Linear Hedgerow Units

This appears to be a realistic achievement for the site and therefore the LPA can be reasonably confident that the statutory biodiversity requirements could be discharged. GMEU consider on site biodiversity mitigation/enhancement to be significant and should be secured via a section 106 agreement, in order to recoup the cost of future monitoring.

If approved, the Biodiversity Gain Plan (BGP) and a habitat management and monitoring plan should be completed to show how the on site biodiversity gain would be achieved and approved by the LPA, before the automatically applied statutory biodiversity gain condition can be released.

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

It is therefore considered that the loss of trees balanced against the wider public benefit of better improved access and with the overall BNG uplift, the tree removal is supported.

The proposed development would comply with PflE Policies JP-G7, JP-G8 and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

#### GMAAS

The application area lies some distance to the west of the historic core of Radcliffe, which is centred on St Mary's Church. There are no designated heritage assets on the application site or in the immediate vicinity, and the only non-designated heritage asset of relevance entered on the Historic Environment Record is the former Radcliffe railway station (HER 675.1.0). This lies immediately to the west of the application area and has been adapted for use as the Metrolink station, with a corresponding loss of historic fabric; the current building is of little architectural or historic interest.

The wider site appears to have been used for quarrying during the 19th century and is shown on the Ordnance Survey 1st edition 10,560 map of 1850 as a gravel pit. This extraction activity is most likely to have removed any archaeological remains that did exist, although any that did survive were buried to depth beneath the railway embankment that dominated the site. This was constructed in 1879 when the Lancashire & Yorkshire Railway opened the Prestwich Branch line to create a direct route from Manchester to Bury and is not of any archaeological interest.

In summary, the proposed construction of the pedestrian ramp to the Metrolink station will have no impact on archaeological remains, and archaeology will not merit any further

consideration in this instance.

### **Drainage**

The development includes drainage proposals which generally comprise a system of filter drains along the back of the proposed retaining walls, eco channels along the eastern edge of each ramp 'leg' and a soakaway within the lowest slope of the regraded embankment. The applicant states that the proposed drainage strategy would incorporate SuDS where feasible.

The Drainage Engineer has been consulted and raises no objection to the development. As the detailed design has yet to be finalised, a condition is recommended for the submission of details to demonstrate the proposed attenuation/soakaway system would provide sufficient storage, to which the applicant has agreed.

### **Design for Security**

There are no objections in principle to the proposed development from the Design for Security Team. They do have the view would be that the ramp should terminate on Church Street West or Spring Lane, rather than a central point in Festival Gardens, which could leave passengers vulnerable in the evening/night, or early morning, to criminality or antisocial behaviour and there are also a number of benches which gives legitimacy to loitering in the area and potentially allow criminals to target those using the ramp/stairs. There are also a high number of trees in Festival Gardens and some with low/dense canopies which obscure sight lines in some areas. The stairs are located in a better position, in closer proximity to Church Street West, and this interfaces well with the footway.

Other than these points, the DfS Team are generally in agreement with the recommendations of the Crime Impact Statement (CIS). The DfS team would put a particular emphasis on high quality lighting to the stairs/ramp and monitored CCTV of the area and would also recommend a help point at a midway point of the stairs/ramp because users are unlikely to be able to view all potential threats prior to using them. Signage is also recommended to help passengers take the correct routes through the area. There is an issue with drug/alcohol misuse in the area, particularly the canal tow path area, which could affect the proposals. DfS would recommend that regular patrols are undertaken when possible by the Metrolink customer safety teams, any misuse can be reported and so that any discarded alcohol containers or drug paraphernalia can be quickly removed.

The CIS acknowledges that a structure of this type could cause some anti-social behaviour, however the increased footfall from the east and through the station from the west would provide a good level of legitimate activity that will help to mitigate such issues and the current isolated state of this area and there would be natural surveillance by its use. Recommendations have been made to further minimise the impact and the perception of crime to the surrounding area.

In response, the applicant states that the layout of the proposed ramp has been through multiple reviews as well as discussions with Metrolink.

The existing embankment is currently thick foliage and vegetation and surveillance is poor. Much of the treed and planted area would be removed and as such a more open and visible area created. Proposed planting would be carefully planned so as not to impede surveillance of the area. The position of the bench is noted and this would be monitored and repositioned if required.

The development would provide additional and effective lighting to the area as well as CCTV which would be agreed with Metrolink prior to installation.

It is therefore considered that the proposed development would be acceptable and comply with policies EN1/5, JP-P1 and the principles of the NPPF.

### **Policy JP-S2 (Energy and Carbon)**

The applicant states that the proposal aligns with Policy JP-S2 of the Places for Everyone Joint Development Plan by minimising embodied carbon through the use of precast modular retaining walls and re-use of excavated material. Operational energy demand is limited to efficient LED lighting and CCTV, consistent with the principles set out in GMCA's Net Zero Guidance. The scheme also supports wider carbon reduction by encouraging walking, wheeling and cycling to access public transport.

### **Policy JP-C2 (Digital Connectivity)**

The proposed development is a non-residential engineering scheme. As such, it does not involve the installation of fibre connections to properties and Policy JP-C2 is not applicable to this project.

This is considered acceptable.

### **Response to objections**

The applicant has provided a response to the comments made by the Councillor as follows:

1. The existing ramp will remain, but does not meet current DfT 'Inclusive Mobility' and GM 'Streets for All' accessibility and design standards required for anticipated usage. Furthermore, it isn't well located to serve the forthcoming East Lancashire Paper Mill development which will increase pedestrian and cycling traffic.
2. Improving the existing ramp was considered but neither TfGM or Bury Council own sufficient land around the existing ramp to improve it and to do so would likely require large retaining structures to be built to the Metrolink. Furthermore, its location and layout are unsuitable for providing direct, safe access to the Radcliffe Metrolink Stop from the forthcoming East Lancashire Paper Mill development. The new ramp at Festival Gardens aligns with active travel network goals and offers a more direct connection to the Metrolink platform, enhancing accessibility and safety.
3. The 4m width accommodates both pedestrians and cyclists safely, ensuring compliance with the Greater Manchester Streets for All Design Guide. It also allows for future-proofing to meet growing active travel demand.
4. The scheme is being funded by Central Government via Round 4 of the Active Travel Fund as part of Greater Manchester's Bee Network initiative. Bury Council has been allocated the funding and are managing the design and delivery. TfGM are the accountable body for the funding.
5. Any removal of trees due to the ramp's construction will be mitigated through the planting of replacement trees, in line with local authority policies. This ensures environmental sustainability and maintains the area's character. Specific details of the replacement will be clarified during the final design stages.

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 -

660-028-WLD-XX-XX-DR-CH-0100-001	GENERAL ARRANGEMENT
660-028-WLD-XX-XX-DR-CH-0100-002	PROPOSED GEOMETRY
660-028-WLD-XX-XX-DR-CH-0100-004	SITE LOCATION PLAN
660-028-WLD-XX-XX-DR-C-0100-005	EXISTING ARRANGEMENTS
660-028-WLD-XX-XX-DR-CH-0200-001	SITE CLEARANCE REQUIREMENTS
660-028-WLD-XX-XX-DR-CH-0300-001	PROPOSED FENCING
ARRANGEMENTS	
660-028-WLD-XX-XX-DR-CH-0300-002	PROPOSED HANDRAIL
ARRANGEMENTS	
660-028-WLD-XX-XX-DR-C-0500-001	PROPOSED DRAINAGE LAYOUT GA
660-028-WLD-XX-XX-DR-C-0500-002	DRAINED AREAS PLAN
660-028-WLD-XX-XX-DR-C-0500-003	ATTENUATION TANK DETAILS
SHEET 1 OF 2	
660-028-WLD-XX-XX-DR-C-0500-004	ATTENUATION TANK DETAILS
SHEET 2 OF 2	
660-028-WLD-XX-XX-DR-C-0500-005	TYPICAL DETAILS
660-028-WLD-XX-XX-DR-CH-0600-001	EARTHWORKS - EXCAVATION
REQUIREMENTS	
660-028-WLD-XX-XX-DR-CH-0600-002	EARTHWORKS - TOPSOILING
REQUIREMENTS	
660-028-WLD-XX-XX-DR-CH-0700-001	PROPOSED CROSS SECTIONS
(SHEET 1 OF 5)	
660-028-WLD-XX-XX-DR-CH-0700-002	PROPOSED CROSS SECTIONS
(SHEET 2 OF 5)	
660-028-WLD-XX-XX-DR-CH-0700-003	PROPOSED CROSS SECTIONS
(SHEET 3 OF 5)	
660-028-WLD-XX-XX-DR-CH-0700-004	PROPOSED CROSS SECTIONS
(SHEET 4 OF 5)	
660-028-WLD-XX-XX-DR-CH-0700-005	PROPOSED CROSS SECTIONS
(SHEET 5 OF 5)	
660-028-WLD-XX-XX-DR-CH-0700-007	PROPOSED LONG SECTION
660-028-WLD-XX-XX-DR-CH-0700-008	PROPOSED CONTOURS
660-028-WLD-XX-XX-DR-CH-1100-001	PROPOSED KERBING, FOOTWAYS
AND PAVED AREAS	
660-028-WLD-XX-XX-DR-CH-1200-001	PROPOSED RAMP MARKINGS
660-028-WLD-XX-XX-DR-CH-1200-002	PROPOSED TRAFFIC SIGNS
660-028-WLD-XX-XX-DR-CH-1200-003	TRAFFIC SIGN DETAILS
660-028-WLD-XX-XX-DR-CH-1300-001	PROPOSED STREET LIGHTING
ARRANGEMENTS	
660-028-WLD-XX-XX-DR-C-1700-001	LOCATION PLAN OF RETAINING

WALLS	
660-028-WLD-XX-XX-DR-C-1700-002	RETAINING WALL A - ELEVATIONS AND SECTIONS
660-028-WLD-XX-XX-DR-C-1700-003	RETAIING WALL B & ADJACENT STEPS - ELEVATIONS AND SECTIONS
660-028-WLD-XX-XX-DR-C-1700-004	RETAINING WALL C - ELEVATIONS AND SECTIONS
660-028-WLD-XX-XX-DR-C-1700-005	RETAINING WALL D, D1 AND ADJACENT STEPS - ELEVATIONS AND SECTIONS
660-028-WLD-XX-XX-DR-C-1700-006	RETAINING WALL E AND ADJACENT STEPS - ELEVATIONS AND SECTIONS
660-028-WLD-XX-XX-DR-C-1700-007	RETAINING WALL F - ELEVATIONS AND SECTIONS
660-028-WLD-XX-XX-DR-C-3000-001	TREES IMPACT AND PROTECTION PLAN

#### Ecology Surveys

80-735-R1-1	Preliminary Ecological Appraisal - Redcliffe Metrolink Access Ramp
80-735-R2-1	Radcliffe Metrolink Access Ramp - Arboricultural Impact Assessment
80-735-L1-1	Update Walkover Letter Statement - Radcliffe Metrolink Access Ramp
80-735-R3-4 Feb 26	Biodiversity Metric Report - Radcliffe Metrolink Access Ramp
The Statutory Metric 1.0.4 - Radcliffe Metrolink Access Ramp - R4	2 Feb 26

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 180(f), 189 and 190 of the National Planning Policy Framework (December 2023).

4. 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 validity 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 180(f), 189 and 190 of the National Planning Policy Framework (December 2023).
  
6. The felling of trees T3 & T6 and any other trees that may require removal classed as PRF-I in the Updated Site Walkover letter Statement Ref: 80-735-L1-1 dated 17th July 2024 shall be soft felled under the supervision of a licensed bat ecologist.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6/3 – Features of Ecological Value and Section 11 of the National Planning Policy Framework.
  
7. The development hereby approved shall be carried out in accordance with the lighting strategy A1\_1300\_001\_002 and Lighting Technical Note ref 660-028-002 (A. )All external lighting shall be installed in accordance with the approved specifications and locations set out in the strategy.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6/3 – Features of Ecological Value and Section 11 of the National Planning Policy Framework.
  
8. Prior to any earthworks or vegetation clearance an updated survey for badger and badger setts shall be provided to and approved in writing by the Local Planning Authority. If a badger sett is found then also prior to earthworks or vegetation clearance a badger mitigation strategy should also be provided to and agreed in writing by the Local planning Authority.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6/3 – Features of Ecological Value and Section 11 of the National Planning Policy Framework.
  
9. No works to trees or shrubs 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 EN6/3 - Features of Ecological Value and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
  
10. Prior to any vegetation clearance or earthworks a precautionary working measures

method statement for mammals and amphibians will be provided 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 EN6/3 - Features of Ecological Value and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

11. Prior to first use of the development hereby approved, bat and bird boxes shall be provided on retained trees and shall thereafter be maintained.

Reason. To secure the satisfactory development of the site and contribute to enhancing the natural environment and biodiversity pursuant to Policies EN6/3 - features of ecological value, JP-G8: A Net Enhancement of Biodiversity and Geodiversity and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

12. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

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

13. No development including any excavation works shall take place until:-

- the design proposals for all interfaces with Metrolink or for any infrastructure that is to be maintained or monitored by Metrolink have been subject to TfGM's Metrolink's Engineering Assurance Process and agreed by Metrolink;
- an agreement regarding the ongoing maintenance, including costs, has been reached; and
- a monitoring regime of Metrolink infrastructure and track have been submitted for approval in writing by Bury Council, as Local Planning Authority (approval to be in consultation with Transport for Greater Manchester)

All costs relating to the works and approvals to be met by the Developer.

Reason. To safeguard Metrolink infrastructure, operations and customers pursuant to policies EN1/5, JP-P1 and the principles of the NPPF.

14. No development shall take place, including any excavation, until a Metrolink Specific Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by Bury Council (approval to be in consultation with Transport for Greater Manchester) and, if deemed necessary, an appropriate Asset Protection Agreement has been entered into. The approved CMP shall include agreed safe methods of working adjacent to Metrolink and shall be adhered to throughout the construction period

Reason

To safeguard the amenities of the locality and to ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working near Metrolink pursuant to policies EN1/2, JP-C8, JP-P1 and the principles of the NPPF.

15. No development shall commence until the details have been submitted demonstrating that the proposed attenuation /soakaway system provides sufficient effective storage for the relevant design storm events (up to and including the 1 in

100 year event plus an appropriate allowance for climate change). The submission shall include confirmation of:

- the contributing drainage catchment area;
- the design assumptions used (including infiltration rate and void ratio);
- drain-down times; and
- adequate separation between the soakaway base and groundwater.

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 EN7/3 - Water Pollution and EN7/5 - Waste Water Management, JP-S4, and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

16. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

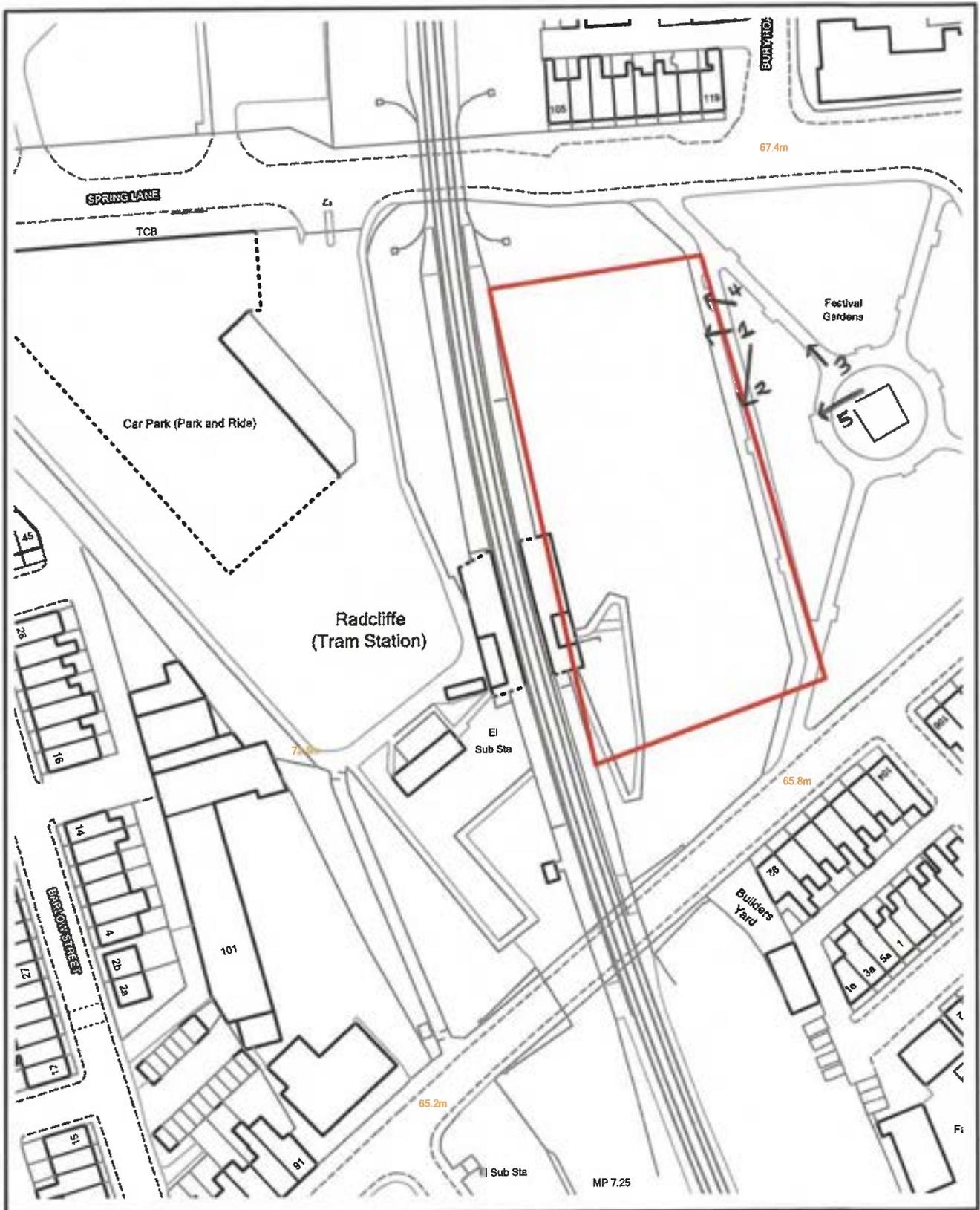
1. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development.
2. Access route for all construction vehicles to the site from the Key Route Network.
3. Access point/arrangements for construction traffic 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.
6. Confirmation of hours of operation, delivery & construction vehicle sizes.
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 plans 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 adopted highways, 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. EN1/2 - Townscape and Built Design and JP-C8 - Transport Requirements for New Developments.

17. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
  1. a non-technical summary;
  2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  4. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
  5. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.has been submitted to, and approved in writing by, the local planning authority.  
Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.
  
18. The development hereby approved shall not be brought into use unless and until:
  1. the habitat creation and enhancement works set out in the approved HMMP have been completed; and
  2. a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning AuthorityThe created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.  
Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

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



**Radcliffe Metrolink, Festival Gardens,**  
**ADDRESS: Church Street West, Radcliffe, M26**  
**2BY**



**Planning, Environmental and Regulatory Services**

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71284

Photo 1



Photo 2



71284

Photo 3



Photo 4



71284

Photo 5





Radcliffe Station

Sub Sta

ACCESS TO SPRING LANE

RAMP LANDING, 5M IN LENGTH, GRADIENT 1in100

RAMP LANDING, 5M IN LENGTH, GRADIENT 1in100

EXISTING FOOTWAY / CYCLELANE WIDTH : 2.7m

EXISTING FOOTWAY

EXISTING FOOTWAY / CYCLEWAY PATH

RADCLIFFE METROLINK STATION

FESTIVAL PARK

RAMP LANDING, 5M IN LENGTH, GRADIENT 1in100

RAMP LANDING, 5M IN LENGTH, GRADIENT 1in100

**NOTES - GENERAL**

- ALL DIMENSIONS ARE STATED IN MILLIMETRES UNLESS NOTED OTHERWISE.
- ALL LEVELS ARE STATED IN METRES
- DO NOT SCALE. PLEASE REFER ANY QUERIES TO THE PROJECT MANAGER / SUPERVISOR.
- THIS DRAWING IS TO BE READ IN COLOUR.

REV	DATE	BY	CHK	APP	DESCRIPTION
P02	15/10/24	AMR	ML		UPDATED FOLLOWING WLD REVIEW

**Wilde** Consulting Civil & Structural Engineers

Client: **BURY COUNCIL**

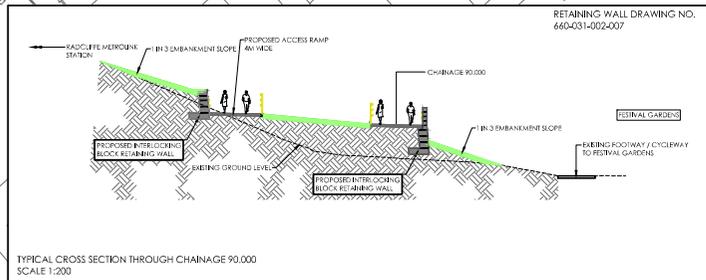
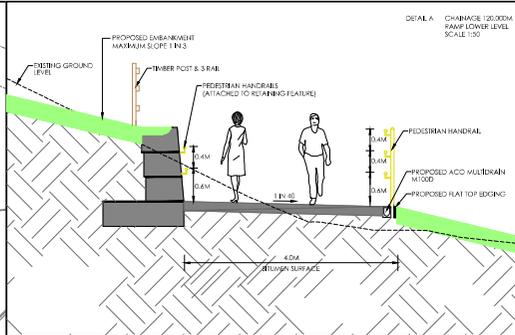
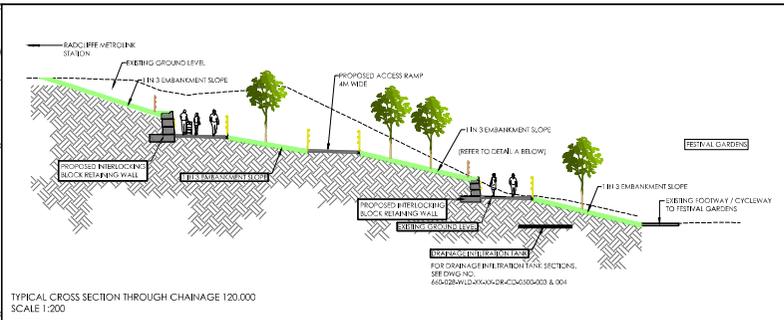
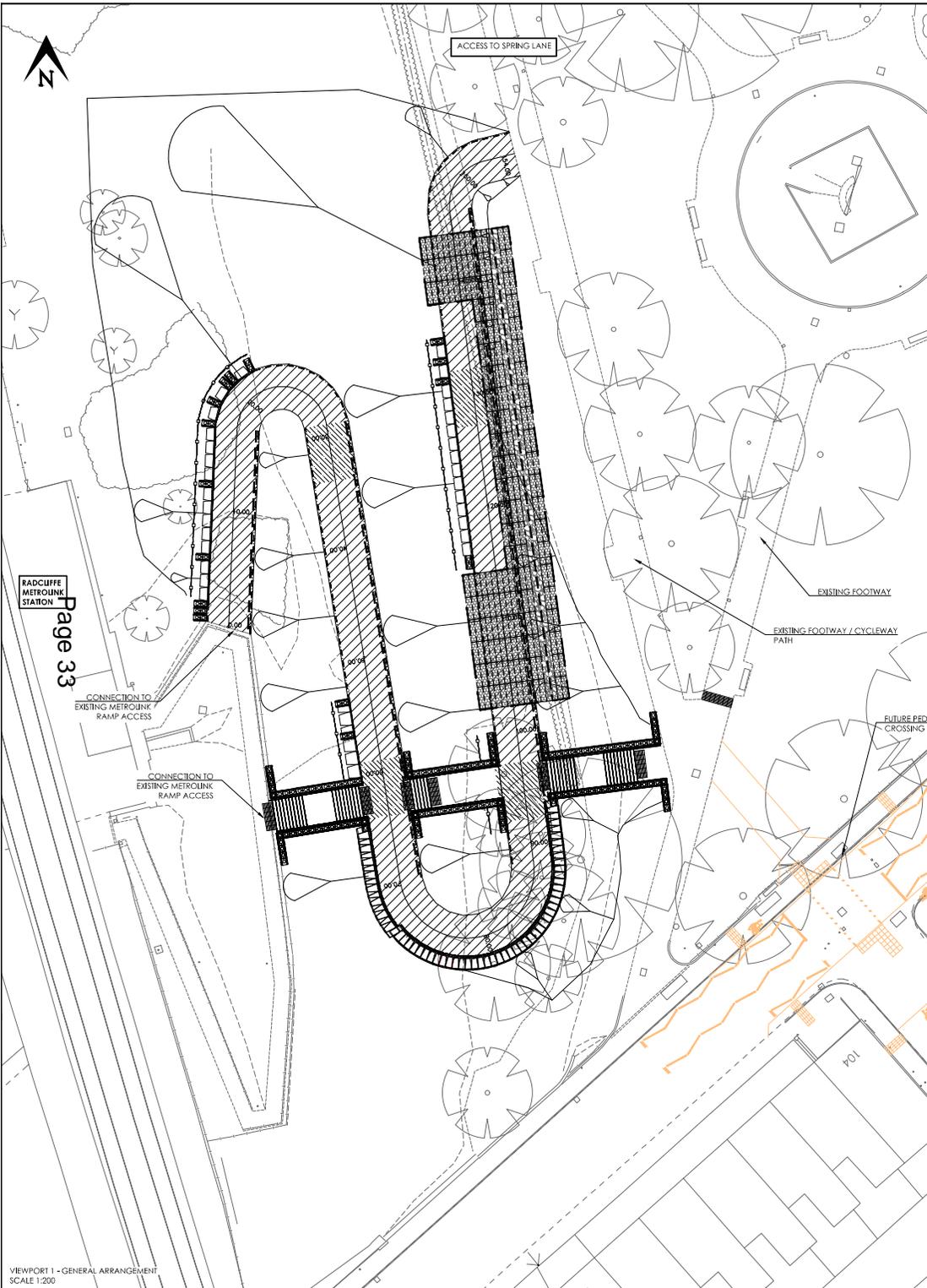
Project: **METROLINK ACCESS RAMP RADCLIFFE**

Title: **PROPOSED GEOMETRY**

Scale	Drawn	Date	Chkd	Approved
1:200	AMR	19.05.22	ML	ML
Drawing No.	Status			Revision
660-028-WLD-XX-XX-DR-CH-0100-002	FOR INFORMATION			P02
				Sheet Size
				A1

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**NOTES - GENERAL**

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**NOTES - SERIES 100 - GENERAL ARRANGEMENT**

- FOR THE REQUIREMENTS OF TREE FELLING OR TREE MITIGATION MEASURES REFER TO DRAWING NUMBER 660-028-WLD-XX-XX-DR-CH-3000-001.

**KEY : SERIES 100 - GENERAL ARRANGEMENT**

- PROPOSED PEDESTRIAN HANDRAIL
- PROPOSED PEDESTRIAN HANDRAIL (ATTACHED TO RETAINING FEATURE)
- PROPOSED TIMBER & 3 RAIL FENCE

**KEY : SERIES 500 - DRAINAGE**

- PROPOSED ACO MULTIDRAIN M1000
- PROPOSED DRAINAGE ATTENUATION SYSTEM

**KEY : SERIES 1100 - KERBS, FOOTWAYS AND PAVED AREAS**

- PROPOSED FLAT TOP EDGING (Laid Flush)
- PROPOSED 4M WIDE FOOTWAY / CYCLEWAY ACCESS RAMP (MAX. GRADIENT 1 IN 20 GRADIENT)
- PROPOSED 4M WIDE FOOTWAY / CYCLEWAY ACCESS RAMP LANDING (5M IN LENGTH)
- PROPOSED HAZARD WARNING PAVING (CORDUROY - BUFF COLOURED)

**KEY : SERIES 2500 - SPECIAL STRUCTURES**

- PROPOSED RETAINING WALL (REFER TO DRAWING NO. 660-028-WLD-XX-XX-DR-C-1700-001 TO 007)

PROJ	JK	AMR	ML	15.10.24	UPDATED FOLLOWING WLD REVIEW
PROJ	AMR	ML	MS	06.09.24	PROFILE AMENDED
PROJ	AMR	ML	MS	18.08.22	RETAINING WALL ELEVATION REMOVED
PROJ	AMR	ML	MS	18.08.22	RETAINING WALL ELEVATION REMOVED
PROJ	AMR	ML	MS	07.07.22	ACCESS STEPS ADDED
REV	DRN	CHK	APP	DATE	DESCRIPTION

**Wilde** **Consulting Civil & Structural Engineers**

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**BURY COUNCIL**

Client  
**METROLINK ACCESS RAMP  
RADCLIFFE**

Title  
**GENERAL ARRANGEMENT**

Scale	AS SHOWN	Drawn	AMR	Date	19.05.22	Checked	ML	Approved	ML
Drawing No.	660-028-WLD-XX-XX-DR-CH-0100-001								
Revision	PO5								
Status	FOR INFORMATION								
Sheet Size	A1								

**TREE PLANTING**  
Standard trees to be pit planted. Minimum pit size: 900 x 900 x 500mm depth.  
Excavate tree pits with slightly raised centre. Retain topsoil for re-use.  
Break up and loosen the base and sides of the pit. Pit bottoms: With slightly raised centre. Break up to a depth of 200 mm.  
Sloping ground: Maintain horizontal bases and vertical sides with no loss than minimum depth throughout.  
Plant trees to the same depth as they were in the nursery. Back fill the pit in stages, whilst firming up the soil around the roots until the original ground level is restored.  
Tree pits in soft landscaped areas to be filled with 1:3 mixture of compost and topsoil to an initial depth of 500mm, with well worked subsoil layer beneath to generally accord with existing surrounding soil strata.  
Topsoil to contain peat free organic matter.

**MULCH FOR STANDARD TREES**  
Apply mulch dressing with 50mm minimum depth of chipped natural British forest biomass containing minimum of 70% wood content of particle size 35-45mm. The mulch shall be free of pest, disease or weed contamination for handover.

Ensure planting conforms to planting matrix (where appropriate) and in all other areas appears random / natural and not formal in accordance with the planting proposal layouts.

**STAKING**  
Stake all standard trees with double short stakes and tree shelter protection. Stakes to be first grade pressure impregnated wood timber and chamfered tops. Position stakes close to the tree on windward side and drive vertically at least 300mm into the bottom of the pit before planting.  
Backfilling: consolidate material around stake. Height of stakes: cut to approximately one third of the tree height above ground level.  
Ties: Hessian e.g. NatureTie by Green Blue Urban. Tying: secure tree firmly but not rigidly to stake with at least 2 ties within 25mm of top of stake.  
Tree guard: Contractor's choice

**HERDGEROW PLANTING**  
Plant hedges into pre-prepared planting trenches, 500-600mm wide for double rows. Planting strips to consist of topsoil to a depth of no less than 450mm, mixed with soil conditioner as specified below.  
Incorporate a soil conditioner/fertiliser in the form of peat free general-purpose shrub compost or well rotted spent mushroom compost along planting trench in a 50mm layer at the rate of 300g per m<sup>2</sup>, and incorporate to a depth of 25mm.  
All hedge planting areas to be dressed with a minimum 60-75mm mulch layer, consisting of medium chipped tree bark, composted for 2-4 weeks, particle size 15-50mm.  
All stock to be protected using proprietary tree shelter and staking package eg GreenTech Nature EasyStake with 5 - 10mm diameter support stake.

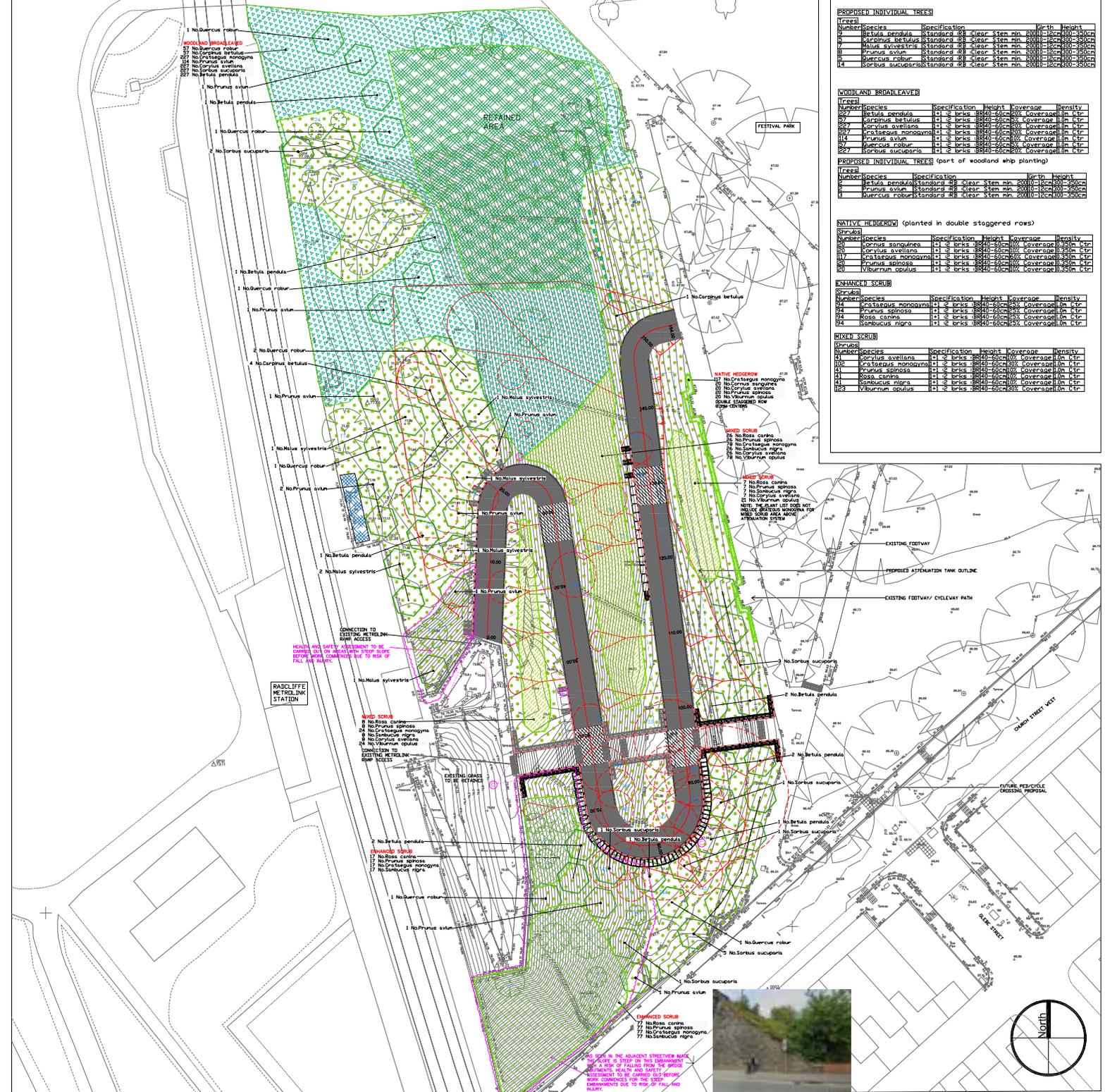
**MULCH FOR HERDGEROWS**  
Mulch whole surface of hedge planted areas with 80-75mm minimum depth of chipped natural British forest biomass containing minimum of 70% wood content of particle size 35-45mm. The mulch shall be free of pest, disease or weed contamination.

**WOODLAND PLANTING**  
Bare root whips to be notch planted. Cut the spade fully into the ground. At a right angle to the first cut, repeat step 1 to create a T-shape. Take the spade to the original cut and lever it upwards, parting the turf. Place the tree carefully in between the sections of turf. Lever the spade back out and the turf will fall into place. Ensure all roots are taken into the hole. Adjust the tree to ensure it is at ground level, and thoroughly firm down soil around the tree.

**STAKING & PROTECTION**  
All woodland whip and hedgerow stock to be protected using proprietary tree shelter and staking package eg GreenTech Nature EasyStake with 5 - 10mm diameter support stake.

**NEUTRAL GRASSLAND SEEDING**  
After cultivation operations have been carried out, use a pre-seed herbicide on areas to be seeded. Sow areas to be seeded with grass seed which has been stored off the ground in a clean, dry place free from vermin. Following an even distribution of seed, the contractor shall carry out a light raking or light harrowing of the area and ensure consolidation of the seed with the soil by the use of a light roller. All reasonable precautions shall be taken to ensure that pedestrian and other traffic does not cross areas during cultivation and until the grass has established.  
Neutral grassland areas to be seeded at 5g / sqm  
Product supplier - Germinal Amenity  
Product specification - WFG4 Neutral soils

**SOWING PROCEDURE**  
Carry out two equal sowings at right angles to each other and diagonally to main axis. Broadcast manually or use seed drill, rake level and roll. Ensure good seed to soil contact.  
Sowing rate 5g / sqm



**PROPOSED INDIVIDUAL TREES**

Number	Species	Specification	Height	Birth	Height
1	Betula pendula	Standard BS	Clear Stem min 2000	12C2400	2000
2	Betula pendula	Standard BS	Clear Stem min 2000	12C2400	2000
3	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
4	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
5	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
6	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
7	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
8	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
9	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
10	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
11	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
12	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
13	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
14	Norvus aucuparia	Standard BS	Clear Stem min 2000	12C2400	2000

**WOODLAND BRAMBLE COVER**

Tree	Species	Specification	Height	Coverage	Density
1	Betula pendula	Standard BS	Clear Stem min 2000	12C2400	2000
2	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
3	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
4	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
5	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
6	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
7	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
8	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
9	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
10	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
11	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
12	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
13	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
14	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
15	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
16	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
17	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
18	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
19	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
20	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
21	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
22	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
23	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
24	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
25	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
26	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
27	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
28	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
29	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
30	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
31	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
32	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
33	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
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36	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
37	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
38	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
39	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
40	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
41	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
42	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
43	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
44	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
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46	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
47	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
48	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
49	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
50	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
51	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
52	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
53	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
54	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
55	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
56	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
57	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
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60	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
61	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
62	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
63	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
64	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
65	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
66	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
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77	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
78	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
79	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
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82	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
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85	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
86	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
87	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
88	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
89	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
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94	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
95	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
96	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
97	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
98	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
99	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000
100	Prunus avium	Standard BS	Clear Stem min 2000	12C2400	2000

**NATIVE HEDGEROW (planted in double staggered rows)**

Number	Species	Specification	Height	Coverage	Density
1	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
2	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
3	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
4	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
5	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
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12	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
13	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
14	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
15	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
16	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
17	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
18	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
19	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
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32	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
33	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
34	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
35	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
36	Malus sylvestris	Standard BS	Clear Stem min 2000	12C2400	2000
37					

Key:

-  Red line boundary
-  Proposed individual trees
-  Retained individual trees
-  Retained line of trees
-  Proposed species-rich native hedgerow
-  Bramble scrub
-  Developed land; sealed surface
-  Hawthorn scrub
-  Mixed scrub
-  Other neutral grassland
-  Other woodland; broadleaved
-  Retained habitats
-  Enhanced habitats

Notes

Issue: 1	Revision: 4	Date: 02/02/2026	Drawn: BH	Authorised: CK
Client: Wilde Consultants Ltd		Job No. 80-735	Date: 02/02/2026	
		Drawing No. 80-735-004	Scale: 1:900 @ A4	
Job title: Radcliffe Metrolink Access Ramp			Drawing title: Post Development Plan	



Environmental Engineering Partnership Ltd  
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 Website: www.e3p.co.uk



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**Ward:** Ramsbottom

Item 02

**Applicant:** Mr Andrew Warburton

**Location:** Smithie Garage, Spring Street, Ramsbottom, Bury, BL0 9JQ

**Proposal:** Conversion and extension of former garage into 1 No. two storey dwelling

**Application Ref:** 72383/Full

**Target Date:** 09/02/2026

**Recommendation:** Approve with Conditions

### **Description**

The application relates to an end terraced, single storey property that fronts directly onto Spring Street. The premises is currently utilised as a car garage, which would be considered to be a B2 Use. The existing premises has a stone frontage facing towards Spring Street, with red brick elevations to the side and rear.

Planning permission is sought for the conversion of the existing garage to a residential property. This would include the removal of part of the rear of the existing building and part of the side. The proposed dwelling would be two storey in height, with 2no. bedrooms proposed. An enclosed yard areas is proposed to the rear of the dwelling.

### **Relevant Planning History**

#### Smithie Garage

03073/E - Change of use from commercial garage to 1no. new two bed, two storey dwelling  
- Enquiry complete

#### Saw Mills - Land to the rear of the site

54544 - Demolition of existing sawmill and associated out-building, and construction of 5 no. three bed dwellings. - Approve with Conditions 21/12/2011

63957 - Outline application for 5 no. dwellings with details of access (all other matters reserved - Withdrawn by Applicant 16/05/2019

68578 - Demolition of existing sawmill and associated outbuilding and construction of 5 no. dwellings - Approve with Conditions 26/07/2023

70175 - Joining the two pairs of semi-detached houses, to create 4 no. terraced houses. Removal of the proposed dormers and increasing the eaves height by 865mm, to be replaced by attic trusses with roof lights. - Withdrawn - Invalid 07/11/2023

70229 - Change of house type application for 68578 to remove dormers, increase the eaves heights to all house types, increase the width of the porches and internal alterations - Refused 22/12/2023 Appeal Dismissed due to the design having a harmful impact on the character and appearance of the local area, and Conservation Area, failure to comply with National Designated Space Standards and Density.

71343 - Variation of Condition 2 (approved plans) of planning permission 68578 (Demolition of existing saw mill and associated outbuilding and construction of 5 no. dwellings) - revised site layout - Approve with Conditions 29/01/2025

71673 - Application to discharge conditions on planning permission 71343: 4 & 5

(contaminated land), 10 (landscaping), 12 (drainage), 13 (water main) - Split Decision 17/09/2025

72368 - Construction of 2 no. industrial units (Use Class E(g)(iii) - Industrial processes) - Approve with Conditions 28th January 2026.

### **Publicity**

Letters sent to 29 neighbouring properties on the 23rd December 2025.

Press notice published in the Bury Times 8th January 2026.

Site notice posted 7th January 2026.

3 objections received in relation to:

- Applicant does not own the site.
- Inadequate parking provision.
- No Transport Statement or assessment of the highways implications of widening Caltha Street have been provided.
- The ecological surveys have confirmed the presence of a bat roost on site. The application cannot be determined until the licensing requirements are addressed and appropriate mitigation secured.
- A Preliminary Risk Assessment is required to assess vapour risks from fuel/vehicle oils.
- The Engineering Consultancy has identified insufficient information regarding the proposed drainage scheme.
- Increase in height would not respect the historic grain of the Conservation Area.
- Overlooking and loss of privacy.
- Noise and disturbance during construction.
- Confirmation of bat roost suggests that Biodiversity Net Gain is required.
- No intention whatsoever of allowing any work to adjoin, alter or modify my property in any shape or form.
- Due to the ongoing complications of the other applications and ongoing disagreements this application should be denied to avoid any further local disputes and police involvement.
- Application site 72368 to the rear is untidy. Would prefer to see progress made rather than more unfinished projects.

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

**Traffic Section** - To be updated in supplementary

**Environmental Health - Contaminated Land** - Conditions requested in relation to the submission of a site characterisation and risk assessment, remediation strategy and verification and unexpected contamination.

**Drainage Section** - Condition requested in relation to the submission of a surface water drainage proposal.

**Waste Management** - No response

**United Utilities (Water and waste)** - No response

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

**Conservation Officer** - No objection in principle. Conditions requested in relation to materials samples.

**Greater Manchester Ecological Unit** - GMEU are satisfied that this application can be

forwarded for determination and that any permission if granted is supported by the conditions for the requirement for mitigation and lighting scheme for bats. A bat mitigation licence required to facilitate the works given the bat roost confirmed within the garage. A condition in relation to works to buildings during nesting season is also requested.

The application is exempt from Biodiversity Net Gain (BNG)

**Pre-start Conditions** - Agreed by agent. Agreement to Traffic/Highways conditions to be reported in Supplementary.

### **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
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN6/3	Features of Ecological Value
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
EC2/2	Employment Land and Premises
JP-P1	Sustainable Places
JP-P2	Heritage
JP-S4	Flood Risk and the Water Environment
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G7	Trees and Woodland
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

### **Issues and Analysis**

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

### **Principle (Loss of Employment)**

Policy EC2/2 states that the Council will seek retention of existing employment land and purposes outside Employment Generating Areas except where it can be clearly demonstrated that an existing employment site or premises is no longer suited in land use

terms to continued employment use.

The existing B2 unit is in a primarily residential area, with no curtilage and no associated off street car parking or servicing. The submitted Design and Access Statement confirms that the premises is no longer viable and has been closed for a number of months. Two extant permissions are approved for the land to the rear of the site for uses suitable for a residential area and would not be considered to be employment uses. Application 71343 relates to a residential development and 72368 relates to an Eg(iii) development which is defined within The Town and Country Planning (Use Classes) Order 1987 Schedule 2, Part A as being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Given the surrounding land uses, and the constrained nature of the site the release of the site for alternative uses would be acceptable in principle.

### **Principle (Residential)**

The National Planning Policy Framework (NPPF) is a material planning consideration in planning decisions, and emphasises the Government's objective of significantly boosting the supply of homes. The Framework states that local planning authorities should identify and update annually a supply of specific deliverable sites to provide a minimum of five years' worth of housing, with either a 5% buffer to ensure choice and competition in the market for land, or a 20% buffer where there has been significant under delivery of housing over the previous three years. As set out in NPPF paragraph 78, the supply of housing must be assessed against the housing requirement set out in adopted strategic policies where these are less than five years old.

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 is an assessment of potential sites for residential development and is used to assess the housing land supply. It includes sites that have an extant planning permission, sites allocated through the joint Places for Everyone Plan 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.

The Council has carried out an assessment of the housing land supply to determine whether sites meet the deliverability tests in the NPPF and can contribute to the five year supply of housing land. Based on the 2025 5-year supply statement, the Council has demonstrated a 4.3 year supply of housing land. This includes a 20% buffer (as currently required in Bury due to past under delivery) and accounts for past oversupply when assessed against the adopted PfE housing requirement. The Council is therefore currently unable to demonstrate a deliverable five-year supply of housing land against the adopted housing requirement.

The National Planning Policy Framework also sets out the Housing Delivery Test (HDT), 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 (the 2023 measurement published on 12 December 2024) show that Bury has a HDT result of less than 75%.

The five year supply position and the housing delivery test result need to be treated as material factors when determining applications for residential development.

Paragraph 11(d) 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, provide a strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

This means that as a result of the lack of five year supply and the latest published HDT result the 'tilted balance' set out in NPPF paragraph 11(d) applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

The site is located within an established urban area, outside of the Green Belt. As such the proposal is considered to be acceptable in principle.

### **Design, layout and impact upon Conservation Area**

As the site is located within the Ramsbottom Conservation Area, it is necessary to consider the proposal in terms of the Town and Country Planning Listed Building and Conservation Act. In this regard proposals should either preserve or enhance the Conservation Area and in terms of policy consideration National Planning Policy Framework paragraphs 189-202 and Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the Unitary Development Plan.

Policy JP-H4 - Requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. Policy JP-H4 sets out minimum densities that should be considered. Therefore in accordance with Policy JP-H4 regard should be had to a minimum net residential density of 70 dwellings per hectare at this site. The application form confirms that the site is 75.25 square metres or 0.0075 hectares, which based on a total of 1 dwellings would result in a density of 133 dwellings per hectare. The proposal would therefore make efficient use of land.

Policies H2/1 and H2/2 provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finishing materials for new residential developments. 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 seeks to create a city region that consists of a series of beautiful, healthy and varied places. High quality design is fundamental to achieving this. Policy JP-H3 - Seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build.

The proposed dwelling would be of a suitable scale and replicates the rhythm of the terraces along the row. The proposed windows and doors are considered to be suitably

aligned and would replicate the vertical emphasis of the windows within the existing terrace. An area of amenity space is proposed to the rear of the property that replicates the amenity space of the other dwellings within the terraced row. The application seeks to use coursed stone to match the existing building, and natural grey slate for the roof. Given the context of the site it is considered that a samples of the stone and slate to be used, including the natural stone window headers, cills and jambs should be submitted for approval prior to the commencement of works. The facing stone sample should take the form of a panel on site. This can be provided by a pre-commencement condition.

It is considered that the design of the proposed dwelling would be in keeping with the character of the terraced row in which it would be located and as such would preserve the character of the Conservation Area.

Policy JP-H3: states that all new dwelling 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.

The dwelling would be a two storey, 2 bed, 3 person property. The proposed dwelling would have an overall floor area of 71.47 square metres, which would exceed the minimum 70 square metres required by NDSS. Bedroom 1 complies with the standards for a double bedroom, and bedroom 2 complies with the standards for a single bedroom. Suitable in built storage is proposed at ground floor. The proposal would therefore comply with NDSS standards.

M4(2) compliance can be secured by condition.

### **Amenity**

There are no adopted aspect standards for new residential properties however, SPD 6 provides guidance on aspect standards between residential properties in relation to householder extensions and as such, would be a reasonable guide in this case. SPD 6 also provides guidance on overbearing relationships for single storey and two storey extensions that can be applied.

- For clarity the following aspect standards would be applicable:
- 20 metres between directly facing habitable room windows;
- 13 metres between an existing habitable room window and a proposed two storey blank wall
- 6.5 metres between an existing habitable room window and a proposed single storey blank wall
- 7 metres between a proposed first floor habitable room window and a directly facing boundary with a neighbouring property

The proposed first floor rear window of bedroom 1 would be located approximately 5.5 metres from the rear boundary. This is below the 7 metres requires by SPD 6 however there is a ginnel that runs along the rear of the properties on Spring Street that would separate the proposal from the approved development at the former Saw Mills. The separation distance in terms of overlooking would replicate the distances provided by the neighbouring residential properties.

The proposed rear ground floor windows would be screened by any rear boundary treatments.

The proposed front windows would have an oblique view of No. 3 Spring Street however

they would be separated from this property by a highway. The main onward view for these windows would be of the junction of Spring Street/Kerenhappuch Street.

### **Access**

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

The proposal would front directly onto Spring Street, with main entrance to the dwelling also fronting this highway which would replicate the access to the other properties within the row. A secondary pedestrian access to the proposed rear yard is proposed from Caltha Street which is a unadopted, unmade track to the side of the property. The proposal seeks to incorporate a ramp within Caltha Street to the side of the dwelling to allow pedestrian access to the rear yard.

In terms of parking standards UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 (SPD11) provides parking standards for developments.

No parking is proposed as part of the application however it is acknowledged that there is also no parking for the existing garage use. The site is located within Zone 3 as set out within SPD11.

For the existing B2 use SPD11 would require 1 space per 60 square metres which would equate to 2 spaces. SPD 11 would also require 2 spaces for a 2no. bed property. There would therefore be no increase in the parking requirements for the scheme, compared to the existing use. It should also be noted that the site is located within a highly sustainable area with on street parking available, which would be utilised for the existing use. Given that the parking requirements for both the existing and proposed uses would be the same, the utilisation of on street parking would be acceptable.

### **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.

### **Bats**

The application is accompanied by an Inspection & Assessment in relation to Bats and Breeding Birds report and Dusk Survey Results report (Tyrer Ecological Consultants, August 2025).

The Preliminary Roost Assessment (PRA) found the existing garage to have 'moderate' potential for roosting bats based on the Potential Roosting Features (PRFs) found, triggering the requirement for two bat emergence surveys. No trees were present onsite.

Two emergence surveys were subsequently undertaken in July and August 2025 on the garage and it was ascertained to be host to a day roost for a single common pipistrelle bat. The surveys appear to have been carried out in line with best practice guidelines by suitably experienced ecologists.

Given the day roost is one common pipistrelle bat only, Greater Manchester Ecology Unit

(GMEU) have confirmed that they can be confident that mitigation will be feasible to maintain the favourable conservation status of this species. As per the report, a European Protected Species Mitigation Licence (EPSML) for bats needs to be obtained from Natural England for works to proceed. As per the report, the application would be eligible for the streamlined "Earned Recognition" bat mitigation licence. The bat mitigation licence must be sought and approved, prior to any works taking place and after planning permission has been granted.

A compensatory bat box should also be provided prior to demolition and has been proposed on a retained sycamore tree to the northeast of the site (as shown in Figure 6.1). An integrated bat box has also been proposed on the new building on the south-east elevation (as shown in Figure 6.2). These boxes should be implemented as part of the mitigation strategy.

A sensitive lighting strategy is also required given that bats were identified in the locality during the surveys, as per the report.

Overall, GMEU are satisfied with the information provided for planning purposes however given the bat roost present and the works proposed, a European Protected Species Mitigation Licence (EPSML) must be obtained from Natural England after planning permission has been granted and prior to the commencement of works. A condition to this effect should be attached to any permission if granted.

#### Nesting Birds

The report states that viable nesting platforms are present within the garage building, which could be utilised by nesting birds. As all wild birds, their nest and eggs are protected under the Wildlife and Countryside Act 1981 (as amended), GMEU would recommend that a condition restricting works to the building to outside of nesting season is attached to any planning permission.

#### Biodiversity Net Gain

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

In this instance, given the nature of the development which largely comprises of reconfiguration and alterations to an existing building the de-minimis exemption would apply.

#### **Carbon And Energy**

JP-S2 - Carbon & Energy sets out the steps required to achieve net zero carbon emissions. The applicant has confirmed the proposal would be fully compliant with Part L of the 2022 Building Regulations.

#### **Digital Connectivity**

JP-C2 - Digital Connectivity - this policy requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting.

The applicant has confirmed that full fibre would be provided.

#### **Response to representations**

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

The application is supported by a bat assessment, which recommends dusk emergence

surveys that have also been undertaken. The latter report sets out a scheme of mitigation that highlights the need to obtain a protected species licence. This does not need to be obtained prior to determination of the application, it needs to be obtained prior to commencement of works. Conditions 5 - 7 relate to recommendations for bats.

As set out within the Consultation Responses published on the Council's website from the Environment Section and the Drainage the Preliminary Risk Assessment and the Drainage information referenced by objectors can be secured by condition. Conditions 9, 10 11 and 12 (contaminated land) and 4 (drainage) refer.

A BNG habitat is any distinct area of land or water—including grassland, woodland, hedgerows, and watercourses, and does not relate to individual bat roosts.

Problems arising from the construction period of any works, e.g. noise, dust, construction vehicles, hours of working are covered by Control of Pollution Acts.

Certificate B has been signed, and the applicant has confirmed that notice has been served on the required landowners for the required period prior to determination.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

#### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered AW4-00, AW4-02C, AW4-03B, AW4-04A, AW4-05D, AW4-06, AW4-07A 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. A sample panel of facing stone, demonstrating the colour, texture, face bond and pointing, not less than 1 sq.m in size, shall be erected on site for inspection, and approval in writing, by the Local Planning Authority prior to the commencement of the development. Samples of the roofing, natural stone headers, cills, jambs and all other external materials shall also be made available for inspection on site. Thereafter the development shall be constructed in the approved materials and manner of construction.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

4. 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) or subsequent revisions of it. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Design details should comply with guidance contained in the Greater Manchester's Sustainable Drainage Design Guide, March 25. Details of proposed maintenance arrangements should also be provided.  
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 Bury Unitary Development Plan Policies EN7/3 - Water Pollution, EN7/5 - Waste Water Management, Places for Everyone Joint Development Framework Policy JP-S4 - Flood Risk and the Water Environment and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
5. The development shall be constructed in accordance with the programme of mitigation for bats as set out within the Dusk Survey Results PR-25-0196 undertaken by Tyrer Ecological Consultants Ltd. A European Protected Species Mitigation Licence (EPSML) for bats needs to be approved from Natural England for works to proceed. All mitigation measures shall be fully implemented prior to the commencement of the works and remain in situ on site for the agreed period of time.  
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 of the Places for Everyone Joint Development Framework, EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
6. No development shall commence unless and until a lighting scheme for any new external lighting, designed in line with best practice guidelines, has been submitted to and approved in writing by the Local Planning Authority.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to Development Plan Policies JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and EN6/3 – Features of Ecological Value of the Development Plan and Section 15 of the National Planning Policy Framework.
7. Prior to any demolition works at the site a compensatory bat box should be provided on a retained sycamore as set out within Figure 6.1 of the Dusk Survey Results - Tyrer Ecological Consultants Ltd. An integrated bat box shall be installed on the new building on the south-east elevation (as shown in Figure 6.2) prior to occupation.  
Reason. To secure the satisfactory development of the site and ensure enhancements and net gains for biodiversity pursuant to policies JP-G8: A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
8. No removal of or works to any buildings shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent

ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before clearance and ensured that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

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 of the Places for Everyone Joint Development Framework, EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

9. 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).

10. 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:

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).

11. 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).

12. 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;

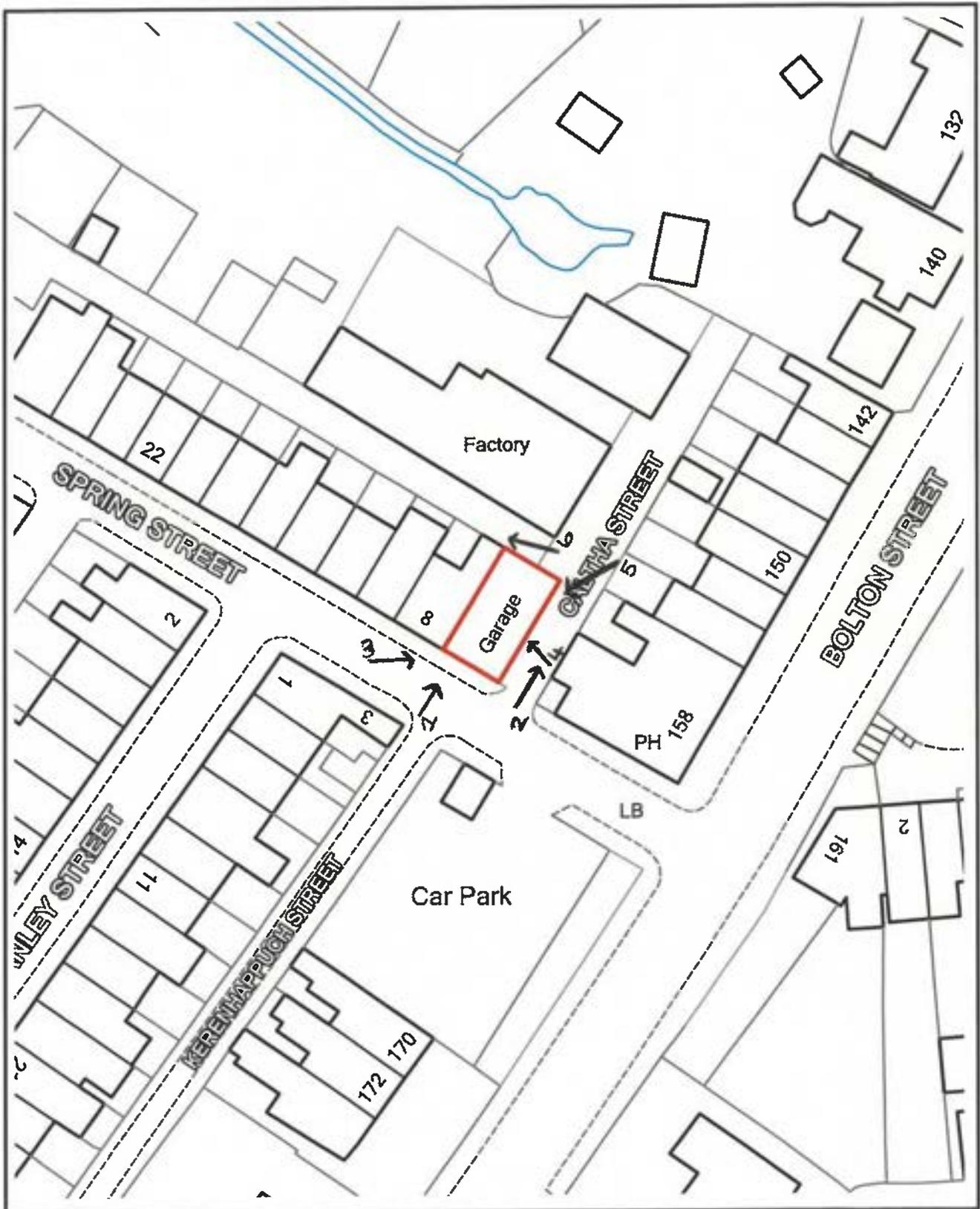
If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details 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).

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

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

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



**ADDRESS: Smithie Garage, Spring Street,  
Ramsbottom, Bury, BL0 9JQ**



**Planning, Environmental and Regulatory Services**

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Photo 1



Photo 2



72383

Photo 3



Photo 4



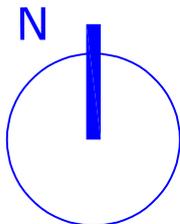
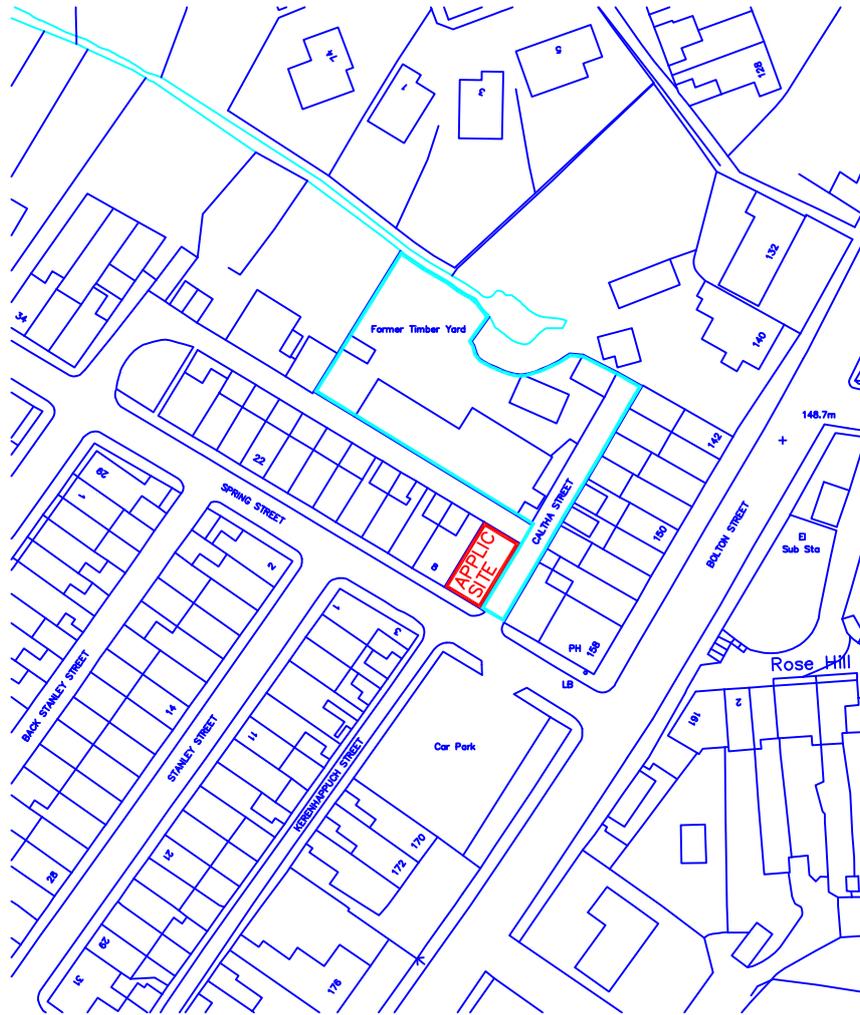
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Photo 5



Photo 6





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Smithie Garage  
Spring Street  
Ramsbottom  
BL0 9JQ

scale 1:1250@A4  
August 2025

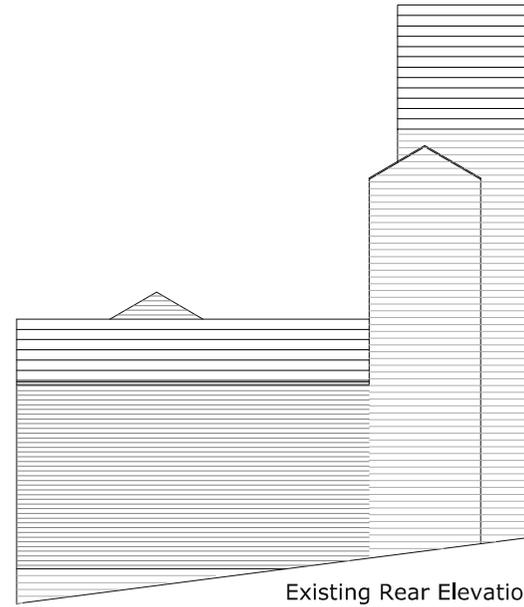
AW4-00

Location Plan

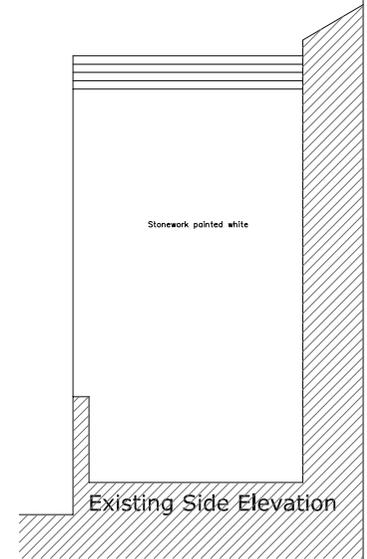
PPY design Ltd



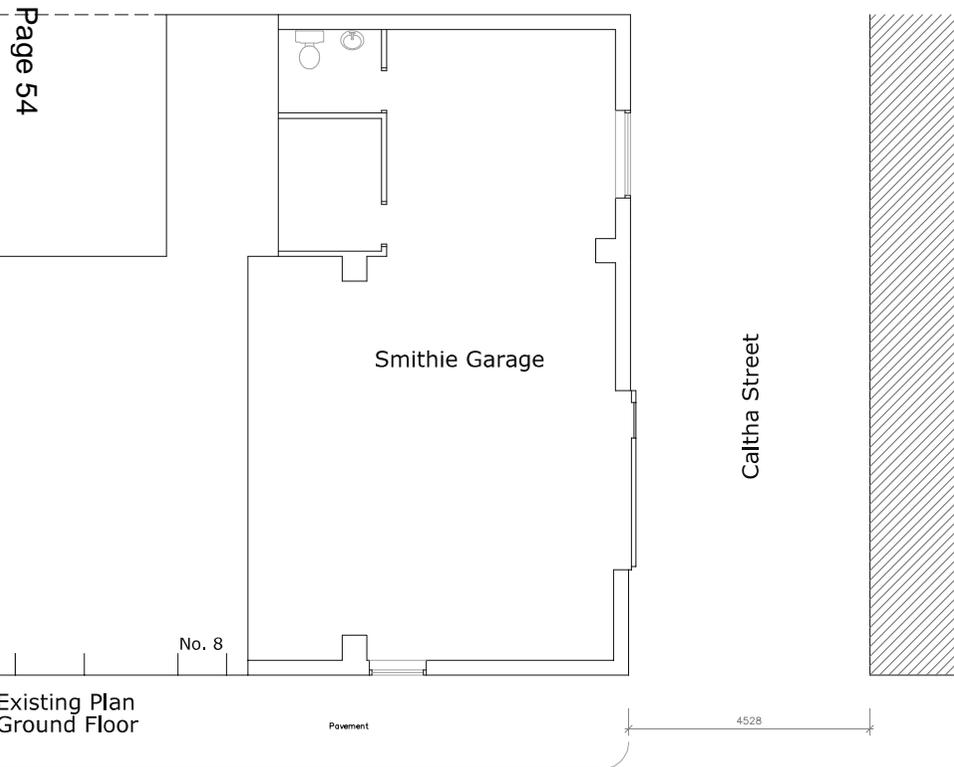
Existing Side Elevation



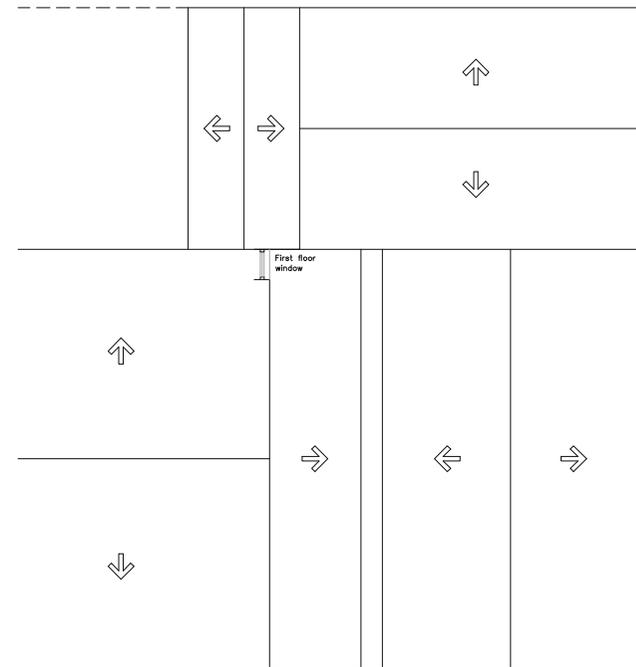
Existing Rear Elevation



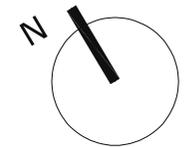
Existing Side Elevation



Existing Plan Ground Floor



Existing Plan Roof Pitches



A Additional off site elevation added 20.10.2025

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0 1 2 3 m

Former Smithie Garage  
Spring Street  
Ramsbottom  
BL0 9JQ

scale 1:50 at A1  
July 2025

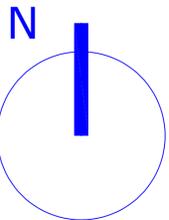
Existing Plans  
Side and Rear Elevations  
**AW4-04A**  
PPY design Ltd

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Survey by Chris Partington Land Surveyors and reproduced with their permission.

Page 55



- C Railing added deleted and ffl raised 12.02.2026
- B Entry radius plus railing added 07.02.2026
- A Additional levels added 20.10.2025

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Smithie Garage  
Spring Street  
Ramsbottom BL0 9JQ

scale 1:250@A1  
August 2025

AW4-02C Proposed Site Plan on Topographic Survey

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Existing Front Elevation along Spring Street

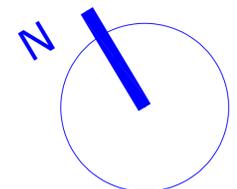
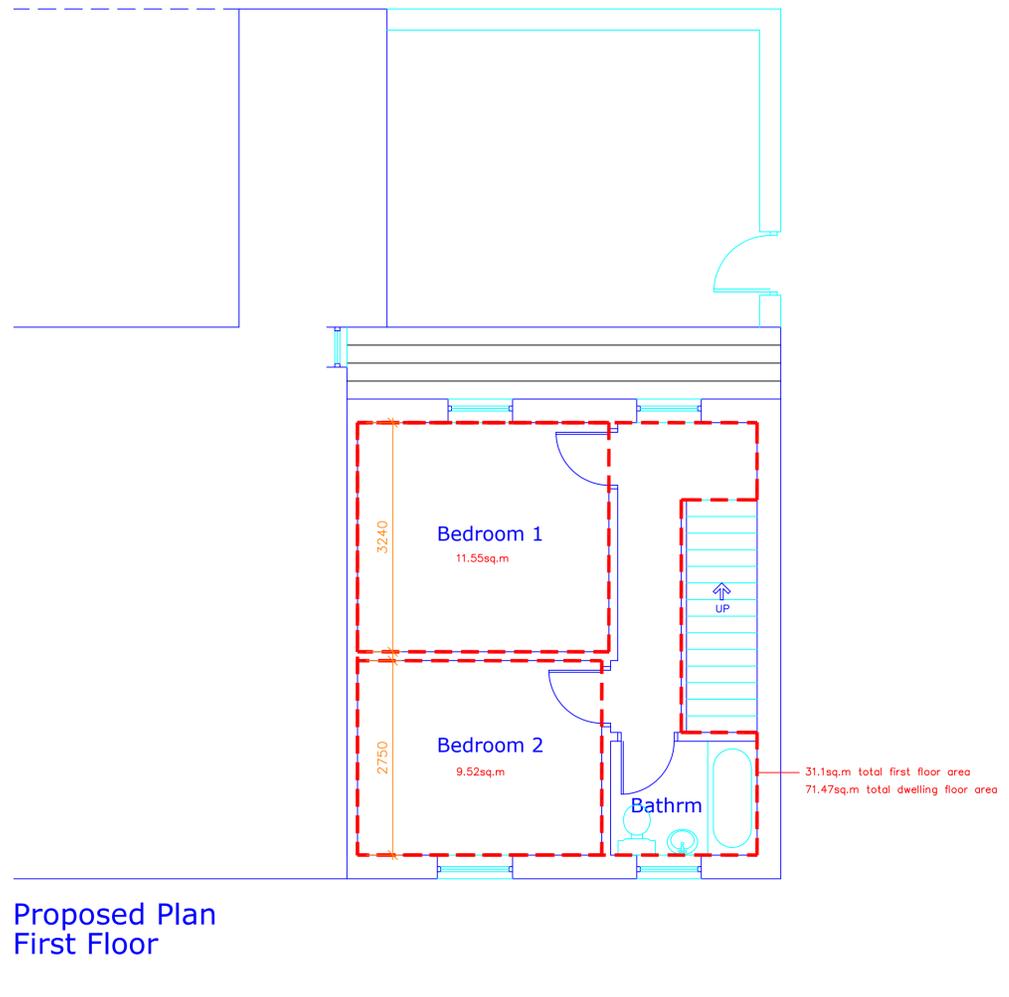
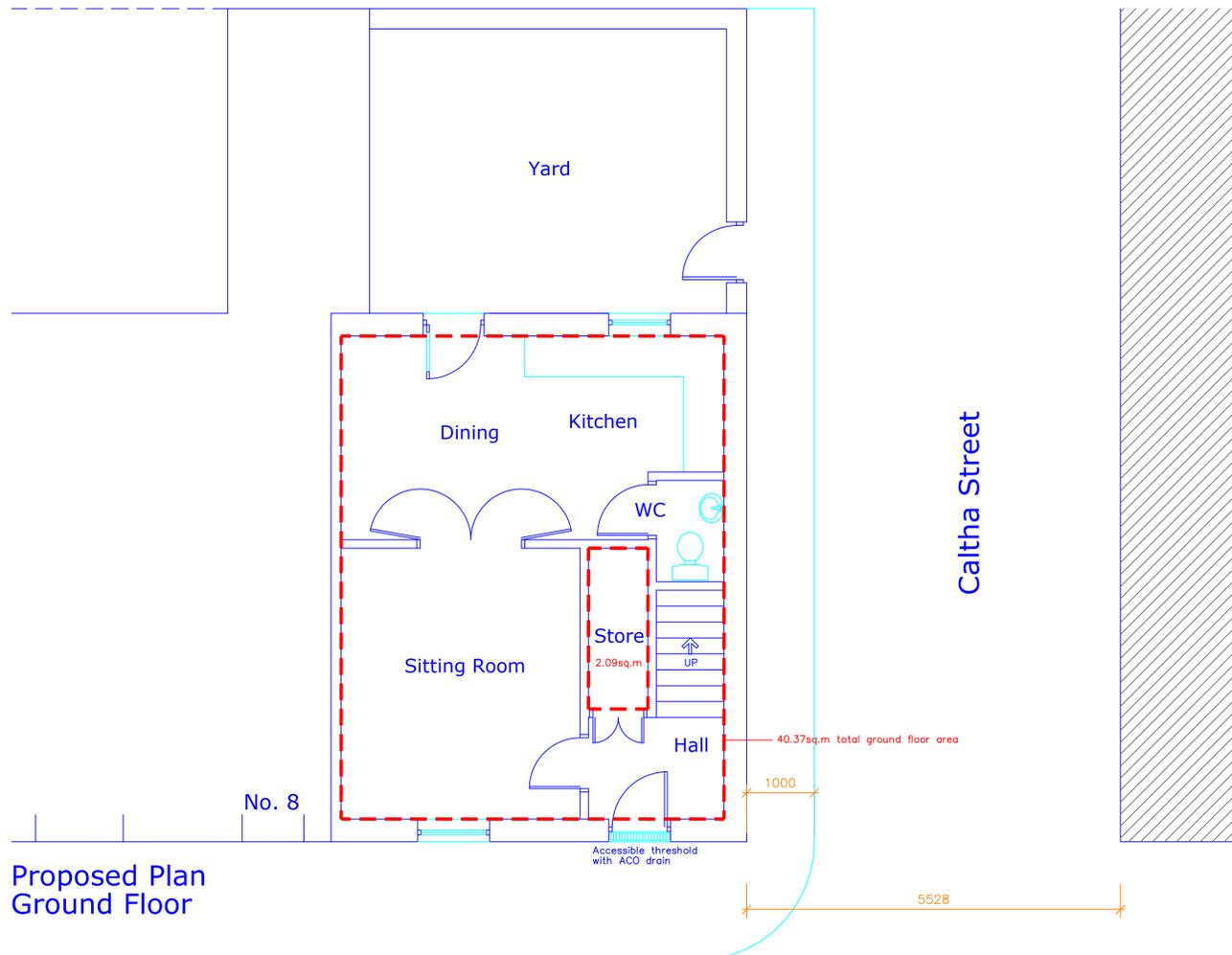
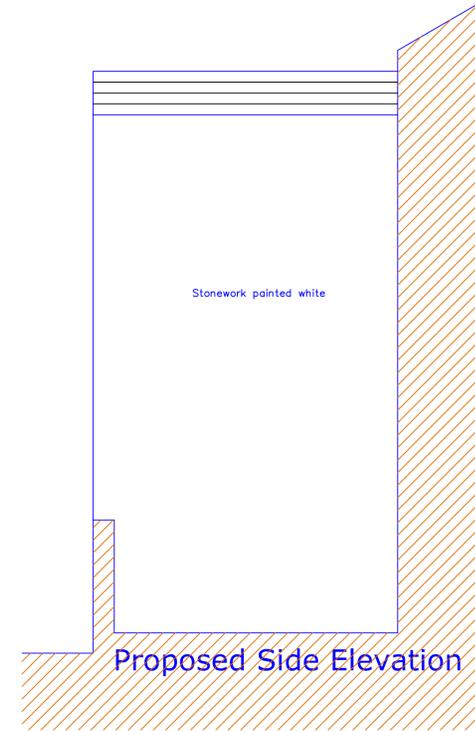
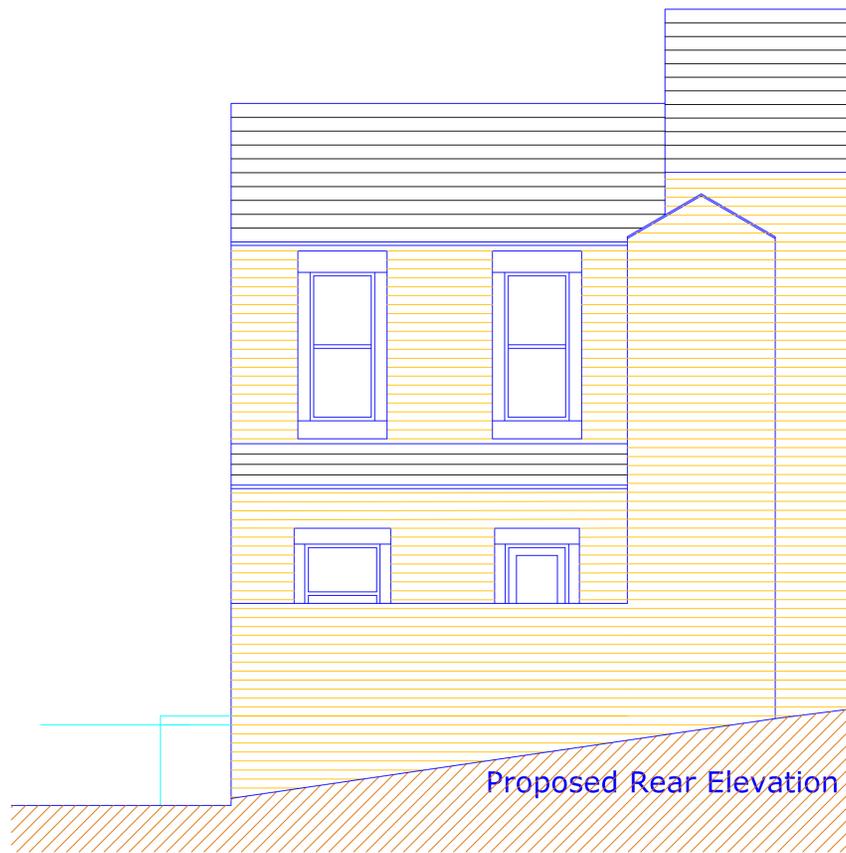
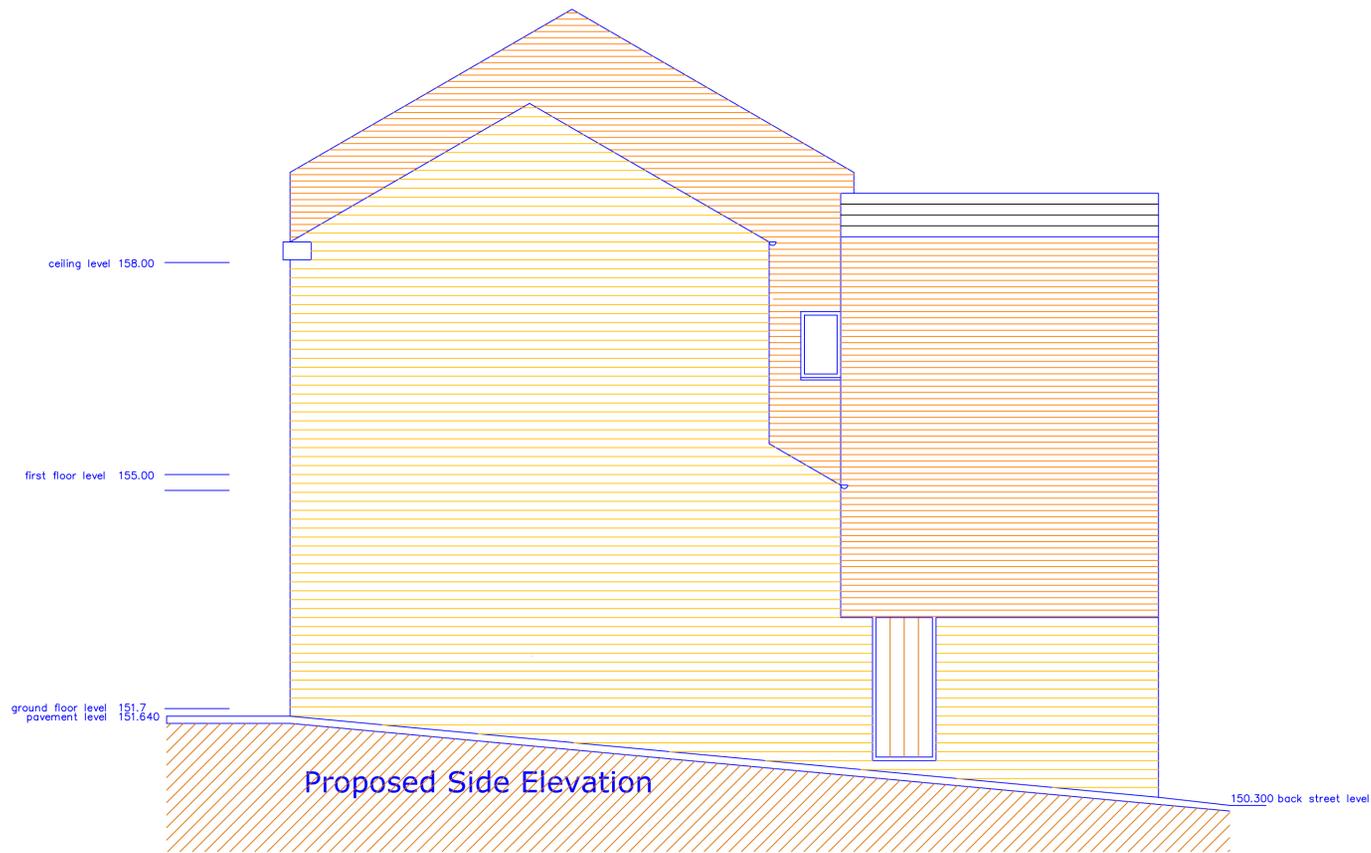


Proposed Front Elevation along Spring Street

B Front door made accessible 12.02.2026  
 A Roof raised 760mm and The Major added 14.01.2026

0 1 2 3 m

Former Smithie Garage	
Spring Street	scale 1:50 at A1
Ramsbottom	July 2025
BL0 9JQ	
AW4-03B Existing and Proposed Street Scene	
PPY design Ltd	



- D Ramp to rear removed 12.02.2026
- C Steps removed and railing added 07.02.2026
- B Roof raised 760mm 14.01.2026
- A Additional off site elevation added 20.10.2025

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0 1 2 3 m

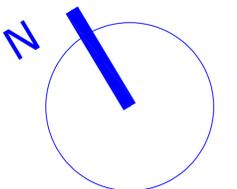
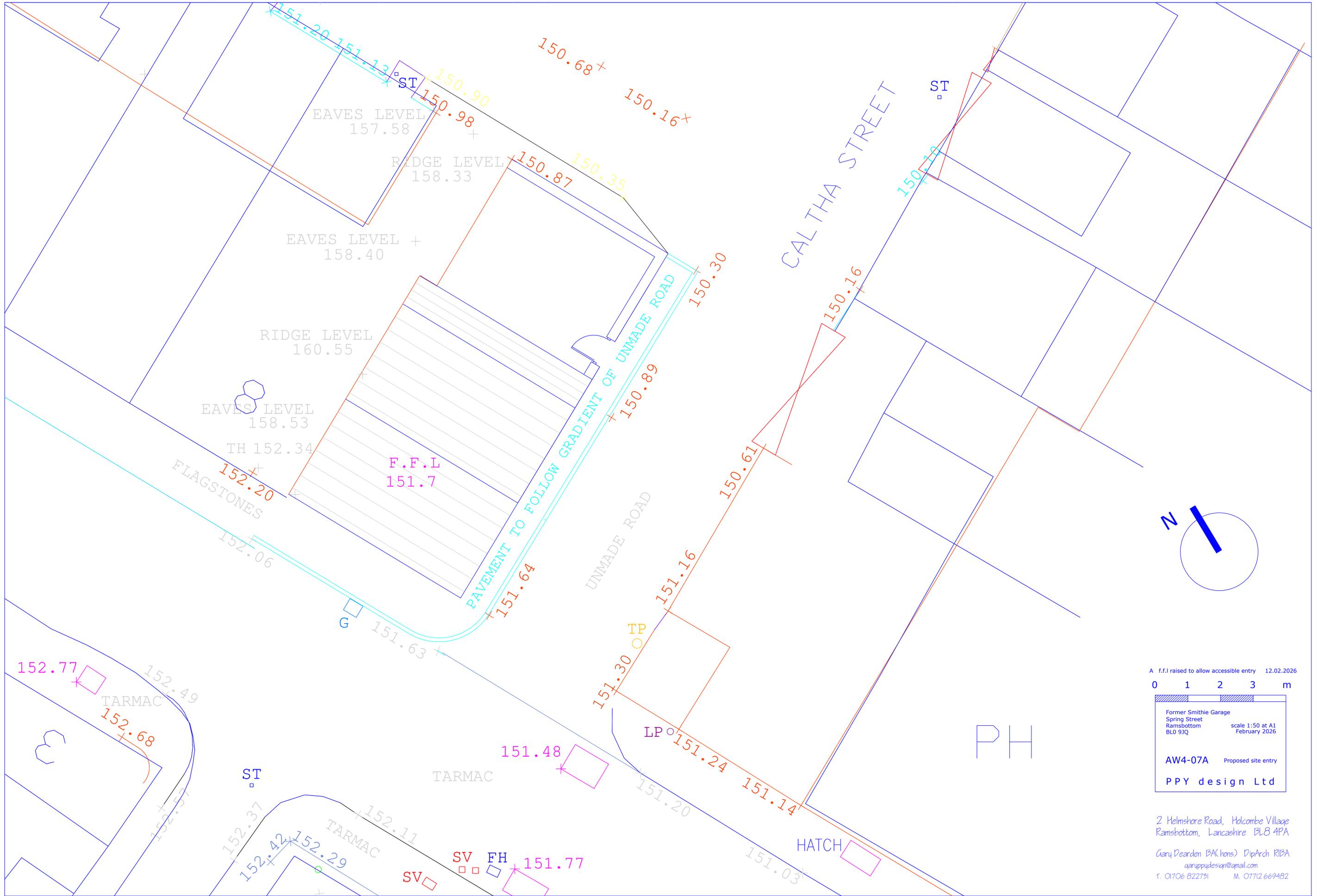
Former Smithie Garage  
Spring Street  
Ramsbottom  
BL0 9JQ

scale 1:50 at A1  
July 2025

Proposed Plans  
Side and Rear Elevations  
**AW4-05D**  
PPY design Ltd

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A f.f.l raised to allow accessible entry 12.02.2026  
 0 1 2 3 m

Former Smithie Garage Spring Street Ramsbottom BL8 9JQ		scale 1:50 at A1 February 2026
AW4-07A		Proposed site entry
PPY design Ltd		

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**Ward:** Whitefield + Unsworth - Pilkington Park

**Item** 03

**Applicant:** Hemanth Rameshwaram

**Location:** 13 Morley Street, Whitefield, Manchester, M45 6GF

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

**Application Ref:** 72454/Full

**Target Date:** 06/03/2026

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a 4 bedroomed detached dwelling which is situated within an established residential estate. Directly adjacent to the property to the west is an access to an electricity sub station which is located just behind the dwelling. The property is within walking distance of Whitefield District Centre which is approximately 50m away.

The site comprises a detached dwelling with an integral garage and a driveway, with the front garden bounded by a brick wall and railings. At the rear is an enclosed garden.

Accommodation comprises living areas and WC at the ground floor and 4 bedrooms and a bathroom at the first floor.

The application proposes the change of use from a residential dwelling (Class C3) to a children's residential care home (Class C2).

The proposal is to provide care and support for 2 children ages 6-18 years.

It would be staffed by carers who would operate on a shift pattern. There would be 2 full time members of staff during the day (7am to 7pm) including a staff manager and 2 staff at night (7pm to 7am) with staff changeovers over a period of 10 mins, with no more than 2 staff on site at the same time. Changeover times would be 7am and 7pm.

Visitors to the site by support staff or professionals would be pre-arranged, managed and trips would be fairly irregular.

Part of the front boundary wall would be removed to provide 2 accessible parking spaces.

Internally, living accommodation would remain at the ground floor with the garage used as an office and bike store. At the first floor, the 2 larger of the 4 bedrooms would be occupied by the 2 children with an office and carers sleeping facility utilising the other 2 rooms.

### To note

The application originally proposed a care home which suggested 4 no children with each having a dedicated carer working on a rota system. The application was validated 17th November 2025 and the application was publicised. It then transpired the red edge site plan did not correlate with the declaration of ownership of the site. There were also anomalies in the application submission and it was not clear what the application actually proposed. The application was therefore made invalid.

Revised plans have been received to address the red edge site ownership and confirm the proposal as a residential care home for a maximum of 2 children with 2 carers on site at one time operating a rota system.

Publicity of the application was thereafter carried out on 19th January 2026 (see below).

### **Relevant Planning History**

49199 - Single storey rear & single storey side extension - Approve with Conditions 11/01/2008

60208 - First floor extension at side - Approve with Conditions 08/07/2016

### **Publicity**

Letters originally sent on 17/11/25.

8 letters of objection were received with the following issues raised -

- Parking issues already limited in the area. There are double yellow lines on Morley Street and outside the property
- Highways Safety on Morley Street and Nuttall Avenue due to an increase in vehicle access and parking provision
- Increase in traffic and pressure on parking particularly at staff handover times and visits by social and support workers
- Loss of Residential Amenity and Privacy
- Increase in Footfall and Gathering
- Staff Turnover and Management Consistency
- Unsuitability of Location and Loss of Neighbourhood Character
- Concerns Regarding Operator Experience and Competency
- Staffing Ratio, Oversight, and Category of Children Placed
- Noise, Disturbance, and Safeguarding Considerations
- Impact on Property Value and Perceived Safety
- Inappropriate location
- Potential for anti-social behaviour and the fear of crime,
- The rear of the property overlooks the GMP Taser Training Unit which is extremely noisy when the police are role play training in the yard, as well as the GMP Roads Policing Unit which is in operation 24 hours a day. These two factors could have an adverse effect on children.
- There are very close public transport links which could be a concern for any child residing at the property being considered a flight risk as well as potential safeguarding issues.
- There are no rooms that carers could stay in overnight, the concept of family living, therefore, cannot be delivered throughout this plan
- The property appears to have 2 parking spaces but actually only has one,
- The need to have access to the substation also creates a safeguarding risk.
- The property is not suitable for 4 children, the smallest room is below size. To present a plan where the applicant knows they are trying to get as many children in as possible, whilst not even delivering rooms to regulation level, is unacceptable.
- The position of the house also creates other safeguarding issues due to the height relative to the other houses i.e. the space at the front of the house is small.
- The property is close to Bury New Road, which is a very busy road.
- Security cameras have been installed and there is a direct vantage of our garden and child's bedroom.
- The application contradicts itself with numbers of carers and shift patterns

Application made invalid on 10/12/25.

Revised information received. Application made valid and 22 neighbours were notified on 9/1/26.

Two objections received with the following issues -

Parking pressures

- Morley Street and Nuttall Avenue, which sits adjacent to the property in question, already experience chronic congestion, making resident parking difficult and restricting access for emergency services and deliveries. The street contains an art school and an orthodontist, and is surrounded by restaurants, clinics, parks and other commercial properties - creating high and constant parking demand.
- The disposal of the Uplands Medical Centre to private developers, without any mitigation or parking strategy, will undoubtedly increase traffic volume further and worsen congestion.
- Driveways and pavements are already regularly blocked,
- A children's home requires regular visits from staff, social workers, medical professionals, taxis/transport services. The application does not provide adequate on-site parking, making overspill onto the street inevitable.
- Additional overspill parking will reduce visibility, obstruct movement and increase risks to both pedestrians and motorists.
- Update since previous objection: The owners and people working on the property have regularly been parking outside the property on the double yellow lines and blocking the pavement.

Impact to family privacy

- The property sits on a hill and overlooks our garden with a direct sight line to bedrooms
- Concerns that security cameras have been erected at the property which cover our property - unacceptable and avoidable intrusion into family life
- Under UK GDPR and the Data Protection Act 2018, CCTV capturing images beyond the operator's property boundary must be strictly justified and incorporate privacy safeguards such as restricted viewing angles or masking.

Transparency of decision making responsibilities

- Residents are entitled to clear, accurate information about who is responsible for making planning decisions that impact their community and planning decisions must be taken by an officer or committee with valid delegated authority. If the named role no longer exists, there is a risk that the decision may not be made under lawful delegation.
- Procedural Fairness and Transparency: Providing outdated or inaccurate information about the decision-maker undermines public confidence and does not meet the standards required for an open and transparent consultation process.
- Therefore request clarification of which officer or committee will determine this application, and confirmation that the decision will be taken under the correct and current delegated powers.
- Unsuitable location. The property is on a steep hill which has double yellow lines and they have only parking for 1 vehicle off road.
- Just a single car stopped outside this location will block the road. This road and the adjoining Nuttall Avenue already suffer badly from non residents parking and blocking the road due to the nearby Slatters. This location is already a traffic black spot as the only way in and out of these streets, the location of this application could not be worse placed.

In addition to highway safety also object on the following grounds:

- Loss of Residential Amenity and Privacy
- Increase in Footfall and Gathering
- Impact on Property Value and Perceived Safety
- Many vulnerable and elderly resident live on this street

Those who have objected have been informed of the Planning Control Committee meeting.

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

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

**Children's Commissioning Team** - No response received.

**Environmental Health - Pollution Control** - No comments to make

**Waste Management** - No response received

**Greater Manchester Police - designforsecurity** - No objection in principle.

**Pre-start Conditions** - Not relevant

## **Development Plan and Policies**

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
CF3	Social Services
CF1/1	Location of New Community Facilities
H4/2	Special Needs Housing
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-S2	Carbon and Energy
JP-P1	Sustainable Places
JP-S5	Clean Air
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
NPPF	National Planning Policy Framework
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.

## **Policies**

The NPPF advocates the objectives to achieve sustainable development, one such objective is to support strong, vibrant and healthy communities by fostering well-designed and safe built environments with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

Chapter 8 - Promoting healthy and safe communities, states that policies and decisions should aim to achieve healthy, inclusive and safe places which, amongst things, promote social interaction, are safe and accessible and enable and support healthy lifestyles. Account should also be taken to support the delivery of local strategies to improve health,

social and cultural well-being for all sections of the community.

Policy CF3 - Social Services, considers favourably proposals for the provision of new, and the improvement of existing social services facilities for children, young people, elderly people, people with mental and/or physical handicaps and illnesses, and other groups with special needs.

Policy H4/2 states that the Council will encourage the provision of special needs housing. Proposals will be assessed with regard to the following factors:  
sites should be conveniently located for local shops, public transport and community facilities;

- the location of health care facilities;
- the gradient of the site;
- the gradient between the site and the public transport network;
- the necessary car parking and amenity space (including gardens) should be provided;
- the development should be of a high standard in terms of design, layout and landscaping so that a satisfactory environment is achieved.

The Places for Everyone Joint Development Plan confirms within their vision for Greater Manchester that they seek "A place where all children are given the best start in life and young people grow up inspired to exceed expectations."

Policy JP-H3 states development across the plan area should seek to incorporate a range of dwelling types and sizes including for self build and community led building projects to meet local needs and deliver more inclusive neighbourhoods. Where appropriate, this should include incorporating specialist housing for older households and vulnerable people. supports specialist housing for older households and vulnerable people.

This is further supported by PfE Policy JP-P1 that states that all development, where appropriate should be socially inclusive:

- A. Responding to the needs of all parts of society;
- B. Enabling everyone to participate equally and independently;
- C. Providing opportunities for social contact and support; and
- D. Promoting a sense of community.

### **Principle (Use)**

The application relates to a 4 bed detached property located in an established residential estate with the proposal to provide living accommodation for children in care which would be comparable in its functioning to that of a family home and a family environment. The property would not be extended or altered and the number of occupiers would be similar to that of an average household family.

The property is located within an established residential estate and very close (50m) to Whitefield District Centre and access to a range of local facilities and shops as well as links to public transport and therefore located in a highly sustainable area.

The applicant and the use would be strictly regulated by OFSTED and the care homes would be run and operate as much as possible to that of a family home to provide care, support and a safe environment for children.

It is therefore considered that the proposed use would make a positive contribution to the care and protection of children/young adults residing at the premises and as such considered to be acceptable in principle and comply with UDP Policies EN1/2, CF3 and

CF3/1 and the principles of the NPPF.

### **Scale and intensification of use**

Section 55 of the Town and Country Planning Act as amended, provides that only *material* changes of use would constitute development and therefore require planning permission. A change of use of land or buildings from one classification of use to another use within the terms of the Use Class Order 1987 is dependent upon whether the change would be considered 'material' and therefore development.

The planning judgement is whether the change of use would significantly impact or change the character and perception of that property and how it functions in terms of scale and intensification of use.

In terms of the current dwelling, this is an existing 4 bedroomed dwelling and could be occupied by 5 family members.

The application which was originally submitted proposed a care home for 4 children each with their own carer working on a rota basis. This would have resulted in a material change of use of the property and intensification of use which would not have been supported for this property and location.

The application was revised and now seeks to provide care for 2 children with 2 members of staff during the day and night. The supporting information sets out that the children would occupy the dwelling in a manner that would not be materially different to how a family would occupy it.

Each child would have their own bedroom and use of the communal spaces as would a family. The only change internally would be to provide an office and sleeping arrangements for staff. The children would attend school during the day and engage in other extracurricular activities in the evening and weekends with their carers, which are representative of typical family daily life.

Visits from social workers or support workers for example would introduce additional trips to the property but these would be irregular and no more than visits made by relatives or friends of a family residing there, for example.

### Permitted development - fallback position

There is established Case Law which has clarified the position on whether a development of a very similar character and scale to this application actually needed planning permission. The relevant judgement in this case was *North Devon District Council v. First Secretary of State* (2003) EWHC 157 (admin).

In North Devon the question to look at was whether a dwellinghouse used as a home for children in care, with care provided by staff on a rota basis, resulted in a material change of use.

It was held that it was a question of fact and degree to the change in scale and character of the use of the dwellinghouse which should be considered and the Court determined that no material change of use had taken place due to the fact that for all intents and purposes, the 'care home' would operate within the parameters of a family sized home and function as a family household unit.

In this application, the care element would be provided by staff working on a shift pattern basis and as such, the use would fall into Class C2, on the face of it requiring a change of use from a C3 dwellinghouse.

It is a matter of fact and degree as to whether the development would '*materially*' alter the

character of the use of the current dwellinghouse. For all intents and purposes, the scale of proposed development and the daily routines of the occupiers would operate the same as a family home which is classed as a C3 Use and it is therefore considered that the proposed change of use would not change the character of the residential area or intensify activities at the property beyond that of a 'typical family' household.

It is therefore considered that the principle and the scale of the proposed change of use would not have an adverse or detrimental impact on the character or the amenity of the surrounding area or adjacent properties and would comply with UDP Policies EN1/2, CF3 and CF3/1.

### **Impact on residential amenity**

As concluded above, it is considered the character and scale of the use would be commensurate with that of a 4 person family residing at the property where day to day activities such as attending school and recreation/leisure activities and other trips out would be akin to that of a family.

Some objections refer to the potential for anti-social behaviour, noise and disturbance from the property and general disruption to the area.

The design for security team (DfS) have been consulted and have not raised an objection to the application, commenting that a facility of this nature is best located and supported by a conventional domestic residential community. In addition to the immediate setting, the house is served by a number of schools, community facilities, good transport links and is a neighbour of GMP Whitefield.

The DfS team make some recommendations including the maximum number of residents should be 3 (there would be 2 children) and the minimum number of carers should be 2 (there would be 2 on site at all times) and that visiting arrangements should be arranged.

Living within a community environment and providing the children with a 'normal' and stable family lifestyle is also one of the reasons for accommodating children within a residential environment.

Furthermore, the applicant would be regulated by OfSTED and a condition of the application would ensure that there would be no more than 2 children in care at the property at one time of an age range between 6-18 years old.

It is therefore considered that the proposed development would not conflict with the character of the area or have an adverse impact on the amenity of local residents and would therefore comply with UDP Policies CF1/1, CF3, EN1/2 and EN7/2.

### **Highways**

Local residents have raised concerns about the lack of parking and the amount of traffic which would be generated from additional trips to and from the property.

The development would provide 2 no parking spaces.

In terms of staff rotations, there would be 2 members of staff working 7am to 7pm and two members of staff between 7pm to 7am. The busiest time would be at changeover time but this is anticipated to be for a brief period of 10 minutes and would be managed. Activities around leaving and arriving at the house would be drop off/pick ups at school, other activities or private appointments and this would not be dissimilar to the day to day functions of a typical household.

Other comings and goings to and from the property would be from visitors such as social or support workers but these would be infrequent and no more disruptive to the area compared

to friends or relatives visiting the existing dwelling or similar to any other dwellings in the area.

A family of four or five could reside in the property where there could be two or three car owners. As such, the proposal would make the parking and access situation no worse than could currently exist.

The site is located in a highly sustainable area, within walking distance to local amenities, bus and tram links. The applicant states that it is anticipated that not all staff would be car owners although at least one would need to drive to perform daily duties. However, where practical, staff would be encouraged to use other modes of public transport or travel by bike.

Paragraph 116 of the NPPF states that development should only be prevented or refused on highway 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, taking into account all reasonable future scenarios.

The development would be for a residential care home for 2 children and 2 carers. The scale of development proposed would be akin to a family residing in the property living as a household and it is considered the proposed use would not have a significant impact on parking in the area of cause significant highway issues.

Subject to conditions for the implementation of the highway works to provide adequate access and provision of the bin store, highways have raised no objections to the proposed development.

As such, the proposed development is considered to be acceptable and would comply with UDP Policies CF1/1, CF3, HT2/4 and HT6/2.

#### **Policy JP-S2 - Carbon and energy**

This policy requires development to be minimise energy demand and maximise energy efficiency.

The proposal would not result in any external changes or physical alterations which would effect energy usage or output. The change of use would therefore result in minimal if any negative environmental impacts.

This approach is considered acceptable.

#### **Policy JP-C2 - Digital connectivity**

This policy enquires all new development to support the provision of affordable, high quality digital infrastructure including full fibre where possible.

The applicant states the proposal would provide reliable digital infrastructure and efforts made to secure full fibre connectivity.

This is considered an acceptable approach.

#### **Response to objections**

- The proposed development would be within a residential setting where living within a community environment and providing the children with a 'normal' and stable lifestyle is also one of the reasons for accommodating children within a residential environment
- The site is in a sustainable location and close to schools, shops and amenities and as such considered an appropriate location.
- Plans have been revised to show each child would have its own room with a separate office and welfare room for staff.
- The application has come before planning committee and 3 or more objections have

- been received and as such in compliance with the Council's Constitution.
- there would be no changes to the external appearance of the property or addition of windows to cause any further overlooking than could already exist.
- A condition would be included that there be no more than 2 children residing in the property at any one time.
- Valuation of property is not a material planning consideration.
- All other issues including those relating to traffic, parking and highway safety 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

H-0230-01\_13 Morley St\_Location plan\_v5  
H-0230-02\_13 Morley St\_Existing block plan\_v5  
H-0230-04\_13 Morley St\_Existing plans\_v7  
H-0230-05\_13 Morley St\_Proposed plans\_v7

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. There shall be no more than 2 children residing at the property hereby approved at any one time.

Reason. To ensure the appropriate provision of facilities and standards of accommodation are provided for future occupiers and to ensure the use of the property is not over intensified to unacceptable levels which would incur additional activities and disturbances to local residents beyond that which would be accepted for a residential dwelling in a residential area pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, CF3 - Social Services and CF3/1 - Residential Care Homes and Nursing Homes.

4. The premises to which this approval relates shall be used for residential accommodation and care for people in need of care and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country

Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: To ensure the intensification and scale of uses in the property does not extend beyond acceptable levels which would cause impact to residential amenity and highway safety in respect of the associated parking, access and servicing requirements or general activity and disturbance pursuant to policies EN1/2 - Townscape and Built Design, CF3 - Social Services, CF3/1 - Residential Care Homes and Nursing Homes, HT2/4 - Car Parking and New Development and JP-C8 - Transport Requirements for New Developments.

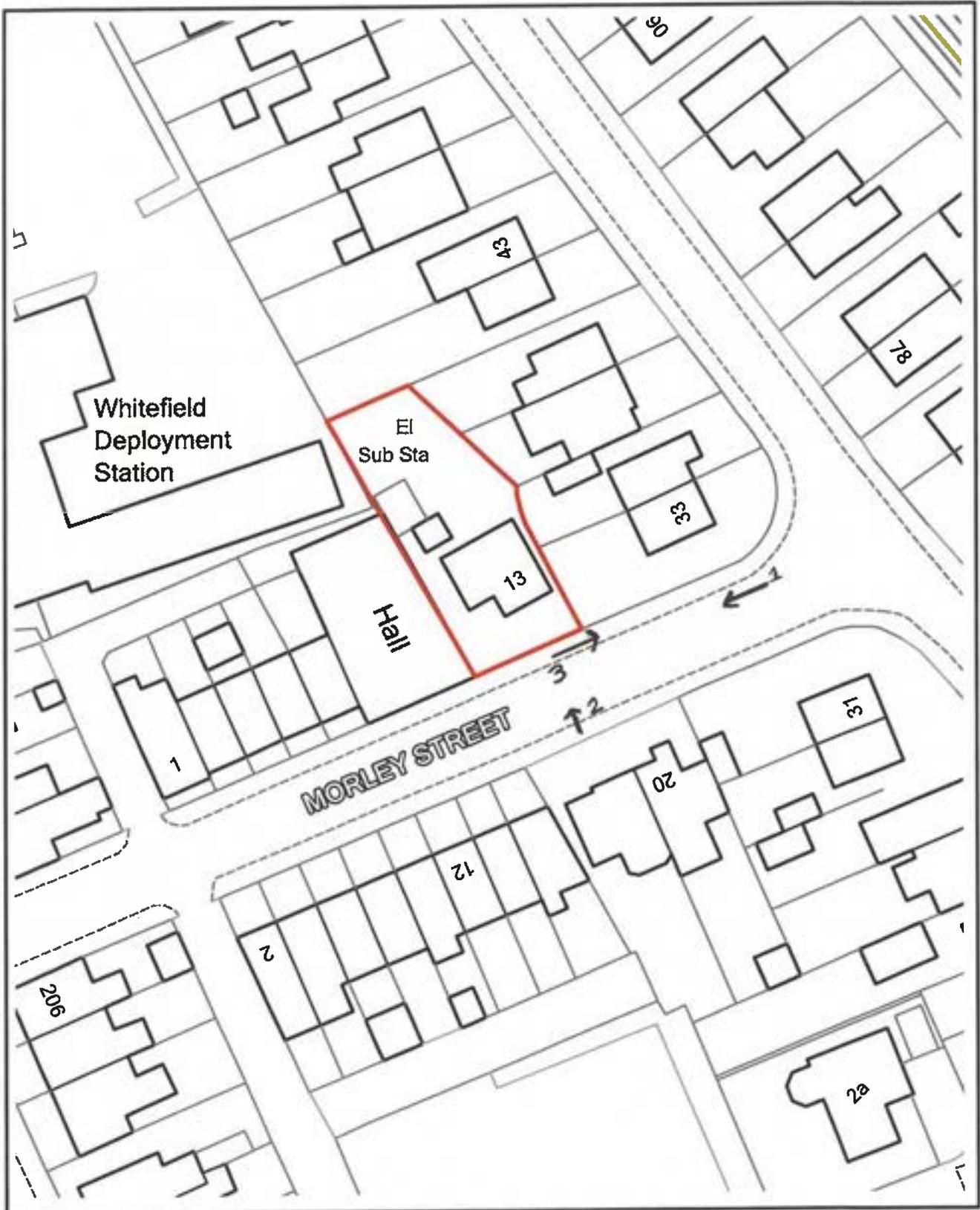
5. Bin storage arrangements shall be provided within the curtilage of the dwelling in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments' and be made available prior to the use hereby approved commencing and maintained thereafter.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of the site pursuant to policies EN1/2 and JP-C8.

6. The use hereby approved shall not be commenced unless and until the revised vehicular access and parking arrangements indicated on the approved plans, incorporating the extension of the existing footway crossing to extents to be agreed with the Highway Authority, demarcation of the limits of the adopted highway, part removal of the boundary wall abutting Morley Street to the restricted limits shown, extended hardstanding in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway and all associated highway remedial works, have been implemented.

Reason. To ensure adequate off-street car parking and to allow adequate space to maintain a vehicle clear of the highway, in the interests of road safety pursuant to policies HT2/4, JP-C5 and JP-C6.

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



**ADDRESS: 13 Morley Street, Whitefield,  
Manchester, M45 6GF**



**Planning, Environmental and Regulatory Services**

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72454

Photo 1



Photo 2



72454

Photo 3



Site area : 333.06 m<sup>2</sup>  
Existing gross internal Ground  
Floor area:60.75 m<sup>2</sup>  
Proposed gross internal Ground  
Floor area:60.75 m<sup>2</sup>  
Existing gross internal First Floor  
area:60.44 m<sup>2</sup>  
Proposed gross internal First  
Floor area:60.44 m<sup>2</sup>



Any dimensions shown should be checked on site.  
Designs are not coordinated with engineer projects.  
Not for construction purposes.



**HOMZ**  
DESIGN | PLAN | BUILD  
www.homz.uk / 0 330 818 3001

Drawing Title:Site Location Plan  
Drawing:H-0230-01\_J3MorleySt\_LocationPlan\_V5  
Drawing Number:H-0230  
Site Address:13 Morley Street, Whitefield M45 6GF

Scale : 1/1250 at A3  
Revision : V5  
Date : 09.01.2026



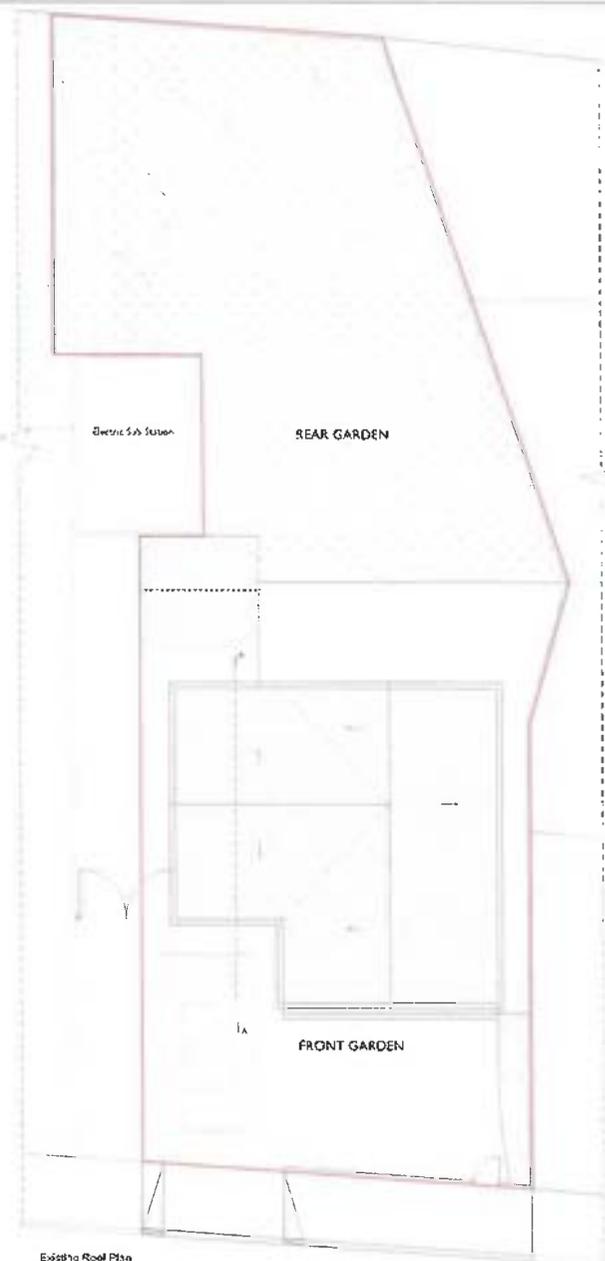
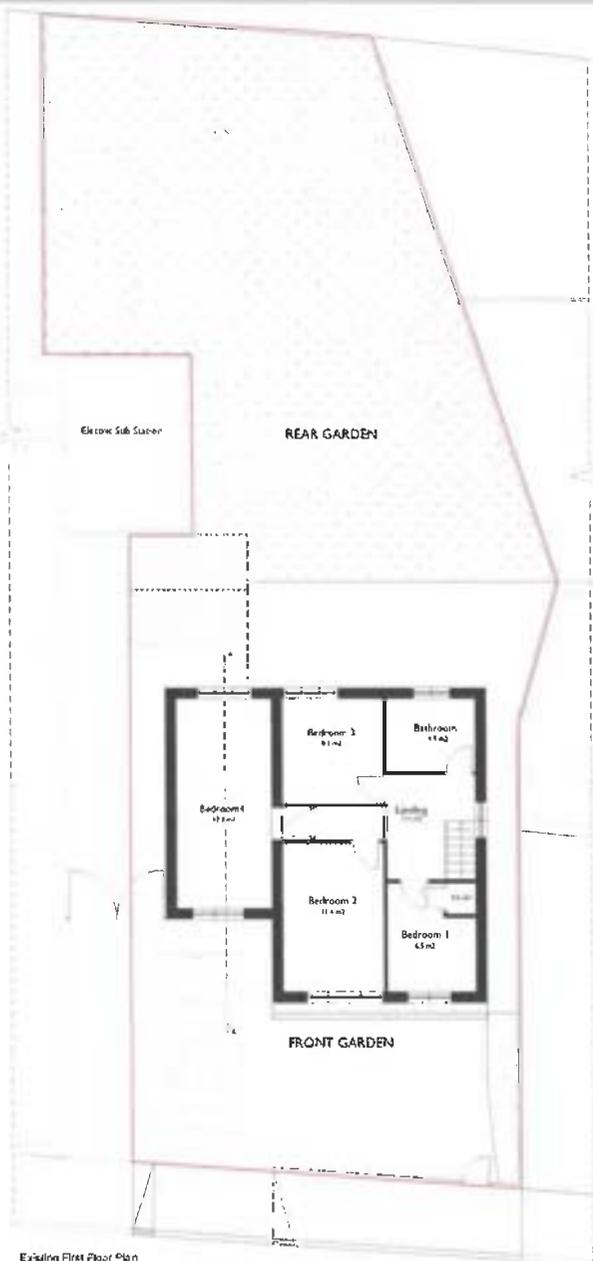
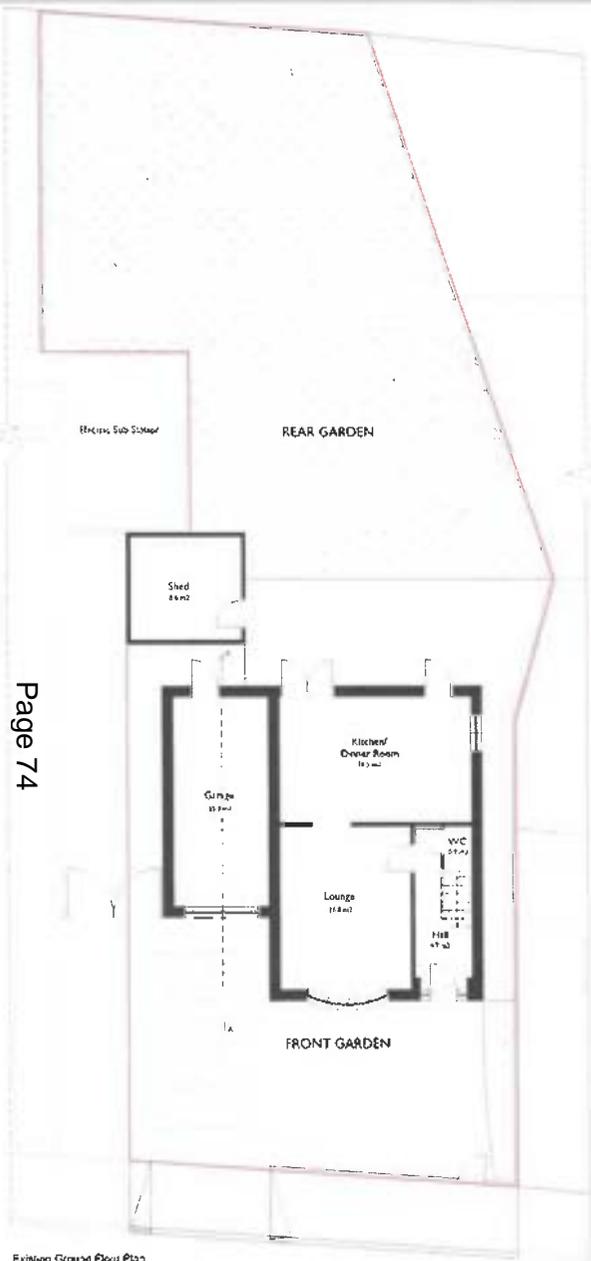
Any dimensions shown should be checked on site.  
 Designs are not coordinated with engineer projects.  
 Not for construction purposes.  
 Block Plans are scaled from the Ordnance Survey Local Authority Maps.  
 Please see the Reference number for site Os Maps in the Location Plans



**HOMZ**  
 DESIGN | PLAN | BUILD  
 www.homz.uk / 0 130 816 3001

Drawing Title: Existing Block Plan  
 Drawing ID: H-0230-02\_13MorleySt\_ExistingBlockPlan\_V5  
 Drawing Number: H-0230  
 Site Address: 13 Morley Street, Whisfield M45 6GF

Scale : 1/500 at A3  
 Revision : V5  
 Date : 09.01.2026



Any dimensions shown should be checked on site.  
 Existing structural coordinated with engineer drawings.  
 Not for construction purposes.

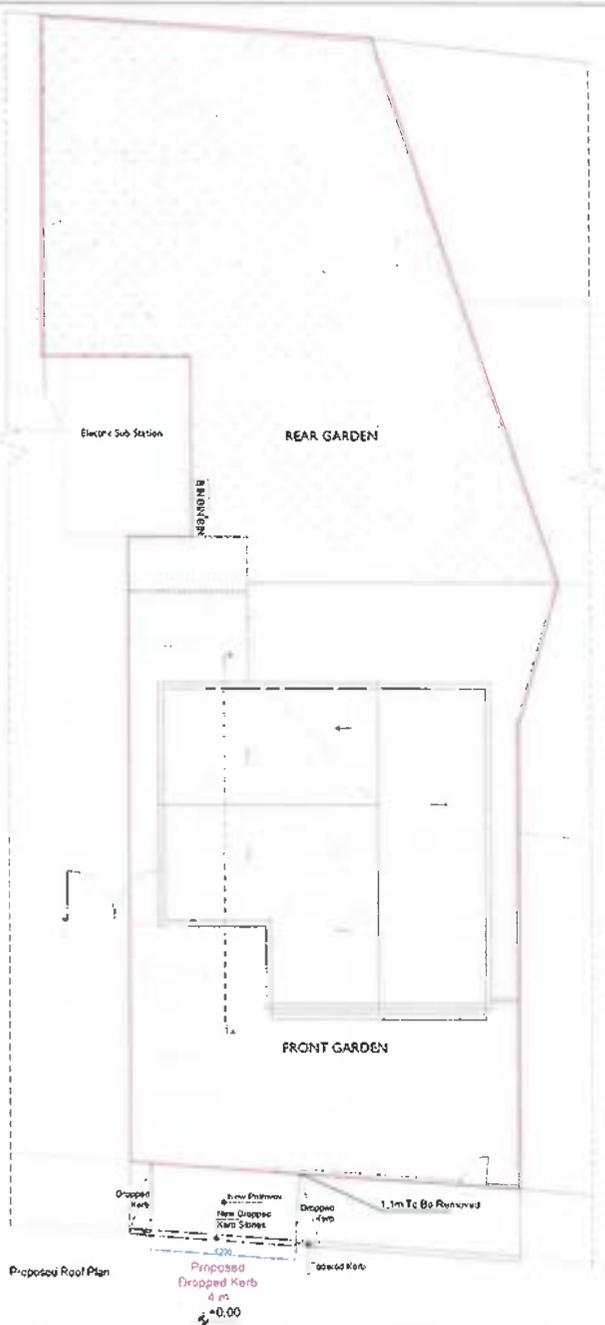
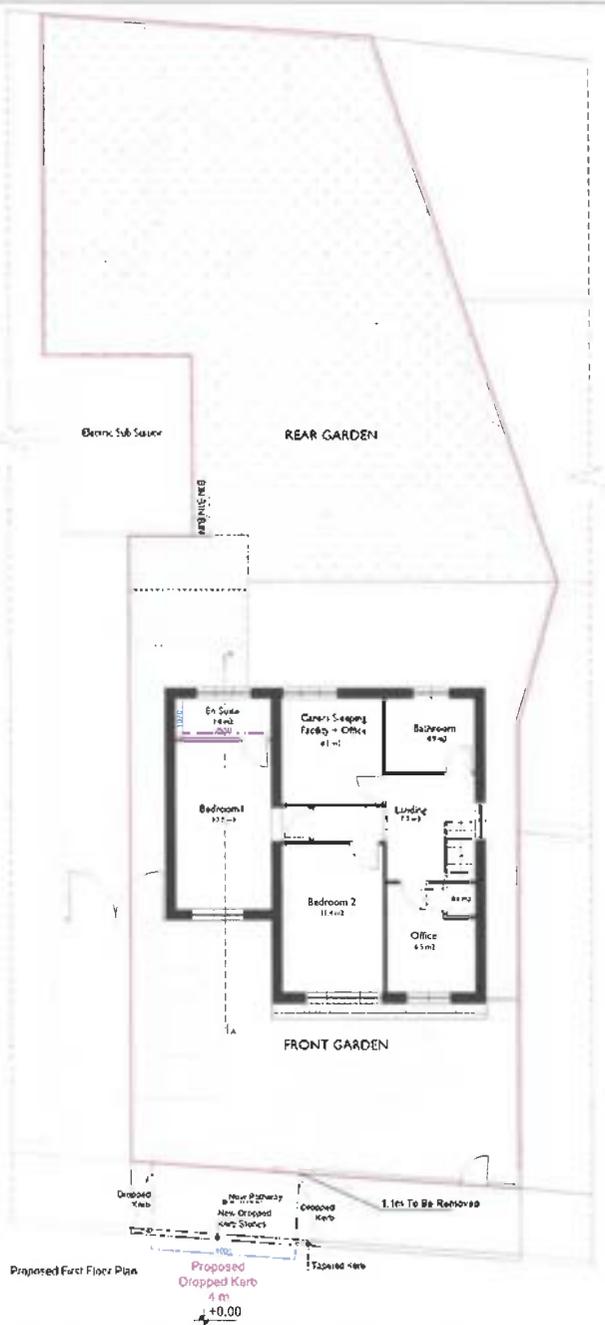
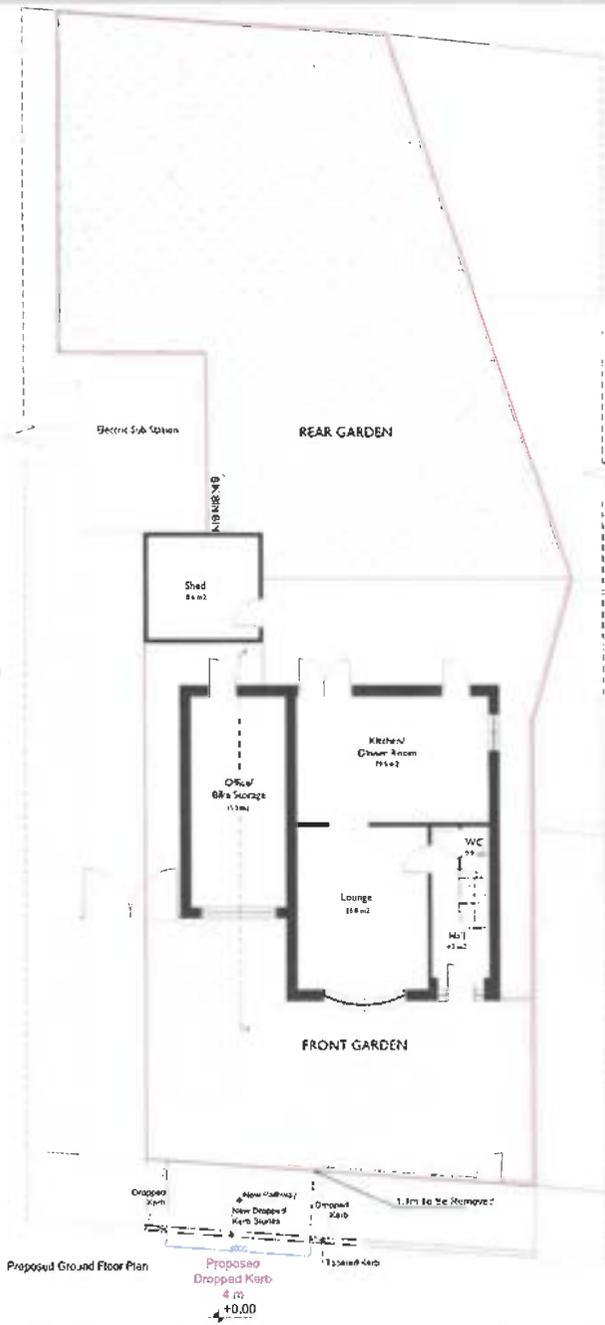


**HOMZ**

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Drawing Title: Existing Plans  
 Drawing ID: 0230-04\_1327MarleySt\_ExistingPlans\_V07  
 Drawing Number: 11 0230  
 Site Address: 33 Marley Street, Whitefield M45 6GS

Scale: 1/100 at A3  
 Revision: V7  
 Date: 09.02.2024



Any dimensions shown should be checked on site. Design site not coordinated with engineer proposals. Not for construction purposes.



**HOMZ**  
 DESIGN | PLAN | BUILD  
 www.homz.co.uk 0 20 018 3001

Drawing Title: Proposed Plans  
 Drawing: H0230-03\_131MarleySt\_ProposedPlans\_V7  
 Drawing Number: H0230  
 Site Address: 131 Marley Street, Whitfield M45 6GF

Scale: 1/100 at A2  
 Revision: V7  
 Date: 09.01.2024

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<h1>REPORT FOR NOTING</h1>
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<b>Agenda Item</b>
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<b>5</b>
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<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>24 February 2026</b>
<b>SUBJECT:</b>	<b>DELEGATED DECISIONS</b>
<b>REPORT FROM:</b>	<b>HEAD OF DEVELOPMENT MANAGEMENT</b>
<b>CONTACT OFFICER:</b>	<b>DAVID MARNO</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	The report lists: Recent delegated planning decisions since the last PCC
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	The Committee is recommended to the note the report and appendices
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework?      Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management
<b>Statement by Executive Director of Resources:</b>	N/A
<b>Equality/Diversity implications:</b>	No
<b>Considered by Monitoring Officer:</b>	N/A
<b>Wards Affected:</b>	All listed
<b>Scrutiny Interest:</b>	N/A

**TRACKING/PROCESS****DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

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**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.

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**List of Background Papers:-None****Contact Details:-**

David Marno, Head of Development Management  
Planning Services, Department for Resources and Regulation  
3 Knowsley Place  
Bury BL9 0EJ

**Tel: 0161 253 5291**

**Email: [d.marno@bury.gov.uk](mailto:d.marno@bury.gov.uk)**



## Planning applications decided using Delegated Powers Between 19/01/2026 and 16/02/2026

Ward:

**Application No.:** 71429    **App. Type:** REG5    28/01/2026    Raise No Objection  
Side of 4 St Andrews Close, Ramsbottom, Bury, BL0 9LA

**Location:**

**Proposal:** Regulation 5 Notice of intention to install 1 no. 9m light wooden pole

**Application No.:** 72073    **App. Type:** CONDIS    09/02/2026    Approve  
110 Watling Street, Tottington, Bury, BL8 3QJ

**Location:**

**Proposal:** Discharge of condition 4 (construction traffic management plan) and condition 6 (drainage schemes) on p/p 70030

**Application No.:** 72190    **App. Type:** CONDIS    28/01/2026    Approve  
Land at York Street/Bury Road, Radcliffe, Manchester, M26 2GL

**Location:**

**Proposal:** Application to discharge condition 11 (Green Leaf Maintenance Plan) on planning permission 68368

**Application No.:** 72264    **App. Type:** CON    23/01/2026    Raise No Objection  
Scout Moor Wind Farm, Rochdale

**Location:**

**Proposal:** Article 18 consultation from Rochdale Council (ref. 25/00680/FUL): Construction and operation of 17 wind turbines with a maximum height to the tip of the blade of 180 metres (above ordnance datum), together with associated ancillary infrastructure comprising crane pads and hardstandings; new access tracks; improvement and widening works to Scout Road; onsite substation; underground electrical infrastructure and cabling; fencing and boundary treatments; external lighting; drainage infrastructure; habitat and moorland restoration works; public right of way works; landscaping; temporary construction compound and staging area; underground electrical grid connection to the Rossendale Bulk Supply Point; and associated engineering works; alongside the retention of and improvements to existing access tracks associated with the existing Scout Moor Wind Farm.

**Application No.:** 72300    **App. Type:** CON    23/01/2026    Raise No Objection  
Scout Moor Wind Farm, Gincroft Lane, Edenfield, Bury, Lancashire

**Location:**

**Proposal:** Article 18 consultation from Rossendale BC (ref. 2025/0267): Construction and operation of 17 wind turbines with a maximum height to the tip of the blade of 180 metres (above ordnance datum), together with associated ancillary infrastructure comprising crane pads and hardstandings; new access tracks; improvement and widening works to Scout Road; onsite substation; underground electrical infrastructure and cabling; fencing and boundary treatments; external lighting; drainage infrastructure; habitat and moorland restoration works; public right of way works; landscaping; temporary construction compound and staging area; underground electrical grid connection to the Rossendale Bulk Supply Point; and associated engineering works; alongside the retention of and improvements to existing access tracks associated with the existing Scout Moor Wind Farm

**Application No.:** 72577    **App. Type:** CONDIS    29/01/2026    Approve  
109 Walmersley Road, Bury, BL9 5AN

**Location:**

**Proposal:** Application to discharge condition 3 (sound insulation) on planning permission 72379

**Application No.:** 72579      **App. Type:** CONDIS 03/02/2026      Split Decision  
4 Parkstone Avenue, Whitefield, Manchester, M45 7QH

**Location:**

**Proposal:** Application to discharge condition 2 (materials), condition 6 (construction traffic management plan (CTMP)), condition 7 (cycle storage), condition 8 (refuse storage), condition 9 (surface water drainage), condition 10 (ecological enhancement scheme), condition 11 (EV charging point), conditions 12 & 13 (contaminated land), on planning permission 72185

**Application No.:** 72651      **App. Type:** CONDIS 03/02/2026      Approve  
8 Tenterden Street, Bury, BL9 0EG

**Location:**

**Proposal:** Application to discharge condition 3 (noise mitigation) and condition 4 (cycle parking store) on planning permission 71405

**Application No.:** 72654      **App. Type:** CON      21/01/2026      Raise Objections  
Church Inn, Castle Hill Road, Bury, BL9 6UH

**Location:**

**Proposal:** Article 18 consultation from Rochdale BC (ref. 25/01118): Change of use from public house and restaurant to offices (Use class E(g)(i), comprising the demolition of an existing extension, the erection of a single storey extension, alterations to the existing roof and fenestration, erection of a detached storage building and detached amenity building with associated vehicle parking, boundary treatments, concrete hardstanding and soft landscaping

**Application No.:** 72676      **App. Type:** REG5      03/02/2026      Raise No Objection  
Bealey Industrial Estate, Dumers Lane, Radcliffe, Manchester, M26 2BD

**Location:**

**Proposal:** Regulation 5 notice (ref.CS12604525 VF13132\_31) of intention to install electronic communications/development: The proposed works comprise the removal of the existing 6 no. VF/TEF antennas (2 per sector), 3 no. VF/TEF RRUs (1 per sector) and 2 no. VF BTS3900A equipment cabinets from the existing compound, followed by the installation of 6 no. VF antennas (2 per sector), 18 no. VF RRUs (6 per sector), and 1 no. VF Ø300 mm transmission dish mounted to the existing tower leg; all equipment is to be installed on the existing 15.0 m high F&L lattice tower mounted on concrete base, which is to be retained and reused as part of the upgrade. The existing CS equipment cabin is to be refreshed internally to accommodate the proposed equipment and the existing CS meter cabinet within the fenceline is to be reused. All works remain within the existing fenced compound, and the development has been designed to minimise visual impact, with surrounding mature trees (up to approx. +12.90 m AGL) providing effective natural screening to the installation.

**Application No.:** 72679      **App. Type:** CONDIS 30/01/2026      Approve  
Halter Inn Works, 11 Redisher Croft, Ramsbottom, Bury, BL0 9SA

**Location:**

**Proposal:** Application to discharge condition 16 (landscaping scheme) on planning permission 69702

**Application No.:** 72698      **App. Type:** REG5      23/01/2026      Raise No Objection  
**Location:** Pavement at corner of 45 Meade Hill Road/Newington Avenue, Prestwich, Manchester, M8 4LW

**Proposal:** Regulation 5 notice of intention to install 1 no. 9M light wooden pole (ref. WGQFCP8L)

**Application No.:** 72710      **App. Type:** REG5      26/01/2026      Raise No Objection

**Location:** Pavement at Spar Petrol Station, 151 Bury And Bolton Road, Radcliffe, Manchester, M26 4JY

**Proposal:** Regulation 5 notice of intention to replace 3 no. antennas (ref. 52099BRY006/3V/RYS)

**Application No.:** 72711      **App. Type:** CONDIS 09/02/2026      Approve  
Ainsworth Nursing Home, Knowsley Road, Ainsworth, BL2 5PT

**Location:**

**Proposal:** Application to discharge condition 15 (additional tree details of ten new trees) on planning permission 72376

**Application No.:** 72712      **App. Type:** REG5 13/02/2026      Raise No Objection  
Pavement Pimhole Business Park, Hurst Street, Pimhole, Bury, BL9 7ES

**Location:**

**Proposal:** Regulation 5 notice of intention to replace existing 17.5m monopole supporting 3 no. antennas and installation of a replacement 20m monopole supporting 9 no. antennas, removal of 4 no. cabinets and installation of 2 no. cabinets and ancillary works (NGR: 381400, 410361)

**Application No.:** 72726      **App. Type:** REG5 11/02/2026      Raise No Objection  
Land at end of Astbury Street, Radcliffe, M26 1JS

**Location:**

**Proposal:** Regulation 5 notice (ref. Bury/6/GAC/1/1) of intention to install telecommunication apparatus comprising 3 x cabinets and a feeder pillar

**Application No.:** 72742      **App. Type:** REG5 03/02/2026      Raise Objections  
Pavement outside 35 Windsor Road, Prestwich, Manchester, M25 0FF

**Location:**

**Proposal:** Regulation 5 notice (ref. WGQNMP7X) of intention to install 9M light wooden pole

**Application No.:** 72753      **App. Type:** CONDIS 30/01/2026      Approve

**Location:** Longfield Shopping Centre/car park Fairfax Road car park & adjoining land at Bury New Road/Rectory Lane/Fairfax Road, Prestwich

**Proposal:** Application for partial discharge of condition 47 (Arboricultural Method Statement and Tree Protection Plan) to enable the approved demolition works to take place across Phase 1B of planning permission 70449

**Application No.:** 72758      **App. Type:** REG5 09/02/2026      Raise No Objection  
Land opp. 8-16 Baguley Crescent, Prestwich, Manchester, M24 4GT

**Location:**

**Proposal:** Regulation 5 notice (ref. WGQRF62R) of intention to install 9M light wooden pole

**Application No.:** 72760      **App. Type:** CONDIS 10/02/2026      Approve

**Location:** Longfield Shopping Centre/car park, Fairfax Road Car Park and adjoining land at Bury New Road, Rectory Lane and Fairfax Road, Prestwich

**Proposal:** Application to part discharge condition 33 (dust emissions) and condition 36 (CEMP Noise) to enable the approved demolition works to take place across Phase 1B of planning permission 70449

**Application No.:** 72765      **App. Type:** REG5 10/02/2026      Raises No Objection Subject to Condition

Adjacent to Woodgate Hill Water Treatment Work, Sixth Avenue, Bury, BL9 7RP

**Location:**

**Proposal:** Regulation 5 Notice (Ref: 15361/BRY061/3V/RYS) for the removal and replacement of 3 no. antennas and associated ancillary development thereto.

**Application No.:** 72777      **App. Type:** CONDIS 09/02/2026      Approve

**Location:** Longfield Shopping Centre/car park, Fairfax Road car park & adjoining land at Bury New Road, Rectory Lane & Fairfax Road, Prestwich

**Proposal:** Application to part discharge condition 49 (Local Labour & Training Proposal) to enable the approved demolition works to take place across Phase 1B of planning permission 70449

**Application No.:** 72778      **App. Type:** CONDIS 11/02/2026      Approve

**Location:** Longfield Shopping Centre/car park, Fairfax Road car park & adjoining land at Bury New Road, Rectory Lane & Fairfax Road, Prestwich

**Proposal:** Application to part discharge condition 24 (Demolition Management Plan), condition 25 (Construction Logistics Plan), condition 46 (Demolition Phasing Plan) to enable the approved demolition works to take place across Phase 1B of planning permission 70449

**Ward:** **Bury East**

**Application No.:** 72566      **App. Type:** FUL      09/02/2026      Approve with Conditions  
Fairfield General Hospital, Rochdale Old Road, Bury, BL9 7TD

**Location:**

**Proposal:** Replacement roof to boiler building and installation of photovoltaic panels

**Application No.:** 72658      **App. Type:** FUL      30/01/2026      Approve with Conditions  
84 Rochdale Road, Bury, BL9 7AY

**Location:**

**Proposal:** Creation of a window to the West elevation; Change the existing shopfront to floor to ceiling

**Application No.:** 72681      **App. Type:** LBC      13/02/2026      Approve with Conditions  
The Fusilier Museum, Moss Street, Bury, BL9 0DF

**Location:**

**Proposal:** Listed building consent for repair works to the Tower/Chimney

**Application No.:** 72755      **App. Type:** LDCCP      09/02/2026      Refused  
102 Sixth Avenue, Bury, BL9 7RP

**Location:**

**Proposal:** Lawful development certificate for proposed change of use from dwelling (Class C3) to childrens residential home (Class C2)

**Ward:** **Bury East - Moorside**

**Application No.:** 72590      **App. Type:** FUL      23/01/2026      Approve with Conditions  
121A Walmersley Road, Bury, BL9 5AY

**Location:**

**Proposal:** Loft conversion / dormer extension at rear to existing first floor flat

**Application No.:** 72636      **App. Type:** FUL      21/01/2026      Approve with Conditions  
5 Wolstenholme Avenue, Bury, BL9 5HN

**Location:**

**Proposal:** Single storey rear extension

**Application No.:** 72665      **App. Type:** FUL      10/02/2026      Approve with Conditions  
Site of former Car Time, Bell Lane, Bury, BL9 6BB

**Location:**

**Proposal:** Installation of 2 no. a/c units and extract grille to the rear of the building

**Application No.:** 72666      **App. Type:** ADV      29/01/2026      Approve with Conditions  
Site of former Car Time, Bell Lane, Bury, BL9 6BB

**Location:**

**Proposal:** Advertisement Consent for 2no. fascia signs and 1no. projecting sign (all internally illuminated)

**Application No.:** 72689      **App. Type:** FUL      10/02/2026      Approve with Conditions  
26 Hillside Crescent, Bury, BL9 6PZ

**Location:**

**Proposal:** New front porch; single storey / two storey extensions at side / rear and single storey extension at rear

**Ward:** **Bury East - Redvales**

**Application No.:** 72446      **App. Type:** FUL      30/01/2026      Refused  
Land adjacent to 27-29 Tarn Drive, Bury, BL9 9QB

**Location:**

**Proposal:** Erection of 1 no. dwelling

**Application No.:** 72674      **App. Type:** FUL      30/01/2026      Approve with Conditions  
84 Horne Street, Bury, BL9 9HS

**Location:**

**Proposal:** Single storey and first floor rear extensions

**Application No.:** 72714      **App. Type:** FUL      11/02/2026      Approve with Conditions  
4 Hereford Drive, Bury, BL9 9DH

**Location:**

**Proposal:** Single storey extensions at side and rear

**Application No.:** 72748      **App. Type:** GPDE      13/02/2026      Prior Approval Not Required - Extension  
56 Radcliffe Road, Bury, BL9 9JY

**Location:**

**Proposal:** Prior approval for proposed single storey rear extension

**Ward:** **Bury West**

**Application No.:** 71596      **App. Type:** FUL      29/01/2026      Approve with Conditions  
Land to south of Dearden Street, Bury

**Location:**

**Proposal:** Variation of condition no. 2 following approval of planning permission 66396 - To infill the parking space, reduce the number of bedrooms to 2 and amend the layout of the parking.

**Application No.:** 72647      **App. Type:** FUL      10/02/2026      Approve with Conditions  
8 Turton Close, Bury, BL8 2EE

**Location:**

**Proposal:** Single storey rear extension and garage conversion

**Application No.:** 72723      **App. Type:** LDCP      29/01/2026      Refused  
36 Freckleton Drive, Bury, BL8 2JA

**Location:**

**Proposal:** Lawful Development Certificate for proposed single storey rear extension with sloped roof, front porch and garage conversion to provide toilet, utility room and office. Garage will be partially bricked up with new UPVC window installed

**Ward:** **Bury West - Elton**

**Application No.:** 72504    **App. Type:** FUL    23/01/2026    Approve with Conditions  
Storage yard at Woolfold Trading Estate, Stewart Street, Bury, BL8 1SG

**Location:**

**Proposal:** Variation of conditions 2 (approved plans) & 5 (approved materials) pursuant to planning application 68995 which granted planning permission for - Erection of 4 no. light industrial units (Class E (g)(iii)) with associated access and parking to allow the colour of the proposed units to be changed to anthracite grey; and Variation of Condition 3 (sustainable drainage) to make it a compliance condition

**Application No.:** 72659    **App. Type:** LDCE    23/01/2026    Lawful Development  
322A Tottington Road, Bury, BL8 1TA

**Location:**

**Proposal:** Lawful development for existing Change of use from a Dwellinghouse (Class C3) to a 5 bed HMO (Class C4)

**Application No.:** 72673    **App. Type:** FUL    05/02/2026    Approve with Conditions  
10 Westerham Close, Bury, BL8 4PP

**Location:**

**Proposal:** Part single/part two storey rear extension

**Ward:** **North Manor**

**Application No.:** 72580    **App. Type:** RES    22/01/2026    Approve with Conditions  
Shaunings Cottage, Bolton Road, Tottington, Bury, BL8 4JA

**Location:**

**Proposal:** Variation of condition no. 2 (approved plans) on planning permission 71367 - A window opening has been added to the north elevation, Condition 3 - The pitched roofing specification has been amended to blue slate and cladding specification to 'greyed' accoya

**Application No.:** 72598    **App. Type:** FUL    04/02/2026    Approve with Conditions  
4 Crag Avenue, Summerseat, Ramsbottom, Bury, BL9 5NZ

**Location:**

**Proposal:** Single storey side extension to provide porch, shower room and utility

**Application No.:** 72630    **App. Type:** FUL    29/01/2026    Approve with Conditions  
21 Shepherds Close, Tottington, Bury, BL8 4BL

**Location:**

**Proposal:** Single storey side extension

**Ward:** **Prestwich - Holyrood**

**Application No.:** 72437    **App. Type:** FUL    19/01/2026    Approve with Conditions  
15 Guest Road, Prestwich, Manchester, M25 3DJ

**Location:**

**Proposal:** 2 skylights to rear roof slope.

**Application No.:** 72634    **App. Type:** FUL    19/01/2026    Approve with Conditions  
3 Peveril Close, Whitefield, Manchester, M45 6NS

**Location:**

**Proposal:** Part single/Part two storey side and rear extension; Front porch

**Ward:** **Prestwich - Sedgley**

**Application No.:** 71677    **App. Type:** FUL    11/02/2026    Approve with Conditions  
Phoenix Buildings, Workshop, Heywood Road, Prestwich, M25 1FN

**Location:**

**Proposal:** Change of use of the ground floor workshop (Class B2) to form extended office accommodation (Class E(g)(i)); Addition & alterations to ground floor windows; Addition of disabled parking bay.

**Application No.:** 72528    **App. Type:** FUL    23/01/2026    Approve with Conditions  
St Hildas C Of E Primary School, Whittaker Lane, Prestwich, Manchester, M25 1HA

**Location:**

**Proposal:** Replacement of existing external canopy; Replacement of existing glazed timber shelter with new garden room

**Application No.:** 72531    **App. Type:** FUL    30/01/2026    Approve with Conditions  
29 Bland Road, Prestwich, Manchester, M25 9NW

**Location:**

**Proposal:** First floor extension to existing bungalow

**Application No.:** 72600    **App. Type:** FUL    22/01/2026    Approve with Conditions  
3 Princess Avenue, Prestwich, Manchester, M25 0LG

**Location:**

**Proposal:** First floor side extension and loft conversion with front and rear dormers

**Application No.:** 72641    **App. Type:** FUL    23/01/2026    Approve with Conditions  
17 Mowbray Avenue, Prestwich, Manchester, M25 0LP

**Location:**

**Proposal:** Single storey rear extension

**Application No.:** 72650    **App. Type:** LDPC    30/01/2026    Refused  
Land rear of 11 Bury New Road, Prestwich, M25 8JZ

**Location:**

**Proposal:** Lawful development certificate for proposed use of office as a private vehicle hire operating and dispatching office

**Application No.:** 72686    **App. Type:** FUL    05/02/2026    Approve with Conditions  
60 Kings Road, Prestwich, Manchester, M25 0LN

**Location:**

**Proposal:** Front and rear dormers

**Ward: Prestwich - St Mary's**

**Application No.:** 72229    **App. Type:** FUL    10/02/2026    Approve with Conditions  
Tesco Stores Ltd, Valley Park Road, Prestwich, Manchester, M25 3TG

**Location:**

**Proposal:** Erection of canopy with galvanised steel post and click and collect parking; 27 no. bollards; Relocate EV charging point

**Application No.:** 72660    **App. Type:** FUL    23/01/2026    Approve with Conditions  
1 Butt Hill Drive, Prestwich, Manchester, M25 9PL

**Location:**

**Proposal:** Demolition of front porch; Single storey front extension

**Ward: Radcliffe - West**

**Application No.:** 72768    **App. Type:** LDCP    10/02/2026    Lawful Development  
1 Hazelhurst Close, Ramsbottom, Bury, BL0 9FB

**Location:**

**Proposal:** Lawful development certificate for proposed single storey extension on the dwelling's original rear elevation

**Ward:** Ramsbottom

**Application No.:** 72444    **App. Type:** FUL    29/01/2026    Approve with Conditions  
Anthony Fold, Bury Old Road, Ramsbottom, Bury, BL0 0RY

**Location:**

**Proposal:** Single storey extension to existing dwelling with replacement door opening to front elevation.

**Application No.:** 72526    **App. Type:** FUL    28/01/2026    Approve with Conditions  
Riding For The Disabled Association, Moor Road, Ramsbottom, Bury, BL8 4XX

**Location:**

**Proposal:** Retention of tack room and its proposed cladding/roofing

**Application No.:** 72576    **App. Type:** FUL    30/01/2026    Approve with Conditions  
12 Heapworth Avenue, Ramsbottom, Bury, BL0 9EH

**Location:**

**Proposal:** Demolition of existing rear conservatory and erection of a new single storey extension at rear; Single storey extensions at front / side to form a new entrance / office and loft conversion including front and rear dormers and roof light to rear. Black timber cladding to front and rear dormers, single storey rear extension and existing and new gables. New green roof to garage; new retaining wall; glazed balustrade to front and side; new fencing and relocation of rear garden retaining wall.

**Application No.:** 72648    **App. Type:** FUL    05/02/2026    Approve with Conditions  
Brook Bottom Farm, Bury Old Road, Shuttleworth, Ramsbottom, Bury, BL0 0RZ

**Location:**

**Proposal:** Change of use from recreational outbuilding to beauty therapy rooms (sui generis)

**Ward:** Tottington

**Application No.:** 72644    **App. Type:** FUL    09/02/2026    Approve with Conditions  
6 Hazel Avenue, Tottington, Bury, BL8 3EQ

**Location:**

**Proposal:** Single storey extension at rear and raised patio at rear

**Ward:** Whitefield + Unsworth - Besses

**Application No.:** 72558    **App. Type:** FUL    21/01/2026    Approve with Conditions  
8 Oak Lane, Whitefield, Manchester, M45 8ET

**Location:**

**Proposal:** Two storey side extension

**Application No.:** 72631    **App. Type:** FUL    21/01/2026    Approve with Conditions  
40 Windsor Avenue, Whitefield, Manchester, M45 6BA

**Location:**

**Proposal:** First floor side/rear extension with juliette balcony to rear

**Application No.:** 72661    **App. Type:** FUL    29/01/2026    Refused  
21 Thatch Leach Lane, Whitefield, Manchester, M45 6EN

**Location:**

**Proposal:** Variation of condition 2 (approved plans) on planning permission 71453 (Two storey side/rear extension; Single storey rear extension; Front porch and boundary walls at front and side): alterations to front elevation

**Ward:** **Whitefield + Unsworth - Pilkington Park**

**Application No.:** 72407    **App. Type:** FUL    30/01/2026    Approve with Conditions  
18 Ringley Road, Whitefield, Manchester, M45 7LE

**Location:**

**Proposal:** Two/single storey side extension/rear infill extensions/first floor side/rear extension with roof terrace and two storey front storm porch extension

**Application No.:** 72545    **App. Type:** FUL    05/02/2026    Deemed Withdrawn  
**Location:** Land near Whitefield Golf Club, corner of Parr Hill/Higher Lane, Whitefield, Manchester, M45 7EZ

**Proposal:** Erection of 1 no. dwelling

**Application No.:** 72584    **App. Type:** FUL    21/01/2026    Approve with Conditions  
46 Standmoor Road, Whitefield, Manchester, M45 7PN

**Location:**

**Proposal:** Loft conversion with front/rear dormers; Single storey porch; render to all elevations

**Application No.:** 72599    **App. Type:** FUL    03/02/2026    Approve with Conditions  
6 Kibworth Close, Whitefield, Manchester, M45 7LS

**Location:**

**Proposal:** First floor rear extension and ground floor front extension

**Application No.:** 72664    **App. Type:** FUL    05/02/2026    Approve with Conditions  
21 Ferndale Avenue, Whitefield, Manchester, M45 7GP

**Location:**

**Proposal:** Raise roof ridge height of existing bungalow to form two storey dwelling; single storey extension at rear; additional pitched roof dormer to front elevation and 3 no. pitched roof dormers to the rear; front porch with glass facade and render to external elevations.

**Application No.:** 72740    **App. Type:** LDPC    10/02/2026    Lawful Development  
44 Daleswood Avenue, Radcliffe, Manchester, M45 7WP

**Location:**

**Proposal:** Lawful development certificate for proposed rear extension

**Application No.:** 72752    **App. Type:** GPDE    11/02/2026    Prior Approval Not Required - Extension  
287 Bury New Road, Whitefield, Manchester, M45 7SE

**Location:**

**Proposal:** Prior approval for proposed single storey rear extension

**Ward:** **Whitefield + Unsworth - Unsworth**

**Application No.:** 72623    **App. Type:** FUL    19/01/2026    Approve with Conditions  
30 Oakwell Drive, Bury, BL9 8LB

**Location:**

**Proposal:** Garage Conversion with Single Storey Side/Rear Extension

**Application No.:** 72638    **App. Type:** AG    04/02/2026    Prior Approval Required and Granted  
Land west of Croft Lane, Bury, BL9 8QH

**Location:**

**Proposal:** Prior approval for proposed agricultural building

**Application No.:** 72669    **App. Type:** FUL    05/02/2026    Approve with Conditions  
2 Sandown Road, Bury, BL9 8HN

**Location:**

**Proposal:** Variation of condition no. 3 (approved materials) on planning permission 72247 (Single storey extension at side; new pitched roof over existing single storey extension at rear; 1m high timber fence to front of the site and pedestrian gate): render finish to existing dwelling and proposed extension

**Application No.:** 72683    **App. Type:** FUL    30/01/2026    Prior Approval Not Required  
The Food Warehouse (Iceland), Park 66, Pilsworth Road, Bury, BL9 8RS

**Location:**

**Proposal:** Prior approval for proposed installation of 165.5kwp solar panel system on the roof

**Application No.:** 72685    **App. Type:** FUL    10/02/2026    Approve with Conditions  
33 St Georges Road, Bury, BL9 8JG

**Location:**

**Proposal:** Single storey rear extension; Single storey front extension

**Total Number of Applications Decided:**    77

# REPORT FOR NOTING

<b>Agenda Item</b>	<b>6</b>
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<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>24 February 2026</b>
<b>SUBJECT:</b>	<b>PLANNING APPEALS</b>
<b>REPORT FROM:</b>	<b>HEAD OF DEVELOPMENT MANAGEMENT</b>
<b>CONTACT OFFICER:</b>	<b>DAVID MARNO</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	<p>Planning Appeals:</p> <ul style="list-style-type: none"> <li>- Lodged</li> <li>- Determined</li> </ul> <p>Enforcement Appeals</p> <ul style="list-style-type: none"> <li>- Lodged</li> <li>- Determined</li> </ul>
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	The Committee is recommended to the note the report and appendices
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework? Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management
<b>Statement by Executive Director of Resources:</b>	N/A
<b>Equality/Diversity implications:</b>	No
<b>Considered by Monitoring Officer:</b>	N/A
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<b>Wards Affected:</b>	All listed
<b>Scrutiny Interest:</b>	N/A

**TRACKING/PROCESS**

**DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

**1.0 BACKGROUND**

This is a monthly report to the Committee of the Planning Appeals lodged against decisions of the authority and against Enforcement Notices served and those that have been subsequently determined by the Planning Inspectorate.

Attached to the report are the Inspectors Decisions and a verbal report will be presented to the Committee on the implications of the decisions on the Appeals that were upheld.

**2.0 CONCLUSION**

That the item be noted.

**List of Background Papers:-**

**Contact Details:-**

David Marno, Head of Development Management  
 Planning Services, Department for Resources and Regulation,  
 3 Knowsley Place ,Bury BL9 0EJ

**Tel: 0161 253 5291**

**Email: [d.marno@bury.gov.uk](mailto:d.marno@bury.gov.uk)**



**Planning Appeals Decided  
between 19/01/2026 and 16/02/2026**

**Application No.:** 71502/FUL **Appeal Decision:** Allowed  
**Decision level:** DEL **Date:** 30/01/2026  
**Recommended Decision:** Refuse **Appeal type:** Written Representations  
**Applicant:** BT Group plc

**Location:** Pavement adj 65-69 Rochdale Road, Bury, BL9 7AX

**Proposal:** Installation of 1 no. BT street hub unit with 2 no. digital 75 inch LCD display screens either side of unit

**Application No.:** 72039/FUL **Appeal Decision:** Dismissed  
**Decision level:** DEL **Date:** 30/01/2026  
**Recommended Decision:** Refuse **Appeal type:** Written Representations  
**Applicant:** BT Group Plc

**Location:** Pavement at side of Morrisons, Bury New Road, Whitefield, Manchester, M45 8QS

**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 **Appeal Decision:** Dismissed  
**Decision level:** DEL **Date:** 30/01/2026  
**Recommended Decision:** Refuse **Appeal type:** Written Representations  
**Applicant:** BT Group Plc

**Location:** Pavement at side of Morrisons, Bury New Road, Whitefield, Manchester, M45 8QS

**Proposal:** Advertisement consent for 2 no. digital 75 inch LCD display screens either side of 1 no. BT street hub unit

**Application No.:** 72082/PIP **Appeal Decision:** Allowed  
**Decision level:** DEL **Date:** 29/01/2026  
**Recommended Decision:** Refuse **Appeal type:** Written Representations  
**Applicant:** PUS Construction

**Location:** Land to south of 390 Manchester Road, Ramsbottom, BL9 5NB

**Proposal:** Application for permission in principle for proposed residential development between 7 to 9 no. dwellings

**Application No.:** 72088/ADV **Appeal Decision:** Allowed  
**Decision level:** DEL **Date:** 30/01/2026  
**Recommended Decision:** Refuse **Appeal type:** Written Representations  
**Applicant:** BT Group Plc

**Location:** Pavement adj 65-69 Rochdale Road, Bury, BL9 7AX

**Proposal:** Advertisement consent for 2 no. digital 75 inch LCD display screen either side of 1 no. BT street hub unit

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## Appeal Decisions

Site visit made on 13 January 2026

**by A Hunter LLB (Hons) PG Dip MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 30 January 2026**

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### **Appeal A Ref: APP/T4210/W/25/3372961**

#### **Footpath adjacent to 65 – 69 Rochdale Road, Bury BL9 7AX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Simon Warner of BT Group PLC against the decision of Bury Metropolitan Borough Council.
  - The application Ref is 71502.
  - The development proposed is the installation of 1No. BT street hub unit and associated advertisement panels on either side of the unit.
- 

### **Appeal B Ref: APP/T4210/H/25/3372965**

#### **Footpath adjacent to 65 – 69 Rochdale Road, Bury BL9 7AX**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
  - The appeal is made by Mr Simon Warner of BT Group PLC against the decision of Bury Metropolitan Borough Council.
  - The application Ref is 72088.
  - The advertisement proposed is two digital 75-inch LCD display screens, one on each side of the street hub unit.
- 

## Decisions

### Appeal A

1. The appeal is allowed, and planning permission is granted for the installation of 1No. BT street hub unit and associated advertisement panels on either side of the unit at Footpath adjacent to 65 – 69 Rochdale Road, Bury BL9 7AX in accordance with the terms of the application, Ref 71502, subject to the conditions in the attached schedule at the end of this decision.

### Appeal B

2. The appeal is allowed, and express consent is granted for the display of two digital 75-inch LCD display screens, one on each side of the street hub unit at Footpath adjacent to 65 – 69 Rochdale Road, Bury BL9 7AX, in accordance with the terms of the application, Ref 72088. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the 2007 Regulations), and subject to the conditions in the attached schedule at the end of this decision.

### **Preliminary Matters**

3. In the absence of a site address being specified on the application form, the address used on the banner heading and decision above has been taken from the Council's notice of decision, as it accurately identifies the appeal site for both appeals.
4. The proposal for Appeal B would be an integral part of the proposal for Appeal A. As such, to avoid repetition I have provided one reasoning section, detailing my findings for both appeals. Notwithstanding this, each proposal and appeal has been considered individually, and on its own merits.
5. In relation to Appeal B, the Council's reason for refusal refers to development plan policies. However, the 2007 Regulations require that decisions are made only in the interests of amenity and public safety, as appropriate to each case. Therefore, although I have taken relevant development plan policies and the National Planning Policy Framework (the Framework) into account, they have not been decisive considerations in my determination of that appeal.
6. The appellant has confirmed in their statement that no phone kiosks are proposed to be removed as part of Appeal A. That appeal has been determined on this basis.

### **Main Issues**

7. The main issues with respect to Appeal A are the effect of the proposed development on highway safety and the character and appearance of the area.
8. In respect of Appeal B, the main issues are the effect of the proposed advertisement on public safety and the visual amenity of the area.

### **Reasons**

#### *Highway/public safety*

9. The proposed hub would be located on a wide pavement to one side of this part of Rochdale Road (said to be a classified road), between Yarwood Street and York Street. There is a high-level road traffic sign positioned centrally on the pavement near to its proposed location, along with a small cabinet and lighting columns located at the back edge of the pavement. On the York Street side are traffic lights, relating to the controlled junction between Rochdale Road, York Street, and Lord Street, positioned very close to either side of the approaching two-laned carriageway nearest the appeal site, with a central kerb dividing the two carriageways along this part of Rochdale Road.
10. Although only a snapshot in time, I observed on my site inspection that there were few pedestrians walking along this part of the pavement, and due to the position of the road traffic sign, the pedestrian desire line was most likely to be nearest to the back edge of the pavement. As such, the proposed siting of the hub (said to be some 0.5 metres or so from the kerb edge), would be broadly consistent with the nearby road traffic sign, and it would be unlikely to adversely affect pedestrian desire lines on this section of pavement. Moreover, the combined retained width of the pavement (said to be some 2.4 metres or so on the proposed plans) would be adequate for pedestrians to safely pass one another, including vulnerable users such as those with pushchairs and wheelchairs for the very short distance when

passing the proposed hub (which is 0.35 metres in depth). Therefore, its siting would not adversely affect pedestrian movements or active and sustainable travel movements along the pavement.

11. Drivers approaching the nearby controlled junction with York Street on the carriageway nearest the appeal site would have adequate visibility of both sets of traffic lights, whether on green, amber or red, as the lights are positioned slightly closer to the kerb edge than the proposed hub. Furthermore, the road is mainly straight on this approach to the traffic lights, and such drivers would likely be positioned to the right-hand side of the vehicle, away from the kerbside position of the hub, preventing it from creating an unacceptable obstruction or adversely affecting the free flow of traffic along the road. Whilst the plans show that there would be partial obstruction of the traffic lights on the pavement side, this would be because the elevations are 2-dimensional, and they do not take account of the drivers position when travelling along Rochdale Road.
12. The Council has referred to possible harm in the event that the nearby traffic lights were to fail, due to the proposed hub impairing the sight line for vehicles seeking to enter or cross Rochdale Road from York Street. The Council has not provided any sight lines to support its reason for refusal, nor has it set out what such sight line measurements should be in this area with a speed restriction of 30 mph. I saw on my site inspection that the traffic lights were fully operational, and I did not notice any faults with them, nor is there any evidence of them failing in the past, I therefore attach limited weight to this hypothetical scenario. Nevertheless, given the position of the proposed hub, away from the kerb edge and the alignment of the junction between the two roads, together with the wide and splayed part of York Street, I am not convinced that the position of the proposed hub would cause an unacceptable obstruction to sight lines for drivers exiting York Street in that hypothetical situation.
13. It is acknowledged that one of the main purposes of the proposed hub is to draw attention to its advertising. However, this section of Rochdale Road is not a complicated part of the highway network for drivers to navigate, and the proposed hub would have a reasonably large separation distance from the junction with York Street, and it would not obscure nearby road signs. Although only a snapshot in time, I observed on my site inspection that vehicles were moving slowly along this side of Rochdale Road, possibly due to the controlled junctions to either side. In view of its limited size and scale, and taking into account other commercial advertising nearby and noting the submitted Driver Distraction Survey, I am not convinced that the proposed location of the hub and its static advertisements (which could be restricted by condition) would be likely to cause an unacceptable distraction to passing drivers or cause obstruction to sight lines, nor would it be likely to create conditions prejudicial to highway, pedestrian or cyclist safety.
14. Finally, the Council (as the highway authority) has said it would not give permission to the appellant for the hub to be installed as proposed. Be that as it may, that would be a separate matter to the planning merits of the proposals the subject of this appeal, and it does not alter my findings above on this main issue.
15. I therefore conclude that in terms of Appeal A, the proposals would not be harmful to highway or pedestrian safety, and in terms of Appeal B they would not be harmful to public safety. Although not determinative in relation to Appeal B, I also find that in respect of both appeals the proposals would comply with the relevant

parts of policies EN1/2, EN1/4, and EN1/9 of the Bury Unitary Development Plan, adopted August 1997 (BUDP), and policies JP-P1, JP-C5, and JP-C6 of the Places for Everyone, Joint Development Plan Document, for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022-2039, adopted March 2024 (PfE), insofar as they require proposals to consider public safety, be socially inclusive, safe, satisfy the requirements for all highway users, including those with mobility impairments, not to detract from highway safety and minimise obstacles to prevent disrupting main pedestrian flows. In addition, the proposal would comply with paragraph 117 of the Framework that requires development to create places that are safe and secure and give priority to pedestrian movements.

*Character and appearance/visual amenity*

16. Although there is a car park adjoining the back edge of this section of pavement where the proposed hub would be sited, it would broadly sit amongst mainly commercial and retail uses, within its immediate urban context. The proposed hub would be approximately 1.2 metres wide, 3 metres high. It would provide, advertising display screens to either side, free Wi-Fi, free phone calls, wayfinding, access to public services, connection to emergency services, public messaging, environmental monitoring, rapid charging and free phone calls.
17. It is acknowledged that the proposed hub would add to the limited street furniture in this area. However, given the significant width of the pavement, and the spaced arrangement of nearby street furniture and structures, and its proposed alignment with the nearby road traffic sign, it would appear legible and not unacceptably add to the clutter of street furniture in this area.
18. Moreover, its limited scale, size, high-quality functional appearance and its modest level of digital advertising, would not be inconsistent with the commercial appearance of the area and other advertising nearby, even if its type of advertising is different to some of those existing forms of advertising. Although, the adjoining car park relates to open land, I saw on my site inspection that when it is used for parking vehicles, its contribution to any sense of openness in this area is significantly limited. Furthermore, the siting of the proposed hub on the pavement, would not unacceptably harm any such openness in this area, and its limited scale would not be obtrusive, dominant, or harm the spacious layout of the pavement area.
19. In addition, through the use of planning conditions, the proposed advertising could be restricted to be static, without any moving images or interactive displays, along with limitations on its level of illumination, ensuring there would be no harmful effects arising on the character and appearance or visual amenity of the area.
20. I therefore conclude that in terms of Appeal A, the proposals would relate well to the character and appearance of the area, and in regard to Appeal B there would be no harmful effects on the visual amenity of the area. Although not determinative in relation to Appeal B, the proposals would also comply with the relevant parts of BUDP policies EN1/2, EN1/4, and EN1/9 and PfE Policy JP-P1 that collectively require well-designed street furniture that respects the character and identity of the locality and the relationship to the surrounding area, and for advertisements not to be harmful to the area's amenity. Furthermore, the proposal would comply with paragraph 135 of the Framework, insofar as it seeks to ensure development adds

to the overall quality of the area, is visually attractive, and sympathetic to local character.

### **Other Matters**

21. Reason for refusal no.5 on the Council's notice of decision for Appeal A related to the lack of information regarding the relocation of 2no. telephone kiosks, said to be located outside of the appeal site. As their re-location is no longer part of the proposed development, I have not needed to assess this aspect. Nor do I see any planning reasons why the re-location of telephone kiosks outside of the appeal site would be necessary to make the proposals acceptable in planning terms.

### **Conditions**

22. For Appeal A, I have imposed the standard implementation condition and a condition specifying the approved plans to provide certainty. In view of my findings above, I was not persuaded that a condition recommended by the Council, requiring the removal of the approved hub in the event it becomes redundant, would meet all the tests set out in paragraph 57 of the Framework, so it has not been imposed.
23. For Appeal B, as well as the standard conditions for advertisements (referred to above), in the interests of public safety, conditions are also necessary: to prevent the display of any advertisements that contain moving images; to ensure a smooth transition between images and the length of time they are displayed; prevent any advertisement replicating traffic signs; and to ensure that there are no error messages displayed in the event of a breakdown. In addition, for reasons relating to both public safety and visual amenity a condition is necessary to restrict the levels of luminance of the advertisement's and ensure they respond to ambient light levels.

### **Conclusion**

24. For the reasons given above, I conclude that the appeals should be allowed.

*A Hunter*

INSPECTOR

## Schedule of Conditions

### Appeal A

- 1) The development shall be begun not later than the expiration of three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following plans: drawing no's BRY-112 rev. B - existing site plan (including location plan); BRY-112 rev. B - proposed site plan; BRY 112 rev. B - proposed elevations; and BT street hub unit dimensions.

### Appeal B

- 1) There shall be no moving images or special effects (including noise, smell, smoke, animation, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message/advertisement is displayed.
- 2) The interval between successive displays shall be instantaneous (0.1 seconds or less), the complete screen shall change, there shall be no visual effects (including fading, swiping or other animated or interactive transition methods) between successive displays.
- 3) The display shall not change more than once every 10 seconds. The use of message sequencing for the same product is prohibited, and the advertisements shall not include features or equipment which would allow interactive messages or advertisements to be displayed.
- 4) The screen display shall be erected with a mechanism installed in order that, if the screen display breaks down or freezes, it defaults to a blank black screen to avoid any flashing error messages or pixilation.
- 5) The screen display panel shall at all times be fitted with a light sensor to adjust the brightness to changes in ambient light levels.
- 6) The intensity of the illumination of the two digital display screens shall not exceed 600 candelas per square metre (cd/m<sup>2</sup>) between dusk and dawn and 2500 cd/m<sup>2</sup> during daylight hours.
- 7) No images displayed shall resemble official road traffic signs, traffic lights or traffic matrix signs.

End of Schedule of Conditions

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## Appeal Decisions

Site visit made on 8 January 2026

by **J Hobbs MRTPI MCD BSc (hons)**

an Inspector appointed by the Secretary of State

Decision date: 30 January 2026

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### **Appeal A Ref: APP/T4210/W/25/3372958**

#### **Footpath to the east side of Bury New Road (adjacent to Morrisons), Unsworth M45 8QS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Verity Cheyne of BT Group PLC against the decision of Bury Metropolitan Borough Council.
  - The application Ref is 72039.
  - The development proposed is installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit.
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### **Appeal B Ref: APP/T4210/H/25/3372960**

#### **Footpath to the east side of Bury New Road (adjacent to Morrisons), Unsworth M45 8QS**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
  - The appeal is made by Verity Cheyne of BT Group PLC against the decision of Bury Metropolitan Borough Council.
  - The application Ref is 72040.
  - The advertisement proposed is two digital 75 inch LCD display screen, one on each side of the Street Hub unit.
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### **Decision**

1. Appeal A and Appeal B are both dismissed.

### **Preliminary Matters**

2. There are two appeals on the same site; one against the refusal of planning permission and the other against the refusal to grant advertisement consent. The proposals are intrinsically linked and raise similar issues. To avoid duplication, I have dealt with the two appeals together, except where otherwise indicated.
3. With regard to Appeal B, the Advertisement Control Regulations<sup>1</sup> and the National Planning Policy Framework (the Framework) require that decisions are made only in the interest of amenity and public safety, taking into account the provisions of the development plan, so far as they are material. As such, whilst I have considered the development plan policies which the Council consider to be relevant to amenity and public safety, they are not determinative.
4. The appellant has indicated that following the construction of the proposal, a telephone box would be removed from the access road to Whitefield Metrolink

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<sup>1</sup> The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Station. The description of development on the Application Form did not refer to the removal of this box. Moreover, the telephone box was not included within the application site shown on the Site Location Plan<sup>2</sup>. However, the Decision Notice for the planning application<sup>3</sup> referred to “the relocation of existing phone.” It is therefore clear that the Council considered the removal of the telephone box as part of the planning application.

5. Although the telephone box is not within the application site, it is owned by the appellant. As such, a negatively worded condition could ensure that the telephone box would be removed prior to the proposed Street Hub being operational. Consequently, I will consider the removal of the telephone box when determining the appeals.

### **Main Issues**

6. The main issues for Appeal A are the effect of the proposed development on (a) the character and appearance of the area, and (b) highway safety. The main issues for Appeal B are the effect of the proposed advertisement on (a) amenity, and (b) public safety.

### **Reasons**

#### *Character and appearance, and amenity*

7. The appeal site is part of the public highway next to a supermarket and a bus stop on Bury New Road. There are numerous commercial properties in the area and a Metrolink Station is in proximity to the appeal site. There are also several advertisements, largely associated with the commercial properties they are attached to. In addition, there are billboard advertisements attached to the side of buildings and small freestanding advertisements. Given the above, the area has an urban character and appears as a local centre close to a transport hub.
8. Although the proposed Street Hub would be narrower in depth, than existing telephone boxes, due to its height and width it would still be a significant addition to the footpath. The proposed Street Hub would be sited very close to a bus stop, bins, and a street light, which has a traffic sign attached to it. As such, the proposed Street Hub would contribute to an abundance of street furniture which is positioned across a short section of footpath which is not particularly wide. Moreover, the proposed orientation of the Street Hub would be such that it would face toward people walking along the footpath. Combined with the illuminated advertisement, this would increase the prominence of both the proposed development and advertisement. Taking account of the above factors, the proposal would result in the footpath appearing cramped and cluttered.
9. The proposed advertisement would be larger than existing freestanding advertisements in the area. Moreover, other freestanding advertisements are positioned in areas where there is less street furniture. As such, those advertisements do not significantly reduce the amount of usable footpath. Accordingly, the proposed advertisement and Street Hub would appear incongruous within the street scene.

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<sup>2</sup> Drawing Ref. Steet Hub, BRY-115 Morrisons, 001 – Existing Site Plan, Rev. A

<sup>3</sup> Planning Application Ref. 72039

10. The appellant has highlighted several appeal decisions<sup>4</sup> where similar developments and advertisements were deemed to be acceptable with regard to the effect on the character and appearance, and visual amenity. Nevertheless, the pertinent details of those proposals are not before me, and they are located in different parts of the country. As such, those proposals are materially different to the proposal before me. Therefore, I ascribe very limited weight to those decisions in favour of the appeal proposal.
11. With respect to Appeal A, the proposed development would have a harmful effect on the character and appearance of the area. It would be contrary to policies EN1/2, EN1/4, and EN1/9 of the Bury Unitary Development Plan, August 1997 (UDP) and Policy JP-P1 of the Places for Everyone, Joint Development Plan Document, 2022 to 2039, March 2024 (PFE). These policies indicate that the Council will encourage the provision of suitably located and well-designed street furniture, amongst other matters. The proposed development would also not be in accordance with the Framework where it indicates that the creation of high quality places is fundamental to what the planning process should achieve.
12. Similarly, with respect to Appeal B, the proposed advertisement would be harmful to visual amenity. Although not determinative, the proposed advertisement would be contrary to UDP Policy EN1/9 and the Framework, where they indicate that the Council will seek to control advertisements in the interest of amenity and that the character of places can suffer when advertisements are poorly sited.

#### *Highway and public safety*

13. Next to the appeal site is private land. This area is paved and pedestrians are currently able to use this space as an extension of the public footpath. However, it is partially closed off for an outdoor seating area, and other sections of the land accommodate soft landscaping. Evidence has been provided that this land was previously closed off to the public whilst construction works were ongoing. There is no reason why the access to the private land adjoining the appeal site could not be restricted in future. This would be outside of the control of the appellant and the Council. Therefore, when determining the appeal, I have assessed that the extent of the usable footpath only extends to the extent of the public highway.
14. My assessment differs from the assessment of other inspectors in the appeal decisions<sup>5</sup> that have been put before me. Nonetheless, in those instances there was no evidence that access to private land would be restricted. Whereas in this instance, there is evidence that it has previously been restricted and there are nearby uses and areas of soft landscaping which could extend to the land adjoining the appeal site. Furthermore, for both those proposals the inspectors concluded that the amount of usable footpath was sufficient without considering the private land. Therefore, the proposal that is before me is materially different to those proposals and the acceptance of private land as part of a usable footpath in other cases, does not set a precedence.
15. Whilst the proposed Street Hub would be positioned broadly in line with the bins and the bus stop, it would be on the other side of the footpath from the street light. As such, it would block pedestrians' desire lines. Moreover, the width of the

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<sup>4</sup> Appeal Refs. APP/Z5630/H/3209488; APP/N5090/Z/22/3296138; APP/J2373/H/22/3305026; APP/J2373/W/22/3304941; APP/J2373/W/22/3305075; and, APP/N5090/Z/22/3295689.

<sup>5</sup> Appeal Refs. APP/Q3630/W/25/3363952 and APP/Q3630/H/25/3363953; and, APP/Q3630/W/25/3363957 and APP/Q3630/H/25/3363958.

retained footpath would be less than required by Transport for Greater Manchester to be considered an unimpeded footpath. Accordingly, there may not be space for pedestrians to pass one another when travelling in opposite directions. This would be a particular concern for people using mobility aids or with a pushchair.

16. As the appeal site is close to a Metrolink station and a supermarket, within what appears to be a local centre, footfall is likely to be high. Furthermore, people waiting at the nearby bus stop would also cause an obstruction to pedestrians using the footpath. Consequently, it is likely that pedestrians would come into conflict with other pedestrians or the street furniture, particularly during busy periods of the day. This would lead to people walking across the private land immediately next to the supermarket. However, if access to that land was blocked, not only would it significantly increase the chances of conflict, but it may lead to pedestrians temporarily stepping into the road to avoid obstructions. As such, the proposed siting of the advertisement and Street Hub would have a harmful effect on highway safety, as it could cause conflict between pedestrians and vehicles on what appears to be an arterial route.
17. The proposal may be in accordance with some aspects of the guidance within Manual for Streets and Inclusive Mobility, guidance issued by Transport for London and the recommendations of the Disability Discrimination Act. Nonetheless, this is guidance only and is not determinative. For the reasons given above, the specific site circumstances would lead to the proposal being harmful to highway safety.
18. Due to the road layout, the siting of the proposed Street Hub and advertisement would not harmfully affect the visibility of drivers approaching the junction between Stanley Road and Bury New Road. Even if the traffic lights were not working, there would be sufficient visibility for drivers to exit Stanley Road safely.
19. On balance, with respect to Appeal A, the proposed development would have a harmful effect on highway safety. It would be contrary to UDP policies EN1/2, EN1/4 and EN1/9 and PFE policies JP-P1, JP-C5 and JP-C6. These policies indicate that the Council will seek to ensure that the siting of street furniture does not detract from highway safety, and streets will follow a Streets for All approach by maximising the ability of pedestrians to navigate safely, amongst other matters. Moreover, the proposed development would be contrary to the Framework where it advises that development should be refused on highway grounds if there would be an unacceptable impact on highway safety.
20. Similarly, with respect to Appeal B, the proposed advertisement would be harmful to public safety. Although not determinative, the proposed advertisement would be contrary to UDP Policy EN1/9 where it indicates that the Council will have particular regard to the effect of the advertisement on the safe use of any form of transport, including the safety of pedestrians.

### **Other Matters**

21. The appellant has indicated that the proposal would comply with several local plan policies. This is not disputed. However, the proposal would be contrary to the policies identified above. Therefore, it would be contrary to the development plan when read as a whole.

22. The proposal would generate numerous benefits including the expansion of the electronic communication network which in turn could create conditions in which businesses can expand. The proposed Street Hub would also include sensors which can monitor air, sound, and light. The data generated could assist the Council when making decisions. Furthermore, BT offer free advertisements to small businesses and the Council. The provision of these advertisements as well as enhanced 5G coverage could promote the long term vitality of the local centre. The replacement of the telephone box with the proposed Street Hub would help reduce greenhouse gas emissions, as the Street Hub would run on renewable energy. The proposal would also support the Government's Industrial Strategy which identifies digital and technology businesses as a priority sector for support and growth.
23. The telephone box which is proposed to be removed is located within All Saints Conservation Area (ASCA). The significance of ASCA in part relates to the historic development of the area. Many of the buildings are of a design or retain features which indicate that they were constructed during the Georgian and Victorian periods. There are many buildings of note which have a positive effect on ASCA, including 8 Whitefield which is in proximity to the telephone box. The removal of the telephone box would reduce visual clutter around the junction between the access road to the Metrolink Station and Bury New Road. As such, the street furniture would provide less of a visual distraction and could allow the nearby historic buildings to be better appreciated.
24. Consequently, the removal of the telephone box would enhance the appearance of ASCA. The proposal would comply with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I attached considerable weight and importance to this as a benefit of the proposal.
25. Notwithstanding this, I ascribe substantial weight to the harm that would be caused by the proposal. Of particular concern is the effect of the proposal on highway safety. Given the high footfall in the area and the road appearing to be an arterial route, I have significant concern regarding the potential conflict between pedestrians and vehicles. Accordingly, the benefits of the proposal as a whole would not outweigh the identified harm.
26. I acknowledge the appellant's comments in relation to the conduct of the Council during the determination of the planning application. However, these are matters between the appellant and the Council and it is not a matter for my consideration on the acceptability of the appeal proposal.

## **Conclusion**

27. With regard to Appeal A, the proposed development conflicts with the development plan, when read as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.
28. With regard to Appeal B, the proposed advertisement would have a harmful effect on amenity and public safety. Therefore, the appeal should be dismissed.

*J Hobbs*

INSPECTOR



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## Appeal Decision

Site visit made on 13 January 2026

by **A Hunter LLB (Hons) PG Dip MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 January 2026

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**Appeal Ref: APP/T4210/W/25/3375135**

**Land North of Bass Lane, Manchester Road, Walmersley (in the vicinity of the Halfway House Cafe), Bury BL9 5NB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
  - The appeal is made by Mr John McGauley of PUS Construction against the decision of Bury Metropolitan Borough Council.
  - The application Ref is 72082.
  - The development is a proposed housing development.
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### Decision

1. The appeal is allowed and permission in principle is granted for a minimum of 7 dwellings and a maximum of 9 dwellings, at Land North of Bass Lane, Manchester Road, Walmersley (in the vicinity of the Halfway House Cafe), Bury BL9 5NB, in accordance with the terms of the application, reference 72082.

### Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second, technical details consent (TDC) stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages only.
3. The PPG further says the scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent TDC application if permission in principle is granted<sup>1</sup>. I have determined this permission in principle appeal accordingly.
4. An applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum net number of dwellings as part of the application. In this instance, the application form indicates a minimum of 7 no. dwellings and a maximum of 9 no. dwellings.
5. Since the Council's notice of decision was issued, a revised National Planning Policy Framework Consultation, and accompanying Written Ministerial Statement, dated 16 December 2025 were issued. They relate to proposed changes, and they are not government policy. As such they attract limited weight in my decision.

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<sup>1</sup> Paragraph: 012 Reference ID: 58-012-20180615

Nevertheless, in view of the reason for refusal on the Council's notice of decision the main parties have had the opportunity to comment on them in regard to the appeal proposal, and I have taken those comments into account in my decision.

### **Main Issues**

6. The main issues are whether the location, the proposed land use and the amount of development are suitable, having regard to:
  - whether the proposal would constitute inappropriate development in the Green Belt, considering the National Planning Policy Framework (the Framework) and any relevant development plan policies, including where necessary, the effect on openness, and
  - if relevant, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

### **Reasons**

#### *Whether the proposed development would be inappropriate development*

7. The appeal site comprises part of a grassed field within the Greater Manchester Green Belt, as set out within Policy JP-G8 of the Places for Everyone, Joint Development Plan Document, for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan, 2022-2039, adopted March 2024 (PfE). It is also located between the M66 and A56 (Manchester Road), opposite a small collection of housing and adjoining a commercial premises. Although it is situated outside of the nearby settlements of Bury, Ramsbottom, and Walmersley, there are footpaths along the sides of the connecting roads to them all, and regular bus services to them, that link to the Greater Manchester transport system and beyond.
8. The Framework at paragraph 142 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 of the Framework sets out that development in the Green Belt should be regarded as inappropriate, other than in a limited number of exceptions.
9. PfE Policy OL1/2 also states that new buildings in the Green Belt are inappropriate development, unless for some limited purposes. Furthermore, Bury's New Buildings and Associated Development in the Green Belt, Guidance Note, adopted 10th January 2007 (GN) says new residential development is not permitted in the Green Belt, other than for agricultural and forestry workers accommodation, limited infilling or for a replacement dwelling. There is no apparent dispute between the main parties that the proposal would not satisfy any exceptions or limited purposes as set out within paragraph 154 of the Framework, PfE Policy OL1/2 and the GN, and I see no reason to disagree.
10. However, paragraph 155 of the Framework also states homes in the Green Belt would not be inappropriate development if; a. the proposed development would utilise grey belt land and not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; b. that there is a demonstrable unmet need for the type of development proposed; c. the

development would be in a sustainable location (with particular reference to paragraphs 110 and 115); and d. if major development, it would satisfy the golden rules. The PfE and the GN pre-date the Framework and the relevant Green Belt policies of the PfE and GN are not consistent with paragraph 155 of the Framework, which in this case is a significant material planning consideration.

11. The Framework defines grey belt land, as land in the Green Belt, comprising previously developed land and/or any other land that, in either case, does not strongly contribute to purposes a), b), or d) in paragraph 143 of the Framework. It excludes land where the application of the policies relating to areas or assets of particular importance as set out in footnote 7 of the Framework (other than Green Belt) would provide a strong reason for refusing or restricting development. In terms of those purposes, the Council does not conclude that the appeal site prevents neighbouring towns merging into one another, or that it preserves the setting and special character of historic towns, nor is there any evidence that it would conflict with areas or assets of importance as set out within footnote 7. From the available evidence, I have no reason to disagree, and the appeal site does not strongly contribute to the above-mentioned purposes, it is therefore grey belt land.
12. There is also no dispute between the main parties that the proposed development of the appeal site, which is partly said to be previously developed and situated between two major roads would fundamentally undermine the purposes of the Green Belt across the area of the plan, and again, I do not disagree. Consequently, criterion a. of paragraph 155 of the Framework is met.
13. The Council's recent updated Five Year Housing Land Supply Statement says it has a 4.3-year supply of housing, including a 20% buffer, so there is a demonstratable unmet need for housing, and criterion b. of paragraph 155 of the Framework is met. In view of the proposed number of dwellings to be located on the appeal site (between 7-9 dwellings), along with its site area, it would not be major development, so the golden rules within criterion d. would not apply in this case.
14. Turning to criterion c., paragraph 110 of the Framework says amongst other things that the location of new development should limit the need to travel and offer a genuine choice of transport modes, it also recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, which should be taken into account in decision-making. Paragraph 115 adds that sustainable transport modes should be prioritised.
15. Although the appeal site is said to be some 30 minutes or so walk from local services and grocery shops, which may not be ideal for all future occupiers, there are regular bus services operating very close to the appeal site to neighbouring settlements and beyond. In addition, it is possible for future occupiers to cycle the short distance to the neighbouring settlements, on what are mostly well-lit roads, in this rural location. Moreover, development would not be in a materially less sustainable location than the existing residential development immediately opposite the appeal site. Therefore, whilst the car may be the mode of transport of choice for some future occupiers, it is by no means the only option, with other genuine sustainable modes of travelling being available for future occupiers, including public transport, cycling and walking. In terms of paragraph 155 of the Framework, the location can be regarded as sustainable and criterion c. is met.

16. Although paragraph 115 does require safe and suitable access for all users, the scope of this permission in principle stage is limited to principle matters only. Details relating to the location, and safety of new access(es), including sight lines, speed surveys and proximity of nearby junctions, along with the detailed highway safety aspects of the proposed development would be matters for a TDC application.
17. I therefore conclude that the location, the proposed amount, and residential land use would be appropriate in principle at the appeal site, and the proposal would not be inappropriate development in the Green Belt, and it would accord with the provisions of the Framework in respect of the Green Belt, notably paragraph 155. It is not necessary for me to consider the effects of the proposal on the openness of the Green Belt, as this is implicitly considered in this exception, nor would there be any very special circumstances needed to justify the development. Whilst there would be conflict with PfE Policy OL1/2 and the GN, as set out above, the Framework takes precedence as those policies are more restrictive than the Framework in terms of homes in the Green Belt. The conflict with the development plan in this regard is outweighed by the Green Belt policies of the Framework.
18. Although not cited within its reason for refusal, the Council referred in its statement to conflict with PfE policies JP-C1 and JP-C8. Policy JP-C1 requires new development to be located to enable and encourage walking, cycling and public transport use, to reduce effects of car dependency, and Policy JP-C1 states that proposals should deliver a pattern of development that minimises both the need to travel and the distance travelled by unsustainable modes. In light of my findings above regarding the appeal site being in a sustainable location and providing a genuine choice of sustainable transport modes other than the car, future occupiers would not need to be car dependent for such journeys, although some may choose to travel by car. I do not find any conflict with these policies on this main issue.

### **Other Matters**

19. Interested parties have raised a number of issues in addition to the main issue above, including but not limited to drainage, highway safety, and the provision of local services. At this stage only the principle of the use can be considered, most of the issues raised would be considerations that would be assessed separately at the TDC stage.

### **Conditions**

20. The Council has not suggested any conditions, and in any event the PPG states that it is not possible for conditions to be attached to a grant of permission in principle<sup>2</sup>.

### **Conclusion**

21. For the reasons set out above, I conclude that the appeal should be allowed.

*A Hunter*

INSPECTOR

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<sup>2</sup> Paragraph: 020 Reference ID: 58-020-20180615



**Details of Enforcement Appeal Decisions  
between 19/01/2026 and 16/02/2026**

**Location:** 1 Pitt Street, Radcliffe, Manchester, M26 3TF

**Case Ref:**  
0323 24

**Issue:** Balcony on top of existing rear single storey extension with obscure glazed balustrade

**Appeal Decision:** Dismissed 13/02/2026



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## Appeal Decision

Site visit made on 27 January 2026

by **A Berry MTCP (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

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### Appeal Ref: APP/T4210/C/25/3363343

#### 1 Pitt Street, Radcliffe, Manchester M26 3TF

- 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 Mr Ray Ellis of KC against an enforcement notice (“EN”) issued by Bury Metropolitan Borough Council.
  - The EN was issued on 20 February 2025.
  - The breach of planning control as alleged in the EN is: Without planning permission, the creation of a balcony on the rooftop of the existing rear single storey extension with obscure glazed balustrade and French doors.
  - The requirements of the EN are:
    - a) Remove the rear first floor French doors that are being used to access the rear extension’s roof and reinstate the building to its previous condition.
    - b) Dismantle and remove the glazed balustrade from the rear extension’s roof.
    - c) Remove all power supply points and solar lighting from the rear extension’s roof.
  - The periods for compliance with the requirements are:
    - 1) To complete step 5 (a) above - 90 days after the notice takes effect.
    - 2) To complete step 5 (b) above - 90 days after the notice takes effect.
    - 3) To complete step 5 (c) above - 90 days after the notice takes effect.
  - The appeal is proceeding on the grounds set out in section 174(2)(b), (c) and (f) of the 1990 Act.
- 

### Decision

1. It is directed that the EN is varied by:

- *the deletion of the entirety of the words in a), b) and c) in section 5 of the EN and their substitution with the words: “Remove the French doors and obscure glazed balustrade and reinstate the roof to its previous condition”;*  
*and*
- *the deletion of the entirety of the words in 1), 2) and 3) in section 6 of the EN and their substitution with the words: “90 days after the notice takes effect”.*

Subject to the variations, the appeal is dismissed and the EN is upheld.

### Preliminary Matters

2. The appellant and interested parties raise matters within their submissions regarding the planning merits of the development. However, the appellant has not appealed the EN under ground (a) and therefore, I am unable to consider these comments.
3. The appellant contends that it is their intention to turn the roof of the existing single storey rear extension into a “green roof”. This is a matter that falls outside the scope of this appeal.

### Appeal on Ground (b)

4. An appeal under ground (b) is that those matters stated in the EN have not occurred. The alleged breach is the creation of a balcony on the rooftop of an existing rear single storey extension with an obscure glazed balustrade and French doors.
5. The appellant does not dispute that the French doors have been inserted, or the obscure glazed balustrade has been erected. Their Statement of Case also states that they *“would accept the decision to cease using the roof as a balcony”* which suggests that the roof has been used as a balcony. Furthermore, interested parties have described instances when the flat roof was used as a balcony.
6. In addition, the appellant sought planning permission<sup>1</sup> for the retention of a *“balcony on roof of extension with a toughened obscure glazed balustrade with stainless steel post and top rail at 1100mm high”*. The Council refused the application, and it was subsequently dismissed on appeal<sup>2</sup>, with the Inspector stating, *“The application form indicates the development was completed, and I was able to see this during my site visit”*
7. The evidence before me therefore indicates that a balcony had been created on the rooftop of an existing rear single storey extension with an obscure glazed balustrade and French doors.
8. The appellant states that there is no solar lighting on the roof. While this may have been correct at the time of writing the appeal statement, the test in ground (b) is whether the solar lighting had been present. Notwithstanding this, the alleged breach of planning control does not refer to solar lighting, and therefore it is not necessary for the appellant to demonstrate that it had not occurred.
9. Consequently, on the balance of probabilities, the alleged breach of planning control had occurred as a matter of fact. The appeal on ground (b) therefore fails.

### Appeal on Ground (c)

10. An appeal under ground (c) is that the matters alleged in the EN do not constitute a breach of planning control. The onus of proof is on the appellant to show there has been no breach of planning control. The relevant test is the balance of probability.
11. Section 55(2)(d) of the 1990 Act states that the *“use of any buildings or other land within the curtilage of a dwellinghouse for any purposes incidental to the enjoyment of the dwellinghouse as such”* shall not be taken to involve development. Therefore, **using** the flat roof as amenity space incidental to the residential use of the house would not constitute development (my emphasis). However, the allegation does not allege a material change of use, and the EN does not require the cessation of the roof as a balcony. Therefore, the EN alleges operational development.
12. A balcony is defined within the Technical Guidance<sup>3</sup> as *“a platform with a rail, balustrade [sic] or parapet projecting outside an upper storey of a building”*. My

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<sup>1</sup> Planning Ref 70189

<sup>2</sup> Appeal Ref APP/T4210/D/24/3340383

<sup>3</sup> Permitted development rights for householder: technical guidance (2019)

observations during my site visit confirm that the alleged breach of planning control complies with this definition.

13. Although the “use” of the roof as a balcony is not part of the alleged breach of planning control, the physical works (i.e. the obscure glazed balustrade and the French doors) have resulted in the provision of a balcony. Therefore, the development must be considered as one operation and not separated into its constituent parts. As such, the alleged breach of planning control must, as a whole, benefit from planning permission granted by the GPDO.
14. The appellant has not directed me to a particular part or class of the GPDO that they assert the alleged breach of planning control conforms. However, in my opinion, the most relevant sections would be Classes A, B and C of Part 1, Schedule 2.
15. Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (“GPDO”) provides permitted development rights for the “*enlargement, improvement or other alteration of a dwellinghouse*” subject to various limitations. One such limitation at A.1(k) is that development is not permitted by Class A if “*it would consist of or include (i) the construction or provision of a verandah, balcony or raised platform*”.
16. Similarly, limitation B.1(e)(i) of Class B, Part 1, Schedule 2 of the GPDO relating to “*additions etc. to the roof of a dwellinghouse*” does not allow development which consists of or includes the construction or provision of a verandah, balcony or raised platform.
17. The alleged breach of planning control involves the provision of a balcony. Consequently, it is not permitted development under Class A or Class B of Part 1, Schedule 2 of the GPDO.
18. Even if the obscure glazed balustrade could be considered independently of the operation as a whole, it exceeds the height of the existing rear single storey extension’s roof. Limitation C.1(c) of Class C, Part 1, Schedule 2 of the GPDO relating to “*any other alteration to the roof of a dwellinghouse*” does not allow development that would result in the highest part of the alteration being higher than the highest part of the original roof. Consequently, it is not permitted development under Class C of Part 1, Schedule 2 of the GPDO.
19. For these reasons, the appellant has failed to show, on the balance of probability, that the matters alleged in the EN do not constitute a breach of planning control. Therefore, the appeal on ground (c) fails.

### **Appeal on Ground (f)**

20. An appeal under ground (f) is that the steps required by the EN to be taken, or the activities required by the EN to cease, exceed what is necessary to remedy the breach of planning control.
21. The appellant asserts that to cease the use of the balcony should be enough to remedy the breach of planning control. The EN’s requirements to remove the French doors, obscure glazed balustrade, power supply points and solar lighting are therefore excessive to remedy the breach of planning control.

22. As previously discussed, the EN is not alleging a material change of use and therefore, the EN does not require the flat roof to cease being used as a balcony. It is for the appellant to decide on the advisability of using the roof of the existing rear single storey extension as additional amenity space without any alterations to the roof structure or any barrier around its perimeter.
23. The appellant considers the French doors should be retained as they do not require planning permission. I acknowledge that the insertion of the French doors may not normally be an act of development when undertaken independently however, they contribute to the provision of the balcony. The purpose of the EN is to remedy the breach of planning control. Therefore, any step lesser than the removal of the French doors would not remedy the breach.
24. The appellant outlines the benefits of the obscure glazed balustrade from a privacy, character and appearance perspective, and as a wind break. However, I do not have a ground (a) appeal before me and therefore, I am unable to consider these matters under ground (f).
25. Step (c) of the EN's requirements seeks to remove all power supply points and solar lighting from the roof of the existing rear single storey extension. However, neither of these matters are included within the breach of planning control. Furthermore, power supply points and solar lighting are not normally an act of development; there were no solar lights on the roof at the time of my site visit; and in my opinion, they are not matters that contribute to the provision of the balcony. Consequently, I will vary the EN's requirements to delete step (c). I am satisfied this can be done without causing injustice to either party as they do not form part of the breach of planning control.
26. It is not necessary for the requirements to detail the locations of the breaches of planning control. Therefore, for conciseness, I have omitted these words and amalgamated steps (a) and (b) into one requirement. The obscure glazed balcony is described inconsistently within the EN and therefore I must vary its description within the requirement to match the description in the breach of planning control. As there is now only one requirement, it is necessary for me to delete criteria (2) and (3) of the EN's compliance periods. As these variations are for precision, I am satisfied they would not cause injustice to either party.
27. For these reasons, the appeal on ground (f) succeeds to this limited extent.

### **Conclusion**

28. For the reasons given above, I conclude that the requirements of the EN are excessive to remedy the breach of planning control. I shall vary the EN prior to upholding it. The appeal on ground (f) succeeds to that extent.

*A Berry*

INSPECTOR

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<b>Agenda:</b> 7	<b>Classification:</b> Open	<b>Decision Type:</b> For information
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<b>Report to:</b>	Planning Control Committee	<b>Date:</b> 24 <sup>th</sup> February 2026
<b>Subject:</b>	Sites of Biological Importance: 2023 Review	
<b>Report of</b>	Development Manager	

**Summary**

1. This report identifies the latest changes made to the GM Register of Sites of Biological Importance for the Borough. It also describes the purpose and application of the Register. During the review period 2023 one site was added to the Register, one site was deleted from the Register and gains were made at one site.

**Recommendation(s)**

2. It is recommended that Planning Control Committee note the 2023 update of the Register of Sites of Biological Importance for use in development planning and management.

**Reasons for recommendation(s)**

3. To ensure that that Planning Control Committee is aware of the latest update of the Register of Sites of Biological Importance for use in development planning and management.

**Alternative options considered and rejected**

4. None.

**Report Author and Contact Details:**

*Name: Sophie Tinsley*

*Position: Senior Planning Officer*

*Department: Place*

## **Background**

5. Members will be aware that the Borough's Unitary Development Plan identifies a number of Sites of Biological Importance (SBI) that policies EN6/1 and EN6/2 seek to protect from harmful development. The wildlife value of sites is, however, not static as it may increase or decrease as vegetation changes, neighbouring land changes in character, or survey information improves. The UDP policies anticipate this by referring to both existing SBIs and those to be designated in the future.
6. The Greater Manchester Register of Sites of Biological Importance is maintained and updated on behalf of the ten Greater Manchester Districts by the Greater Manchester Ecology Unit (GMEU). The sites are classed as Grade 'A' (of regional or county importance) 'B' (of district importance) and 'C' (of importance within the identified geographical locality).
7. GMEU's Service Level Agreement requires it to re-survey each SBI at least every 10 years. It does this incrementally and produces an annual review of the sites it has surveyed. The 2023 surveys and subsequent changes are the subject of the current report. As it is not practicable to complete the full report write up and analysis during the same year as the survey, there is a time lag between surveying and the receipt of reports and the 2023 update report was received on 9 February 2026.

## **2023 annual update**

8. The designation of SBIs is an objective and methodical process of evaluating sites against set criteria. Bury Council has consistently chosen to use the designation as a way of protecting the Borough's wildlife by incorporating SBIs into the planning process.
9. A list of changes to the register, a list of current SBIs and a location plan are attached to this report for the changes in 2023.

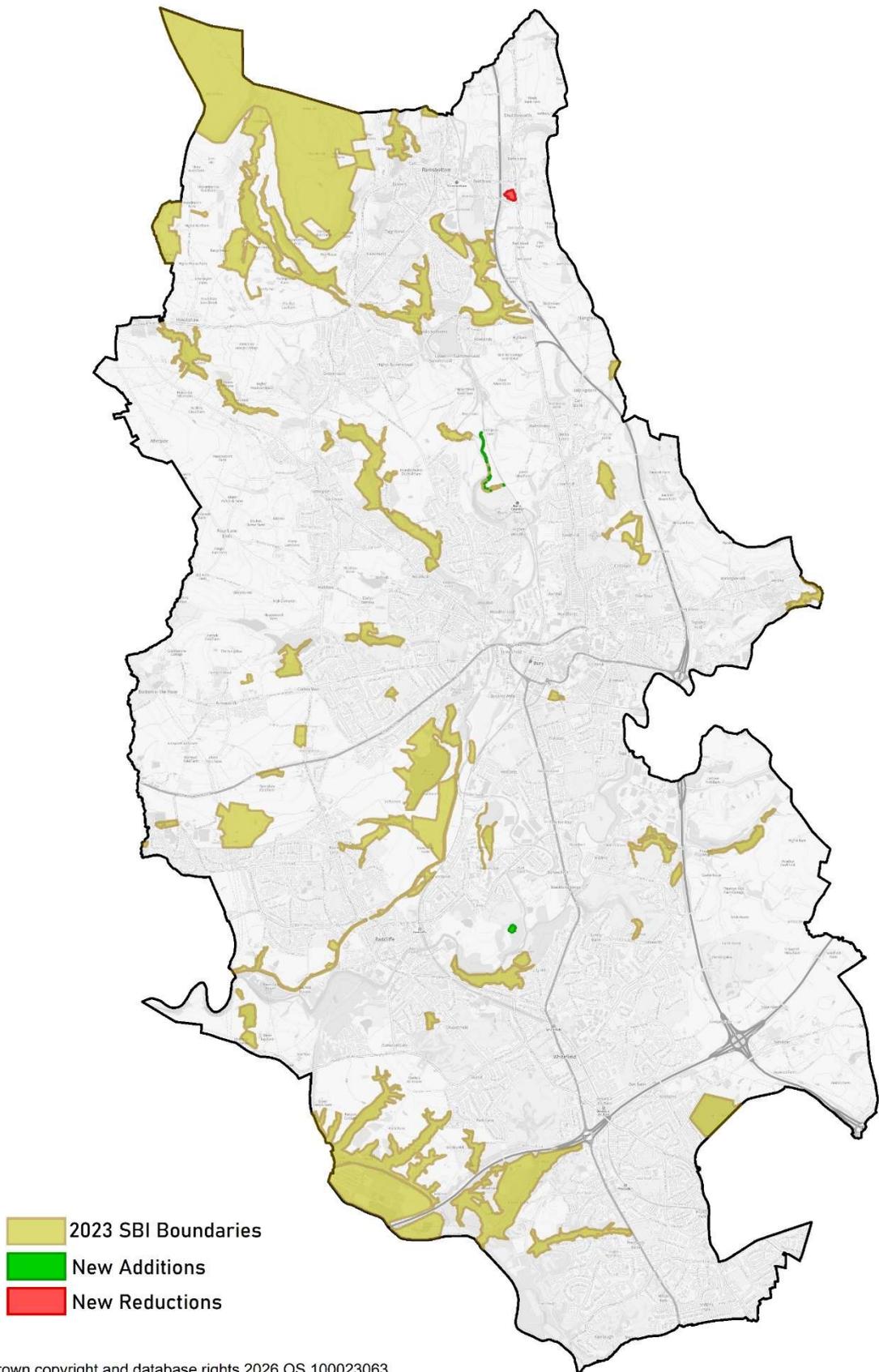


Figure 1. New SBI boundaries

10. During the review period January – December 2023 the Ecology Unit visited 8 SBIs, representing 16% of Bury’s SBIs.
11. During this period, Close Park Heronry (0.6ha) was added to the Register as it supports 10% of the known Greater Manchester breeding population of grey heron.
12. One site, Edgars Field, was deleted from the register due to the loss of the habitats to permitted development.
13. In terms of other changes, one site, Castlesteads Wood, gained 0.3ha of additional woodland habitat and was upgraded from a grade C SBI to a grade SBI.
14. The full District Synopsis and Fact Sheets for the survey year 2023 is appended to this report and the up-to-date SBI layers are available to view on the Council’s Policies Map<sup>1</sup>.

### **Conclusion**

15. Members of the Planning Control Committee are requested to note the 2023 update of the Register of Sites of Biological Importance for use in development planning and management.

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### **Legal Implications:**

16. The National Planning Policy Framework provides that planning policies should identify and map sites of importance for nature conservation and biodiversity. Updating the Register of Sites of Biological Importance will help to ensure that the Council complies with this requirement – and that its approach is, where required, compatible with national planning guidance. The main issues are covered in the reporting.

### **Financial Implications:**

17. The costs of the Greater Manchester Ecology Unit, which compiles and updates the SBI Register, are funded through existing budgets.

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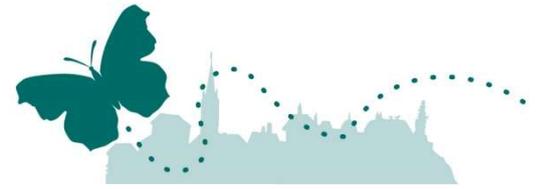
### **Appendices:**

Appendix 1. Bury – District Synopsis for 2023

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<sup>1</sup> <https://www.bury.gov.uk/planning-building-control/planning-policy/policies-map>

## SBI REVIEW 2023 BURY – DISTRICT SYNOPSIS



Greater Manchester  
Ecology Unit

During the review period January – December 2023 the Ecology Unit visited 8 SBIs, representing 16% of Bury's SBIs.

**Close Park Heronry** (0.6ha) was added to the Register as it supports 10% of the known Greater Manchester breeding population of grey heron.

**Edgars Field** was deleted from the register due to the loss of the habitats to permitted development.

**Castlesteads Wood** gained 0.3ha of additional woodland habitat and was upgraded from a C to a B.

The following site recorded no changes to the overall site area, but revisions of the site description or qualifying features may have occurred: **Lower Hinds**.

The following sites had no significant changes since their last review and no updated citations were required so only a monitoring form was completed: **Cyrus Ainsworth Nurseries & Parkers Lodges, Cockey Wood Pasture & Marsh, Starling Road Reservoir** and **Wetland Near Radcliffe**.

<b>SITES OF BIOLOGICAL IMPORTANCE IN BURY 2023 REVIEW</b>				 Greater Manchester Ecology Unit	
<b>DISTRICT FACT SHEET (All areas in hectares)</b>					
<b>BURY</b>					
				<b>Net Change 2022 – 2023</b>	
	<b>1984</b>	<b>2022</b>	<b>2023</b>	<b>No.</b>	<b>%</b>
<b>TOTAL NUMBER OF SBIS</b>	27	50	50	-	-
<b>TOTAL AREA OF SBIS</b>	691.3	926.0	926.3	+0.3	+<0.1
<b>TOTAL NUMBER GRADE A</b>					
	9	20	20	-	-
<b>TOTAL AREA GRADE A</b>	554.4	788.8	788.8	-	-
<b>TOTAL NUMBER GRADE B</b>					
	10	18	19	+1	+5.6
<b>TOTAL AREA GRADE B</b>	65.0	89.4	91.4	+2.0	+2.2
<b>TOTAL NUMBER GRADE C</b>					
	8	12	11	-1	-8.3
<b>TOTAL AREA GRADE C</b>	71.9	47.8	46.1	-1.7	-3.6
<b>Grid Ref</b>	<b>Change in Grade of existing SBI</b>		<b>2022</b>	<b>2023</b>	
SD796130	Castlesteads Wood		C	B	
<b>Grid Ref</b>	<b>New Sites</b>		<b>Grade</b>	<b>Area</b>	
SD800073	Close Park Heronry		C	0.6	
<b>Grid Ref</b>	<b>Site Deleted in Part or in Total</b>	<b>Grade</b>	<b>Area Lost</b>	<b>Present Total</b>	
SD799166	Edgars Field	C	0.6	0	
<b>Grid Ref</b>	<b>Partial Gains</b>	<b>Grade</b>	<b>Area Gained</b>	<b>Present Total</b>	
SD796130	Castlesteads Wood	B	0.3	2.0	
<b>Grid Ref</b>	<b>Site visited with no change/change to description only</b>				
SD782110	Cyrus Ainsworth Nurseries & Parkers Lodges				
SD795096	Lower Hinds				
SD772109	Cockey Wood Pasture & Marsh				
SD773098	Starling Road Reservoir				
SD787078	Wetland Near Radcliffe				



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<b>Classification</b>	<b>Item No.</b>
<b>Open / Closed</b>	<b>8</b>

<b>Meeting:</b>	<b>Planning Control Committee</b>
<b>Meeting date:</b>	<b>24 February 2026</b>
<b>Title of report:</b>	<b>Tree Preservation Order Confirmation</b>
<b>Report by:</b>	<b>Head of Development Management</b>
<b>Decision Type:</b>	<b>Council</b>
<b>Ward(s) to which report relates</b>	<b>Ramsbottom</b>

## **Introduction**

This report sets out the issues relating to the current temporary tree preservation order Tree Preservation Order (No. 367) 2025 at the former Ramsbottom ambulance station.

## **Background**

Local planning authorities can make a Tree Preservation Order if it appears to them to be 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'.

On 6<sup>th</sup> October 2025, the Council imposed a temporary Tree Preservation Order to protect a Maple tree at the former Ramsbottom ambulance station. The tree is an imposing Maple tree which has significant presence in the area and can be seen from a distance from the adjoining cemetery and the immediate vicinity from the public realm.

The tree is under threat of being damaged by ad hoc works and thus in terms of visual amenity causing harm. It should also be noted that there is an undetermined

planning application (72695) for the construction of residential properties which seeks removal of this tree.

The Order prohibits the felling, lopping, topping, uprooting or otherwise wilful damaging of trees without the prior permission of the Council.

The Council has six months in which to confirm the temporary Order. If the TPO is not confirmed within six months, the Order will lapse, the tree would no longer be protected and could be removed. If the Order is confirmed, it will take effect on a permanent basis and the tree will continue to be protected.

The Council cannot confirm an Order unless it has first considered any duly made objections or other representations.

### **Consultation**

Site notices were erected at the site on 09/10/2025.

The owner of the site, the North West Ambulance Service (NWAS) was notified of the making of the order on 10/10/2025, as was Mr Gary McDonald as an interested party at the time.

One objection was received giving the following reasons;

- The tree is a semi-mature Sycamore standing at approximately 10-12m in height
- From Cemetery Road (the primary public vantage point), the tree is almost entirely obscured by multiple buildings on the former ambulance station site
- Only the uppermost 2-3m of the crown is visible when standing at the cemetery entrance
- When positioned on Cemetery Road itself, the tree is typically obscured by the protected Oak tree at the front of the site
- From Hazel Street, visibility is confined to the end of a narrow, seldom used back alley with limited public access
- The tree is visible from the very low use muddy public back alley
- It is a common, semi-mature Sycamore specimen without special characteristics
- No evidence of historical, cultural, or rarity value
- Unremarkable form and structure typical of the species at this age
- No identified ecological significance
- The mature Oak at the front of the site (already protected by a TPO) provides substantial visual amenity from Cemetery Road
- Numerous mature trees exist within the adjacent cemetery, contributing significantly to the character of the conservation area
- This semi-mature Sycamore contributes minimally to the overall tree canopy or landscape character compared to these established specimen

Sycamore (*Acer pseudoplatanus*) has specific growth characteristics that render it fundamentally unsuitable for the confined space in which it is growing:

### **Ultimate Size Potential**

- Mature height: 25-30m in this setting
- Mature spread: 15-20m
- The tree is currently only 10-12m in height, it has significant further growth potential Species-Specific Issues
- Prolific self-seeding: Sycamore is renowned for aggressive natural regeneration, creating ongoing maintenance burdens on adjacent residential properties
- Dense shade casting: Mature specimens create heavy shade inappropriate for residential garden settings
- Fast growth rate: Rapid development will accelerate conflicts with adjacent property

**Confined Location** - The tree is positioned approximately 6 metres from the gable end and rear garden boundary of 20 Hazel Street a wholly inadequate separation distance for a tree with ultimate dimensions of 25-30m height and 15-20m spread.

This spatial constraint makes long-term retention fundamentally incompatible with reasonable residential amenity

### **FORESEEABLE FUTURE NUISANCE TO ADJACENT RESIDENTIAL PROPERTY**

Government guidance acknowledges that protection may be inappropriate where trees will cause foreseeable problems. The guidance states that authorities should consider "the proximity of trees to buildings" as a key factor, noting concerns about "trees casting excessive shade or otherwise unreasonably interfering with residents' prospects of reasonably enjoying their property."

### **Inevitable Conflicts Within 20-40 Years**

As the tree matures toward its ultimate size, the following impacts on 20 Hazel Street are foreseeable and unavoidable:

- Excessive overshadowing of the house and rear garden, particularly given the tree's position to the south/southeast
- Physical encroachment of the crown over the residential property
- Leaf fall and debris creating maintenance burden Loss of light and outlook affecting reasonable enjoyment of property
- Self-seeded saplings requiring regular removal from the residential garden

TPO Will Prevent Reasonable Management Once the TPO is confirmed, the property owner at 20 Hazel Street will be unable to carry out reasonable tree works without consent, creating:

- Delays and costs associated with TPO applications
- Potential refusal of reasonable management works
- Inability to address nuisance effectively

We submit that imposing long-term protection on a tree that will inevitably conflict with residential amenity is neither reasonable nor in the public interest, particularly given the tree's minimal amenity value

The TPO legislation requires that it must be "expedient in the interests of amenity" to make provision for preservation. Government guidance notes that "it may not be expedient to make a TPO in respect of trees which are under good arboricultural or silvicultural management" and that risk of removal must be considered.

We question whether making this Order is expedient:

- No evidence of immediate threat: No indication the tree is at risk of inappropriate removal
- Lack of justification: The TPO notification letter provides only generic justification without specific assessment of this individual tree's amenity value
- Disproportionate intervention: The proactive TPO appears to be a precautionary measure without demonstrated need
- The Council has not demonstrated that protection is necessary or expedient

The TPO will impose ongoing regulatory burdens disproportionate to the minimal amenity value provided:

- Consent requirements for all routine maintenance and reasonable management works
- Administrative delays and costs for tree work applications
- Restriction of reasonable works to address foreseeable nuisance to adjacent residents Government guidance emphasizes that TPOs should be used to protect "selected trees and woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public."
- This tree's removal would have negligible impact on public amenity. The restrictions imposed by the TPO are therefore wholly disproportionate

### **Consideration of the Objections**

Quality, Character and amenity value - Following a site visit and assessment by the Council's Planning and Trees and Woodland's Officer, the Council does not agree with the assessment presented by the objectors. The following assessment has been made in relation to the tree:

The tree in question is a Maple which is located to the rear of the former Ramsbottom ambulance station, Cemetery Road, Ramsbottom. The objector has

referred to the tree as a Sycamore but the Council's trees and woodlands officer has confirmed that the tree is a Maple and they advised that the Maple and Sycamore are both part of the Acer tree family, which is why the objector may have referred to it as a Sycamore.

The tree appears to be in reasonable health and condition with no signs of die back, cavities or fungal growth.

The assessment of the Council's Tree's and Woodland's Officer concluded that it be recommended the tree for protection by a TPO and as such this was progressed.

The tree is very prominent within the street scene as it is located at the head of the cul-de-sac on Hazel Street and is visible from within the cemetery, the public access path to the north of the ambulance station and from Cemetery Road. As such it contributes to the visual amenity of the area.

Government guidance states that Orders should be used to protect selected trees if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Removal of the tree would have a negative impact on the local environment by removal of an element of soft landscaping.

The TPO is not being used as a means to control development but to retain the tree and area's amenity value of which it significantly contributes. The maple tree is under direct threat through Planning Application 72695 - Demolition of former Ramsbottom Ambulance Station and erection of 3 no. dwellings with associated parking, private gardens and landscaping. This application seeks to remove the maple tree, to allow construction of a dwelling. The applicant considers within their supporting Planning Statement that the retention of the maple would materially constrain the developable area of the site and compromise their ability to deliver a scheme of appropriate density, layout and viability. Whilst acknowledged that the retention of the tree would necessitate an amended proposed layout in order to protect the tree and roots, the proposal is for 3 detached, 5 bedroom dwellings. Given the location of the tree, on the boundary of the site rather than centrally, it is considered more than feasible to amend the layouts or house types proposed and still meet density requirements on the site without the removal of the maple tree. The Planning Statement also confirms that the Local Planning Authority raised concern in relation to the removal of the maple at pre-application stage and that design revisions were requested at this stage that have not been acted upon.

In their report the objector has stated, 'from Hazel Street, visibility is confined to the end of a narrow, seldom-used back alley with limited public access'. In actual fact there is access to the footpath from both Hazel Street and Cemetery Road, and the footpath is not overgrown and whilst on the site visit the planning officer observed several members of the public using the footpath, in the short time they were on site.

The objectors, and landowner can still carry out works to the trees, including felling if deemed necessary, with the submission of an application to the LPA, along with a tree report and any other relevant information is provided. As such it is not

considered that the TPO would necessarily restrict appropriate tree maintenance but in fact would promote appropriate maintenance. Tree applications are currently fee exempt and as such it is unclear what additional costs the objector foresees in order to maintain the tree as maintenance of a tree would be required even if the tree is not protected. The objector also implies that the Council may refuse reasonable management works which is unfounded, and TPO applications can be appealed in any event.

The tree owner's liabilities and responsibilities would remain the same regardless of any TPO that is imposed and as such damage to property etc would remain private matters. No evidence has been provided in relation to any current damage or tree resentment for the neighbouring properties.

### **Recommendation**

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

### **List of Background Papers: -**

Temporary Tree Preservation Order dated 6<sup>th</sup> October 2025.

The Town and Country Planning (Tree Preservation) (England) Regulations 2012

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### **Community impact/links with Community Strategy**

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### **Equality Impact and considerations:**

*Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

*A public authority must, in the exercise of its functions, have due regard to the need to -*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

<b>Equality Analysis</b>	Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.
No impact.	

\*Please note: Approval of a cabinet report is paused when the 'Equality/Diversity implications' section is left blank and approval will only be considered when this section is completed.

**Assessment of Risk:**

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
N/A	. N/A

**Consultation:** Council's arboriculturist. Their comments are included within the report.

**Legal Implications:**

Tree Preservation Orders (TPOs) can be made where it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands. TPOs initially take effect on a provisional basis for a period of six months. Authorities can confirm Orders, either without modification or with modification, so that they take effect on a permanent basis. They may also decide not to confirm the Order, which will stop its effect. Authorities cannot confirm an Order unless they have first considered any duly made objections or other representations.

There is no right of appeal against a TPO. Orders may be challenged in the High Court on a point of law within six weeks of being confirmed.

**Financial Implications:**

*To be completed by the Council's Section 151 Officer*

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**Report Author and Contact Details:**

Amanda Uhunmwagho

[a.uhunmwagho@bury.gov.uk](mailto:a.uhunmwagho@bury.gov.uk)

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**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning
TPO	Tree Preservation Order



**IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**The Metropolitan Borough of Bury (Former Manchester Advertiser, Morning Leader, Royal Manchester B.V. (P.V.) Trust, Preservation Order (No. 167) 2021)**

To: The owners and any occupants of the former Manchester Advertiser Station, 100-102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000.

**THIS IS A FORMAL NOTICE** to let you know that on the 27 October 2025 the Council will take the above Trust Preservation Order.

A copy of the Order is enclosed in sealed bags. A notice appears from cutting down, topping or topping the trees also laid in the bags included in it is laid on the map, without the Council's consent.

The Council have made the Order subject to a condition requiring to protect the trees due to the importance of the ground above and its contribution to the setting of the area. The trees are therefore of high priority to the area and are therefore worthy of protection.

The Order takes effect, on a provisional basis, on the 27 October 2025. It will continue in force until the 27th October 2026. A further 6 months will be added to the Order if the Council, after the 27th October.

The Council will consider whether the Order should be confirmed, that is to say whether it should have effect permanently. Before the decision is made, the people affected by the Order have the right to make objections or other representations about the Order to the Council.

If you would like to make any objections or other representations please write your name and address to the Council by 27 November 2025. These should be sent to: Council Services, 1st Floor, 100-102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000.

Your comments will be taken into account in the Council's decision on whether to confirm the Order or not.

Your comments will be taken into account in the Council's decision on whether to confirm the Order or not.

**6. Objections and representations**

(1) Any objection or representation should be made to the Council by 27 November 2025.

(2) All objections should be made to the Council by 27 November 2025.

(3) All objections should be made to the Council by 27 November 2025.

(4) All objections should be made to the Council by 27 November 2025.

(5) All objections should be made to the Council by 27 November 2025.

(6) All objections should be made to the Council by 27 November 2025.

(7) All objections should be made to the Council by 27 November 2025.

(8) All objections should be made to the Council by 27 November 2025.

(9) All objections should be made to the Council by 27 November 2025.

(10) All objections should be made to the Council by 27 November 2025.









# TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

## SURVEY DATA SHEET & DECISION GUIDE

Date: 2/4/25 Surveyor: LESLIE BAAVAWOOD

**Tree details**  
 TPO Ref (if applicable): \_\_\_\_\_ Tree/Group No: \_\_\_\_\_ Species: \_\_\_\_\_  
 Owner (if known): \_\_\_\_\_ Location: CRUICKSHANK MAPLE  
STATIC CRUICKSHANK

**REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS**

**Part 1: Amenity assessment**

**a) Condition & suitability for TPO**

- |                          |                         |
|--------------------------|-------------------------|
| 5) Good                  | Highly suitable         |
| 3) Fair/satisfactory     | Suitable                |
| 1) Poor                  | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable              |

Score & Notes 5

\* Relates to existing context and is intended to apply to severe irremediable defects only

**b) Retention span (in years) & suitability for TPO**

- |           |                 |
|-----------|-----------------|
| 5) 100+   | Highly suitable |
| 4) 40-100 | Very suitable   |
| 2) 20-40  | Suitable        |
| 1) 10-20  | Just suitable   |
| 0) <10*   | Unsuitable      |

Score & Notes 4  
CRACK IN SIDE WALL AT REAR OF TREE

\*includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

**c) Relative public visibility & suitability for TPO**

Consider realistic potential for future visibility with changed land use

- |   |                     |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees  | Highly suitable     |
| 4) Large trees, or medium trees clearly visible to the public       | Suitable            |
| 3) Medium trees, or large trees with limited view only              | Suitable            |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable     |
| 1) Trees not visible to the public, regardless of size              | Probably unsuitable |

Score & Notes 4

**d) Other factors**

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
- 1) Trees with poor form or which are generally unsuitable for their location

Score & Notes Good Palm  
2

**Part 2: Expediency assessment**

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes 3 FORESEEABLE THREAT WHEN LAND IS SOLD

**Part 3: Decision guide**

- |       |                       |
|-------|-----------------------|
| Any 0 | Do not apply TPO      |
| 1-6   | TPO indefensible      |
| 7-11  | Does not merit TPO    |
| 12-15 | TPO defensible        |
| 16+   | Definitely merits TPO |

Add Scores for Total: 18

Decision: YES

**TREE PRESERVATION ORDER**  
**Town and Country Planning Act 1990**  
**The Metropolitan Borough of Bury**  
**(Former Ramsbottom Ambulance Station, Cemetery Road, Ramsbottom BL0 9PU)**  
**Tree Preservation Order (No. 367) 2025**

The Metropolitan Borough of Bury (Bury Council) in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

**Citation**

**1.** This Order may be cited as the Metropolitan Borough of Bury (Former Ramsbottom Ambulance Station, Cemetery Road, Ramsbottom BL0 9PU) Tree Preservation Order (No. 367) 2025

**Interpretation**

**2.—(1)** In this Order “the authority” means Bury Council

**(2)** In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

**Effect**

**3.—(1)** Subject to article 4, this Order takes effect provisionally on the date on which it is made.

**(2)** Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

**(a)** cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

**(b)** cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**

**4.** In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 6th day of October 2025

The Common Seal of the Metropolitan Borough of Bury was affixed to this Order in the presence of—

*M Townsend*

Mark Townsend 06 Oct 2025 13:29:54 BST (UTC +1)

.....

Authorised by the Council to sign in that behalf

708/25



Seal ID: 33620

**CONFIRMATION OF ORDER**

This Order was confirmed by the Metropolitan Borough of Bury without modification on the  
day of 20

OR

This Order was confirmed by the Metropolitan Borough of Bury, subject to the modifications  
indicated by , on the day of 20

Signed on behalf of the Metropolitan Borough of Bury

.....  
Authorised by the Council to sign in that behalf

**DECISION NOT TO CONFIRM ORDER**

A decision not to confirm this Order was taken by the Metropolitan Borough of Bury on the  
day of 20

Signed on behalf of the Metropolitan Borough of Bury

.....  
Authorised by the Council to sign in that behalf

**VARIATION OF ORDER**

This Order was varied by the Metropolitan Borough of Bury on the day of  
20 by a variation order under reference number a copy of which is  
attached

Signed on behalf of the Metropolitan Borough of Bury

.....  
Authorised by the Council to sign in that behalf

**REVOCAATION OF ORDER**

This Order was revoked by the Metropolitan Borough of Bury on the day of  
20

Signed on behalf of the Metropolitan Borough of Bury

.....  
Authorised by the Council to sign in that behalf

**SCHEDULE****SPECIFICATION OF TREES****Trees specified individually**  
(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Maple	At the rear of the former Ambulance Station, Cemetery Road, Ramsbottom

**Trees specified by reference to an area**  
(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None.		

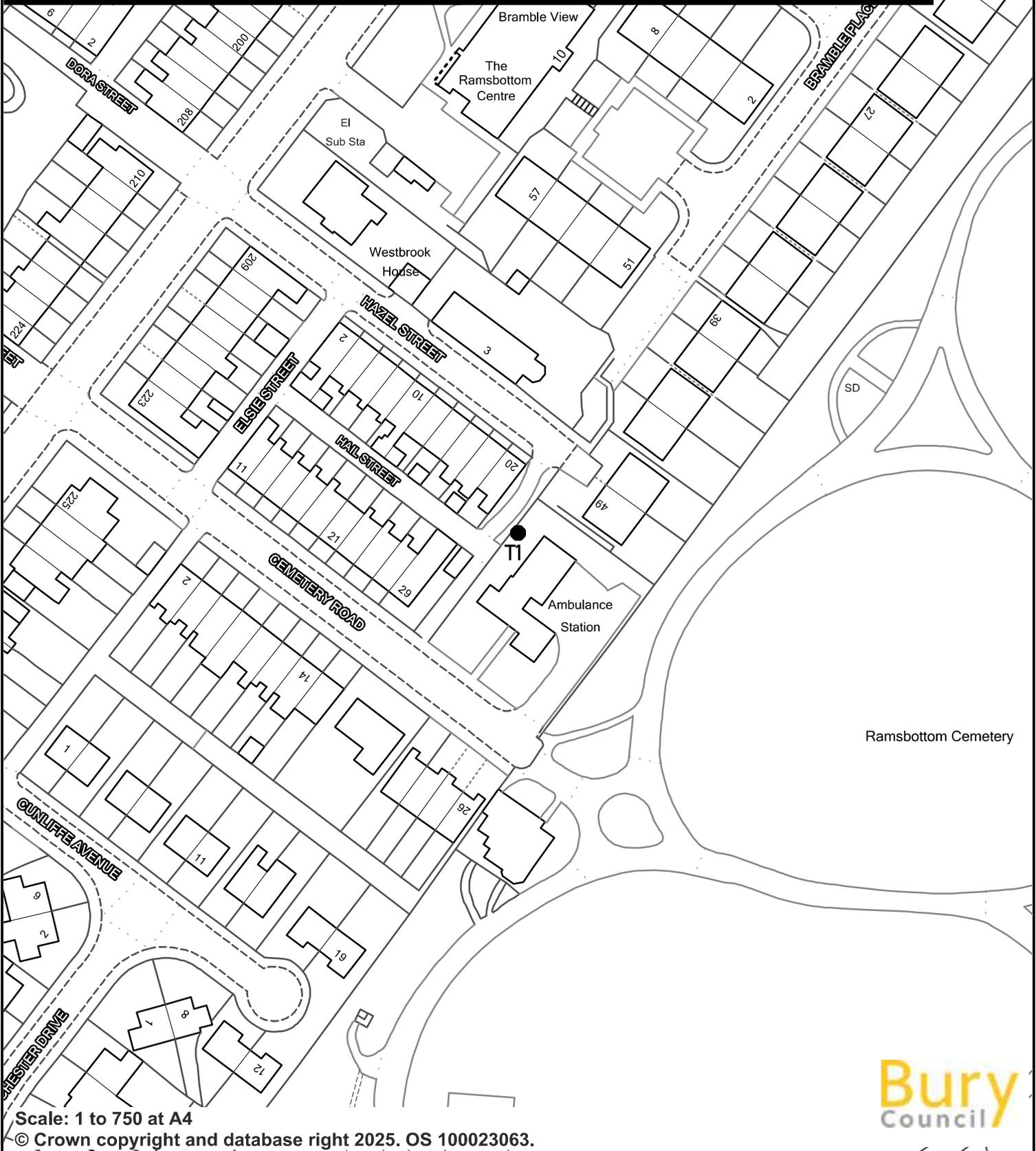
**Groups of Trees**  
(within a broken black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None.		

**Woodlands**  
(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None.		

**Map referred to in the Metropolitan Borough of Bury (Former Ramsbottom Ambulance Station, Cemetery Road, Ramsbottom) Tree Preservation Order (No. 367) 2025**



Scale: 1 to 750 at A4  
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THE COMMON SEAL of THE METROPOLITAN BOROUGH OF BURY was hereunto affixed on the 6th day of October 2025 in the presence of:-

*M Townsend*

Mark Townsend 06 Oct 2025 13:29:54 BST (UTC +1)

Authorised Signatory

709/25

