

# 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, 21 April 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 24TH MARCH 2026** (*Pages 3 - 6*)

The Minutes of the meeting held on Tuesday the 24th March 2026 are attached.

**4 PLANNING APPLICATIONS** (*Pages 7 - 92*)

Reports attached.

**5 DELEGATED DECISIONS** (*Pages 93 - 102*)

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 103 - 118*)

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

**7 URGENT BUSINESS**

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

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

**Date of Meeting:** 24<sup>th</sup> March 2026

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

**Also in attendance:** Councillor A Quinn

**Public Attendance:** 5 members of the public were present at the meeting.

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**PCC.1 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted by Councillors D Vernon and M Walsh.  
Councillor R Bernstein acted as a substitute representative for Councillor Vernon.

**PCC.2 DECLARATIONS OF INTEREST**

There were no reported declarations of interest.

**PCC.3 MINUTES OF THE MEETING HELD ON THE 24TH FEBRUARY 2026**

**Delegated decision:**

That the Minutes of the meeting held on the 24<sup>th</sup> February 2026 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 number 72678 and TPO confirmation 367.

The Committee heard representations from supporters and an objector in respect of applications submitted. This was limited to three minutes for each 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: -

**Halter Inn Works, 11 Redisher Croft, Ramsbottom, Bury, BL0 9SA**

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

2. 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: -

**Land at junction of Hollins Brook Way & Pilsworth Road, Bury, BL9 8RR**

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

**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 TREE PRESERVATION ORDER CONFIRMATION**

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

**Delegated decision:**

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

**PCC.8 REVIEW OF DEVELOPMENT MANAGEMENT VALIDATION CHECKLIST CRITERIA**

A report from the Head of Development Management was submitted outlining the review of the Council's local checklists that are required for the validation process of planning applications submitted.

**Delegated decision:**

That the Planning Control Committee **Approved** the lists as set out in the report.

**PCC.9 URGENT BUSINESS**

No urgent business was reported.

**COUNCILLOR G MCGILL**

**Chair**

**(Note: The meeting started at 7.00pm and ended at 7.30pm)**

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<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>21 April 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.

- 01 Township Forum - Ward:** Prestwich - St Mary's **App No.** 72700
- Location:** Land to the south of 188 St Anns Road, Prestwich, Manchester, M25 9QS  
**Proposal:** Outline application for the erection of 1 no. four bed dwelling with associated landscaping, bins, bikes, and parking (access and landscaping matters reserved)  
**Recommendation:** Approve with Conditions **Site Visit:** N
- 
- 02 Township Forum - Ward:** Bury East - Moorside **App No.** 72790
- Location:** Chamberhall Business Park, Magdalene Road, Bury, BL9 0JU  
**Proposal:** Erection of office HQ with ancillary sport facilities (use class E(g)(i)) and mixed-use employment units (use classes B2, B8 and E(g)(ii) and (iii)) including associated parking, access and landscaping  
**Recommendation:** Approve with Conditions **Site Visit:** N
- 
- 03 Township Forum - Ward:** Prestwich - Sedgley **App No.** 72816
- Location:** 84 Windsor Road, Prestwich, Manchester, M25 0DE  
**Proposal:** Change of use from dwellinghouse (Class C3 (a)) to residential children's home for up to three children (Class C2)  
**Recommendation:** Approve with Conditions **Site Visit:** N
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**Ward:** Prestwich - St Mary's

**Item** 01

**Applicant:** Entire Project Solutions Prestwich Limited

**Location:** Land to the south of 188 St Anns Road, Prestwich, Manchester, M25 9QS

**Proposal:** Outline application for the erection of 1 no. four bed dwelling with associated landscaping, bins, bikes, and parking (access and landscaping matters reserved)

**Application Ref:** 72700/Outline Planning  
Permission

**Target Date:** 10/03/2026

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a plot of land between No. 55 Shelley Road and No. 188 St Anns Road. The site is located on a bend in the road and is currently vacant. There are residential properties to the north and east of the site, with Prestwich Forest Park located to the rear of the site.

Outline planning permission is sought for the construction of a two storey, detached dwelling with accommodation also proposed within the roof space. 2no. parking spaces are located to the front of the site with areas of amenity space proposed to the sides of the proposed dwelling.

Access and landscaping matters are reserved.

### **Relevant Planning History**

03030/E - Erection of 1 no. 3 bed dwelling and 1 no. 4 bed dwelling with associated landscaping - Enquiry complete 14/11/2025

### **Publicity**

Letters sent to 22 neighbouring properties on the 15/01/2026.

3 objections received in relation to:

- Site forms an important buffer to the Green Belt
- Ecological/arbicultural reports are incomplete. Woodland W6 not inspected and measurements only estimated.
- Concerns about wildlife, nesting birds, and retained access to Prestwich Clough ("kissing gate").
- Inadequate bat/bird assessment. Report acknowledges roosts may be present but relies only on worker vigilance.
- Category U tree retained despite likely removal. No replacement planting identified.
- Mature surrounding trees will heavily shade the site. Plans inaccurately describe Green Belt vegetation as low growing.
- Recent unauthorised vegetation clearance has already caused noticeable wildlife loss.
- Proposal unlikely to meet 10% biodiversity net gain.
- Substation requires vehicle access for maintenance and emergencies.
- Long history of mining subsidence in the area. Coal Board records show widespread remedial work.
- Nearby developments required deep foundations and piling.
- Site formerly used as landfill (1953–1984).

- No ground-gas monitoring done despite acknowledged risk.
- Elevated contaminants (Lead, PAH, EPH) found with “moderate risk” to future residents.
- No Phase 3 remediation strategy provided despite the recommendation.
- Site sits on a tight 90-degree bend on a bus route. Buses already encroach onto the land and accidents have occurred.
- No formal pavement exists pedestrians rely on this land.
- Proposed compromises disabled access.
- Proposed dwelling effectively three storeys and 1.3m taller than neighbouring property.
- Loss of light. No daylight/sunlight assessment.
- Modern design out of keeping with 1930s character of the street.
- Overshadowing.
- Loss of Privacy.
- Missing measurements, no scaled drawings, distances to road and neighbouring properties unclear.
- Proposed drainage connection to an existing shallow manhole which already overflows during heavy rain.
- United Utilities has confirmed drainage issues and need for investigation.
- Construction hours should be restricted to avoid disturbance.

Following the receipt of amended plans further letters sent on the 09/03/2026.

2 objections, from one address received in relation to:

- Original objection remains.
- Building still dominant.
- CCTV footage survey required to connect to drains has not been provided.

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

**Traffic Section** - No objection subject to conditions to be reported in the supplementary.

**Waste Management** - No response

**Drainage Section** - Condition requested in relation to the submission of a surface water drainage proposal. Informatives in relation to foul and surface water drainage systems, flow from site, applications to connect to public sewer, and the construction of driveways also requested.

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

**Greater Manchester Ecology Unit** - No objections raised.

**United Utilities (Water and waste)** - SUDs condition requested.

**Prestwich Village Neighbourhood Forum** - No objection to the proposal. The application for a 4-bedroom house is consistent with the findings of the PVN Area Housing Needs Assessment (AECOM, 2024).

**Environment Agency** - No objection in principle to the proposed development. The current or previous uses of the development site relating to landfill suggest that the land may be affected by contamination. Condition requested in relation to unexpected contamination.

**Electricity North West Ltd** - Confirm that there is SP Electricity North West Ltd (SP ENWL) infrastructure located on land adjacent. The applicant should be advised that great care

should be taken at all times to protect electrical apparatus and any personnel working in its vicinity.

### **Pre-start Conditions - Agreed with agent**

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

OL1/2	New Buildings in the Green Belt
OL1/3	Infilling in Existing Villages in the Green Belt
RT3/1	Protection of Existing Recreation Prov in the Countryside
EN1/2	Townscape and Built Design
EN6/2	Sites of Nature Conservation Interest LNR's
EN6/3	Features of Ecological Value
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G1	Landscape Character
JP-G2	Green Infrastructure Network
JP-G3	River Valleys and Waterways
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S1	Sustainable Development
JP-S5	Clean Air
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 (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.

### **Principle (Green Belt and Recreation)**

Prestwich Forest Park is located directly to the south of the site. This area of land is an informal recreation area allocated under UDP Policy RT3/2/10 and is also located within the Green Belt. The applicant owns part of this area, and this is edged in blue on the site location plan however it is not proposed to develop this area as part of the application.

The red edge site is not located within the Green Belt and is not located in an area of protection recreation. Any development in association with the property, including amenity space will be limited to within the red edge.

### **Layout and Design**

PfE Policy JP-H4 - Requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design. Policy JP-H4 sets out minimum densities that should be considered. The site falls in an area where a minimum density of 50 dwellings per hectare applies.

The total site area is circa 0.06 hectares and 1 dwelling would equate to 17 dwellings per hectare. However, this includes land within the Green Belt where no development is proposed.

The area outside the Green Belt equates to 0.025 hectares, and 1 dwelling would equate to 40 dwellings per hectare. Development at 50 dwellings per hectare would equate to 1.25 dwellings, which would be rounded to 1 dwelling.

The site therefore meets the PfE density requirements set out in policy JP-H4.

UDP Policies H2/1 and H2/2 provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finishing materials for new residential developments. PfE Policy JP-H3 - Seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build. UDP Policy EN1/2 seeks to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area. PfE Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places.

The proposal site is located on a bend in the road with Shelley Road and St Anns Road. Shelley Road has a natural incline away from the site. Due to the dwellings location, at the end of St Anns Road it is considered that any property that is sited here needs to be of sufficient scale to visually hold the bend. The adjacent dwelling at No. 55 Shelley Road is the main property that the dwelling would be viewed in connection with. This dwelling is slightly higher than the proposal site due to the incline in the road, as such any dwelling within this space also needs to have an appropriate ridge height so that it does not look out of scale. The proposed site sections show the dwellings scale, and ridge height in relation to the neighbouring properties and given the changes in levels it is considered that the height of the dwelling is appropriate.

The proposed dwelling would have a pitched, gable roof replicating the shape and style of the neighbouring properties. The projecting front gable is considered to be contemporary take on the projecting bay windows of the surrounding 1930s semi-detached, and detached properties. The proposed windows and doors are considered to be suitably aligned and the proposed rear dormer would not be overly dominant within the rear roof slope. The use of facing red brick, and panelling is considered to be appropriate and a condition for material samples to be submitted is proposed.

Amenity space is proposed to the side of the dwelling, with 55 square metres proposed to the east of the dwelling and a smaller 25 square metre courtyard/patio proposed to the west side of the dwelling which would also include bin and cycle storage. The proposed site plan shows the amenity garden to the front of the site is enclosed by a wall, with a hedge to the rear. Landscaping has not been included at outline stage and will be assessed at reserved matters and as such full details boundary/landscaping detail would be required at reserved matters stage.

Given the constraints of the site, and the site's proximity to the Green Belt and recreation area as set out above it is considered appropriate to remove permitted development rights for the property to prevent any potential encroachment into these areas. A condition will also be utilised to ensure that the area edged in blue is not utilised as private garden for the proposed dwelling.

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

1. Comply with the nationally described space standards;
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 proposed Gross Internal Area (GIA) would exceed the minimum NDSS requirements for a 4 bed, 6 person 3 storey house. The master bedroom and bedroom 1 would exceed the minimum standards for double occupancy rooms, and bedrooms 2 and 3 would exceed the minimum standards for single occupancy rooms. In built storage is indicated with the proposed within a utility cloak room at ground floor, for a washer/dryer at first floor and within the master bedroom which would exceed the minimum requirements. As such the proposal complies with NDSS.

Compliance with M4(2) can be conditioned.

### **Amenity**

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

For clarity the following aspect standards would be applicable:

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

boundary with a neighbouring property.

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

The rear elevation of the proposed property, is sited directly adjacent to the red edge of the site however the applicant owns the area to the rear of the site which is edged in blue.

The proposed first floor rear habitable room windows would be located a minimum of approximately 7.1 metres from the blue edge of the site, which is under the ownership of the applicant and therefore complying with aspects set out above. The proposed second floor dormer window would be located approximately 7.8 metres from the rear boundary. This is below the 10 metres required by SPD 6 however given the existing dense vegetation (a woodland area made up of ash, sycamore, oak on a steep bank) to the rear of the site, it is considered that this deficit would not lead to detrimental loss of privacy to the land at the rear or to the future occupiers.

The proposed front windows would have a direct onward view of St Anns Road rather than habitable rooms.

The proposed ground floor side living room window, that faces towards the amenity space for the proposed dwelling would face towards the side boundary of No. 55 Shelley Road. This window would be separated from this property by the access to the electricity substation, and would face towards a side gable and garage wall associated with this property. As such no undue loss of privacy is foreseen. The proposed ground floor side playroom window is considered to be a secondary window, and the proposed side ground floor bathroom window would relate to a non-habitable room as such aspects not applied.

No side first floor, or loft windows are proposed.

No. 188 St Anns Road would retain their existing principal front and rear outlooks with no building proposed to the front of this property. The proposed dwelling would project beyond the front elevation of No. 55 Shelley Road but would not impact on a 45 degree line as taken from the nearest ground floor habitable room.

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

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

A Preliminary Ecological Appraisal (PEA) has been submitted with the application. As part of the ecological appraisal report, a desk-top and field-based study was conducted.

### **Designated Sites and Habitats**

The PEA identifies that the site lies directly adjacent to lowland mixed deciduous woodland, which is a UK Biodiversity Action Plan (UKBAP) priority habitat. This woodland also offers

connectivity to Prestwich Clough Site of Biological Importance (SBI). Due to the proximity of the site to these areas and to avoid direct impacts on the priority habitat and SBI the PEA recommends a Construction Environmental Management Plan (CEMP) is produced for the scheme detailing measures to reduce impacts during and post development. This plan can be secured by condition.

#### Invasive Species

Himalayan balsam and monbretia listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended) are present within the site. A condition will be placed onto any permission that requires the submission of a management strategy prior to any earthworks.

#### Bats

The site was assessed for bats within the PEA. A daytime bat walkover (DBW) was undertaken to observe, assess and record any habitats or features suitable for usage by bats, either as commuting, foraging or roosting provision. Wider connectivity to other habitats was also considered during the DBW.

Based on the findings on the DBW and the Ground Level Tree Assessment (GLTA) all of the trees on site were categorised as having no bat roosting suitability. There are no buildings currently on site.

#### Nesting Birds and Other wildlife

The PEA concludes that there are no impacts applicable in relation to any Sch.1 (WCA) specially protected bird species. No further surveys or recommendations were identified as necessary in relation to specially protected birds, with no viability of nesting identified within the site boundary. As all wild birds are protected from destruction, damage and disturbance under the Wildlife and Country Act 1981 (as amended) a condition is proposed to restrict any works to outside of bird nesting season..

Based upon the desktop assessment, the presence of badger onsite is considered to be possible on an occasional basis, while the presence of hedgehog is likely. It is therefore recommended that a Reasonable Avoidance Measures condition is placed on any permission to avoid impacts to these species.

The results of the desk and field study suggest that the presence of Great Crested Newts within the works area onsite, or impacts from the development, are highly unlikely.

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

The application is subject to the general biodiversity gain condition.

The applicant has provided a Defra Statutory Metric and Biodiversity Net Gain Assessment that includes Baseline habitat maps within the appendices. The BNG assessment notes that habitat degradation had taken place within the red line boundary of the site since the relevant date of 30th January 2020, with the eastern half of the site largely cleared of vegetation during the PEA in October 2025. However, this area was vegetated during the initial site visit in May 2025, which allowed the habitats to be mapped and condition assessed to allow for a baseline value to be identified.

The site is not identified as hosting any irreplaceable habitats.

Based on the landscaping proposals, the scheme will result in a loss of -0.06 Habitat units. The applicant has indicated that the preferential option for the scheme would be to utilise an offsite habitat bank / provider to make up the unit shortfall, to ensure that the proposals achieve a 10% gain in habitat units and meet the trading rules.

In order to discharge the statutory biodiversity gain condition the applicant would need to provide:

- The finalised biodiversity gain plan,
- Have the off-site units are registered with defra,
- Final version of the statutory metric and
- An agreed version of the HMMP.

### Trees

The applicant has submitted an Arboricultural Impact Assessment and Arboricultural Method Statement with their application.

T4 and T5 are identified as being with the applicant's ownership. T1, T2, T3 and W6 are outside of the applicant's ownership. The Impact Assessment identifies that all trees can be retained following development, including T3 which is a category U tree. As this tree is not under the applicant's ownership the Council would not expect the applicant to remove it.

It is acknowledged that W6, the wooded area within Prestwich Forest Park has not been inspected. T4 and T5 are closer to the proposed development than this area of woodland and given the distance of this area of trees from the proposed development and the proposed protective fencing that would be located to protect T4 and T5 (see Arboricultural Method Statement) it is considered that this area of woodland would not be impacted by the proposed building works.

The tree protection measures can be secured by condition.

### **Access and Parking**

Whilst access is listed as a Reserved Matter, it is considered that access needs to be considered to an extent as part of the Outline Application as the access would partially determine the layout of the site. As such the applicant has submitted additional information in relation to the proposed access and parking arrangements for the site.

UDP Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. This is further supported by Policy H2/2 that requires proposals to demonstrate adequate car parking provision, access for both vehicles and pedestrians, and provision for public transport and the existence of any public rights of way. 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.

Vehicular access would be gained from the front of the site, with parking proposed for 2no. vehicles to the front of the proposed dwelling. The applicant proposes a 1.7 metre footpath to the front of the site which is a continuation of the footpath the currently runs along Shelley Road and this is supported by the Traffic Section. A dropped kerb is proposed within this footpath to allow access to the parking. Details of the implementation of these highways works are proposed by condition.

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.

The site is located within Zone 4 for parking standards. A 4no. bed property should provide 3no. parking spaces within this zone. Due to the constrained nature of the site, and the

siting on a bend the location of where parking can be safely located within the curtilage of the site is limited. 3no. spaces to the front of the property would have a detrimental impact on the street scene, introducing a sea of car parking and a dropped kerb that would be too wide and not be acceptable in highways design terms. Given that the majority of properties within the vicinity of the site either have 1 or 2 parking spaces, and on street parking is unrestricted it is considered that the provision of 2no. in curtilage spaces is acceptable in this instance.

### **Contaminated Land**

Paragraphs 187 and 196 of the NPPF seek to ensure that sites are suitable for its proposed use taking into account ground conditions, any risks arising from land instability and contamination.

The site is not located within a Coal Mining High Risk Development Area.

The site currently comprises recently cleared land, previously occupied by domestic garages and is adjacent to a landfill site. Site investigation works have been undertaken without the benefit of completing a Preliminary Risk Assessment and developing a conceptual site model. This is contrary to current guidance and best practice. Remedial options have been proposed, but given the issues raised here further information and assessment is recommended.

A site visit and discussions with the applicant have been undertaken by the Environment Section's Public Protection Officer in order to understand the site and the proposed development more fully.

The scale of the proposal has been taken into account when considering how to address the shortcomings in the submission in order to move towards a development that is suitable for use. It is noted that the Environment Agency (EA) have considered this application and have made a recommendation for unexpected contamination in relation to controlled waters. In order to address the potential risks to human health, further work is warranted, but this must be proportionate to the proposed development. It is recommended that a graphical conceptual site model be produced showing the geology, topography and proposed development to enable a clear demonstration of the location of the site in relation to the landfill. The existing data should then be reviewed to demonstrate a clear understanding of the potential risks in order for a detailed remediation strategy to be produced. This can all be compiled in one report and should include details of a documented watching brief during groundworks.

Standard conditions are recommended by the EA the Environment Section in order to address the outstanding pre-commencement requirements.

### **Drainage**

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

A drainage scheme has not been provided at this time. Whilst acknowledged that United Utilities (UU) have highlighted that drainage can impact the layout of the scheme, they have also provided a condition that requires the submission of a sustainable surface water drainage scheme at first reserved matters stage. This replicates the approach and condition proposed within the Council's drainage consultation response.

### **Carbon and Energy**

PfE Policy JP-S2 - Carbon and Energy sets out the steps required to achieve net zero carbon emissions. The applicant has confirmed that the proposed dwelling would be

designed to meet or exceed the requirements of Approved Document L (2022).

### **Digital Connectivity**

PfE Policy 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 they propose to install at least one functioning gigabit-capable connection to the dwelling in compliance with the above Policy.

### **Response to Representations**

The site is not located within the Green Belt. Historic maps show that the site was previously utilised as a garage colony.

Representations made in relation to trees, ecology and BNG have been assessed within the main body of the report.

Electricity North West have been notified of the proposal and have not objected. The proposal does not include the access to the substation.

As identified within the main body of the report the site is not located within a Coal Mining High Risk Development Area.

The Environment Agency and Council Environment Section have been consulted as part of the application process and set out conditions in relation to contamination and former uses of the site.

No objections have been raised to the proposal from the Traffic Section, subject to conditions. A pavement is proposed to the front of the site for pedestrians.

A daylight/sunlight assessment is not required as the building is not significantly taller than the surrounding properties. Overshadowing and loss of privacy have been addressed within the main body of the report.

The submitted plans do scale. There is no requirement to also attach dimensions in addition to this.

Drainage and United Utilities have proposed conditions in relation to drainage. Informatives will be included in relation to the connection to the sewer. This information is not required at planning application stage.

### **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. Applications for approval of reserved matters must be made not later than:
  - the expiration of three years beginning with the date of the grant of outline planning permission; and
  - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

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

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

3. This decision relates to drawings numbered 001 Rev D, 002 Rev D, 200 Rev D, 201 Rev D, 202 Rev D, 203 Rev D, 204 Rev D, 300 Rev D, 301 Rev D, 302 Rev D, 303 Rev D, 304 Rev D, 600 Rev D 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.

4. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
- Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan and Places for Everyone Joint Development Framework listed.

5. The area edged in blue on drawings 200 Rev D and 600 Rev D to the rear of the site shall not be used as garden or residential amenity space in association with the dwelling hereby approved.
- Reason. To prevent inappropriate development in the Green Belt and protected recreation space pursuant to policies of the Unitary Development Plan and Places for Everyone Joint Development Plan listed.

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

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

7. As part of the Reserved Matters for landscaping a scheme shall be submitted that includes native tree and shrub planting, the provision bird boxes on the retained trees and integrated bat boxes and swift bricks. The approved scheme shall

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

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

8. 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 Local Planning Authority. Thereafter, the development shall be implemented in full accordance with the approved details and measures.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to Bury Unitary Development Plan Policies EN6/2 - Sites of Nature Conservation Interest (LNR's and Grade B and C SBI's), EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors, Places for Everyone Joint Development Plan Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity and Chapter 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework.

9. Prior to any earthworks a management strategy for himalayan balsam and monbretia should be supplied to and agreed in writing to the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason. To ensure the removal/check the spread of species that are listed as invasive non-native species under the Wildlife and Countryside Act 1981 and in order to safeguard the biodiversity of the site and its surroundings, pursuant to Policies JP-P1: Sustainable Places and JP-G8: A Net Enhancement of Biodiversity and Geodiversity of the Places for Everyone Joint Development Plan Document and the National Planning Policy Framework.

10. Prior to commencement of development a programme of Reasonable Avoidance Measures (RAMs) for badgers and hedgehogs shall be implemented in accordance with details set out within paragraph 7.18 of the approved Preliminary Ecological Appraisal December 2025 ( Reference PR-25-0328)

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

11. No development shall commence unless and until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The plan shall delineate the construction zone and set out measures to be taken to minimise the possibility of pollution to the adjacent to lowland mixed deciduous woodland, a UK and Greater Manchester BAP priority habitat and nearby Prestwich Clough SBI. The approved plan only shall be implemented prior to the commencement of any works and maintained for the duration of the build out of the development.

Reason. Information not submitted at application stage. To ensure a safe and

satisfactory development of the site in relation to the protection of priority habitat and Prestwich Clough Site of Biological Importance from any pollutants and construction disturbance which may cause risk, pursuant to Bury Unitary Development Plan Policies EN6/2 - Sites of Nature Conservation Interest (LNR's and Grade B and C SBI's), EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors, Places for Everyone Joint Development Plan Policies JP-G2: Green Infrastructure Network and JP-G8: A Net Enhancement of Biodiversity and Geodiversity and Chapter 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework.

12. 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 Unitary Development Plan Policies EN7/3 - Water Pollution, EN7/5 - Waste Water Management and 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.
13. 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).
14. 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).

15. 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).

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.  
Reason. To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

17. Prior to occupation the applicant shall provide:

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

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

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

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs

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

18. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction" and the approved Arboricultural Method Statement reference 2689\_AMS.01. 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.

19. Notwithstanding the details indicated on the approved plans, as part of the Reserved Matters application relating to Access, full details, on a topographical based survey of the site and all adjacent highways, of the following shall be submitted to and agreed in writing with the Local Planning Authority:

1. A scheme of highway works to provide a widening carriageway and adoptable footway abutting the northerly boundary of the site to a scope and specification to be agreed, incorporating an alignment to be agreed in the vicinity of the bend in Shelley Road, connection to and regularisation of the footway crossing serving No. 55 Shelley Road, connection to the footway crossing serving No. 188 St Ann's Road, 50mm upstand at the back of the footway adjacent to the proposed 'amenity garden' and soft landscaped areas, demarcation of the limits of the adopted highway and all associated highway and highway drainage remedial/accommodation works.
2. Proposed boundary sections to reflect the perimeter highway works and to ensure appropriate levels between the back of the footway and the site.
3. All boundary treatment abutting the adjacent future adopted highway incorporating (if required) foundations that do not encroach under the adopted highway.
4. In the event that further remediation works to the footway/highways abutting the site are deemed to be required as a result of the dilapidation survey and any statutory undertakers connections to the site, details of such works shall be submitted to, and agreed by the Local Planning Authority.

The details subsequently approved shall be implemented to the satisfaction of the Local Planning Authority prior to the development hereby approved being occupied.

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

20. No development shall commence unless and until a 'Construction Traffic Management Plan', 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 to a scope to be agreed in the event that subsequent remedial works are required construction of the development and as a result of any statutory undertakers connections to the site.
2. Access route for all construction vehicles to the site from the Key Route Network.
3. Access point(s)/arrangements for construction traffic, taking into consideration the need to maintain safe pedestrian and/or vehicular access to adjacent residential properties, and all temporary works required to facilitate access for construction vehicles.
4. If proposed, details of site hoarding/gate positions, taking into consideration the need to maintain safe pedestrian and/or vehicular access to adjacent residential properties.
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 that can be accommodated on the adjacent residential estate roads, number of vehicle movements and measures to control/manage deliveries and delivery vehicle manoeuvres.
7. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials.
8. Measures to ensure that all mud and other loose materials are not spread onto the adjacent highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

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

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

21. The car parking within the curtilage of the site indicated on the approved plans shall be a minimum of 5.0m in length measured from the back of the proposed footway, surfaced in a porous/permeable material and made available for use prior to the development hereby approved being occupied and thereafter maintained at all times.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan and Supplementary Planning Document 11 - Parking Standards in Bury.

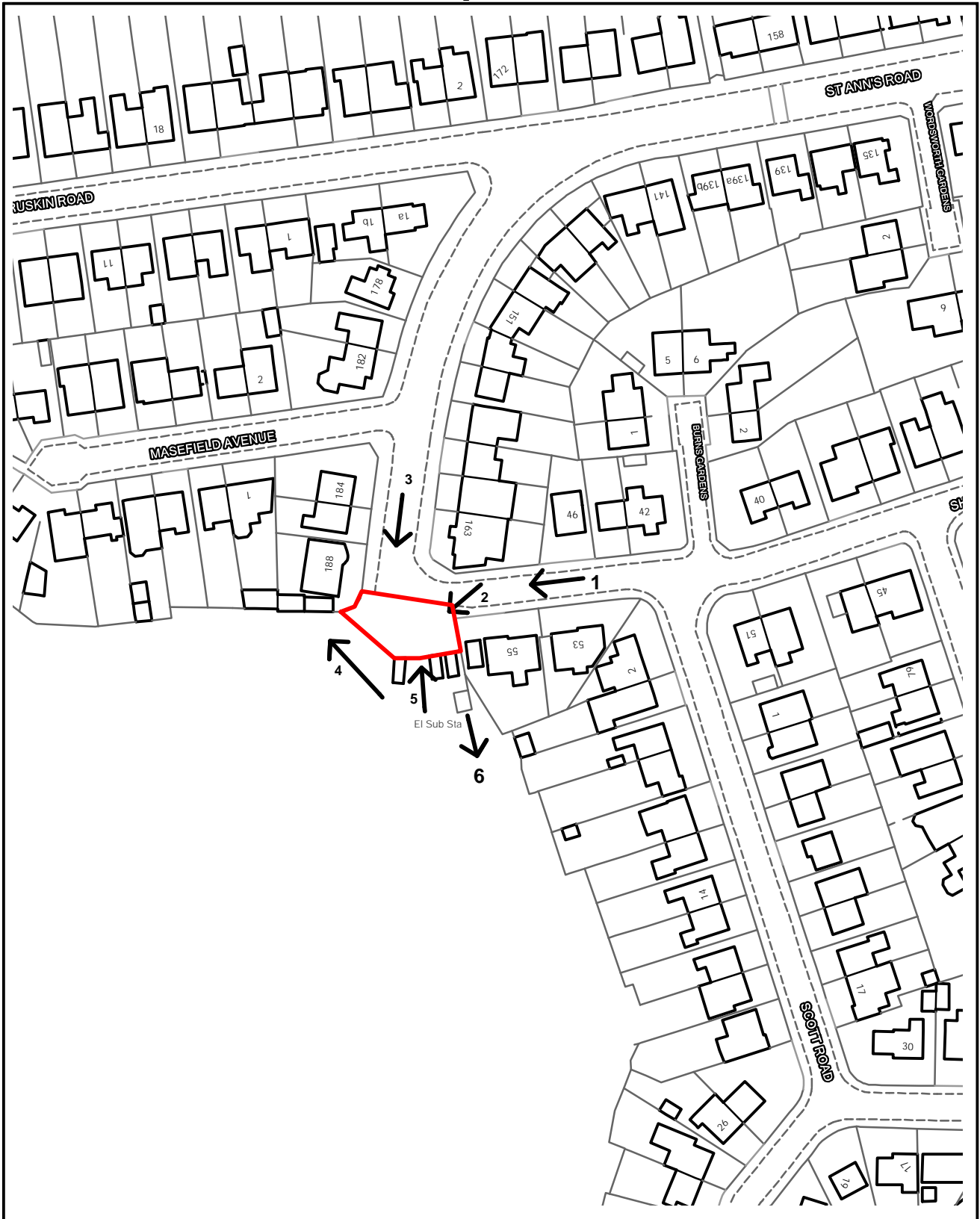
22. The bin storage arrangements within the curtilage of the site indicated on the approved plans shall be made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.

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

and Cycling.

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

# Viewpoints



**72700**

**ADDRESS: Land to the south of 188 St Anns Road  
Prestwich**

Planning, Environmental and Regulatory Services

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**Bury**  
Council

72700

Photo 1



Photo 2



72700

Photo 3



Photo 4



72700

Photo 5



Photo 6



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**RESPONSIBILITIES**  
THE CONTRACTOR IS RESPONSIBLE FOR INTERPRETING THE DESIGN IN RELATION TO SITE CONDITIONS AND FOR CARRYING OUT THE WORKS IN ACCORDANCE WITH CURRENT BUILDING REGULATIONS, BUILDING CONTROL REQUIREMENTS, AND STATUTORY OBLIGATIONS.

**BOUNDARIES, LEGAL CONSTRAINTS (E.G. PARTY WALL MATTERS), AND SERVICE CONNECTIONS ARE THE CLIENT'S RESPONSIBILITY TO CONFIRM.**

**CONTRACTOR DUTIES**  
THE CONTRACTOR MUST COORDINATE WITH ALL RELEVANT CONSULTANTS' INFORMATION, INCLUDING STRUCTURAL, MECHANICAL, ELECTRICAL AND DRAINAGE DRAWINGS/SPECIFICATIONS.

**GENERAL**  
IF IN DOUBT, SEEK CLARIFICATION FROM THE ARCHITECT BEFORE PROCEEDING.

**STATUS & USE**  
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**ADDRESS:**  
Woodmere,  
Land to the south of  
188 St Anns Road,  
Prestwich,  
Manchester  
M25 9QS

**PROJECT:**  
Erection of 1no.  
4-bedroom detached  
dwelling, inclusive of  
parking and landscaping

**Drawing Title:**  
Location & Block Plan

**ISSUE FOR:**  
PLANNING \_ REV D

REV	DATE	DESCRIPTION
R6		
R5	02/3/26	Planning_D
R4	19/2/26	Planning_C
R3	9/2/26	Planning_B
R2	23/11/25	Planning_A
R1	15/11/24	Pre App

**PROJECT:** HB\_71

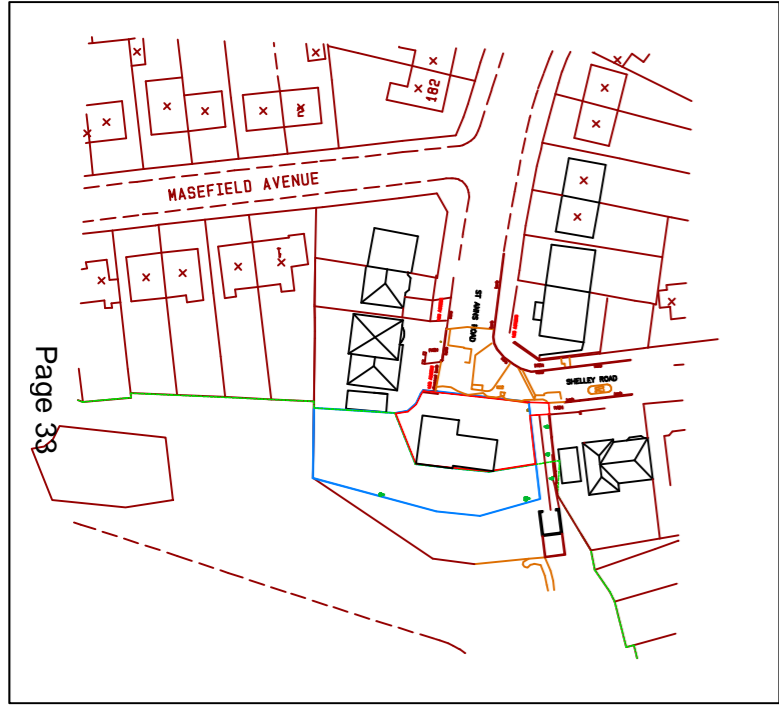
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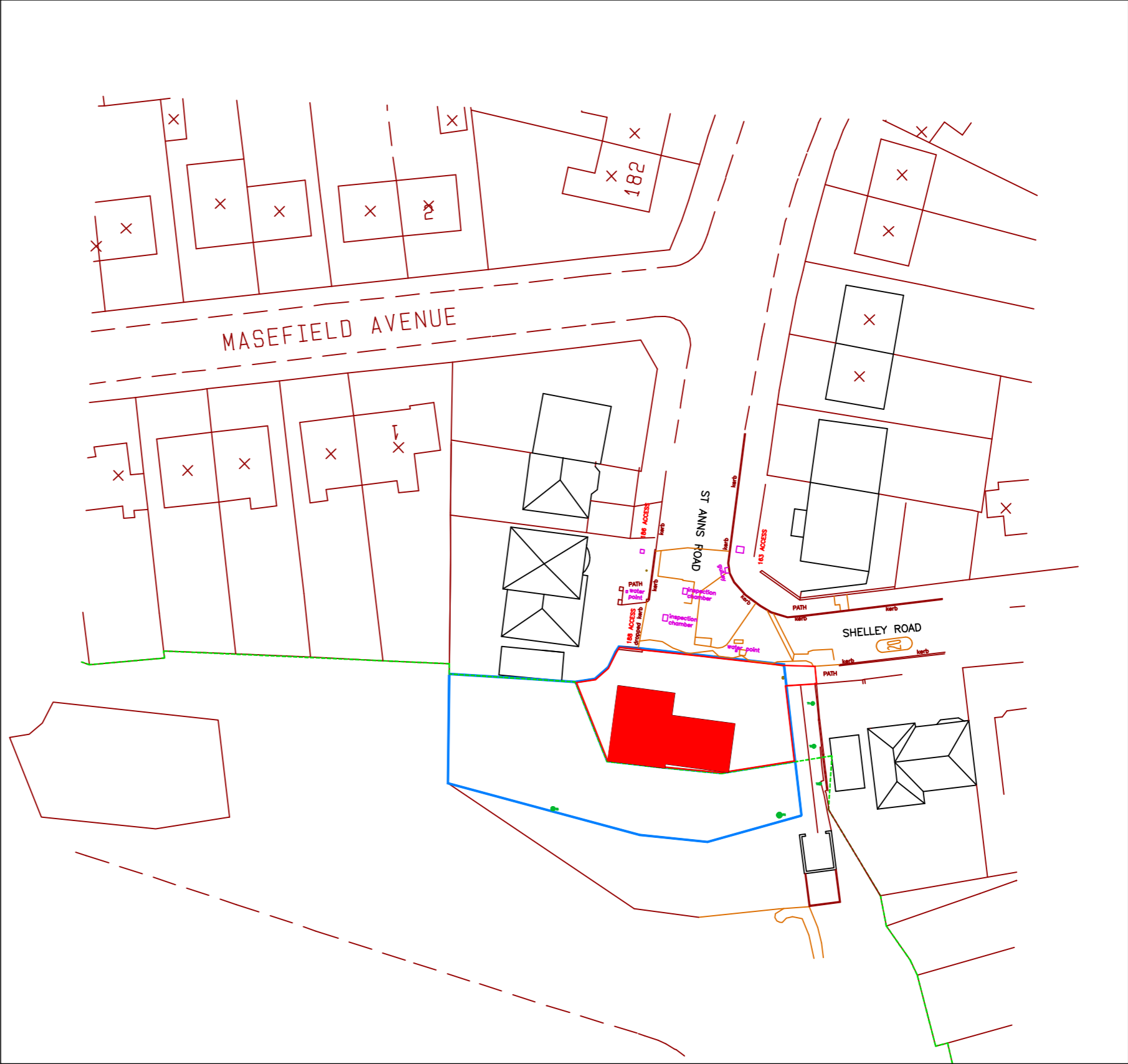
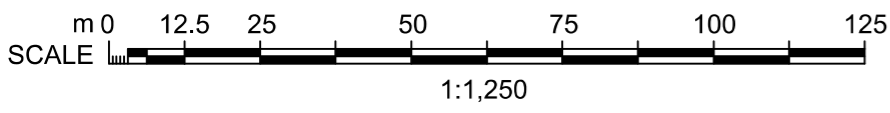
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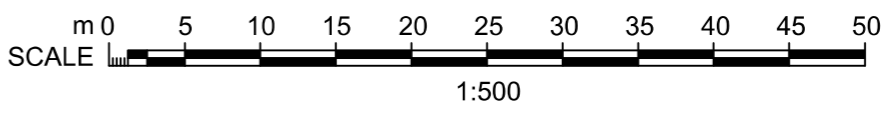


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**LOCATION PLAN**



**BLOCK PLAN**



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**BOUNDARIES, LEGAL CONSTRAINTS (E.G. PARTY WALL MATTERS), AND SERVICE CONNECTIONS ARE THE CLIENT'S RESPONSIBILITY TO CONFIRM.**

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**ADDRESS:**  
Woodmere,  
Land to the south of  
188 St Anns Road,  
Prestwich,  
Manchester  
M25 9QS

**PROJECT:**  
Erection of 1no.  
4-bedroom detached  
dwelling, inclusive of  
parking and landscaping

**Drawing Title:**  
Existing site & topo plan

**ISSUE FOR:**  
PLANNING \_ REV D

REV	DATE	DESCRIPTION
R6		
R5	02/3/26	Planning_D
R4	19/2/26	Planning_C
R3	9/2/26	Planning_B
R2	23/11/25	Planning_A
R1	15/11/24	Pre App

**PROJECT:** HB\_71

**Drawing No:** 002

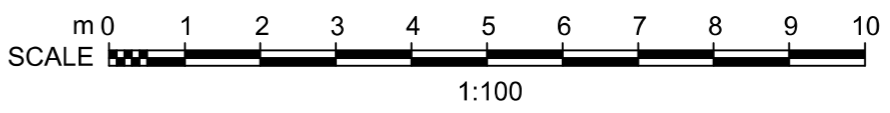
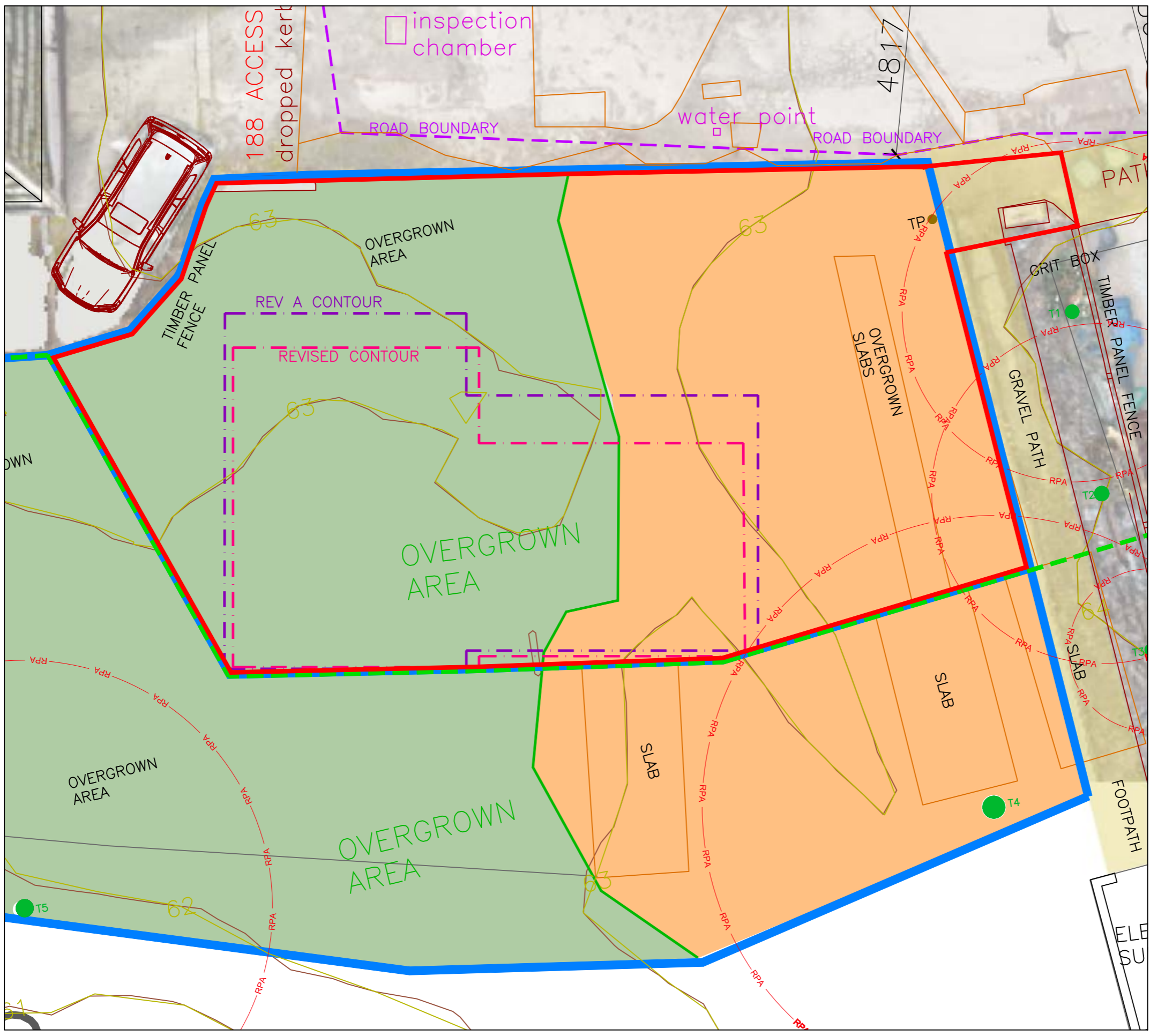
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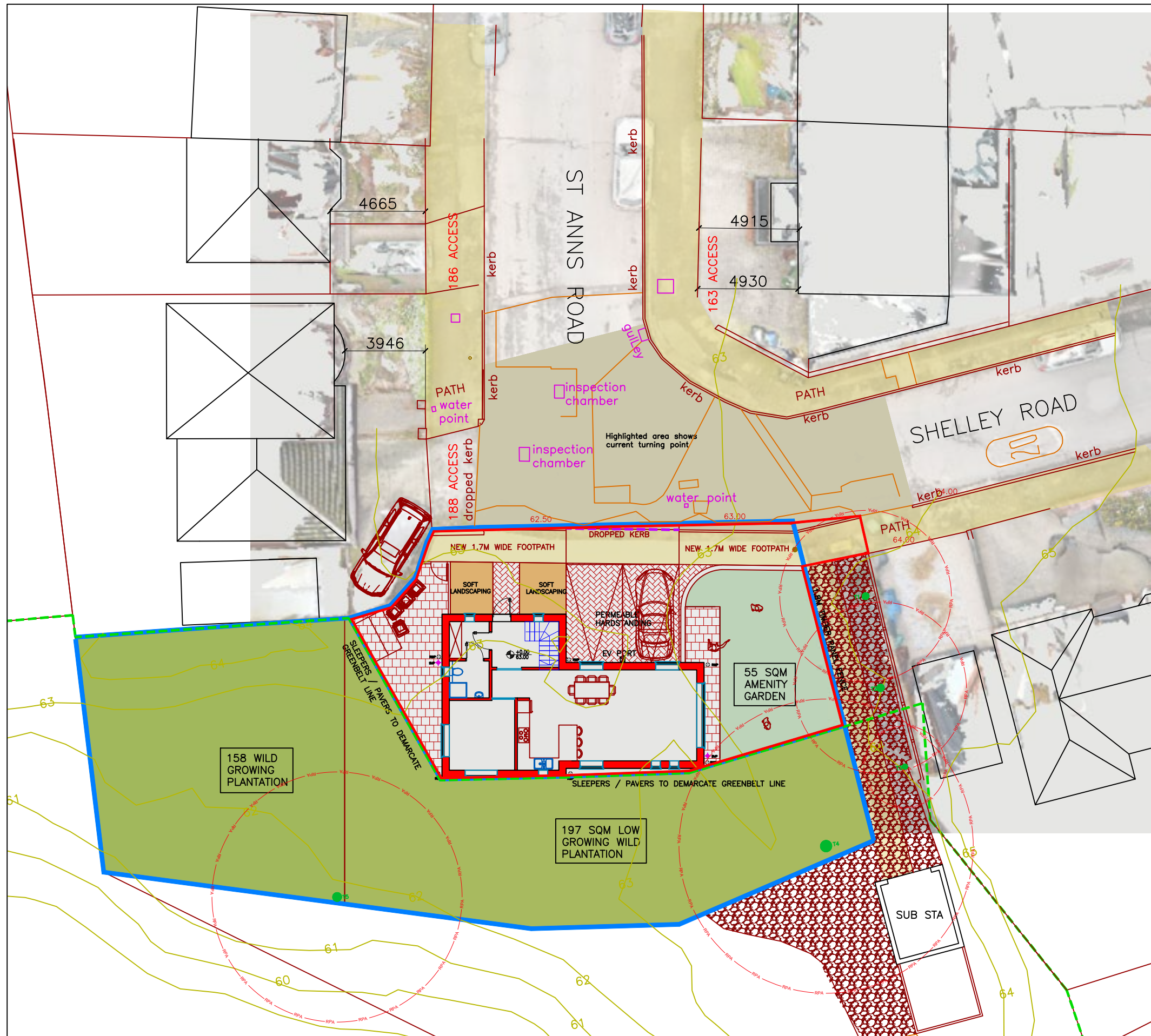
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**CHECKED:** NP



brewdesigns.uk@gmail.com 07305 507 384



Existing site & topo plan



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**ADDRESS:**  
Woodmere,  
Land to the south of  
188 St Anns Road,  
Prestwich,  
Manchester  
M25 9QS

**PROJECT:**  
Erection of 1no.  
4-bedroom detached  
dwelling, inclusive of  
parking and landscaping

**Drawing Title:**  
Proposed site plan

**ISSUE FOR:**  
PLANNING \_ REV D

REV	DATE	DESCRIPTION
R6		
R5	02/3/26	Planning_D
R4	19/2/26	Planning_C
R3	9/2/26	Planning_B
R2	23/11/25	Planning_A
R1	15/11/24	Pre App

**PROJECT:** HB\_71

**Drawing No:** 200

**Date:** 02/3/26

**Scale:** 1:200@A3

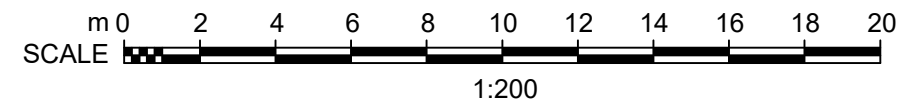
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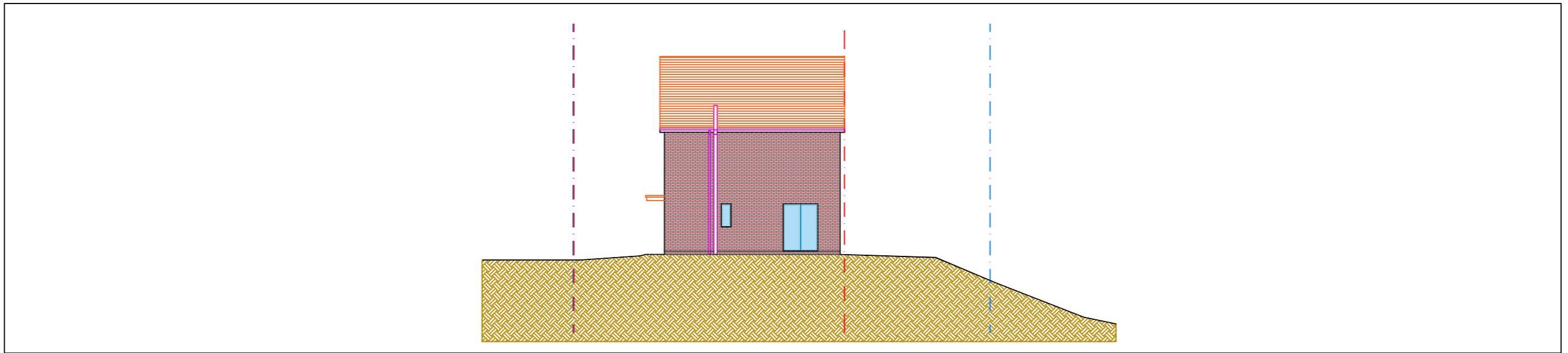
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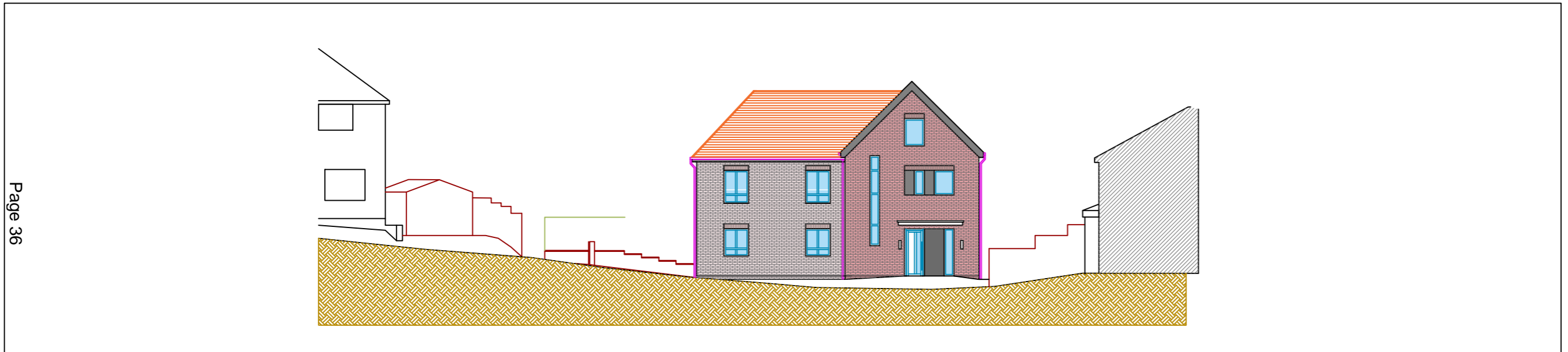
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Architectural  
Studios  
Prestwich

Proposed site plan

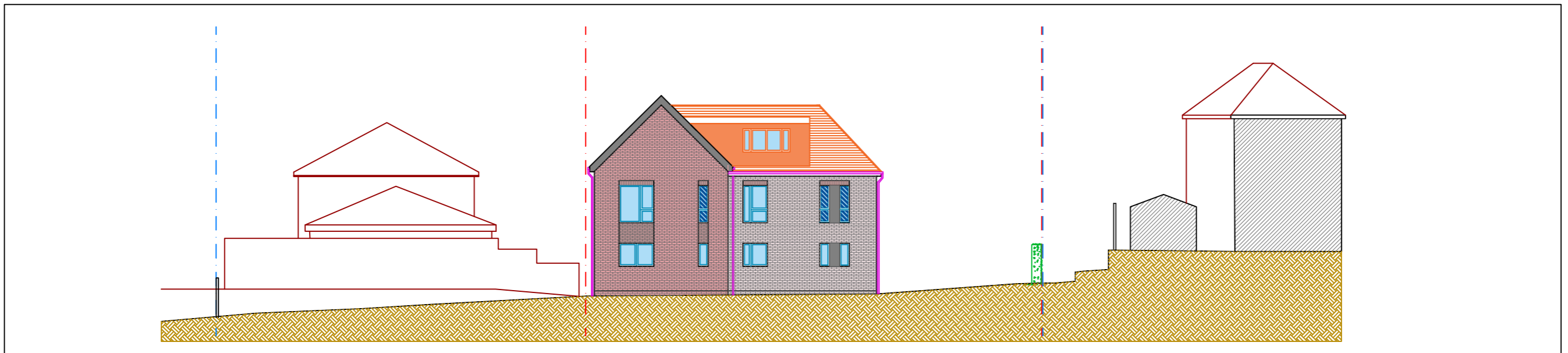




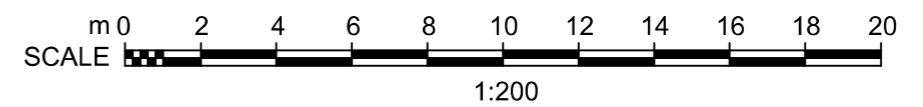
Proposed Side (A) Site Section



Proposed Front Site Section



Proposed Rear Site Section



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Prestwich,  
Manchester  
M25 9QS

**PROJECT:**

Erection of 1no.  
4-bedroom detached  
dwelling, inclusive of  
parking and landscaping

**Drawing Title:**

Proposed Site Sections

**ISSUE FOR:**

PLANNING \_ REV D

REV	DATE	DESCRIPTION
R6		
R5	02/3/26	Planning_D
R4	19/2/26	Planning_C
R3	9/2/26	Planning_B
R2	23/11/25	Planning_A
R1	15/11/24	Pre App

**PROJECT: HB\_71**

**Drawing No: 304**

**Date: 22/7/25**

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**CHECKED: NP**





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Prestwich,  
Manchester  
M25 9QS

**PROJECT:**  
Erection of 1no.  
4-bedroom detached  
dwelling, inclusive of  
parking and landscaping

**Drawing Title:**  
Proposed Rear Elevation

**ISSUE FOR:**  
PLANNING \_ REV D

REV	DATE	DESCRIPTION
R6		
R5	02/3/26	Planning_D
R4	19/2/26	Planning_C
R3	9/2/26	Planning_B
R2	23/11/25	Planning_A
R1	15/11/24	Pre App

**PROJECT:** HB\_71

**Drawing No:** 303

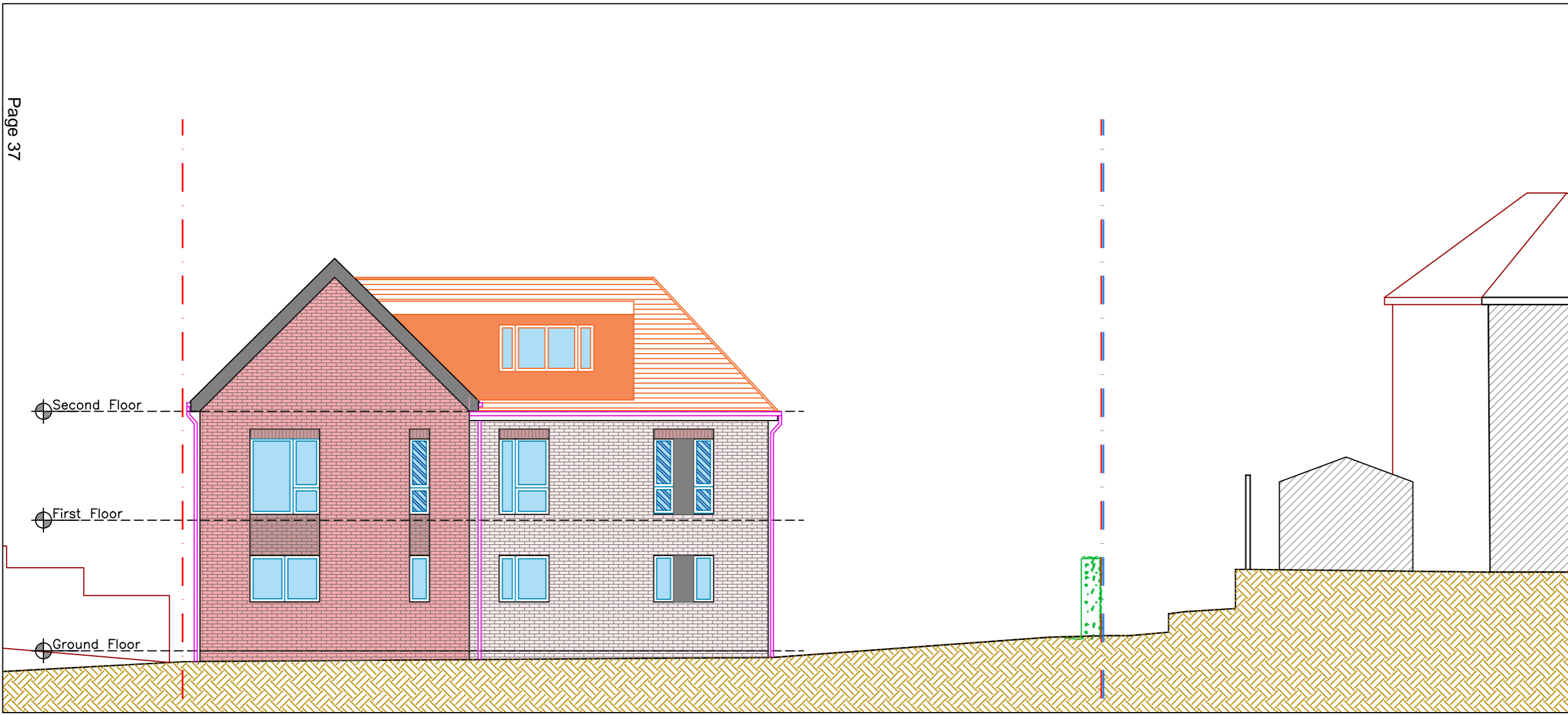
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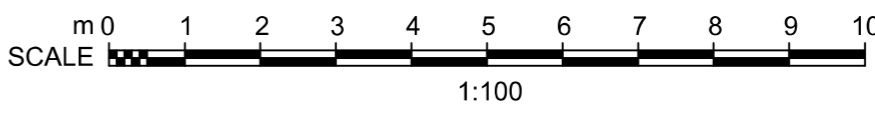


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Proposed Rear Elevation





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Prestwich,  
Manchester  
M25 9QS

**PROJECT:**

Erection of 1no.  
4-bedroom detached  
dwelling, inclusive of  
parking and landscaping

**Drawing Title:**

Proposed Side Elevation B

**ISSUE FOR:**

PLANNING \_ REV D

REV	DATE	DESCRIPTION
R6		
R5	02/3/26	Planning_D
R4	19/2/26	Planning_C
R3	9/2/26	Planning_B
R2	23/11/25	Planning_A
R1	15/11/24	Pre App

**PROJECT:** HB\_71

**Drawing No:** 302

**Date:** 22/7/25

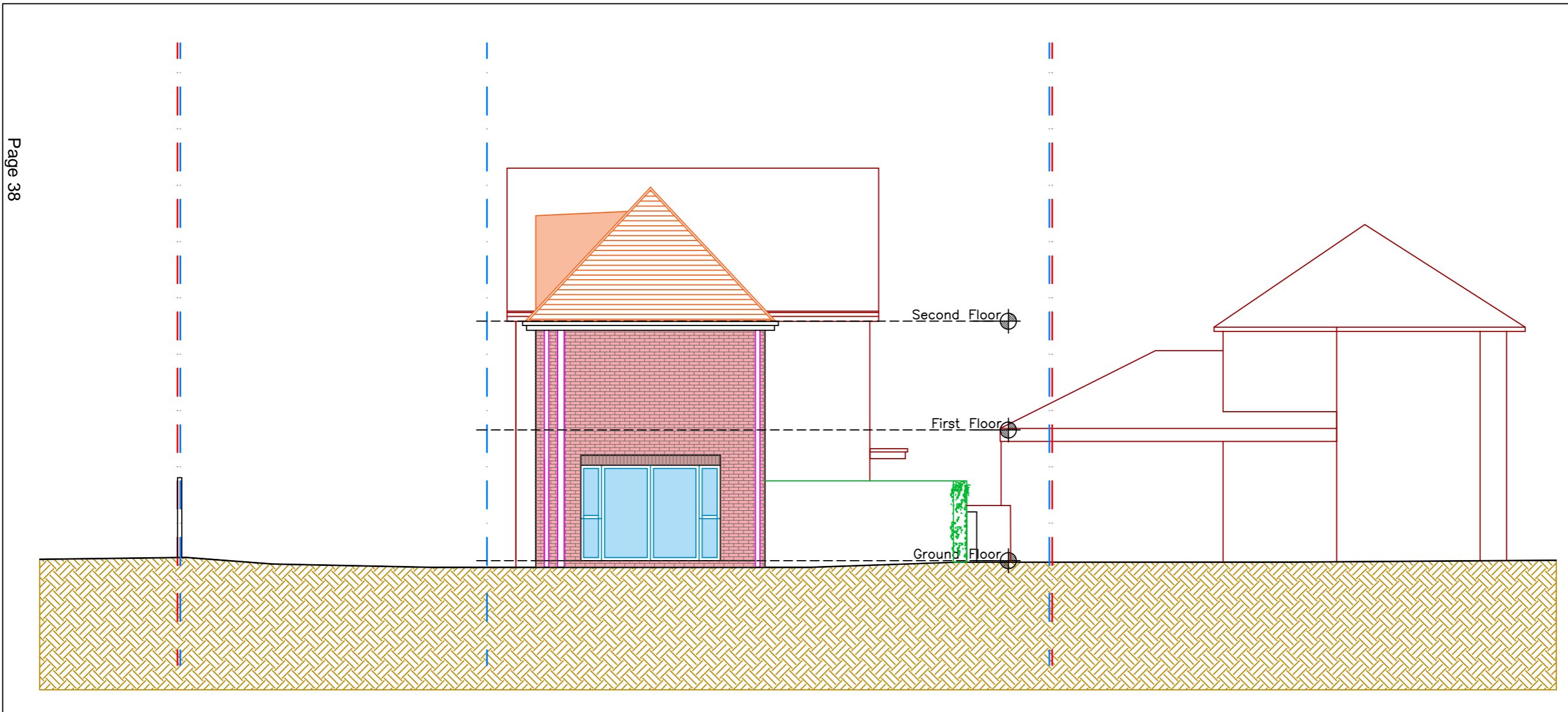
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Proposed Side Elevation B





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Manchester  
M25 9QS

**PROJECT:**

Erection of 1no.  
4-bedroom detached  
dwelling, inclusive of  
parking and landscaping

Drawing Title:  
Proposed Side Elevation A

**ISSUE FOR:**

PLANNING \_ REV D

REV	DATE	DESCRIPTION
R6		
R5	02/3/26	Planning_D
R4	19/2/26	Planning_C
R3	9/2/26	Planning_B
R2	23/11/25	Planning_A
R1	15/11/24	Pre App

**PROJECT:** HB\_71

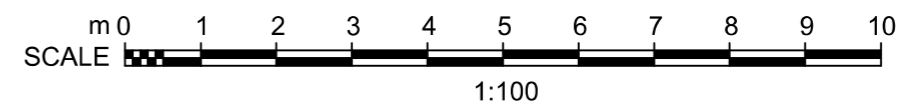
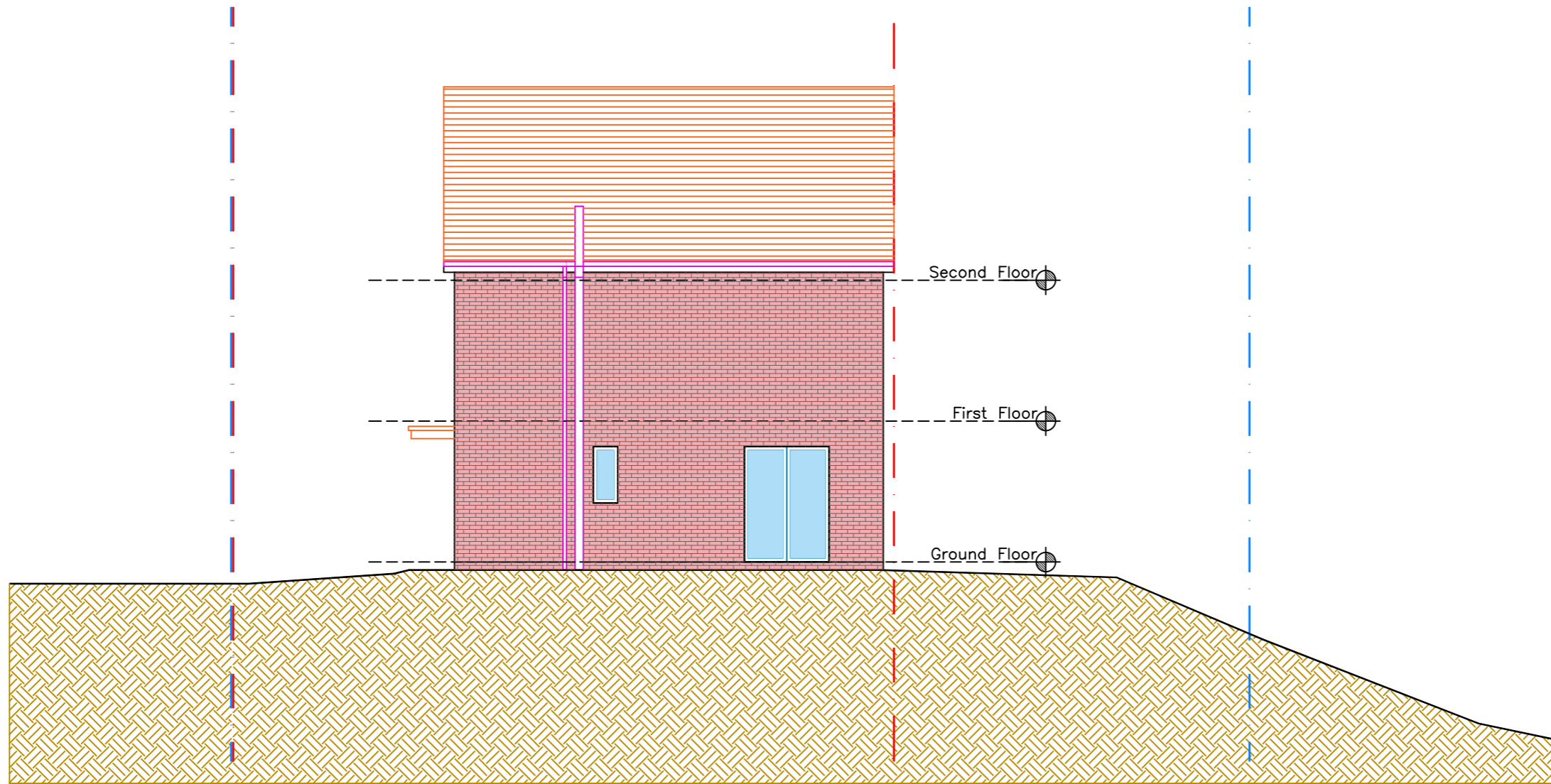
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Date: 22/7/25

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Proposed Side Elevation A





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Manchester  
M25 9QS

**PROJECT:**  
Erection of 1no.  
4-bedroom detached  
dwelling, inclusive of  
parking and landscaping

**Drawing Title:**  
Proposed Front Elevation

**ISSUE FOR:**  
PLANNING \_ REV D

REV	DATE	DESCRIPTION
R6		
R5	02/3/26	Planning_D
R4	19/2/26	Planning_C
R3	9/2/26	Planning_B
R2	23/11/25	Planning_A
R1	15/11/24	Pre App

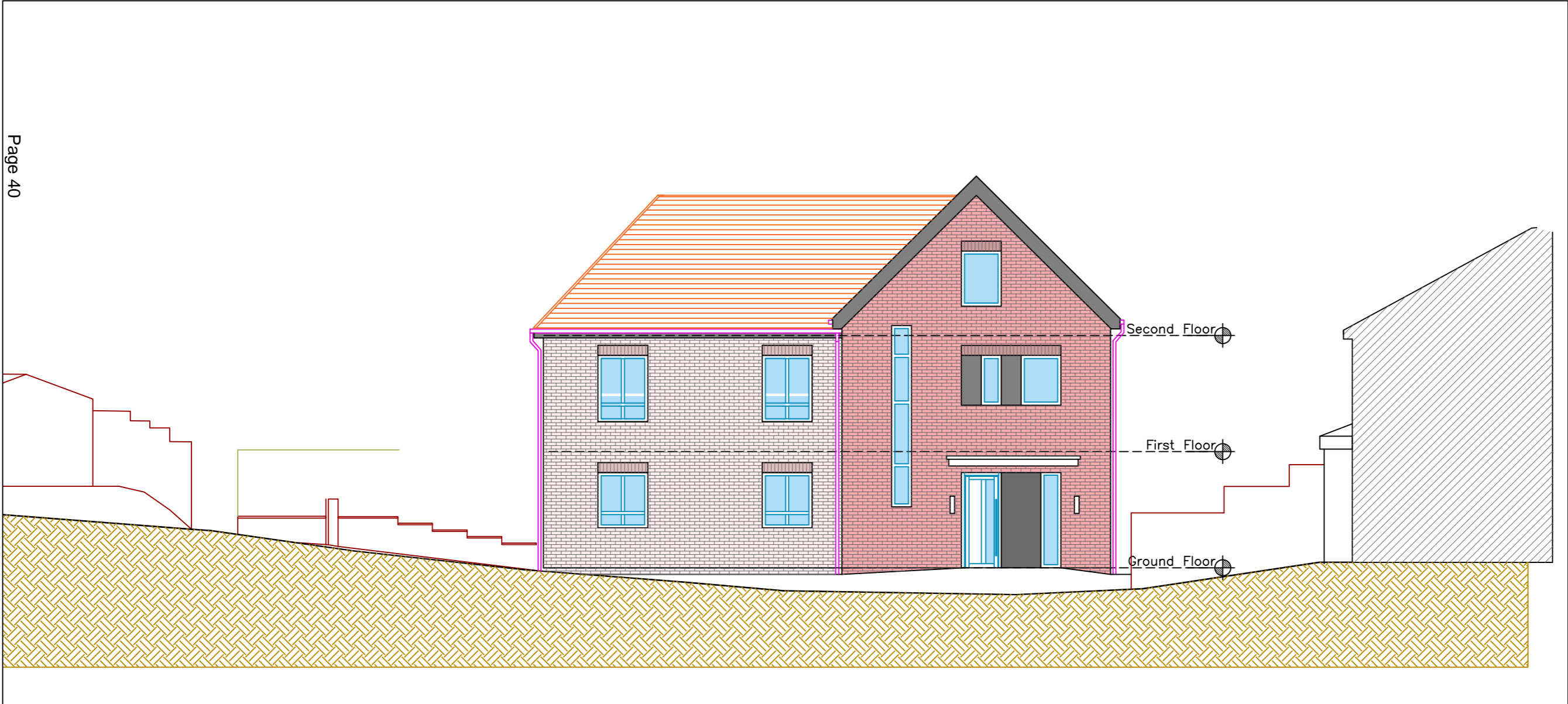
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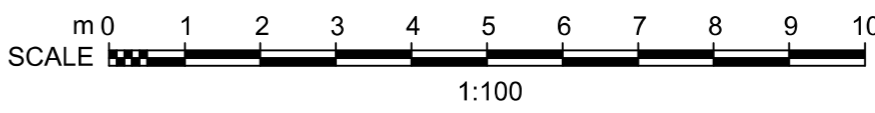
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Proposed Front Elevation



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Manchester  
M25 9QS

**PROJECT:**  
Erection of 1no.  
4-bedroom detached  
dwelling, inclusive of  
parking and landscaping

**Drawing Title:**  
Proposed Loft Plan

**ISSUE FOR:**  
PLANNING \_ REV D

REV	DATE	DESCRIPTION
R6		
R5	02/3/26	Planning_D
R4	19/2/26	Planning_C
R3	9/2/26	Planning_B
R2	23/11/25	Planning_A
R1	15/11/24	Pre App

**PROJECT:** HB\_71

**Drawing No:** 204

**Date:** 22/7/25

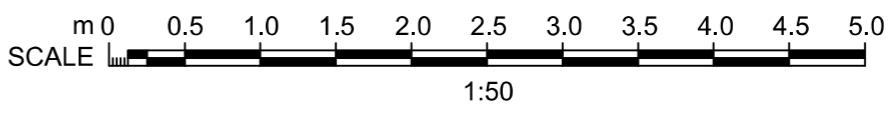
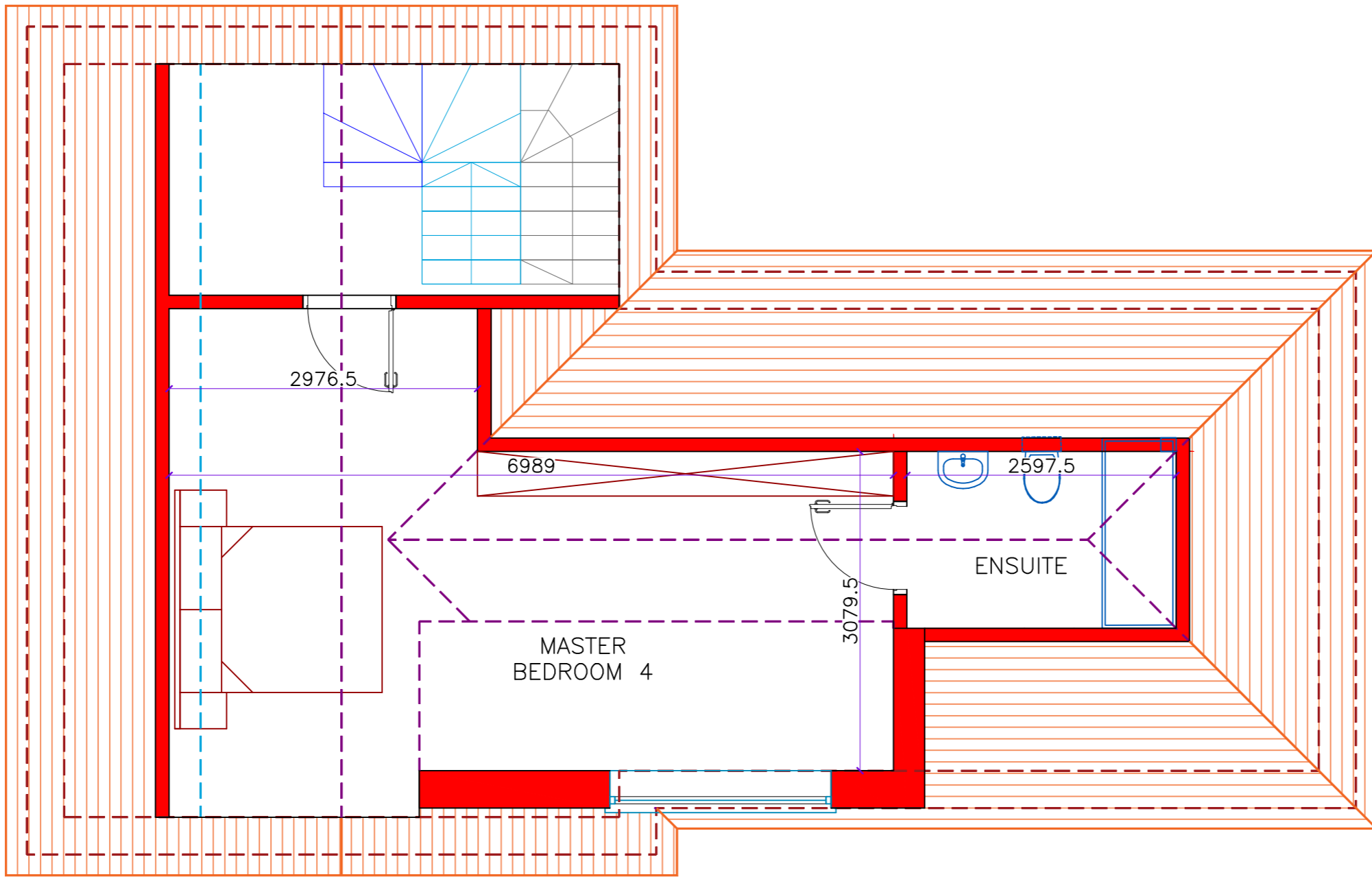
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Prestwich,  
Manchester  
M25 9QS

**PROJECT:**  
Erection of 1no.  
4-bedroom detached  
dwelling, inclusive of  
parking and landscaping

**Drawing Title:**  
Proposed First Floor plan

**ISSUE FOR:**  
PLANNING \_ REV D

REV	DATE	DESCRIPTION
R6		
R5	02/3/26	Planning_D
R4	19/2/26	Planning_C
R3	9/2/26	Planning_B
R2	23/11/25	Planning_A
R1	15/11/24	Pre App

**PROJECT:** HB\_71

**Drawing No:** 203

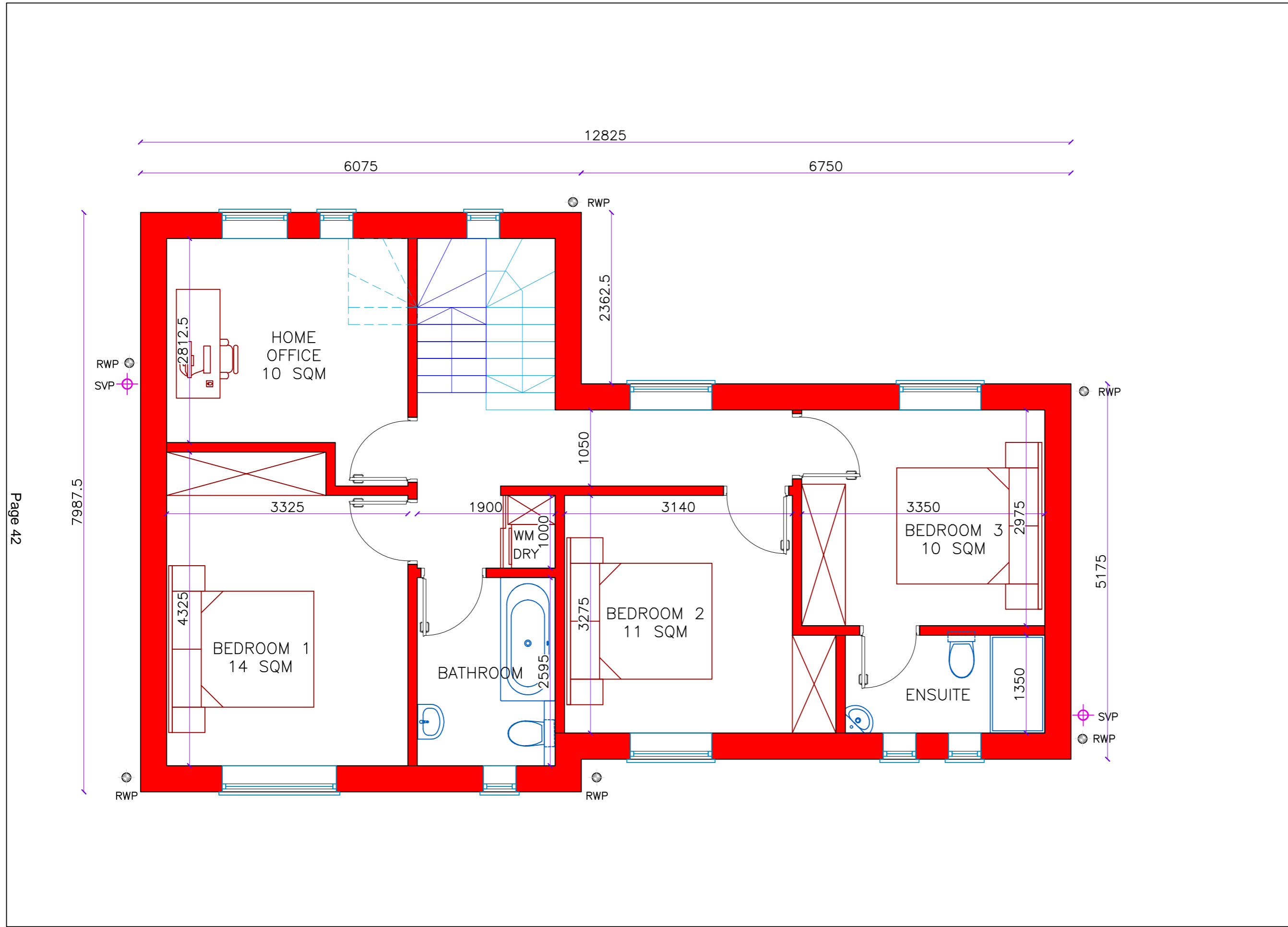
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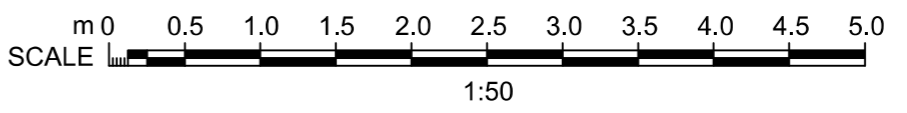


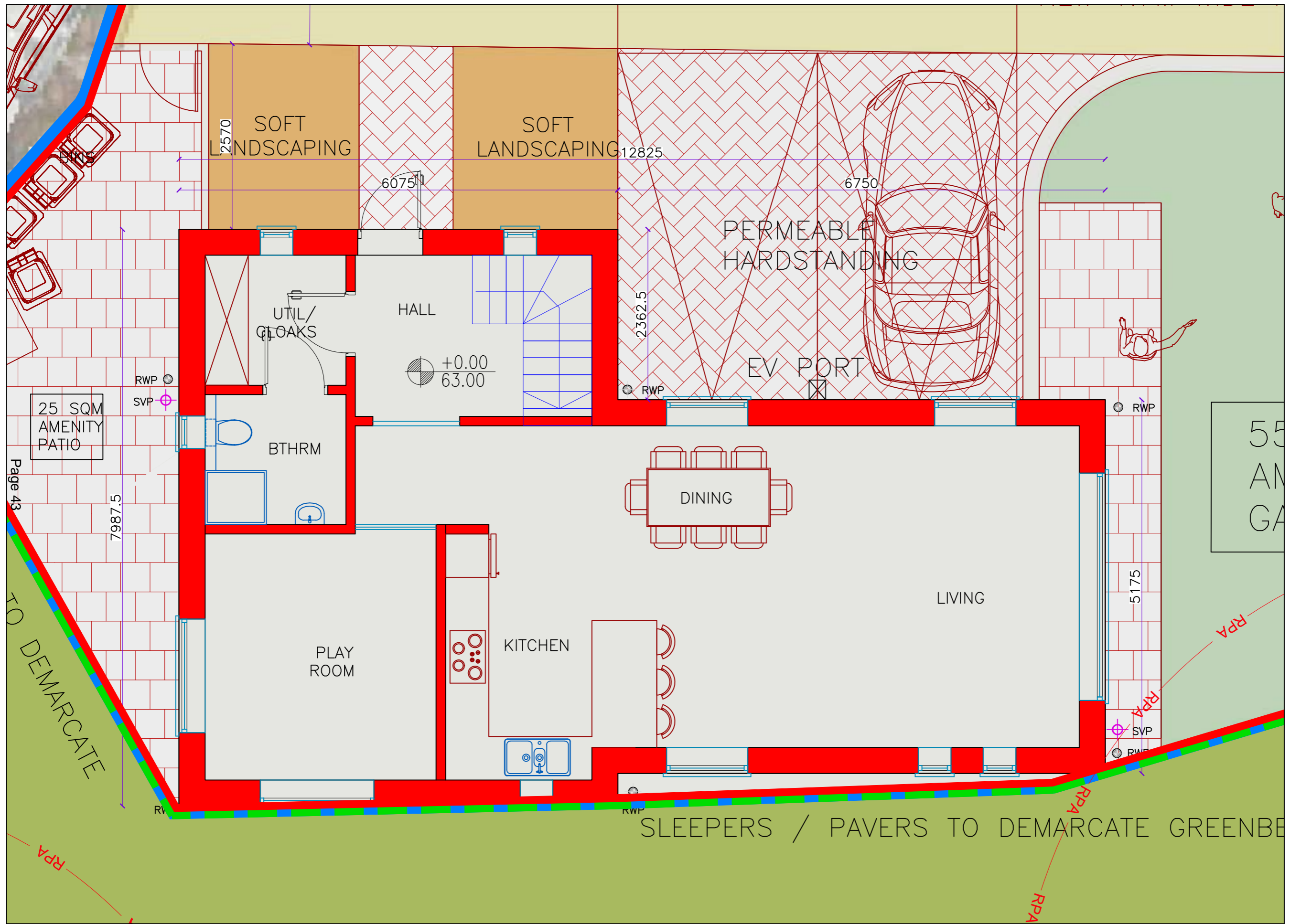
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Proposed First Floor plan





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Prestwich,  
Manchester  
M25 9QS

**PROJECT:**  
Erection of 1no.  
4-bedroom detached  
dwelling, inclusive of  
parking and landscaping

**Drawing Title:**  
Proposed Ground Floor

**ISSUE FOR:**  
PLANNING \_ REV D

REV	DATE	DESCRIPTION
R6		
R5	02/3/26	Planning_D
R4	19/2/26	Planning_C
R3	9/2/26	Planning_B
R2	23/11/25	Planning_A
R1	15/11/24	Pre App

**PROJECT:** HB\_71

**Drawing No:** 202

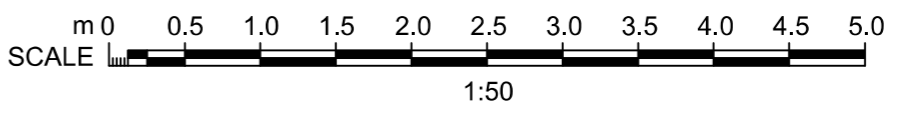
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Proposed Ground Floor plan



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**Ward:** Bury East - Moorside

Item 02

**Applicant:** Crown Gas & Power Limited

**Location:** Chamberhall Business Park, Magdalene Road, Bury, BL9 0JU

**Proposal:** Erection of office HQ with ancillary sport facilities (use class E(g)(i)) and mixed-use employment units (use classes B2, B8 and E(g)(ii) and (iii)) including associated parking, access and landscaping

**Application Ref:** 72790/Full

**Target Date:** 28/04/2026

**Recommendation:** Approve with Conditions

### **Description**

The Chamberhall site is located to the north of Bury Town centre and comprises 2.25 hectares. It is bounded by a road network of Magdalene Road to the north, Castlecroft Road to the east, Dunster Road to the south and Harvard Road to the west. The site is accessed via Peel Way and a traffic light controlled junction with Peel Way and Bolton Street .

The Chamberhall Business Park includes the police station, Bury fire station and to the north of the site, commercial/industrial units in a Class B1, B2 and B8 use which received full planning permission and formed part of a hybrid application (ref 63185) with outline consent granted for development within use Classes A1, A3, A4, A5, B1, B2, B8, C1 (hotel), D1 (creche) and D2 (gym). A reserved matters application was not progressed. This planning application relates to the site which was granted the outline planning consent for the mixed use development.

The site itself has not been maintained and comprises overgrown grassland with areas of tree growth and self-seeded vegetation, bounded by a knee high fence. A pond is located centrally and used for the wider site's surface water drainage.

The application proposes a mixed-use employment development comprising a 4 storey office building with ancillary sports facilities and the erection of 5 No. mixed use units in B2, B8 and E(g)ii and iii including associated parking provisions, access and landscaping.

The development would be split into two different areas of the site, separated by the pond.

### Proposed office building

In the western half of the site would be the proposed office building which would be the main office head-quarters for the applicant and their business. The building would have a gross external floor area of 4534 sqm over 4 floors.

The building would have a rectangular footprint and be orientated to run lengthways north to south, fronting Harvard Road and set back from the road by approximately 40m. Parking would be located to the front and sides of the building and would provide 193 spaces including 10 No. accessible spaces, 20 No. EV charge spaces, 48 No. cycle spaces and 2 no. motorcycle spaces. Access to the site would be off Harvard Road. The development also proposes ancillary sports facilities to provide an all weather 5-a-side football pitch and two padel courts.

At the ground floor, the majority of floor space would provide recreation for the staff including gym, changing facilities and canteen with break out office spaces and meeting rooms. The second and first floors would be largely office and meeting spaces. Approximately half the third floor would be for offices and meeting rooms, the other half for plant equipment and solar panelling.

Elevations would be contemporary and modern and materials limited to a simple palette of brickwork with aluminium cladding and aluminium framed curtain walling. Feature green walls would be added to the south, east and west elevations.

Proposed 5 No. mixed use employment units (Class B2, B8 and E(g)ii and iii - General industrial, storage or distribution, research and development and industrial processes).

The 5 No. units would be located in the eastern side of the site.

Parallel to the eastern boundary and Castlecroft Road would be a row of four units, Units A-D, each with a floor area of 447 sqm, designed as starter units for smaller businesses.

Unit E would be located at the top of the site next to the northern boundary and would be the larger unit with a floor area of 575 sqm.

Each unit would have a vehicular access door and the front elevations would comprise a light buff brickwork at the lower half of the units, horizontal band of dark grey cladding and vertical white cladding which would part wrap around the sides. The remaining side and rear elevations would be finished in a dark grey cladding.

Access to this part of the site would be created off Magdalene Road between units A-D and Unit E and would lead to a centrally shared service yard and turning area for larger vehicles. A total of 38 parking spaces including 5 accessible spaces, 10 EV charging spaces and 2 motorcycle spaces would be located to the front of each of the units and along the western boundary, together with 12 cycle spaces and bin store.

A large part of the proposed landscaping would be formed around the retained pond with other areas of landscaping along the site boundaries, planted with a mix of native and ornamental trees, native shrub and native hedgerows.

### **Relevant Planning History**

56827 - Proposed 2 storey office and warehouse (Class B1 (a) (b) and (c) and Class B8) including internal and external product display areas - Approve with Conditions 26/03/2014

59673 - Erection of VW car showroom with external display, compound and customer parking across two levels including workshop and valeting facilities - Approve with Conditions 02/06/2016

61732 - Extension to existing facility to provide additional warehouse area (Class B8/B2 use) with associated parking, landscaping and boundary treatments with new mezzanine floor added over existing warehouse to create new office area (Class B1 use) - Approve with Conditions 25/10/2017

62721 - Variation of condition nos. 15 and 16 of planning permission 61732 to allow the existing drain to be constructed over in accordance with the submitted build over agreement and method statement (condition 16 to be amended to reference the updated drainage plan) - Approve with Conditions 08/06/2018

63185 - Hybrid planning application comprising:

A full planning application for 5 buildings of up to 12,317 square metres to be used within Use Classes B1, B2 and B8 and associated works to include an access road, landscaping, car parking, servicing areas (Phase 1); and site preparation works, access, boundary treatments and associated works including engineering works (Phase 1a); and engineering works comprising site preparation works (Phase 2).

An outline planning application for development within Use Classes B1, B2 and B8 (Phase

1a) including details of access (all other matters reserved); and for development within Use Classes A1, A3, A4, A5, B1, B2, B8, C1 (hotel), D1 (creche) and D2 (gym), including details of vehicular access (all other matters reserved) (Phase 2) - Approved 7/2/2019  
 64930 - Non-material amendment following grant of planning permission 63185:  
 To include the low level retaining wall to the landscape zone north west of block D - Approved 23/12/2019  
 65165 - Erection of builders merchant building (Class B1/B2/B8) and associated works - Approve with Conditions 03/09/2021  
 67738 - Formation of 4 no. openings to facilitate the installation of 3 no. windows at first floor level and 1 no. window at ground floor level - Approved 9/12/2021  
 68699 - Construction of 2no. Buildings comprising 5no. Units to be used within Use Classes B1, B2 and B8 with associated works including access, car parking and landscaping - Approved 16/12/22  
 70671 - Variation of condition no. 2 (approved drawings) following approval of planning permission 68699 - Additional drawings for the construction of a pre-cast concrete retaining wall along western site boundary and rear of building (block A) - 16/7/24

**Publicity**

Letters sent to 58 properties on 30/1/26 and 2/2/26.

Three representations received with the following comments -

- Concern is the effect on the exit road to this industrial estate. Currently there is only one exit road from the estate which is used by all of Chamberhall business park and the Police & Fire stations. This road is congested at busy times already so the knock on effect of around 250 new jobs without layout improvements will be horrendous. It will also be detrimental to the emergency services leaving their stations to serve the town. Are there plans in place to improve the road layout in and around this development?
- Echo the concerns already raised regarding traffic management. The primary bottleneck is the signal timing at the top of the road, which currently allows only a limited number of vehicles to pass per cycle. Given the existing traffic volume, exiting the area during the evening rush hour has become a significant and time-consuming issue
- The plot of land is heavily populated with Wildlife - How will this be affected?
- When a previous development was built on Chamberhall in 2024/2025 there was a severe impact to ducks/frogs/newts/rabbits when their habitat was destroyed and they were also hit by speeding drivers. The swans on that patch of land in particular need to be considered.

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

**Statutory/Non-Statutory Consultations**

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

**Borough Engineer - Drainage Section** - No objection

**Environmental Health - Contaminated Land** - No objection subject to conditions

**Public Rights of Way Officer** - No objection

**Waste Management** - No response received

**Environment Agency** - No objection subject to an advisory note

**United Utilities (Water and waste)** - No objection subject to condition.

**The Coal Authority** - No objection

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

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

**Transport for Greater Manchester** - No objection.

**Planning & Building Regs consultation Fire Protection Dept Bury Fire Station (Part B)**

- No response received.

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

### **Development Plan and Policies**

NPPF	National Planning Policy Framework
EC1/3	Land Suitable for Business (B1)
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN6/3	Features of Ecological Value
EN7/2	Noise Pollution
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
HT6/3	Cycle Routes
SPD11	Parking Standards in Bury
JP-P1	Sustainable Places
JP-S1	Sustainable Development
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-C1	Our Integrated Network
JP-S2	Carbon and Energy
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-C2	Digital Connectivity
JP-J1	Supporting Long-Term Economic Growth
JP-J3	Office Development

### **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.

### **Policy considerations**

#### Employment - Unitary Development Plan

The site is allocated for employment use under Unitary Development Plan (UDP) Policy EC1/3 - Land Suitable for Business (B1) (now falling under Class E(g)), Office and Hotel/Conference facility Uses and specifically EC1/3/2 - Bury Ground.

Policy EC1/3 states that the Council will only allow development for the uses specified. Other uses will only be permitted in exceptional circumstances and in accordance with other policies and proposals contained within the UDP.

Whilst the range of uses proposed under this application are broader than the uses for which the site is allocated in the UDP, it is an employment led proposal and the other uses proposed (sports facilities) are ancillary and will support the larger business park. Furthermore, the principle of widening the scope of uses on the site has been previously accepted through the approval of planning application 63185.

On balance, the principle of the proposal is acceptable and not conflict with the adopted plan policy.

#### Employment - Places for Everyone

Places for Everyone (PfE) Policy JP-J1 supports long term economic growth and the diversification and resilience of the economy by encouraging investment in high-value sectors, enhancing local skills, and ensuring that growth is inclusive and well-connected. The proposal would contribute to Policy JP-J2.

Policy JP-J2 states that a diverse range of employment sites and accessible premises will be made available across the Plan area in terms of location, scale, type and cost. This will offer opportunities for all kinds and sizes of businesses, including start-ups, firms seeking to expand, and large-scale inward investment, which will help to tackle inequalities. The proposal would contribute to delivery of JP-J2.

#### **Site layout**

The proposed layout has been driven by the centrally located pond which has led to the site being split into two schemes which would also allow for ecological enhancements within the site.

The first scheme would deliver a new 4 storey head office for a commercial business which would be sited in the western half of the site. The building would have a linear form set back into the site with a new barrier controlled access formed towards the northern end. The development would also provide recreation facilities for staff with a 5 side pitch and 2 padel courts located to the north of the office block.

Parking would be located to the front and sides of the office building comprising a total of 191 No. spaces to include 10 accessible spaces, 20 EV chargepoints 2 motorcycle spaces and a cycle store for 48 cycles. Pedestrian footpaths to the site would provide connectivity to the surrounding and wider area.

Planting of native and ornamental trees and native hedges would feature along the site boundary with proposals to retain landscape and enhance the area next to the pond.

The second element proposes 5 commercial starter units in Class B2, B8 and E(g) ii and iii) uses.

These units would be located in the eastern part of the site.

Units A-D would form a row along the eastern boundary to Castlecroft Road with the larger Unit E set against the northern boundary. The units would share the service yard yet the proposed layout would allow each unit to operate independently with interruptions to their individual working operations. A new access would be created from Magdalene Road with parking to the front of the units and additional parking proposed to the western side which is considered to adequately serve the development.

This part of the site would be similarly enhanced by landscaping and planting with the existing knee high boundary fence replaced 'like for like' to maintain openness.

It is considered the proposed layout would maximise the potential of the site, providing a new headquarters office building and commercial units with associated facilities to meet future commercial and business needs. Formed on either side of the pond, the development would provide open greenspaces and landscaping which would enhance both the appearance of the site and contribute to its ecological value.

It is therefore considered the proposed development would be acceptable and comply with policies EC2/1, EC6/1, EN1/2 and PfE Policy JP-J1.

### **Design, scale and appearance**

Chapter 12 of the NPPF - Achieving well-designed places seeks the creation of high quality and sustainable buildings with good design a key aspect of sustainable development which creates better places to live and work.

Developments at Chamberhall include the police and fire station, the more recent units approved as part of the original Hybrid application and the commercial building to the west of the site, all of which contribute to the high quality business park.

#### Head office site

In terms of scale, the head office building is proposed to be 4 storeys high but with the third floor significantly set back which would reduce the massing but also functionally would allow for plant and renewable energy access. The building would also be set back into the site by approximately 40m which would provide some relief within the streetscene and relate well to the surrounding development when viewed in the wide context.

Intersections and protrusions within the elevations and balcony areas would add interest to the form and appearance of the building, and whilst a simplistic pallet of materials has been chosen, the integration of brickwork, aluminium cladding, framed curtain walling, defined glazed entrance and the addition of a distinctive feature green wall system would result in a quality office development.

The proposed padel courts, to the northern side of the office building, would sit within a total floor area of 480 sqm and the structure would have a height of 8.6m with a curved roof covering. The courts would be contained within a metal support frame with mesh and glass panel surrounds. The padel courts would be sited approximately 20m from the boundary to Magdalene Road and given the lightweight structure and location within the site considered not to be an over dominant feature of the development.

#### Commercial units site

The proposed units would reflect the scale and massing of the other commercial units found at Chamberhall, having a similar height and roof form. The front elevation and part of the side elevation would be light brick at the lower half, with a horizontal dark grey panel cladding and a mix of white and dark grey vertical cladding to the upper elevations. The remaining side and rear elevations would feature a wrap around grey vertical cladding. Whilst the purpose of the units is to provide functional and usable work spaces, the type of materials which would be used and the way they would be arranged within the elevations would provide interest and deliver a contemporary and modern development.

It is therefore considered the design, scale and appearance of the proposed builds would deliver a high quality office and commercial development which would integrate well and reflect the existing built form within the Chamberhall site.

It is therefore considered that the proposed development would be acceptable and comply with policies EC6/1, EN1/2, JP-S1 and the principles of the NPPF.

### **Impact on the surrounding area**

The site is located within a Business Park and as such there are would be no residential neighbours affected by the development.

The nearest buildings to the site would be the fire station, commercial units to the north, LGC building to the west and the police headquarters to the south.

Whilst the head office building would be 4 storeys in height it would be set at a lower level to the police station and set back into the site from the frontage and as such would not appear over dominant within the Chamberhall site or the setting of the area. The scale of the commercial units would be comparable to the height and massing of the other units to the north on Harvard Road.

It is therefore considered the proposed development would not have significant impacts on the amenity of the adjacent buildings and businesses.

### **Highways issues**

Located within Chamberhall Industrial Estate, the site is accessed via Peel Way and traffic controlled junction which is part of the key route network in this area of Bury leading to routes into and out of the Borough.

The applicant has submitted a Transport Assessment and Transport for Greater Manchester (TfGM) have been consulted on the development proposals.

### **Transport for Greater Manchester (TfGM) response**

TfGM HFAS (Highways Forecasting Analytical Services) and TfGM UTC (Urban Traffic Control) have reviewed the Transport Assessment (TA) and provided initial comments in respect of the relevant sections.

#### Highways overview

##### I. Trip Generation

A trip generation exercise has been undertaken using TRICS. The choice of sites seems appropriate and the resulting two way vehicle trips are 73 in the AM peak and 70 in the PM peak. These projected values potentially exceed the junction threshold. TfGM would expect further analysis to be undertaken, which is included in the TA.

##### II. Trip Distribution

Trip distribution diagrams were advised to be expanded to include any junction which is likely to see an increase of 30 or more vehicles as a result of the development. TfGM would recommend that these junctions are modelled, so that the impact of the development can be understood.

##### III. Highway Assessment

Highway assessment has been undertaken for the following junctions:

- Harvard Road / Magdalene Road
- Harvard Road / Dunster Road / Employment Access Roundabout

Assessment has been undertaken for 2025, 2026 and 2030. Growth has been applied using NTEM for MSOA Bury 008. The TA states that trip rates have been obtained for the "Weekday PM and Saturday Peaks" and that once calculated, "an adjustment was

applied to provide a local growth rate". TfGM would seek clarification on these points as a quick interrogation of TEMPRO with the same parameters results in different growth factors to those reported in the TA.

The modelling results show that these junctions are likely to remain within capacity in 2030 with the development flows.

A sensitivity assessment has been undertaken to understand the impact of only B2 development. The assessment results in an additional 26 two way AM peak trips and 14 two-way PM peak trips, when compared to the B2/B8 split scenario. TfGM would agree that the impact of this on the junctions which have been assessed would be negligible, given that these junctions operate well within capacity in each assessment scenario.

However, TfGM would suggest that further junction assessment is undertaken for any junction which exceeds an additional 30 vehicle per hour as a result of the development and a sensitivity assessment should be undertaken for considering B2 only development for these junctions.

#### IV. Proposed Internal Access Arrangements

The TA confirms that the site will be served via a new priority controlled junction off Harvard Road (to the west) and a new priority controlled junction off Magdalene Road (to the north).

In terms of car parking provision, 229 total parking spaces are proposed to serve the site, split between standard bays, EV charging bays and disabled parking bays. Swept path plans are contained within the TA appendices which demonstrate that the largest intended service vehicle can enter and exit the site in forward gear, carrying out turning manoeuvres within the car park.

TfGM would refer to the Local Highway Authority (LHA) to determine whether the proposed access, car parking and servicing arrangements are acceptable.

#### V. Traffic Regulation Orders

This has been noted in Section 1.3 of the TA but a review does not seem to have been undertaken.

#### VI. Other

A robust Construction Traffic Management Plan should be employed as part of the development.  
This would be conditioned.

#### Site Accessibility

##### I. Public Transport

The nearest bus stops to the site are located on Bolton Street, approximately 400m from the site. These stops provide regular services to Bury, Rochdale and Ramsbottom. Bury Interchange is located around a 20-minute walking journey from the site and provides services along the green and yellow lines. It is considered that there are some public transport options available to future users of the site.

## II. Active Travel

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

To establish travel patterns at the beginning of occupation and encourage modal shift to sustainable modes of travel, it is important to ensure the facilities are in place to support sustainability. Therefore, improvements to the pedestrian environment are required to help encourage the uptake of active travel modes by future employment and it is recommended that access point(s) serving the site should be designed to ensure the provision of tactile paving and dropped kerbs (if not already in place).

## III. Cycle Parking

The TA states that a total of 60 cycle parking spaces are to be provided as part of the development. The cycle store should be suitable for long-stay cycle parking, which is lockable and covered, located in a central accessible location, with sufficient lighting and CCTV.

## IV. Travel Plan

A Travel Plan has been developed and provided as part of the application.

### **Update to the above TfGM response**

In response to the junction modelling TfGM has requested be carried out, the applicant has provided additional information and put forward a case as to why they consider this to be unnecessary.

- The previously approved outline Phase 2 application for Chamberhall included a number of employment, retail and commercial uses including hotel and gym. The current proposals for the site are for an employment development, consistent with the allocation on the site, with a lower quantum of development than the previous outline application.
- The submitted TA undertook traffic surveys and assessments of the proposed site access junctions and the roundabout junction to the south of the site and an assessment was also carried out of the assignment of trips where it was concluded that very few new trips would be distributed through the network, marginally exceeding the 30-trip threshold.
- The previously approved outline phase 2 development had demonstrated that more traffic would be added to the highway network and which added vehicle trips onto junctions that already exceeded capacity. This was accepted.

To summarise, the applicant has set out that there would be no additional background traffic and less development traffic added as a result of the development.

TfGM have considered the applicant's case and assessment and from the information provided, are satisfied that no further modelling needs to be undertaken. Whilst TfGM would usually expect modelling to be undertaken on any junction where the development is likely to cause an additional 30 vehicles per hour or more, which the resulting distribution work suggests is likely to happen, TfGM consider the applicant has clearly demonstrated that both the background growth and the development are likely to be less than the previous

application and therefore TfGM would expect the impacts to be less than previously anticipated.

No further information is therefore required.

### **Local Highway Authority (LHA) response**

#### **Access and servicing**

The LHA have reviewed the submitted site plan, the proposed new accesses to serve the two schemes and the servicing arrangements proposed for the commercial units.

The proposed access to the head office site would be controlled by a barrier which would be set back into the site to avoid obstructions on the local highway and this is an acceptable solution.

To the commercial site, the access would be formed off Magdalene Road with a new kerb radius. This access would be off-set to the entrance to the fire station which would be an acceptable solution to avoid conflicts with other vehicles as far as possible. The servicing yard would be shared between the 5 units which would have a 15m turning radius suitable for a 10m rigid size vehicle which would serve the units which is stated in the Transport Assessment. A condition would be included for the submission of a delivery management plan to include confirmation that delivery vehicles to the mixed-use employment units (Units A - E) shall not exceed the size of a 10m rigid type (HGV) vehicle.

#### **Parking**

The development proposes to deliver a total of 229 parking spaces including accessible spaces and EV chargepoints which would exceed the requirement in SPD11 and therefore provides additional capacity for visitors and any overflow parking.

This is considered to be an acceptable provision for the scale of development proposed.

In terms of non car travel, the site is located approximately 10 mins walk from Bury Town centre and links to public transport.

Chamberhall also connects to a National Route Network and staff would be encouraged to use this form of sustainable travel and would provide secured cycle storage and changing facilities.

Subject to conditions and approval of technical details, the LHA have no objections to the proposed development.

It is therefore considered the proposed development would be acceptable and would comply with policies EC6/1, HT2/4, JP-C5, JP-C6, JP-C8, SPD11 and the principles of the NPPF.

#### **Ecology**

The applicant has submitted a preliminary ecological assessment, arboricultural report and BNG metric.

Greater Manchester Ecology Unit have been consulted and responded as follows.

#### **Summary**

There is a significant deficit in biodiversity units that may impact the viability of the development. Other ecological issues include bats, nesting birds, other wildlife, Himalayan balsam and protection of Chamberhall Lake during construction.

### Bats

A bat report has been provided. One very large tree on the site, proposed for removal, was assessed as having bat roosting potential. A snapshot of bat activity indicated only very low numbers of common pipistrelle utilising the site. An aerial inspection of the tree proposed for removal, found no evidence of bats, with the hole providing the potential for a maximum of two bats. It was concluded that precautionary working measures would be adequate during felling of the tree to remove the risk of a negative effect on bats. GMEU have no reason to doubt the findings of the report and accept the recommendations. It is recommended that the felling of T6 is carried out as proposed in section 5.1.1 of the Bat Surveys report by Rachel Hacking Ecology, reference RHE.4607 and conditioned as part of any permission.

Sensitive external lighting has also been recommended around the boundaries with the lake. GMEU note however that there is no significant road or car parking adjacent to the lake and there was only very low levels of common pipistrelle bat activity, a species that is not significantly effected by lighting. GMEU are therefore satisfied that the risk of negative effects would be low. No further information or measures are required.

### Other Protected Species

Great crested newt surveys came back as negative. No evidence of any other protected species was found or suspected, in-line with previous surveys. The 2023 Middlemarch report does however note that otter are likely present in the River Irwell and could theoretically travel over to the lake to forage. GMEU would however regard this risk as very low. No further information or measures are required.

### Nesting Birds

One very large tree and some scrub would be lost potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU recommend a condition 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 scrub and dense grassland on the site provide potential cover for small mammals such as hedgehog and amphibians such as common toad. GMEU agree with the consultant that reasonable avoidance measures during site clearance and during construction are justified and therefore recommend a condition is applied to any permission that prior to any vegetation clearance or earthworks, a precautionary working measures method statement for mammals and amphibians during the development shall be provided to and agreed in writing by the LPA.

### Invasive Species

Himalayan balsam and rhododendron were recorded on the site. Japanese knotweed was recorded during early phases of the development of Chamberhall, but now appears to have been controlled. The rhododendron also appears to fall just outside of the site. All three species are listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended). It is an offence to cause any such species to spread in to the wild.

Requesting eradication of the himalayan balsam would be unreasonable as it is present on the adjacent land. An offence could however occur, if seed or soil contaminated with seed, was accidentally carried off-site. GMEU therefore recommend control and biosecurity measures during construction and that a condition is applied to any permission that prior to

any machinery on-site, vegetation clearance or earthworks a method statement for the control of and biosecurity protocols for himalayan balsam will be provided to and agreed in writing by the LPA.

#### Protection of Chamberhall Lake

This historic landscape feature was significantly modified at the start of the Chamberhall redevelopment (around 20 years ago) to act as flood storage body for the development. It is still however a feature of ecological value. GMEU therefore recommend it is protected during construction from dust, debris, sediment and pollution. This would form part of the construction and environmental management plan and could be conditioned.

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

Section 187 of the NPPF 2024 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021).

The development would result in the loss of a relatively large area of moderate value grassland to development. The site was stripped of vegetation in around 2019 including a significant loss of trees the grassland having developed since then. As the damage occurred prior to 2020, the previous habitats cannot be taken in to account. Soft landscaping includes small areas of moderate value grassland and the planting of trees and scrub. Wildlife mitigation for loss of bird nesting and bat roosting habitat is proposed.

The development is not exempt from biodiversity net gain. A metric and assessment have been provided. This indicates a shortfall of 9.72 area based units to achieve 10% net gain a relatively significant number for a development of this size. There are no hedge or river units. There is at least one error in the baseline with the very large tree T6 shown as retained, when it is in fact lost. This increases the shortfall to 10.63.

With regards the post development habitats, the landscape plan and BNG assessment appear to be in alignment, but the main concern is ensuring the 0.5 ha of created other neutral grassland achieve good condition. This is fairly high risk for an amenity area, where some public pressure is likely to occur and the soils on site are not natural, the site having been reclaimed historically as a public park from industry. It is not however impossible and therefore if the developer is willing to provide the required input it would not be a reason to object. There appears to be limited opportunity for any additional creation or enhancement on the site, unless the applicant extend the red edge to include the adjacent land and enhance these areas for biodiversity.

GMEU therefore recommend that prior to determination, the developer confirms they are aware and capable of purchasing the large number of off-site units required and whether they have considered including additional land currently outside the development footprint which is currently tightly drawn.

The applicant has provided an amended BNG metric calculation, BNG letter of support and information regarding other neutral grassland. The ecologist also confirmed the soil analysis could be conditioned.

GMEU have assessed the information and have no further issues, the developer has amended the metric as recommended and is prepared to purchase the required number of units.

Whilst arguably the applicant has not fully addressed the mitigation hierarchy, the habitats on-site are of very recent origin, with the highest value trees retained. The site has

undergone significant disturbance on and off over the last 15 years and therefore no strong justification for arguing more should be retained on the site.

A 30 yr habitat management and monitoring plan would be required for the other neutral grassland, urban tree planting and mixed scrub. GMEU recommend a section 106 is utilised to control the HMMP or at least cover the monitoring fees of what are a significant number of on-site units. This is however for the LPA to decide.

To discharge the statutory biodiversity gain condition the applicant will need to:

- Provide the biodiversity gain plan utilising the defra template,
- Have purchased the required number of off-site units and registered them with defra, (Note GMEU do not recommend early purchase in case the layout changes ie final registration of purchase with defra, should not occur until there are no likelihood of any further amendments to the on-site layout),
- Provide the final version of the statutory metric with the developers sections of the start page completed and
- Provide the final pre-commencement HMMP. (Note the HMMP is not a fixed document and can be amended post permission as long as 10% net gain is still achieved).

With regards to wildlife mitigation and enhancement, GMEU note the provision of bird and bat boxes currently just off-site and hibernacular on-site and would regard the bat boxes and hibernacular as adequate and could be conditioned. More bird boxes should however could be provided. The final details can be provided via condition.

### **Crime impact statement (CIS)**

A statement has been provided and in the Executive Summary, Design for Security (DfS) consider the proposed layout to be acceptable subject to consideration to provide secure perimeter fencing to the office and industrial sites, access controlled gates and secondary fencing to the padel courts and 5-a-side pitch and control of the access into and around the office building and units.

The applicant proposes to install 1.8m high anti climb weld mesh paladin fences round the commercial/industrial development with buildings fitted with secure gates and personnel gates. The office development would have manned security and the site would be constantly under surveillance by robust CCTV camera coverage which would be linked to intruder systems and located to cover open areas and potential dark spots and anti vandal 'dusk til dawn' lights would promote natural surveillance over the site. Buildings would be secured with intruder alarms and fitted to a high standard security specifications for windows and doors.

The physical security specifications and measures recommended in the report would be included as an informative.

### **Carbon and Energy**

Policy JP-S2- Carbon and Energy requires new development to be net zero carbon in relation to the developments operational carbon emissions. Development proposals should set out how this has been achieved in a Carbon and Energy statement in accordance with the energy hierarchy.

The policy also requires new development to incorporate adequate Electric Vehicle Charging (EVC) points.

The applicant has submitted an Energy Statement which details how the development would achieve optimum energy performance.

The development would focus on maximising natural daylight and ventilation, using energy efficient and recyclable materials, low energy lighting, heat recovery systems and pv panels.

The head office building and Units A-E would satisfy the requirements of Part L 2021 of Building Regulations.

The proposed development would therefore accord with policy JP-S2.

### **JP-C2 - Digital Connectivity**

This policy requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting.

The applicant states that all new telecoms would be high speed fibre optic to suit the anticipated needs of a B2/B8 or office development.

The proposed development would therefore accord with policy JP-C2.

### **United Utilities (UU)**

All options for the sustainable management of surface water must be thoroughly investigated before United Utilities will accept any surface water connections from new development to the public sewer. Where a new surface water connection to the public sewer is proposed, UU will require robust evidence to demonstrate the drainage hierarchy has been fully investigated and there are no more sustainable options available for the management of surface water.

Noting this is a full application, UU request that the applicant provides a detailed drainage plan, and that United Utilities has had the opportunity to review and comment on this plan prior to determination of this application.

Where the application be recommended for approval, UU recommend a drainage condition for the submission of a drainage strategy to be approved prior to the commencement of development.

This is considered to be an acceptable approach.

It is understood that discussions are currently taking place between UU and the applicant to finalise and agree a drainage strategy.

### **Local Lead Flood Authority**

- Confirmation of the surface water discharge arrangement, including whether the proposed discharge (and any alteration to existing controls) requires consent from the Environment Agency where flows ultimately discharge to the River Irwell, and written confirmation that the proposed discharge is acceptable.
- Details of exceedance flow routing, demonstrating how surface water flows in events exceeding the design capacity (including extreme rainfall with climate change allowance) would be safely managed and directed away from nearby critical infrastructure, including the Police and Fire Stations.

The applicant has supplied a response to the above points and after review the LLFA have nothing further to add.

The EA have confirmed the proposals fall under the EA's Flood Risk Standing Advice and no additional written confirmation from the EA with regards to flood risk is necessary.

### **Environment Agency**

No objection in principle to the proposed development and has confirmed that the proposal

falls within the category of "lower risk" development for which Flood Risk Standing Advice applies. They also advised that their standard Flood Risk Standing Advice should be referred to by the Local Planning Authority when determining this application, and that they do not require further consultation on flood risk matters.

The EA would provide an advisory note to the applicant with regards to any off-site movements of waste and to follow the Environmental protection (Duty of care) Regulations 1991. This would be included as an informative.

### **Coal Authority**

The application site falls marginally within the defined Development High Risk Area (DHRA). Information indicates that a coal seam is conjectured to outcrop at or close to the surface within the south western corner of the site, dipping in a south westerly direction, which may have been worked in the past. Such workings can pose a risk to surface stability and public safety.

It is evident that no built development is proposed within the small part of the site which falls within the DHRA. As such, the Coal Authority would not expect the submission of a Coal Mining Risk Assessment in support of the application. The conclusion on the matter is reflected in Section 4.4 of the accompanying Phase 1 Desk Study (9 January 2024, prepared by Civic Earth) which advises that 'a Coal Mining Risk Assessment is not necessary in accordance with CA guidance.

In light of the above and based on the submitted information, the Coal Authority raise no objection to this planning application and recommend an informative note is included on any planning permission decision notice issued to contact the Coal Authority should any mining related issues arise.

### **GMAAS response**

Historic mapping shows that the site boundary partially overlaps with the former grounds/formal gardens of Chamber Hall house. The area has little potential to further our archaeological knowledge of the house itself, and the gardens are of a low level of significance when regarded in terms of their potential to inform on research interests in the North West Historic Environment Research Framework.

The remainder of the site has negligible potential to contain features or deposits of an archaeological origin due the location of former industrial-related reservoirs across the site, the formation of which will have severely truncated or removed any surviving archaeological remains. Any interests related to water management features between the reservoirs are not included within the red line boundary.

On this basis there remains no reason to seek to impose any archaeological requirements upon the applicant.

### **Response to objections**

- TfGM have assessed the proposed development and are satisfied that the junctions the site and local highway network would not be significantly affected to warrant any mitigation measures.
- GMEU have been consulted and subject to mitigation measures and precautionary working measures to be secured by conditions and informatives have no objections to the proposed development.

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

The 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 and documents -

Plans - 24.180.02-BA-00-DR-A -

Location plan 1001 P03  
Proposed site plan 1003 rev P15  
Development areas site plan 1004 P04  
Key floor plans 2001 P08  
Unite A-D plans and elevations 2003 P04  
Unit E plans and elevations 2004 P01  
Proposed roof plans 2005 P03  
Proposed elevations 3001 P08  
Proposed visuals 3002 P03  
Proposed site sections 4001 P02

#### Others

Proposed 12 no. cycle store - 24.180.02-7004-P01  
Proposed 48 no. cycle store - 24.180.02-7006-P01  
Site plan - padel courts - 4.180.01-BA-XX-DR-A-1105 P01  
Soft works plan (1 of 2) 5648 01 rev C  
Soft works plan (2 of 2) 5648 02 rev C  
Impermeable area plan 24312-PWA-00-XX-DR-C- 1001 P02  
Foul & Surface Water Drainage Design Drawing 24312-PWA-00-XX-DR-C-1002,  
Rev P02 - Dated 22.08.25 prepared by PWA

#### Supporting documents

Revised transport assessment report 3700225 rev B March 26  
Amended statutory BNG rev D  
BNG letter statutory units 16 Feb 26  
Invasive species survey  
Bat survey 2025  
Preliminary Ecological appraisal rev C 2025  
Energy statement office unit 6342-KGA-XX-XX-RP-ME -0001 P02  
Energy statement Units A-E 6342-KGA-XX-XX-RP-ME-0002 P02  
Digital connectivity statement  
Civic Earth Phase 1 Desk Study E1006-CE-XX-XX-R-G-1000 P02 dated 9 Jan

2024

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

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

3. No development hereby permitted (except 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).

This condition can be satisfied in phases.

4. No development hereby permitted (except 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).

This condition can be satisfied in phases.

5. The development hereby permitted within any approved phase shall not be occupied/brought into use until the works relating to land contamination detailed below are fully completed:

I. Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.

II. 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).

This condition can be satisfied in phases.

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

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

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

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

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

This condition can be satisfied in phases.

7. New buildings other than residential or mixed use and more than 10 spaces
  - A minimum of 1 no. electric vehicle (EV) charging point (minimum 7kW\*) and at least one in every five remaining parking spaces must be provided with cable routes.

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

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

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

8. No development shall commence unless and until a scheme to minimise dust emissions has been submitted to the Local Planning Authority for approval. The scheme shall include details of all dust control measures and the methods to monitor emissions of dust arising from the development. The development shall be implemented in accordance with the approved scheme with the approved dust control measures being retained and maintained in a fully functional condition for the duration of the development hereby approved.

Reason. To reduce the impacts of dust disturbance from the site on the local air quality and the environment in accordance with paragraph 187e of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

This condition can be satisfied in phases.

9. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Standards for Sustainable Drainage Systems (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall be in accordance with the National Standards for Sustainable Drainage Systems (2025) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. Information not submitted at application stage. To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies EN7/3 - Water Pollution, EN7/5 - Waste Water Management, JP-S4 and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

This condition can be satisfied in phases.

10. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

1. a non-technical summary;
2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
4. the management measures to maintain habitat in accordance with the

approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

5. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

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

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

11. The felling of T6 shall be carried out as proposed in section 5.1.1 of the Bat Surveys report by Rachel Hacking Ecology, reference RHE.4607.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6/3 – Features of Ecological Value and Chapter 15 of the National Planning Policy Framework.
  
12. 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.
  
13. Prior to any machinery on-site, vegetation clearance or earthworks a method statement for the control of and biosecurity protocols for himalayan balsam shall be provided to and agreed in writing by the LPA. The approved method statement shall thereafter be implemented in accordance with the approved details.  
Reason. To ensure the safe and satisfactory development of the site pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
  
14. No development shall commence unless and until a detailed Construction Environment Management Plan, including measures to protect the lake from dust, debris, run-off and pollution, have been submitted to and approved by the Local Planning Authority. The approved measures only shall be implemented prior to the commencement of development and retained throughout the construction period.  
Reason. To ensure the safe and secure development of the site in relation to the nature conservation of particular ecological significance of the lake pursuant to Bury Unitary Development Plan Policies EC6/3 - Features of ecological interest and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

This condition can be satisfied in phases.

15. The development hereby approved shall be carried out in accordance with the softworks plans dwg 01 rev C and dwg 2 rev C and the provision of the bat boxes as detailed on the proposed plans. In addition to the bird boxes detailed on the approved plans, a further two bird boxes shall be provided over the site and the head office building shall incorporate swift bricks.  
The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree

planting season,; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted. The bat and bird boxes shall thereafter be maintained.

Reason. To secure the satisfactory development of the site and secure ecological enhancements pursuant to policies EN6/3 - features of Ecological Value, EN8/2 - Woodland and Tree Planting and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

16. The development hereby approved shall be carried out in accordance with the materials detailed on the proposed elevations plans dwg no. 24.180.02-BA-00-DR-A-2003 P04, dwg no. 24.180.02-BA-00-DR-A-2004 P01 and dwg no. 24.180.02-BA-00-DR-A-3001 P08.

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

17. Notwithstanding the details indicated on approved plan reference 24.180.02-BA-00-DR-A-1003 Revision P15, no development shall commence unless and until full details of the following have been submitted to the Local Planning Authority on a topographical survey of the site and adjacent adopted highways:

1. Formation of the site access onto Magdalene Road serving Units A - E (mixed-use employment units), incorporating adequate kerb radii that ensures entering HGV's do not encroach on the opposing side of the road whilst manoeuvring (supported by a revised swept path analysis), rising arm barrier set back a minimum of 5.0m from the back of the footway/adopted highway boundary and tactile paved crossing points.
2. Formation of the site access onto Harvard Road serving the 'office HQ', incorporating adequate kerb radii that ensures entering HGV's do not encroach on the opposing side of the road whilst manoeuvring (supported by a revised swept path analysis), rising arm barrier set back in the position shown relative to the back of the footway/adopted highway boundary and tactile paved crossing points.
3. Provision of 2.4m x 33m visibility splays at the junctions of the two site accesses with no obstructions above the height of 0.6m within them, incorporating any alterations to the boundary treatments proposed.
4. Replacements of the boundary knee rail shown including foundation details confirming no projections under the adjacent adopted highway.
5. All associated highway remedial/accommodation works required as a result of the proposed development and statutory undertakers connections to the site.
6. Measures and scheme of works to ensure that surface water is not discharged from the private shared access roads/car park accesses onto the adjacent adopted highways.

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

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure the intervisibility of the users of the site and the adjacent adopted highways, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to policies EC6/1, JP-C5, JP-C6 and JP-C8.

This condition can be satisfied in phases.

18. 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 and as a result of statutory undertakers connections to the site.
  2. Access route for all vehicles to the site from the Key Route Network.
  3. Access point(s) for construction traffic from Harvard Road/Magdalene Road and all temporary works required to facilitate access for ground works/construction vehicles.
  4. If proposed, details of site hoarding/gate positions clear of required visibility splays onto the adjacent adopted highway.
  5. The provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway.
  6. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access(es) onto Harvard Road/Magdalene Road.
  7. Confirmation of hours of operation and number of vehicle movements.
  8. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres.
  9. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials.
  10. Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

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

Reason. To maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and ensure that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to policies EN1/2 and JP-C8.

This condition can be satisfied in phases.

19. The vehicular and pedestrian access arrangements, turning facilities and bin storage/collection arrangements within the curtilage of the site indicated on the approved plans shall be provided before the development is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
- Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to policies EC6/1, JP-C5, JP-C6 and JP-C8.

This condition can be satisfied in phases.

20. The car and two wheeled vehicle parking and cycle storage arrangements indicated on the approved plans shall be surfaced, demarcated (as appropriate) and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.

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

This condition can be satisfied in phases.

21. Prior to commencement of the mixed employment phase of development (Units A-E) a 'Delivery Management Plan' for that phase shall be submitted to and approved in writing by the Local Planning Authority confirming that delivery vehicles to the mixed-use employment units (Units A - E) shall not exceed the size of a 10m rigid type (HGV) vehicle. The approved plan shall only be implemented and maintained thereafter.

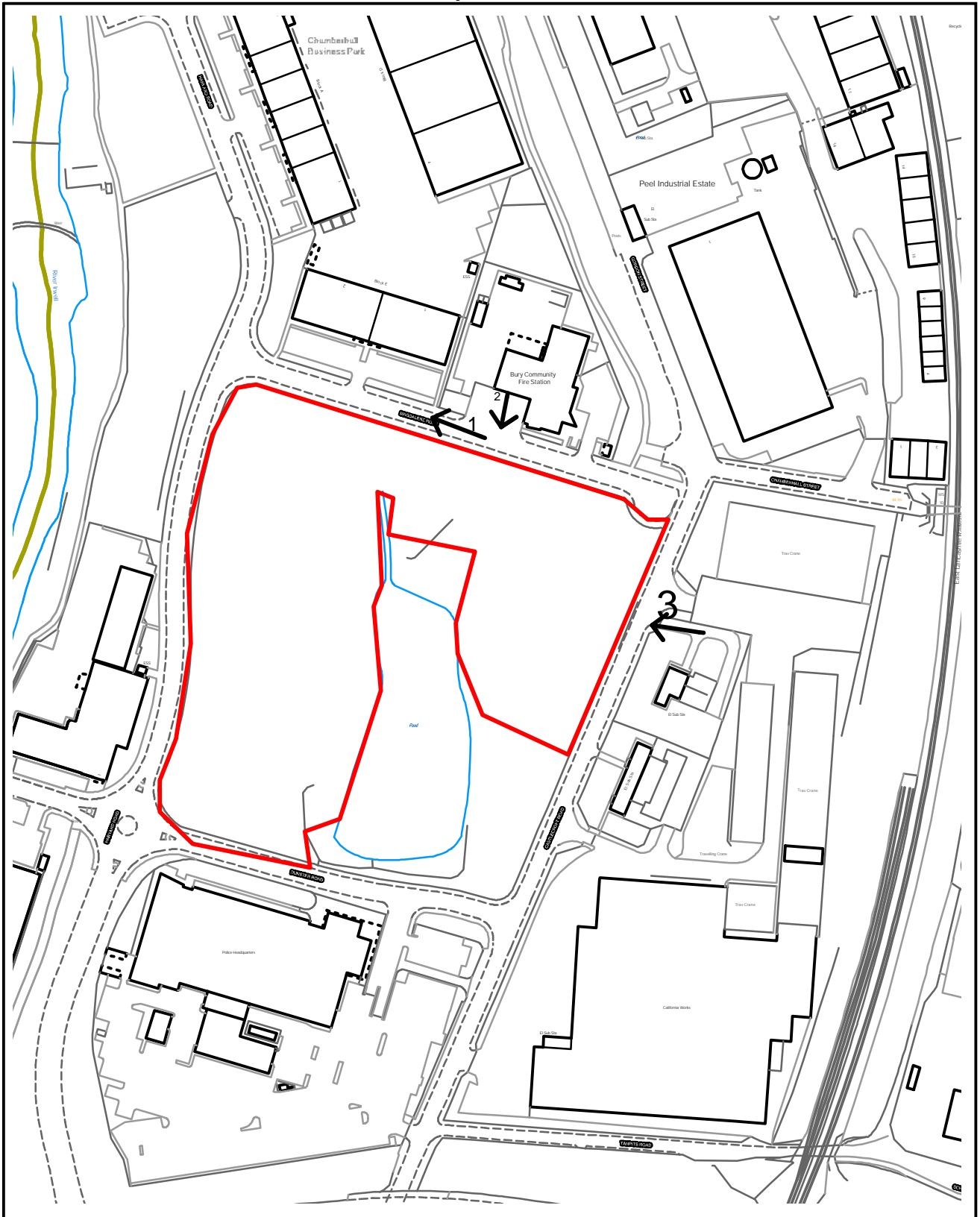
Reason. In the interests of highway safety and to ensure that no Heavy Goods Vehicles larger than the proposed servicing design vehicle will serve the site pursuant to policies EC6/1, JP-C5, JP-C6 and JP-C8.

22. Where development is to be carried out in a phased manner, the developer shall submit a phasing plan as to how the development would proceed. The conditions subject to this permission can be applied for in phases.

Reason. To ensure conditions to make the development acceptable are achievable and reasonable to deliver pursuant to the principles of the NPPF.

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

# Viewpoints



**72790**

ADDRESS: Chamberhall Business Park  
Magdalene Road, Bury



**Bury**  
Council

Planning, Environmental and Regulatory Services

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Photo 1



Photo 2

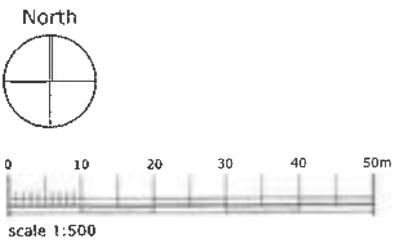


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Photo 3



no.	date	description
01	11.11.24	original issue
02	27.11.24	0&7 headcounters increased in spec, spec office building omitted, car parking layout increased to suit demand
03	17.12.24	0&7 headcounters updated to suit car park, speculative units updated and recreational spaces shown
04	02.01.25	site plan updated to suit speculative unit design
05	19.02.25	site plan updated to suit 0&7 headcounters, unit type and 0&7 headcounters
06	26.03.25	updated to suit revised development boundaries
07	01.04.25	updated to include new unit F and associated services
08	17.04.25	updated to suit landscaping and location of fences
09	18.07.25	additional context information shown
10	06.08.25	footpaths location amended and cycle parking provision increased
11	05.01.26	the block changed to Barrowclough Architects Ltd
12	13.01.26	updated to reflect changes made on plans and elevations, some panels introduced on office roof
14	23.03.26	site access to units moved, updated to reflect new access
15	23.03.26	red line boundary updated to suit imposed access



**Barrowclough Architects Ltd**  
 architecture interiors masterplanning  
 www.barrowclough-architects.co.uk

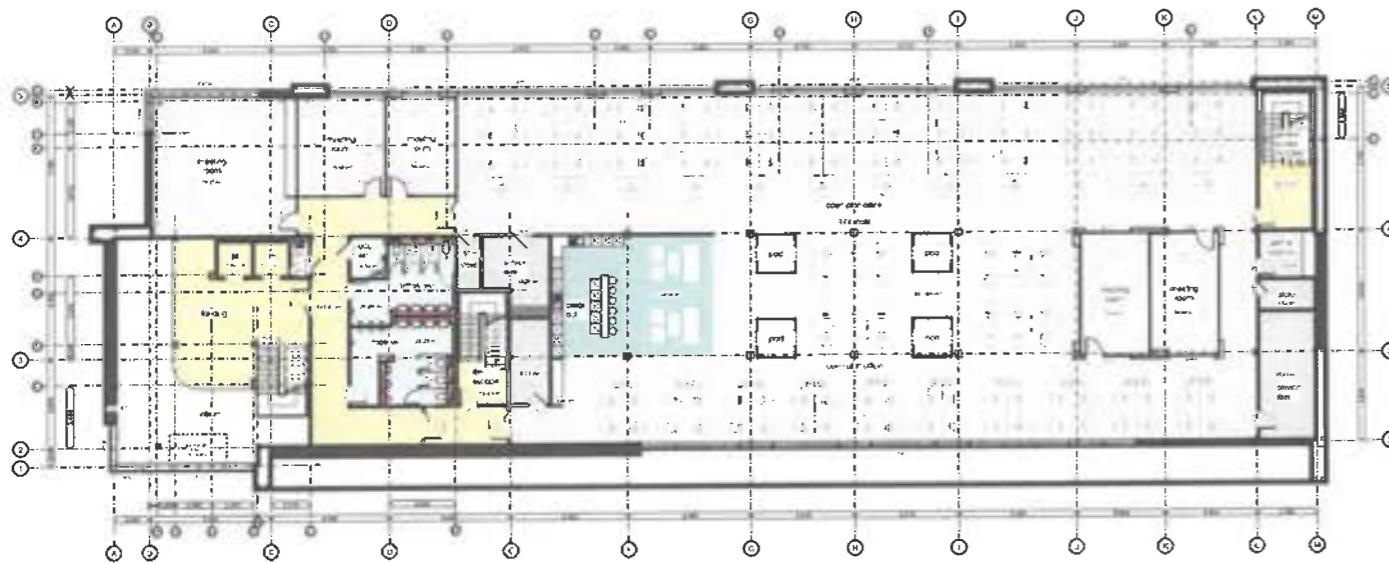
client: crown gas and power

project: new office building  
 dunster road, bury, BL9 0JU

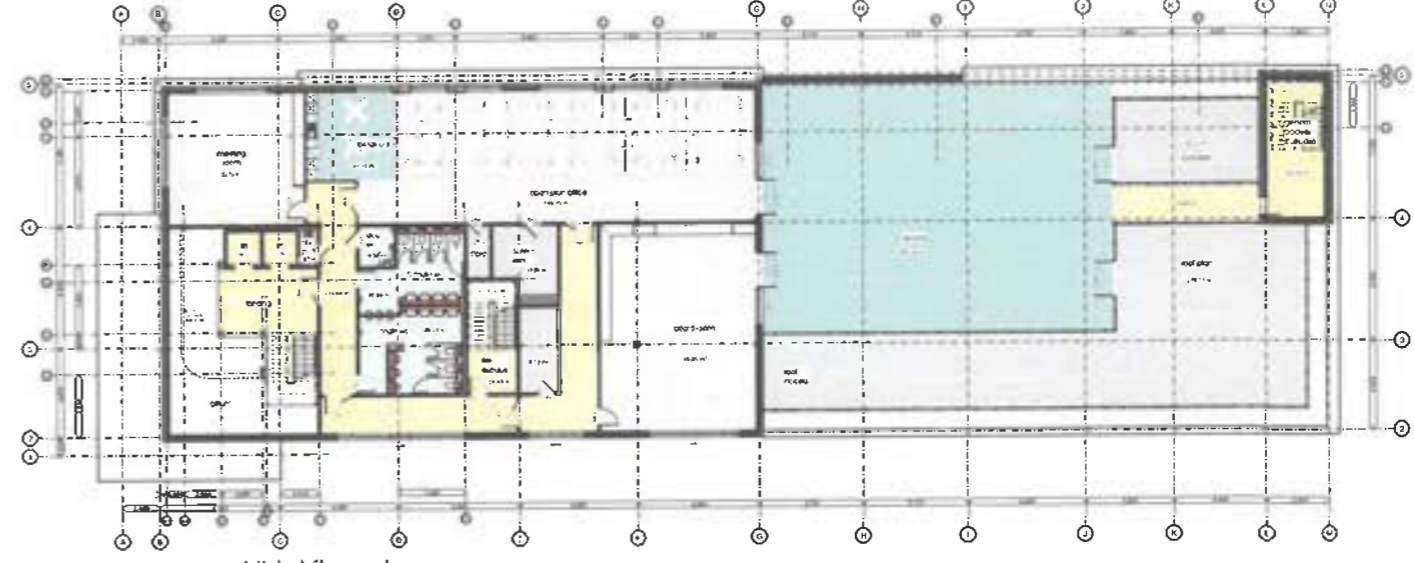
sheet: proposed site plan

sheet no.	24.180.02-BA-00-DR-A-1003	sheet	P15
scale	1:500 @ A1	status	WIP
date	21.11.24	drawn by	JB

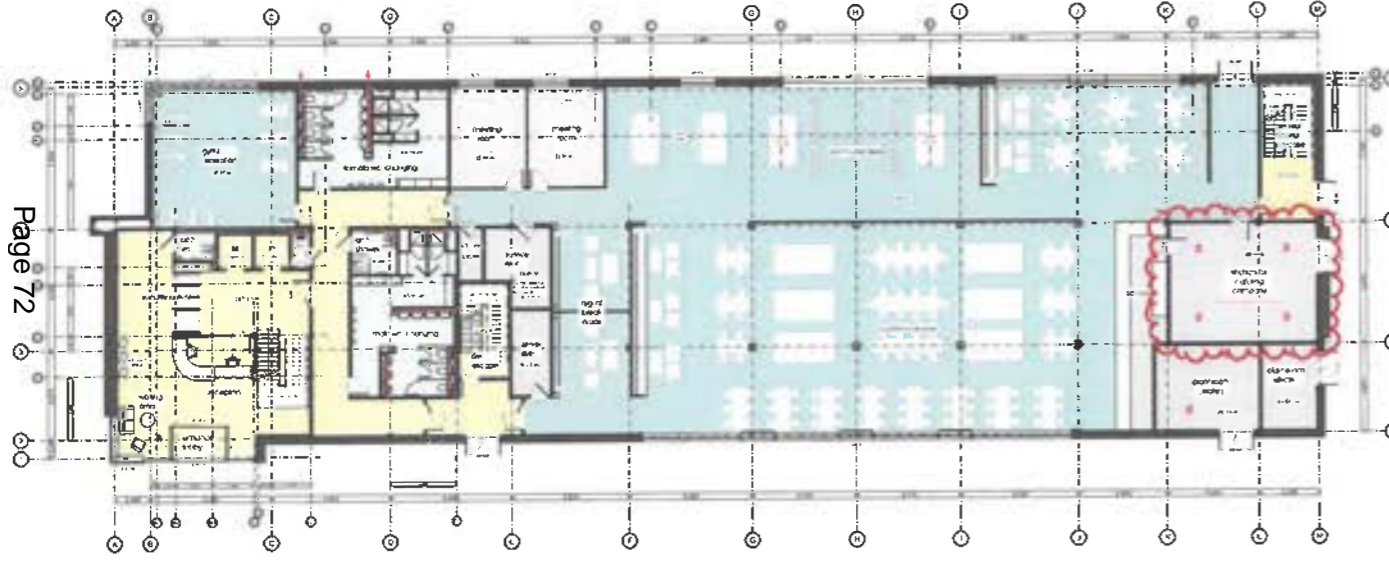
no.	date	description
01	10.12.24	original issue
02	16.12.24	updated to surt civil feedback
03	19.02.25	grid lines shown, updates to surt and to include accessible layout
04	26.03.25	updated to surt M&S comment
05	15.04.25	updated to include solar shading
06	19.04.25	layout updated following client requirements meeting
07	25.01.26	fire door changes to doors through fire tech 01
08	09.02.26	updated to reflect changes to the main entrance



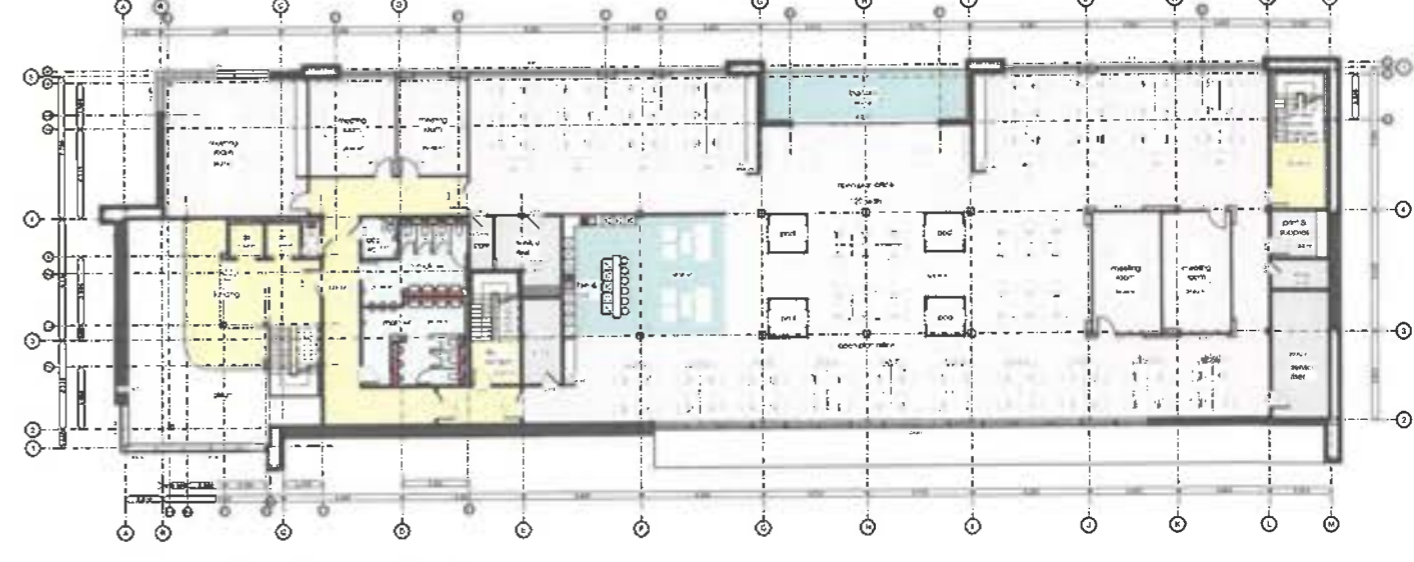
proposed first floor plan 1:200



proposed third floor plan 1:200

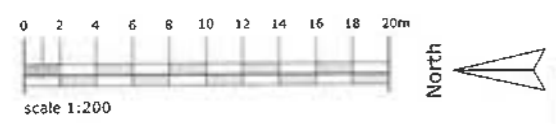


proposed ground floor plan 1:200



proposed second floor plan 1:200

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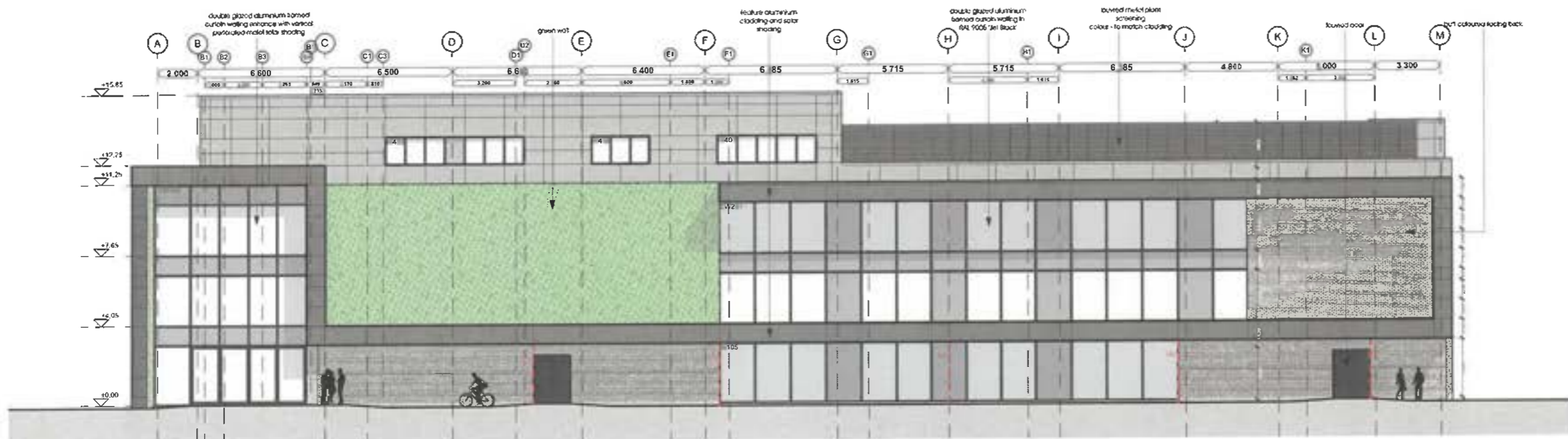


GROUND FLOOR		FIRST FLOOR		SECOND FLOOR		THIRD FLOOR		SECOND FLOOR EXTERNAL		THIRD FLOOR EXTERNAL	
	office/meeting space	45.05m <sup>2</sup>		office/meeting space	790.19m <sup>2</sup>		office/meeting space	782.27m <sup>2</sup>		office/meeting space	243.64m <sup>2</sup>
	toilets/changing	99.76m <sup>2</sup>		toilets/changing	51.62m <sup>2</sup>		toilets/changing	51.62m <sup>2</sup>		toilets/changing	51.62m <sup>2</sup>
	circulation	205.84m <sup>2</sup>		circulation	162.68m <sup>2</sup>		circulation	162.68m <sup>2</sup>		circulation	156.55m <sup>2</sup>
	recreation	698.79m <sup>2</sup>		recreation	59.56m <sup>2</sup>		recreation	59.56m <sup>2</sup>		recreation	29.51m <sup>2</sup>
	storage/services	149.72m <sup>2</sup>		storage/services	61.71m <sup>2</sup>		storage/services	61.71m <sup>2</sup>		storage/services	28.53m <sup>2</sup>
	<b>total GIFA</b>	<b>1,198.86m<sup>2</sup></b>		<b>total GIFA</b>	<b>1,125.76m<sup>2</sup></b>		<b>total GIFA</b>	<b>1,117.84m<sup>2</sup></b>		<b>total GIFA</b>	<b>503.67m<sup>2</sup></b>
<b>GROSS INTERNAL FLOOR AREA - 3,964.99m<sup>2</sup> / 42,678 SQFT</b>											

**Barrowclough Architects Ltd**  
 architecture interiors masterplanning  
 www.barrowclough-architects.com

client: crown gas and power  
 project: new office building  
 dunster road, bury, BL9 0JU

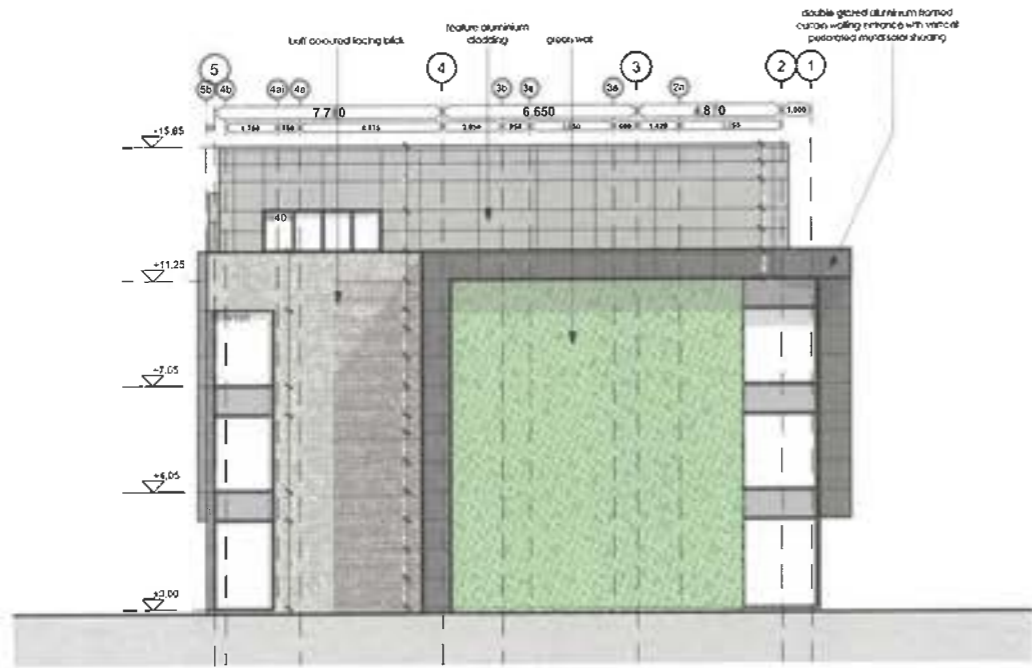
key floor plans	
24.180.02-BA-00-DR-A-2001	P08
scale: 1:200 @ A1	status: WIP
date: 02.12.24	drawn by: jd



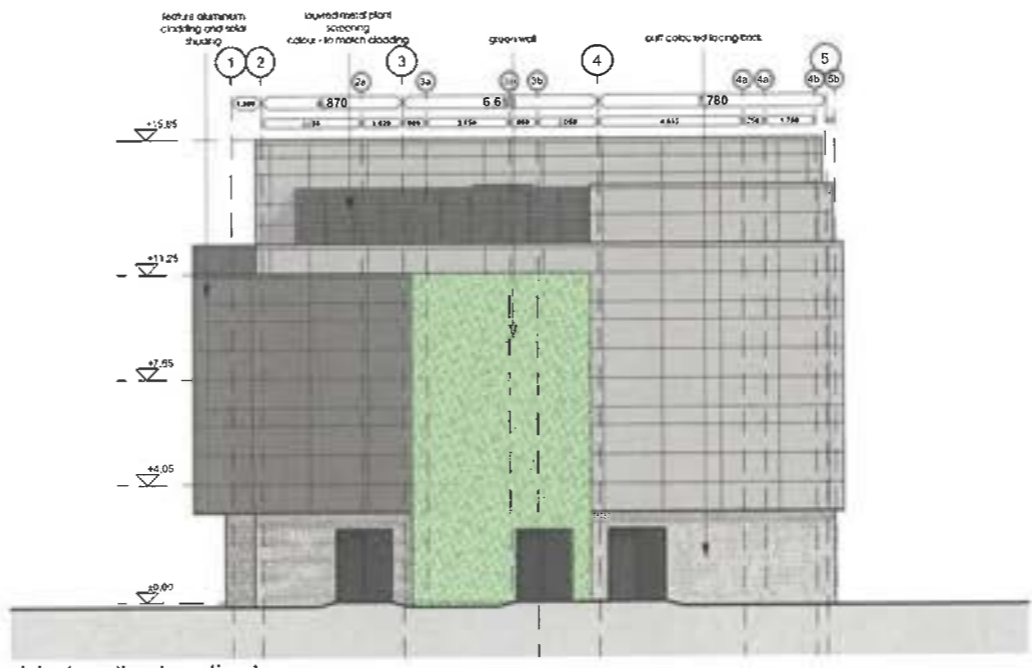
front (west elevation) 1:125

revision notes

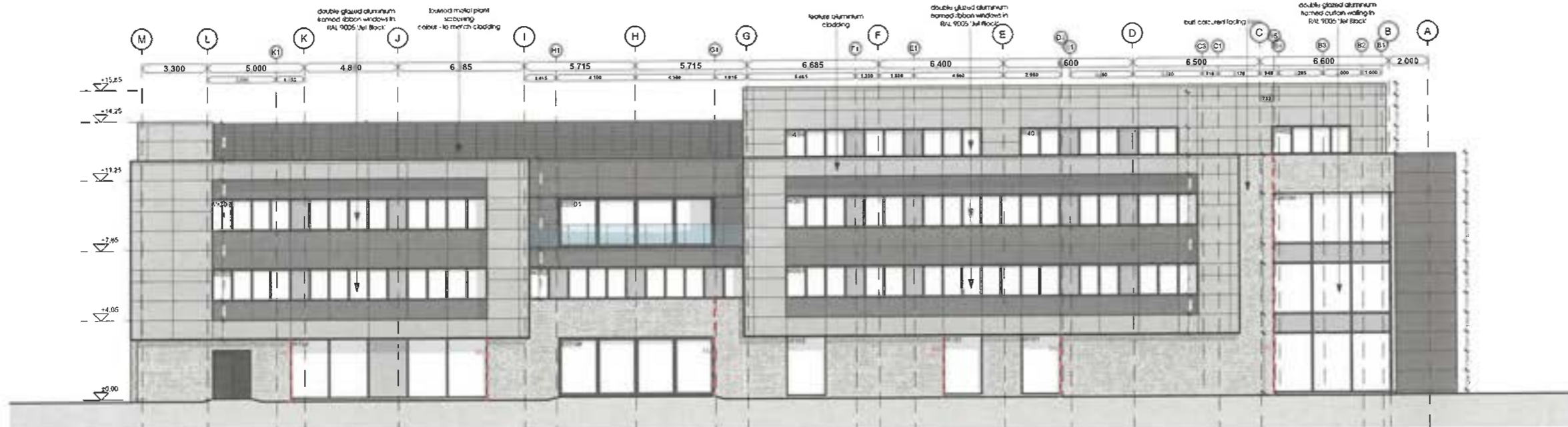
no.	date	revision
01	1.1.25	original issue
02	16.12.24	updated to suit latest floor plans
03	19.07.25	updated to show glazing
04	28.05.25	updated to suit latest floor plans
05	15.04.25	updated to include solar shading
06	19.04.25	updated to suit latest layout
07	05.01.25	The block changed to Barrowclough Architects Ltd



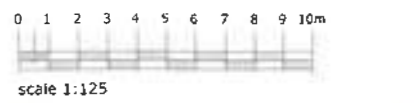
side (north elevation) 1:125



side (south elevation) 1:125



rear (east elevation) 1:125



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 project: new office building  
 dunster road, bury, BL9 6JU

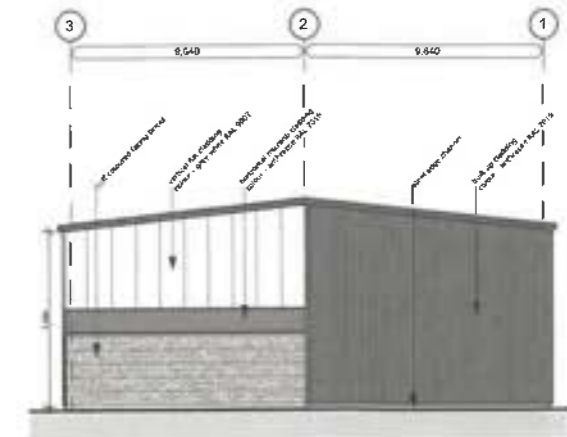
sheet: proposed elevations

drawing no.	24.180.02-BA-00-DR-A-3001	sheet	P08
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date	07.04.25	drawn by	lg

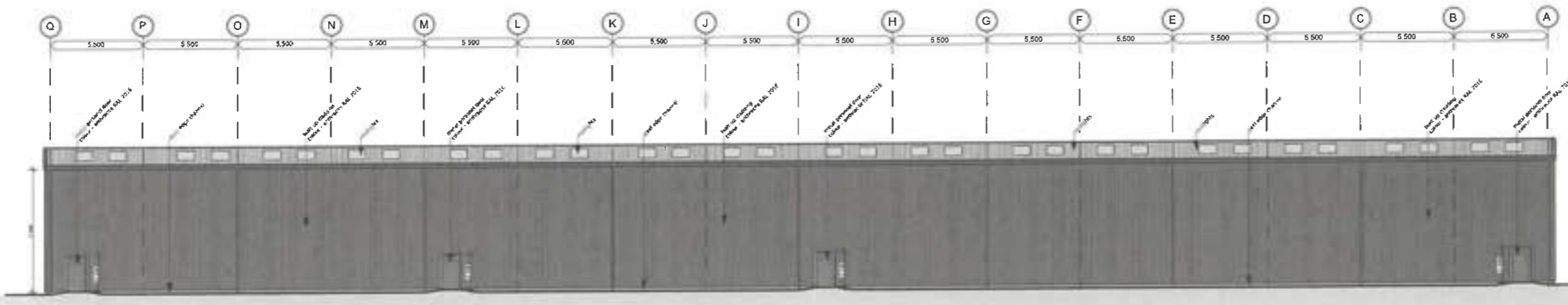
no	date	description
01	1.1.20	original issue
02	19.02.25	updated to suit BREBAM comments
03	26.02.25	with client included, final approved
04	01.04.25	additional windows removed
05	01.04.25	to be changed to Barrowclough Architects Ltd



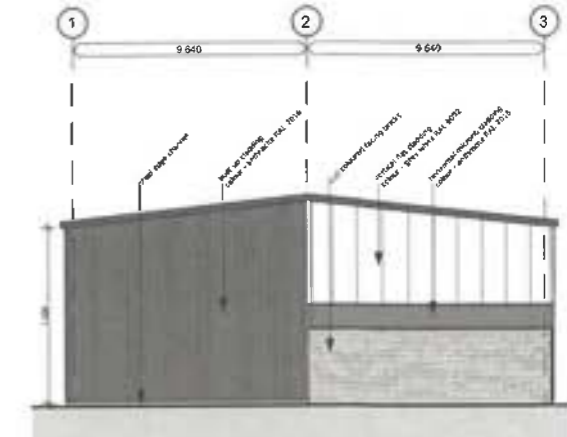
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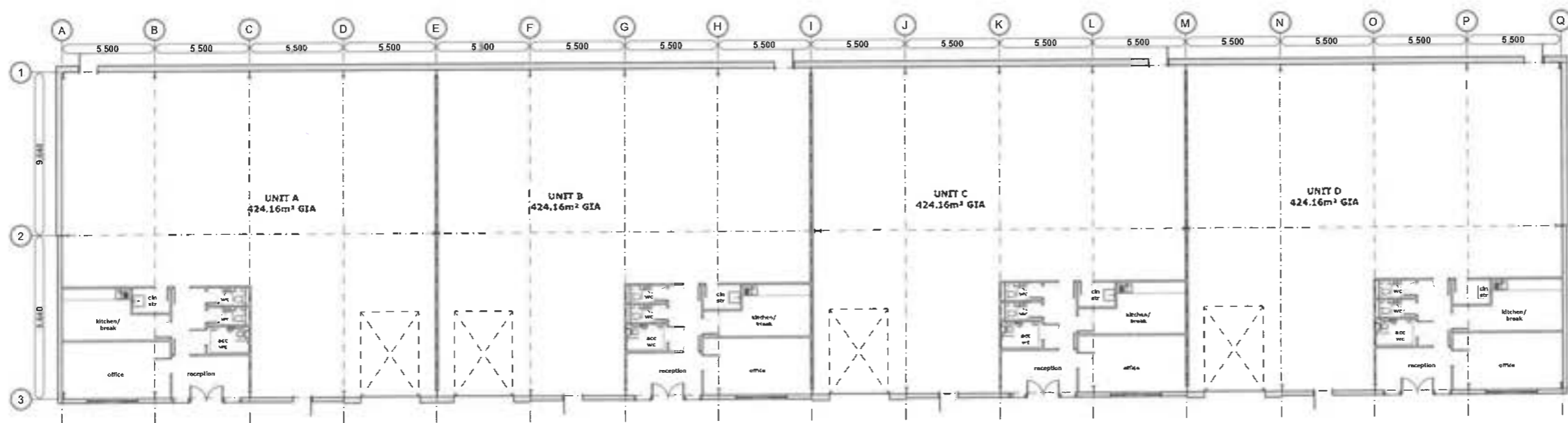
proposed side elevation 1:150



proposed rear elevation 1:150



proposed side elevation 1:150



ground floor plan 1:150

Page 74

0 1 2 3 4 5 6 7 8 9 10m

scale 1:150

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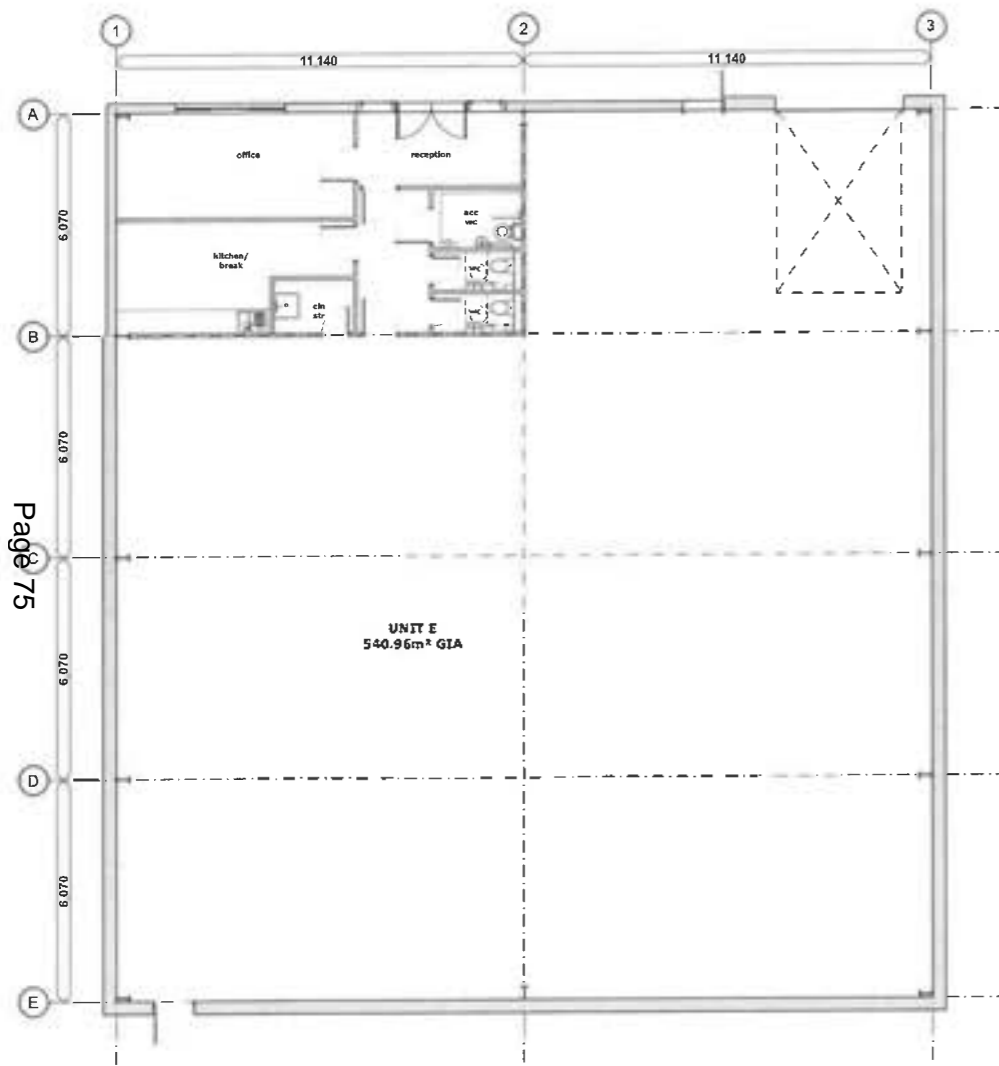
client: crown gas and power

project: new office building  
 dunster road, bury, BL9 0JU

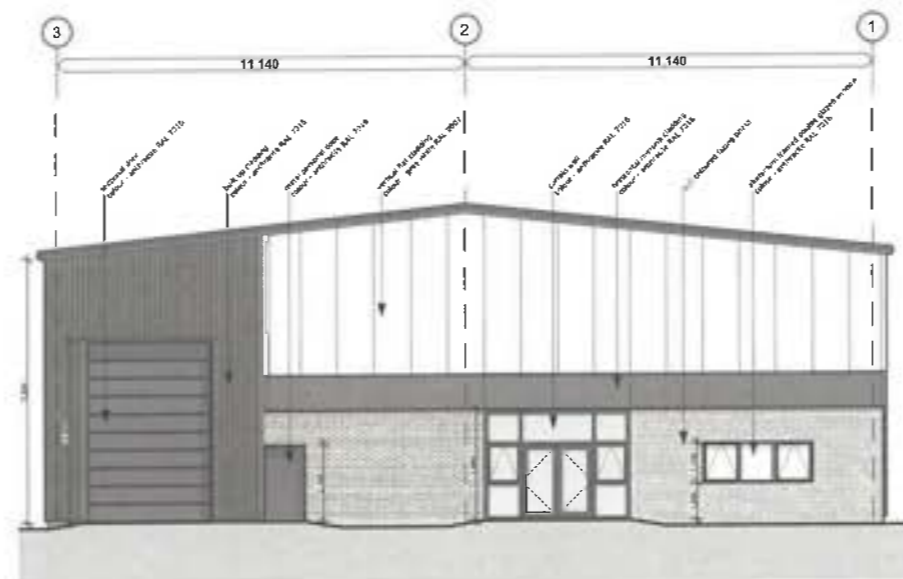
units: units A-D plans and elevations

project no	24.180.02-BA-00-DR-A-2003	sheet no	P04
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date	02.01.25	drawn by	lg

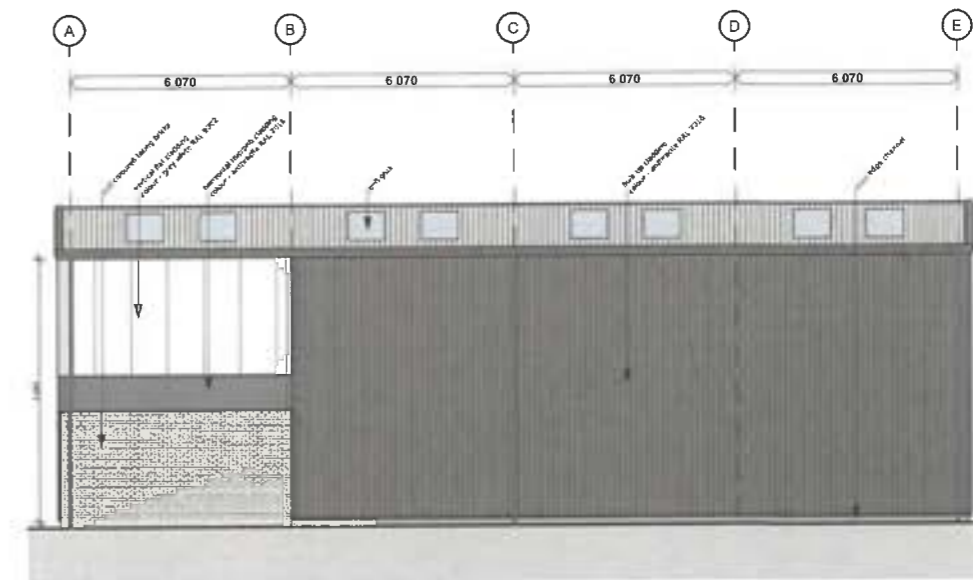
revision notes	
01	05/01/20
02	05/01/20
03	05/01/20



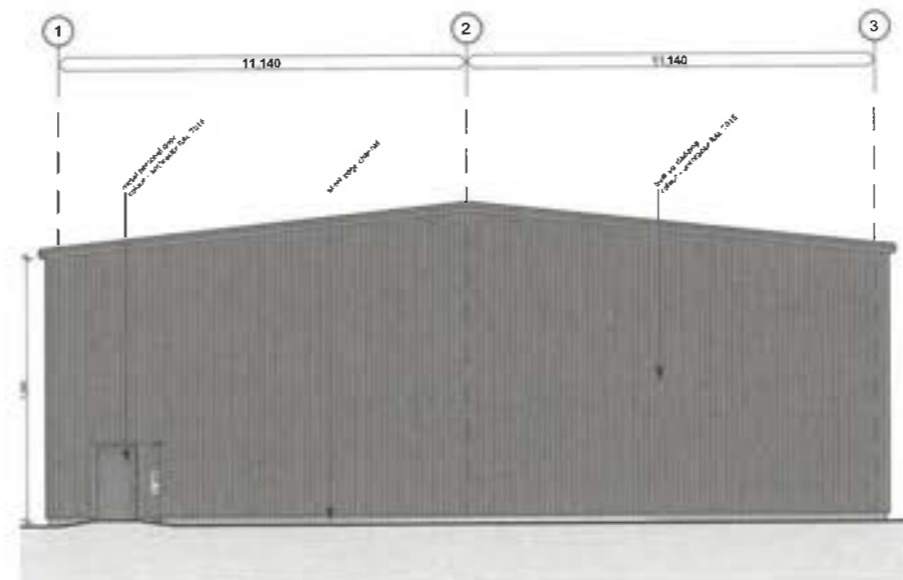
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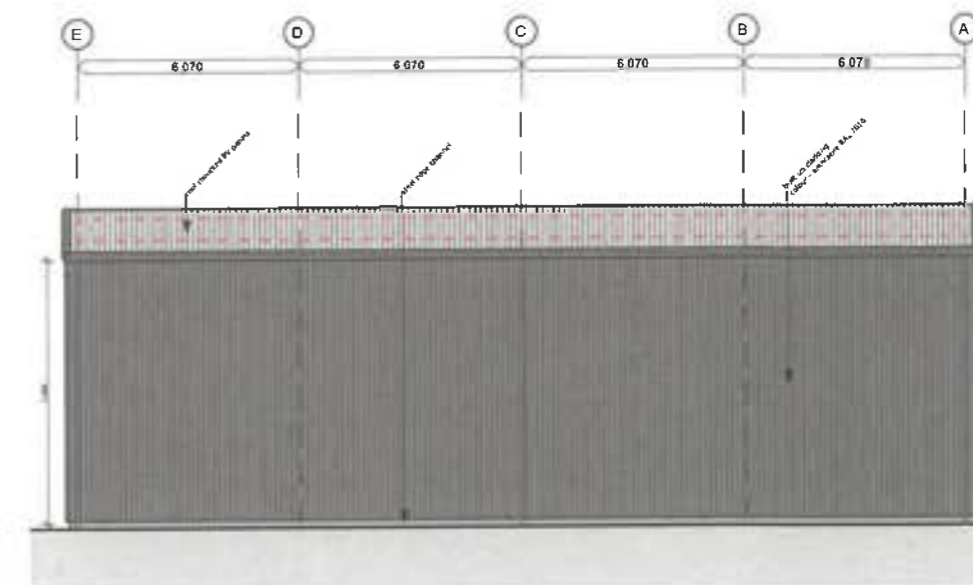
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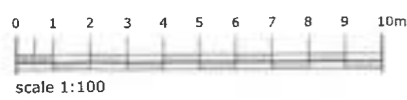
proposed side elevation 1:100



proposed rear elevation 1:100



proposed side elevation 1:100



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client: crown gas and power

project: new office building  
 dunster road, bury, BL9 0JU

sheet: unit E plans and elevations

drawing no:	24.180.02-BA-00-DR-A-2004	sheet no:	P01
scale:	1:100 @ A1	status:	WIP
date:	01.04.25	drawn by:	lg



proposed front



proposed front



proposed rear



proposed front

**Ward:** Prestwich - Sedgley

**Item 03**

**Applicant:** Ms C Miller

**Location:** 84 Windsor Road, Prestwich, Manchester, M25 0DE

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

**Application Ref:** 72816/Full

**Target Date:** 27/04/2026

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a detached dwelling located on Windsor Road. The premises has an area of hardstanding to the front that can be utilised for parking. An area of private amenity space is located to the rear. Residential premises are located to the front, side and rear of the site with the Metrolink Tram Line located to the north east side of the site.

Planning permission is sought for the change of use of the existing premises from dwellinghouse (Class C3 (a)) to residential children's home for up to three children (Class C2). No external alterations are proposed. 2no. members of staff are proposed during the day, however if the children's needs are higher there may on occasion be 3 staff. Due to the potential need for additional staff to be required on site a planning application, rather than Lawful Development Certificate has been submitted.

### **Relevant Planning History**

None

### **Publicity**

Letters sent to 9 neighbouring properties 04/03/2026.

Site Notice 06/03/2026

2 objections received in relation to:

- House was previously used for rehabilitation of adults which was terminated after complaints.
- Big problem in the area with anti-social behaviour, which is increased due to the location of the adjacent Tram Stop
- Inappropriate dwelling to use as a children's home.
- Residents would be allowed to have the freedom to go out and meet people.
- Not only is this worrying for residents but additionally poses massive safeguarding risks to the young people in the house.

Objection also received from Councillor Gold in relation to:

- Owing to the requirements for visits by social workers, care workers on shift patterns, care managers and other visitors the additional traffic and parking are not comparable to a typical family home. The increase in an already busy area will have a detrimental effect.
- Bury currently has an additional 400 additional children in care from outside the area on top of the Bury children already being cared for. This is putting an intolerable strain on specialist services and will mean an additional statutory housing responsibility for any

children when they reach 18 which becomes more difficult to meet with every new speculative home being opened in Bury.

- The environment is not ideal, given the area's history of anti-social behaviour, including incidents reported at the entrance to Bowker Vale Metro Station.

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

**Traffic Section** - No objections raised.

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

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

**Waste Management** - No response

**Greater Manchester Police - designforsecurity** - No objection. Raised points for consideration in relation to ensuring there is a robust management plan, commitment to utilising the off street car parking, possible temporary permission of the home and that any future alterations should be Secure by Design standards.

**Transport for Greater Manchester (Metrolink)** - No comments to make

**Pre-start Conditions** - Not relevant

### **Development Plan and Policies**

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
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
EN7/3	Water Pollution
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
H3/1	Assessing Non-Conforming Uses
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-P1	Sustainable Places
JP-S5	Clean Air
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
NPPF	National Planning Policy Framework
SPD13	Conversion of Buildings to Houses in Multiple Occupation
SPD11	Parking Standards in Bury
SPD6	Supplementary Planning Document 6: Alterations & Extensions

### **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 (Use)**

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

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

This is supported by Policy CF3 - Social Services, which states that the Council will, where appropriate, consider 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 H3/1 states that the Council will assess proposals for the development of non-confirming uses in primarily residential areas and will not permit proposals considered to be incompatible. Factors which will be taken into account when assessing such proposals will include noise, vibration, smell, fumes, smoke, soot, ash, grit, dust, visual intrusion, traffic generation and parking arrangements, and hours of operation.

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 to "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.

The proposal relates to a detached, 4no. bed property located within a well established residential area. The proposal seeks to utilise 3 of the existing bedrooms for children, with the fourth bedroom utilised as a staff bedroom/office. The application proposes to provide living accommodation for children in a setting that would be as close to a family environment as practicable. The property would not be required to be extended and permanent residents (i.e. the children) and up to 3no. staff would occupy the dwelling. 2 no. staff would sleep at the property over night in a manner broadly akin to occupation by a family.

The Planning Statement submitted in support of the application confirms that the ranges of the children would be from 8 to 18 years old, although average ages is expected to be around 12 to 16 years and that children would be placed at the property by the Council. The intention is to provide settled placements where children stay for 3 - 4 years, rather than providing an emergency rest bite facility.

The Planning Statement confirms that there would be 2no. members of staff in the day, however if the children's needs are higher there may on occasion be 3 staff. Through the night there would be 1 waking night support and 1 sleep-in member of staff. The sleep-in member would complete a 2 on 4 off shift pattern, on day one working from 10:00 - 23:00 and on day two from 08.00 – 23.00. The waking night member would work from 23.00 – 10.00 each night. A home manager may be present at the property between 09:00 - 17:00 Monday to Friday, although their time would be split between the application property, working from home for two to three days per week and supporting a second home elsewhere.

The Planning Statement confirms that children would be taken to and brought home from school or college by the carer. In specific cases, where mainstream school attendance is not possible due to negative experiences, education would be provided through Virtual Schools. Children would be able to share outings, and would be encouraged and supported to do homework and experience a range of activities, interests and hobbies. All facilities within the property, other than bedrooms would be shared.

In addition to the carers, property visits would include:

- Responsible individual: 1 x visit per month (Average 1 full day visit)
- Regulation 44 inspector: 1 x visit per month (Average 3 hour visit)

- Social worker: 1 x every 6 weeks (average 1 hour visit)
- Ofsted inspectors: 1 x year (2 full days inspection)
- Psychotherapist: 1 x every two weeks (for 3 hours)

It is considered that these property visits would not be over an above the number of visits you would expect for a family dwelling, with friends and family visiting.

Given the above, the proposed use would provide a valuable facility for more vulnerable members of society that would be compliant with the above policies and the principles of the NPPF. The proposed development would be acceptable in principle and would be in accordance with Policies CF1/1, CF3 and H3/1 and H4/2 of the Bury Unitary Development Plan and Policy JP-H3 of the Places for Everyone Joint Development Plan and the NPPF.

### **Layout and Design**

In addition to the policies set out above UDP Policy EN1/2 - Townscape and Built Design seeks to protect the character and townscape of the boroughs towns. PfE Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places.

The proposal would not require any external changes to facilitate the change of use. Given this, the building would continue to have the character and appearance of a passive suburban dwelling and there would be no detrimental impact on the street scene or residential character of the locality.

Given the above, it is considered the proposed development would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan and Policy JP-P1 of the Places for Everyone Joint Development Plan.

### **Amenity**

In addition to UDP Policies H2/4 and H3/1, UDP Policy EN7/2 seeks to restrict development that would lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users.

As discussed above, it is considered that the character and the scale of the use would be consistent with that of a family household occupying the existing 4 bedroom detached dwelling. One of the existing bedrooms would be retained as an office/bedroom for staff members reducing the number of bedrooms at the property to 3. Each child would have their own bedroom and communal spaces (e.g. kitchen/dining room/lounge) would be shared between occupants. No new habitable room windows would be proposed following the change of use of the property.

Households can take many forms and the current dwelling could be occupied by a family of up to around 5 individuals. Furthermore, without planning permission, the dwelling could be utilised as a house in multiple occupation for up to 6 occupants.

The dwelling is detached, which would reduce the immediate noise from, and indeed to the future occupants. Occupants would engage in activities as any child would when occupying the dwelling as a family home.

Given such circumstances, and the potential alternative iterations for occupation of the dwelling, it is not considered that the proposed change of use of the dwelling would have a significantly greater impact upon neighbouring amenity in terms of noise and disturbance. It is therefore considered that the proposal would not conflict with the character of the area or have an adverse impact on the amenity of local residents in compliance with the Policy considerations set out above.

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

Access to the property would remain as existing, with 3no. parking spaces at the front and steps to and from the main front access door. It should also be noted that the site is located within a highly sustainable area, walking distance to the Bowker Vale Tram Station and Windsor Road Neighbourhood Shopping Centre.

## **Parking**

PfE Policy JP-C8 and UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document (SPD) 11 provides parking standards for developments.

The site is located within Zone 3 for parking. Within this Zone SPD 11 would require 1 space per 2 staff and 1 space per 4 beds. For a maximum of 5 staff (3 day shift and 2 night shift at handover) and 3 beds, this would lead to a requirement to provide approximately 3no. spaces which can be accommodated at the site.

## **Carbon and Energy**

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

The proposal would utilise an existing building. Energy demand is minimised through the utilisation of pre-existing services, structure, and spatial configurations.

## **Digital Connectivity**

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

Full fibre is available within the area in which the site is located if it is required.

## **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.

The proposed change of use would occupy an existing building and therefore the de-minimis exemption applies.

## **Response to Representations**

Many matters raised in objections are not material to the assessment and determination of the planning application. It is considered that the material planning considerations have been assessed within the body of the report.

Children in care homes come from a wide range of backgrounds and experiencing a range of issues. With the proper safeguarding procedures in place, regulated by Ofsted and Children's services, it would be unreasonable to assume the children occupying the property would be more liable to partake in or be victims of anti-social behaviour than a family occupying the same property. Whilst the concerns about the proposed care home

amongst residents are recognised to a point, the proposal has to be assessed on policies and material considerations.

**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**

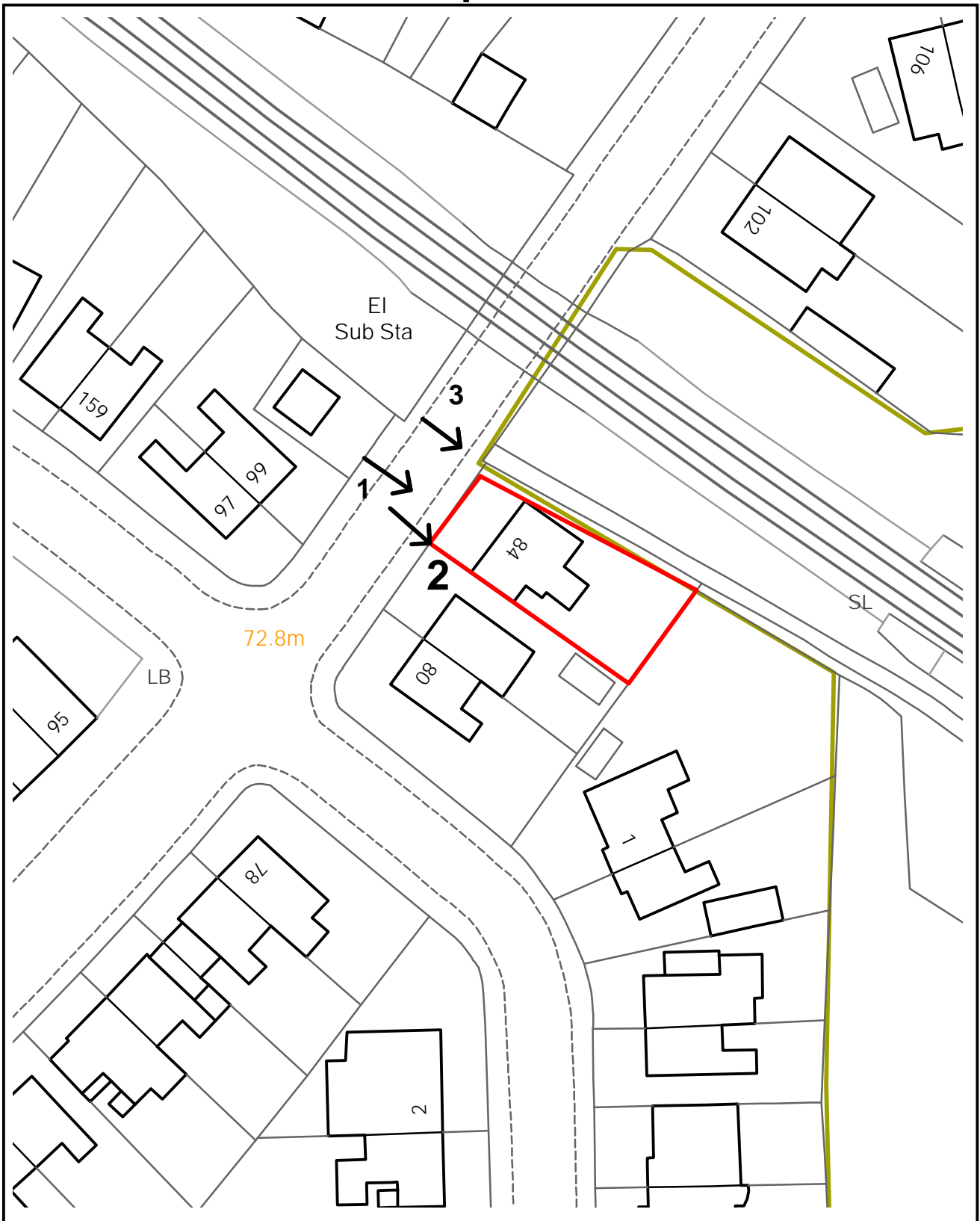
1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Site location plan, 001, 002, 010, 011 A and the development shall not 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 premises to which this approval relates shall be used for residential care only to a maximum of 3no. children/young persons 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 could 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, H4/2 - Special Needs Housing, HT2/4 - Car Parking and New Development, JP-P1 - Sustainable Places, JP-C5 Streets for All, JP-C6 -Walking and Cycling and JP-C8 - Transport Requirements of New Development.
4. The bin storage facilities indicated on approved drawing referenced 010 shall comply 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 Development Plan Policies CF1/1 - Location of New Community Facilities, H4/2 - Special Needs Housing, EN1/2 - Townscape and Built Design, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.
5. Notwithstanding the details shown on the approved drawing 010 covered cycle storage shall be provided, within the curtilage of the site for 1no. cycle. This spaces shall be made available prior to the use hereby approved being brought

into use and thereafter maintained at all times.

Reason. To ensure adequate off street cycle parking provision in the interests of road safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development, HT2/4 - Car Parking and New Development and Supplementary Planning Document 11: Parking Standards in Bury.

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

# Viewpoints



**72816**

ADDRESS: **84 Windsor Road  
Prestwich**



**Bury**  
Council

Planning, Environmental and Regulatory Services

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72816

Photo 1



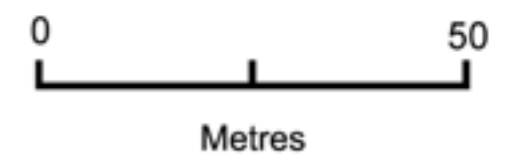
Photo 2



72816

Photo 3





**General Notes:**

All levels and dimensions to be checked on site by contractor prior to commencement.

Any variations / anomalies to be reported to Hunter & Belle Ltd. Do not scale from this drawing use figured dimensions only. All work shown on this drawing to be carried out in accordance with current British Standards and Codes of Practice.

**Proposed Materials:**

Walls	All existing elevation materials and finishes to be retained
Roof	All existing roofing materials and finishes to be retained
Windows & Doors	All existing windows and doors to be retained



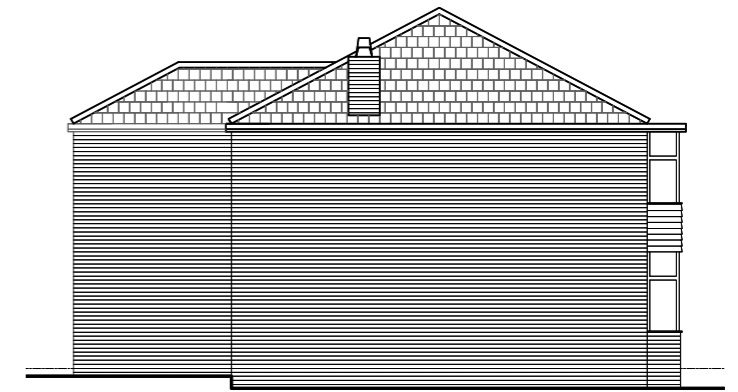
PROPOSED FRONT ELEVATION



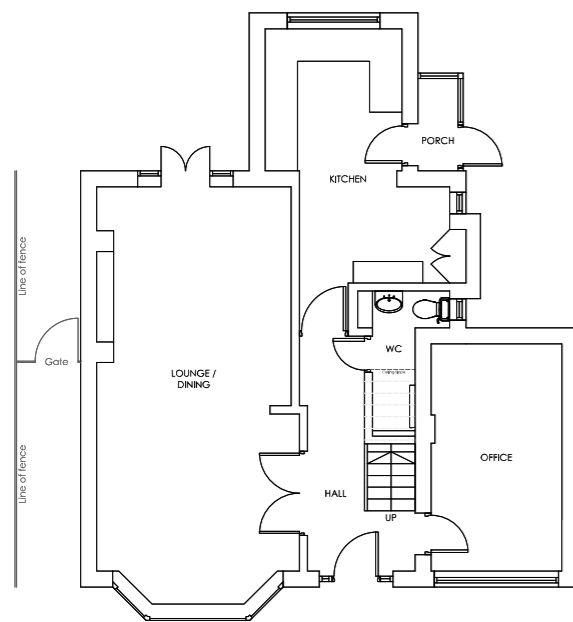
PROPOSED SIDE (SOUTH) ELEVATION



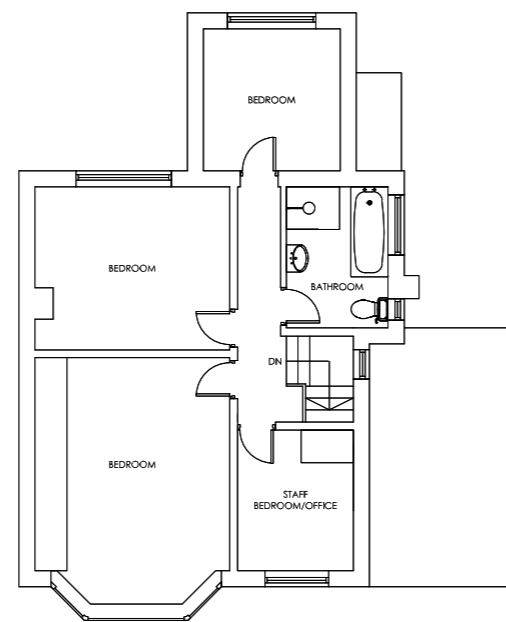
PROPOSED REAR ELEVATION



PROPOSED SIDE (NORTH) ELEVATION



PROPOSED GROUND FLOOR PLAN



PROPOSED 1st FLOOR PLAN

Rev:	A	Date:	24.02.26	Description:	Elevation labels amended
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Client:	VS Property Group		
Project:	84 Windsor Road, Prestwich		
Project No:	190	Drawing No:	011
Rev:			A
Description:	Proposed Plans & Elevations		

Scale: 1:100 @ A2 Date Drawn: 01.08.25



Purpose of Issue:	Planning	Building Regs	Tender	Comment	Approval	Construction
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**General Notes:**

All levels and dimensions to be checked on site by contractor prior to commencement.

Any variations / anomalies to be reported to Hunter & Belle Ltd. Do not scale from this drawing use figured dimensions only. All work shown on this drawing to be carried out in accordance with current British Standards and Codes of Practice.

**Existing Materials:**

Walls	Fairfaced brickwork
Roof	Concrete plain tile with black UPVC rainwater goods
Windows & Doors	White / grey UPVC



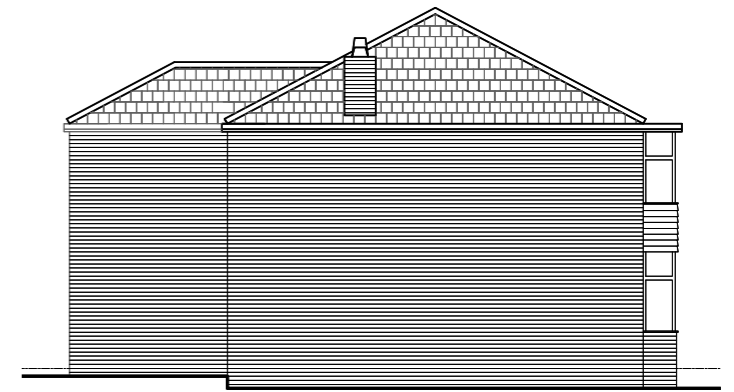
EXISTING FRONT ELEVATION



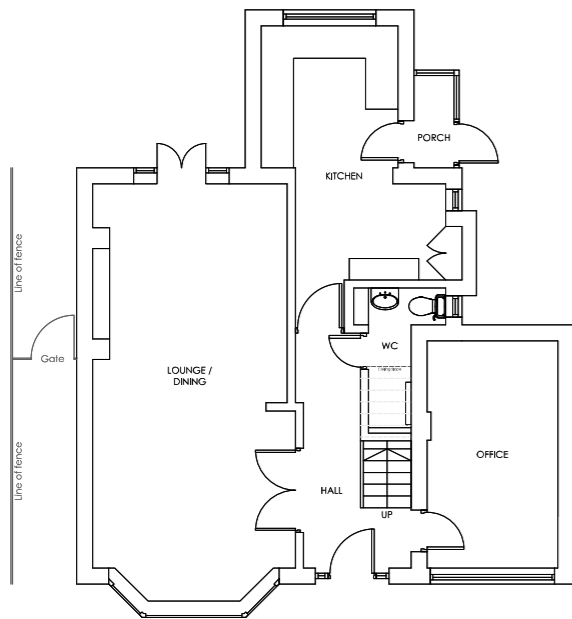
EXISTING SIDE (SOUTH) ELEVATION



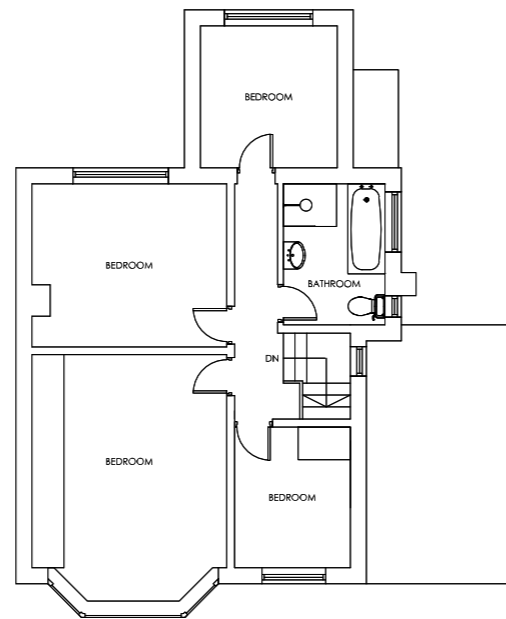
EXISTING REAR ELEVATION



EXISTING SIDE (NORTH) ELEVATION



EXISTING GROUND FLOOR PLAN



EXISTING 1st FLOOR PLAN

Rev:	Date:	Description:

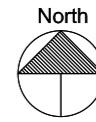
Client:	VS Property Group		
Project:	84 Windsor Road, Prestwich		
Project No:	Drawing No:	Rev:	
190	002		
Description: Existing Plans & Elevations			

Scale: 1:100 @ A2 Date Drawn: 01.08.25



Unit 6, Withyfold Trading Estate  
Withyfold Drive  
Macclesfield  
Cheshire SK10 2ZR  
T: 01625 921 932

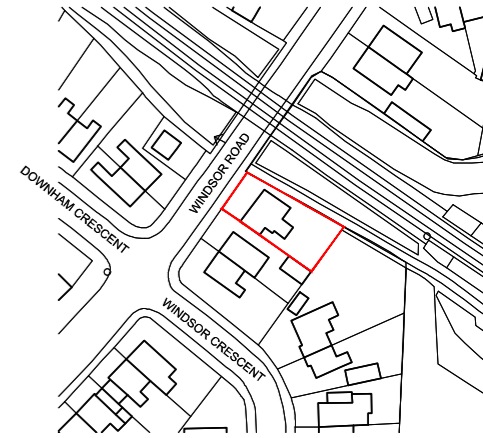
Purpose of Issue:	Planning	Building Regs	Tender	Comment	Approval	Construction



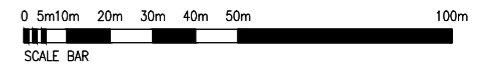
**General Notes:**

All levels and dimensions to be checked on site by contractor prior to commencement.

Any variations / anomalies to be reported to Hunter & Belle Ltd. Do not scale from this drawing use figured dimensions only. All work shown on this drawing to be carried out in accordance with current British Standards and Codes of Practice.



**SITE LOCATION PLAN**  
1:100



**WINDSOR ROAD**

DROPPED KERB TO PAVEMENT

END SECTION OF BOUNDARY WALL LOW LEVEL BRICKWORK

BLOCK PAVED PARKING BAY

BINS

CONCRETE POST AND CLOSE BOARDED TIMBER NEILL PANEL BOUNDARY FENCE

CONCRETE PAVED STEPS

CONCRETE

LOW LEVEL BRICKWORK BOUNDARY WALL

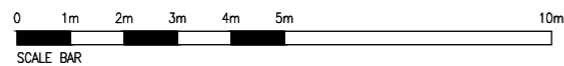
LAWN

CLOSE BOARDED TIMBER BOUNDARY FENCE

BRICKWORK FACE TO ADJACENT OUTBUILDING

Page 92

**EXISTING SITE BLOCK PLAN**  
1:100



Rev:	Date:	Description:

Client:	<b>VS Property Group</b>		
Project:	<b>84 Windsor Road, Prestwich</b>		
Project No:	Drawing No:	Rev:	
<b>190</b>	<b>001</b>		
Description: <b>Existing Site Plans</b>			

Scale: **varies @ A2** Date Drawn: **01.08.25**



Purpose of Issue:	Planning	Building Regs	Tender	Comment	Approval	Construction
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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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>21 April 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 16/03/2026 and 12/04/2026

Ward:

**Application No.:** 72501    **App. Type:** CONDIS 20/03/2026    Approve  
Owlerbarrow House, Owlerbarrow Road, Bury, BL8 1RD

**Location:**

**Proposal:** Application to discharge conditions on planning permission 68067:  
Condition 3 (Details of samples to be used in external elevations) Condition 4 (Completed Construction Traffic Management Plan) Condition 6 (Contaminated Land Preliminary Risk Assessment Report) Condition 9 (Biodiversity Mitigation Plan) Condition 10 (Surface Water Drainage Proposals)

**Application No.:** 72776    **App. Type:** CONDIS 08/04/2026    Approve  
Nutt Farm, Nutt Lane, Prestwich, Manchester, M25 2SJ

**Location:**

**Proposal:** Application to discharge condition 7 (landscape scheme) and condition 19 (construction management plan)  
on planning permission 58405

**Application No.:** 72797    **App. Type:** CONDIS 01/04/2026    Approve  
Land at Green Street, Radcliffe

**Location:**

**Proposal:** Application to discharge condition on planning permission 70333: Condition 4 - Validation Report

**Application No.:** 72832    **App. Type:** CONDIS 17/03/2026    Approve  
Higher Woodhill Farm, Woodhill Road, Bury, BL8 1BS

**Location:**

**Proposal:** Application to discharge condition 3 (Construction Traffic Management Plan) on planning permission 72325

**Application No.:** 72900    **App. Type:** REG5 26/03/2026    Raise Objections  
Pavement opposite 3 Pinfold Lane, Whitefield, Manchester, M25 7NY

**Location:**

**Proposal:** Regulation 5 notification (ref. OGEEA4165776) of intention to install a 9m light wooden pole

**Application No.:** 72908    **App. Type:** REG5 19/03/2026    Raise No Objection  
Land adjacent Unit 1, Huntley Mount Road, Bury, BL9 6HY

**Location:**

**Proposal:** Regulation 5 notification (ref. CS 12935926) of telecommunications installation comprising:  
Removal of 1no existing 15m monopole; Removal of 3no existing antennas; Removal of 2no existing cabinets; Installation of 1no new 20m monopole (RAL7035); Installation of 9no new antennas; Installation of 1no new Cheshire cabinet measuring 1900x600x1722mm (RAL6009); Installation of 1no new Mugello cabinet measuring 770x750x1925mm (RAL6009); Installation of 1no new SFMC meter cabinet measuring 655x250x1125mm (RAL6009); Other associated ancillary development including: Installation of 6no new RRUs & installation of 1no new GPS Node

**Application No.:** 72912    **App. Type:** REG5 17/03/2026    Raise No Objection

**Location:** Pavement at Waterside Road (between junction with Riverside Drive & playing fields), Summerseat, BL9 5QL

**Proposal:** Regulation 5 notification (ref. WGSLM16J) of intention to instal 11m light wooden pole

**Application No.:** 72925    **App. Type:** REG5    17/03/2026    Raise No Objection  
Freetown Business Park, Hudcar Lane, Bury, BL9 6EX

**Location:**

**Proposal:** Regulation 5 Notification (Ref: CS 12639325 ) of intention to remove and replace 6no. antennas, installation of 1no. 600mm dish

**Application No.:** 72940    **App. Type:** REG5    02/04/2026    Raise No Objection

**Location:** Pavement between Higher Tops Barn & pumping station, Moor Road, Ramsbottom, Bury, BL8 4NU

**Proposal:** Regulation 5 Noticification (Ref: WGSVF32D) of intention to install 4 no.10M Wooden Light Poles

**Application No.:** 72941    **App. Type:** REG5    27/03/2026    Raise No Objection

**Location:** Pavement opposite Hillcrest, Helmshore Road, Ramsbottom, Bury, BL8 4PD

**Proposal:** Regulation 5 Notice (ref: WGSVFK3S) of Intention to Install a 10m Wooden Light Pole.

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

**Application No.:** 72117    **App. Type:** LBC    27/03/2026    Approve with Conditions  
The Art Picture House, Haymarket Street, Bury, BL9 0AY

**Location:**

**Proposal:** Alterations to internal layout including the removal of a central bar and reforming a new bar underneath the proscenium arch, and new toilets formed. Alterations to HVAC system, and kitchen works. General refurbishment and decoration.

**Application No.:** 72745    **App. Type:** FUL    27/03/2026    Refused  
Former Bury Fire Station, The Rock, Bury, BL9 5AH

**Location:**

**Proposal:** Change of use of land at the former fire station to vehicle storage yard (Sui Generis)

**Application No.:** 72746    **App. Type:** FUL    08/04/2026    Approve with Conditions  
Two Tubs Inn, 19 The Wylde, Bury, BL9 0LA

**Location:**

**Proposal:** Installation of a fabricated safety walkway and external staircase; Alteration to existing window to form doorway

**Application No.:** 72747    **App. Type:** LBC    08/04/2026    Approve with Conditions  
Two Tubs Inn, 19 The Wylde, Bury, BL9 0LA

**Location:**

**Proposal:** Listed building consent for a fabricated safety walkway and external staircase including alteration to existing window to form doorway

**Application No.:** 72885    **App. Type:** FUL    09/04/2026    Approve with Conditions  
Coachmans Corner, 10 Bridge Hall Drive, Bury, BL9 7NX

**Location:**

**Proposal:** Raise roof ridge height to side elevation with 2 no. front dormers & juliette balcony

**Application No.:** 72916    **App. Type:** GPDE    30/03/2026    Prior Approval Not Required - Extension  
31 Willow Street, Bury, BL9 7QZ

**Location:**

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

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

**Application No.:** 72812    **App. Type:** FUL    19/03/2026    Approve with Conditions  
11 Spruce Crescent, Bury, BL9 6QW  
**Location:**  
**Proposal:** Two storey/single storey rear extension

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

**Application No.:** 72775    **App. Type:** FUL    17/03/2026    Approve with Conditions  
17 Belle Vue Terrace, Bury, BL9 0SY  
**Location:**  
**Proposal:** Change of use of existing 6 bed house in multiple occupation (HMO) to 8 bed (single occupancy) HMO (Sui Generis)

**Application No.:** 72833    **App. Type:** LDCP    02/04/2026    Lawful Development  
Bury C of E High School, Haslam Brow, Bury, BL9 0TS  
**Location:**  
**Proposal:** Lawful development certificate for proposed single storey dining extension to existing school buildings

## Ward: **Bury West**

**Application No.:** 72883    **App. Type:** FUL    08/04/2026    Approve with Conditions  
38 Freckleton Drive, Bury, BL8 2JA  
**Location:**  
**Proposal:** Two/single storey extensions at front and rear

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

**Application No.:** 72737    **App. Type:** FUL    01/04/2026    Approve with Conditions  
The Gatehouse, Woodhill Road, Bury, BL8 1BN  
**Location:**  
**Proposal:** Demolition of existing garage and erection of new garage

**Application No.:** 72867    **App. Type:** LDCP    30/03/2026    Lawful Development  
19 Holbeach Close, Bury, BL8 1XA  
**Location:**  
**Proposal:** Lawful development certificate for proposed change of use from dwellinghouse Class C3(a) to home for 3 adults Class C3(b)

**Application No.:** 72886    **App. Type:** FUL    09/04/2026    Approve with Conditions  
9 Westcombe Drive, Bury, BL8 1DN  
**Location:**  
**Proposal:** Two storey/single storey side extension

**Application No.:** 72913    **App. Type:** FUL    09/04/2026    Approve with Conditions  
100 Bankhouse Road, Bury, BL8 1DZ  
**Location:**  
**Proposal:** Single storey rear extension

## Ward: North Manor

**Application No.:** 72151    **App. Type:** FUL    27/03/2026    Approve with Conditions  
Summerseat Island, off Miller Street, Summerseat, Bury, BL9 5PE

**Location:**

**Proposal:** Provision of educational facility in the form of 2 no. containers

**Application No.:** 72734    **App. Type:** FUL    09/04/2026    Approve with Conditions  
21 Rowlands Road, Summerseat, Ramsbottom, Bury, BL9 5NF

**Location:**

**Proposal:** Reconfiguration from semi detached dwelling to a detached dwelling; Single storey rear extension; Loft conversion with front & rear dormers; Alterations to front porch; Render

**Application No.:** 72735    **App. Type:** FUL    09/04/2026    Approve with Conditions  
23 Rowlands Road, Summerseat, Ramsbottom, Bury, BL9 5NF

**Location:**

**Proposal:** Reconfiguration from semi detached dwelling to a detached dwelling; Two storey side/rear extension; Front & rear dormers with rear balcony; Front porch; Render & cladding; Raising ridge height

**Application No.:** 72858    **App. Type:** FUL    30/03/2026    Approve with Conditions  
508 Bolton Road West, Ramsbottom, Bury, BL0 9RU

**Location:**

**Proposal:** Two storey side extension; Single storey rear extension with balustrade balcony on top; Alter flat roof to pitch roof on existing single storey rear extension; Addition of bay patio doors to rear first floor with julitte balcony

**Application No.:** 72909    **App. Type:** LDCEP    19/03/2026    Lawful Development  
868 Burnley Road, Bury, BL9 5JY

**Location:**

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

## Ward: Prestwich - Holyrood

**Application No.:** 72751    **App. Type:** FUL    10/04/2026    Approve with Conditions  
28 Polefield Road, Prestwich, Manchester, M25 2GN

**Location:**

**Proposal:** Demolition of existing garage rear wall and construction of single storey rear extension; increase in roof height of existing garage; raised patio to rear and replacement glazing to front porch

**Application No.:** 72860    **App. Type:** FUL    09/04/2026    Approve with Conditions  
10 Mount Pleasant, Prestwich, Manchester, M25 2SD

**Location:**

**Proposal:** First floor extension with side dormer and cladding

## Ward: Prestwich - Sedgley

**Application No.:** 72835    **App. Type:** FUL    27/03/2026    Approve with Conditions  
54 Heywood Road, Prestwich, Manchester, M25 1DX

**Location:**

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

**Application No.:** 72869    **App. Type:** GPDE    19/03/2026    Prior Approval Not Required - Extension

6 Fairway, Prestwich, Manchester, M25 0JH

**Location:**

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

**Application No.:** 72930    **App. Type:** LDCP    20/03/2026    Lawful Development  
109 Windsor Road, Prestwich, Manchester, M25 0DF

**Location:**

**Proposal:** Lawful development certificate for proposed use of dwellinghouse (Use Class C3) to provide residential care accommodation (Use Class C2) for 2 young people (aged 8-18 years)

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

**Application No.:** 72416    **App. Type:** FUL    20/03/2026    Approve with Conditions  
10 Park Avenue, Prestwich, Manchester, M25 1EW

**Location:**

**Proposal:** Two/single storey side extension; two/single storey front extensions, two/single storey rear extensions; roof terrace to rear

**Application No.:** 72824    **App. Type:** FUL    27/03/2026    Approve with Conditions  
11 Hope Road, Prestwich, Manchester, M25 9GX

**Location:**

**Proposal:** Two storey side extension; Single storey front extension; First floor rear extension with Juliet balcony

**Application No.:** 72905    **App. Type:** FUL    10/04/2026    Approve with Conditions  
93 Hilton Lane, Prestwich, Manchester, M25 9SD

**Location:**

**Proposal:** Hip to gable roof extension at side with loft conversion and dormers at front and rear

**Ward: Radcliffe - East**

**Application No.:** 72502    **App. Type:** FUL    19/03/2026    Approve with Conditions  
Star Academy, Spring Lane, Radcliffe, Manchester, M26 2SZ

**Location:**

**Proposal:** Variation of condition 2 (approved drawings) following planning permission 70381 to amend the approved drainage strategy, minor revisions to the landscaping proposals and amendments to the building's elevations. Amendments to conditions 3, 7, 9, 11, 12, 13, 14 and 23 to update wording and approved drawings referenced within the conditions

**Application No.:** 72789    **App. Type:** FUL    18/03/2026    Approve with Conditions  
13 Kingston Road, Radcliffe, Manchester, M26 2XN

**Location:**

**Proposal:** First floor extension above existing garage and garage conversion

**Application No.:** 72853    **App. Type:** FUL    20/03/2026    Approve with Conditions  
107 Warwick Road, Radcliffe, Manchester, M26 4HL

**Location:**

**Proposal:** Two storey side extension; Loft conversion with rear dormer

**Application No.:** 72877    **App. Type:** FUL    09/04/2026    Approve with Conditions  
68 Church Street West, Radcliffe, Manchester, M26 2SY

**Location:**

**Proposal:** Change of use of existing dwellinghouse (Class C3) to 5 person house in multiple occupation (HMO) (Class C4) with minor internal alterations

## Ward: Radcliffe - North and Ainsworth

**Application No.:** 72520    **App. Type:** FUL    17/03/2026    Approve with Conditions  
Unit 1, Jubilee Works, Vale Street, Radcliffe, Bolton, BL2 6QF

**Location:**

**Proposal:** Installation of freestanding external biomass boiler to provide heating & hot water to existing building

**Application No.:** 72857    **App. Type:** FUL    19/03/2026    Approve with Conditions  
25 Starling Road, Radcliffe, Manchester, M26 4LW

**Location:**

**Proposal:** Two storey rear/side extension; Demolition and replace single storey rear extension

**Application No.:** 72866    **App. Type:** AG    08/04/2026    Prior Approval Required and Granted  
Field Farm, Bradley Fold Road, Radcliffe, Bolton, BL2 5QR

**Location:**

**Proposal:** Prior approval for the proposed extension of an existing agricultural storage building

**Application No.:** 72884    **App. Type:** FUL    01/04/2026    Approve with Conditions  
1 Pendennis Close, Radcliffe, Manchester, M26 3UH

**Location:**

**Proposal:** Single storey extension at side/rear

**Application No.:** 72897    **App. Type:** FUL    09/04/2026    Approve with Conditions  
9 The Meadows, Radcliffe, Manchester, M26 4NS

**Location:**

**Proposal:** Single storey rear extension

**Application No.:** 72931    **App. Type:** GPDE    30/03/2026    Prior Approval Not Required - Extension  
11 Wentworth Close, Radcliffe, Manchester, M26 3WH

**Location:**

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

## Ward: Radcliffe - West

**Application No.:** 72535    **App. Type:** FUL    01/04/2026    Refused  
5 Chapel Grove, Fernbank, Radcliffe, Manchester, M26 1YP

**Location:**

**Proposal:** Retention of metal fence around the boundary

**Application No.:** 72731    **App. Type:** ADV    08/04/2026    Refused  
Frank Ratcliffe Roofing Centre, Pitt Street, Radcliffe

**Location:**

**Proposal:** Replacement of existing signage with 1 no. freestanding static LED display located within the site boundary

## Ward: Ramsbottom

**Application No.:** 72733    **App. Type:** FUL    01/04/2026    Approve with Conditions  
2nd Floor Flat, 22 Holcombe Village, Ramsbottom, Bury, BL8 4LZ

**Location:**

**Proposal:** Installation of 1 no. gas flue and 2 no. wall vents to rear elevation

**Application No.:** 72864      **App. Type:** FUL      09/04/2026      Approve with Conditions  
Bast House Cottage, 335 Manchester Road, Ramsbottom, Bury, BL9 5LZ

**Location:**

**Proposal:** Replace existing windows with powder coated aluminium windows; change window to ground floor front & side elevation to glazed door, addition of window to first floor rear elevation and increase size of window to existing ground floor rear elevation. Upgrade house insulation to improve thermal performance which will need side gable recessed bay to be insulated and rendered white externally

**Application No.:** 72865      **App. Type:** LBC      08/04/2026      Approve with Conditions  
Bast House Cottage, 335 Manchester Road, Ramsbottom, Bury, BL9 5LZ

**Location:**

**Proposal:** Listed Building Consent to replace existing windows with powder coated aluminium windows; change window to ground floor front & side elevation to glazed door, addition of window to first floor rear elevation and increase size of window to existing ground floor rear elevation. Upgrade house insulation to improve thermal performance which will need side gable recessed bay to be insulated and rendered white externally

**Application No.:** 72902      **App. Type:** FUL      09/04/2026      Approve with Conditions  
7 Cheviot Close, Ramsbottom, Bury, BL0 9LL

**Location:**

**Proposal:** Demolition of rear conservatory; Single storey rear extension

## Ward: **Whitefield + Unsworth - Besses**

**Application No.:** 72586      **App. Type:** FUL      23/03/2026      Refused  
37 Victoria Lane, Whitefield, Manchester, M45 6BL

**Location:**

**Proposal:** Change of use from residential dwelling (Class C3) to children's residential home for up to 3 no. children with up to 3 no. staff working on a rota basis (Class C2)

**Application No.:** 72727      **App. Type:** FUL      02/04/2026      Approve with Conditions  
39 Mode Hill Lane, Whitefield, M45 8JF

**Location:**

**Proposal:** Two Storey Side Extension

**Application No.:** 72800      **App. Type:** ADV      18/03/2026      Approve with Conditions  
Entrance to Park 17 & adj Unit 14, Moss Lane, Whitefield, Manchester, M45 8FJ

**Location:**

**Proposal:** Replacement signage:  
Sign A - internally-illuminated solar powered (LED) totem sign to main entrance  
Sign B - non-illuminated free-standing tenant directory sign  
Signs C-F - non-illuminated free-standing directional signs

**Application No.:** 72838      **App. Type:** FUL      30/03/2026      Approve with Conditions  
21 Buckingham Avenue, Whitefield, Manchester, M45 6DJ

**Location:**

**Proposal:** Change of use from a dwelling (Use Class C3) to a childrens home (Use Class C2) for up to 2 children

**Application No.:** 72844      **App. Type:** FUL      18/03/2026      Approve with Conditions  
20 Derwent Close, Whitefield, Manchester, M45 8HL

**Location:**

**Proposal:** Two storey side extension; Single storey front and rear extension

**Application No.:** 72890    **App. Type:** FUL    09/04/2026    Approve with Conditions  
34 Tamar Close, Whitefield, Manchester, M45 8SJ

**Location:**

**Proposal:** Single storey extension at rear

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

**Application No.:** 72836    **App. Type:** FUL    01/04/2026    Approve with Conditions  
15 Oakdale Close, Whitefield, Manchester, M45 7LU

**Location:**

**Proposal:** Garage conversion to living accommodation; Single storey side extension

**Application No.:** 72837    **App. Type:** FUL    01/04/2026    Approve with Conditions  
15 Oakdale Close, Whitefield, Manchester, M45 7LU

**Location:**

**Proposal:** First floor rear extension; Loft conversion including increase in ridge height by 1m; 3 no. rear dormers and 6 no. front velux windows

**Application No.:** 72915    **App. Type:** FUL    10/04/2026    Approve with Conditions  
3 Myrtle Grove, Radcliffe, Manchester, M45 7RR

**Location:**

**Proposal:** Two storey/single storey rear extension

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

**Application No.:** 72787    **App. Type:** FUL    18/03/2026    Approve with Conditions  
2 Leyton Drive, Bury, BL9 9SL

**Location:**

**Proposal:** Single storey side and rear extension with side canopy, single storey front porch, rear dormer with juliet balcony and external alterations

**Application No.:** 72799    **App. Type:** FUL    17/03/2026    Approve with Conditions  
4 West Close, Bury, BL9 8DQ

**Location:**

**Proposal:** Two storey/single storey rear extension; Front porch

**Application No.:** 72842    **App. Type:** FUL    07/04/2026    Approve with Conditions  
38 Sandown Road, Bury, BL9 8HN

**Location:**

**Proposal:** Single storey front/side extension

**Total Number of Applications Decided: 65**

<h1>REPORT FOR NOTING</h1>
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<b>Agenda Item</b>
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<b>6</b>
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<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>21 April 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:-**

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## Appeal Decision

Site visit made on 6 January 2026

by **Sarah Manchester BSc MSc PhD MIEnvSc**

an Inspector appointed by the Secretary of State

Decision date: 16 March 2026

**Appeal Ref: APP/T4210/W/25/3360490**

**Stand Cricket And Tennis Club Hamilton Road, Manchester M45 7WF**

- 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 Prestige Padel against the decision of Bury Metropolitan Borough Council.
- The application Ref is 71201.
- The development proposed is the erection of 4 no. Padel Courts.

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. As the proposal is in a conservation area and relates to a listed building I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The appellants suggest the proposal could be amended to overcome the concerns of the Council. However, no revised plans have been provided to illustrate any alternative scheme. The Procedural Guide: Planning Appeals – England is in any case clear that if an applicant thinks that amending the scheme will overcome the reasons for refusal, they should normally make a new planning application. The appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector at appeal is essentially the same scheme considered by the Council and by interested parties at the application stage. Consequently, I have determined the appeal on the basis of the plans considered by the Council.

### Main Issues

4. The main issues are:
  - i) The effect of the proposal on the provision of sports and recreation facilities;
  - ii) The effect of the proposal on the character and appearance of the area, bearing in mind the special attention that should be paid to the desirability of preserving the setting of the nearby Grade I listed building, “Church of All Saints” (ref: 1356818), and the extent to which it would preserve or enhance the character or appearance of the All Saints Conservation Area;
  - iii) Whether the proposal would make adequate parking provision, with reference to residential amenity and the safe operation of the highway;
  - iv) The effect of noise and light pollution on residential amenity and biodiversity; and
  - v) The effect of the proposal on trees.

## Reasons

### *Sports and recreation facilities*

5. Stand Cricket and Tennis Club comprises a cricket pitch with clubhouse and tennis courts. The appeal site is adjacent to the tennis courts at the far end of the cricket pitch. Now laid to grass, it was itself formerly tennis courts. Although not currently used for sports and recreation, it is identified in the Council's Unitary Development Plan (1997) (the UDP) as Protected Recreation Provision in the Urban Area.
6. UDP saved policy RT/1 seeks to protect recreation facilities including playing fields and sports grounds, except where alternate provision of equivalent community benefit is made available or it can be demonstrated that there is an excess of provision in the area. Paragraph 104 of the National Planning Policy Framework (the Framework) advises that existing sports and recreational buildings and land should not be built on except in circumstances including where the land is demonstrably surplus to requirements; the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
7. The evidence with the appeal outlines that padel is an inclusive hybrid racket sport that is growing in popularity in the UK. While there has been an increase in the number of padel courts over the last few years, demand apparently continues to outstrip supply. The Council and Sport England both acknowledge that Bury's Playing Pitch and Outdoor Sports Strategy identifies padel as an emerging sport in terms of needs assessment and it supports new facilities in the right places.
8. Sport England's objection to the proposal appears to be in part on the basis that there would be a loss of 3 x 3G 5 a side football pitches, for which there is a borough wide need, and a lack of evidence for the need for padel courts sufficient to outweigh the harm to football provision. However, the evidence indicates the proposal would result in the loss of former tennis courts and not football pitches. There is little evidence that the existing tennis courts, which would be retained, are not sufficient to meet the demand for tennis courts locally.
9. Sport England consulted with the England and Wales Cricket Board, who advised that the proposal would not impact the cricket pitch but, given the location of the proposal in relation to the cricket ground, there is a need to understand the ball strike risk. However, the aerial photographs illustrate that the appeal site is a similar distance from the cricket pitch as the spectator area to the front of the club house and the adjacent tennis courts. Moreover, the appeal site was formerly tennis courts. There is little substantive evidence that the padel courts would be at risk or would prejudice the use of the cricket grounds.
10. Taking into account its disused nature and the adjacent tennis courts, I am satisfied that the appeal site is surplus to requirements in terms of sports provision. The proposal would replace an unused part of the playing fields with a modern, high quality padel facility. This alternative sports and recreation provision would be a greater benefit than the current or former use. Taking into account the surrounding context and former use, the appeal site is a suitable location for sports provision.
11. Therefore, I conclude that the proposal would not have an unacceptable impact on sports and recreation provision. It would not conflict with the aims of UDP saved

policy RT/1. It would accord with the relevant aims of the Framework. Although not cited in the reason for refusal, I also find that it would not conflict with the aims of policy JP-P7 of the Places for Everyone Joint Development Plan Document 2022 to 2039 (Adopted March 2024) (the PfE).

### *Character and appearance*

12. The appeal site is at the heart of All Saints Conservation Area (the CA), which comprises All Saints Church and grounds, Stand Cricket Ground, Hamilton Road Park, Uplands Health Centre and Whitefield House and associated grounds, and adjacent late 19<sup>th</sup> and early 20<sup>th</sup> century residential development. For the purposes of the appeal, the significance of the CA relates to the well preserved historic townscape, including traditional materials and design, and its verdant open spaces.
13. The Church of All Saints (the LB) is a Commissioners' church dating from the 1820s and it is significant for being Charles Barry's first building. It is in fanciful mixed gothic style with a lofty open porch in its ashlar west tower, battlements, tall pinnacles and canted apsidal east end. Its special interest, insofar as it relates to the appeal, is due to its prominent elevated position and open verdant surroundings, comprising its setting, which contribute to its historic legibility and interest as a landmark ecclesiastical building around which the town developed.
14. The layout drawing illustrates 4 padel courts each 20m by 10m, arranged in 2 rows each 2m apart. Each would be individually enclosed to a height of 3m, rising to 4m at the ends, in a combination of frosted glass and mesh fencing. Each would have a Dutch barn style PVC canvass cover over a metal frame, nearly 7m at 'eaves' height and over 9m at its ridge. There would be a single storey building, roughly 3m by 8.45m, with changing rooms, toilets and store and a covered patio space for tables and chairs between the padel courts and the tennis courts. The entire facility, around 32m by 46m, would be enclosed by perimeter fencing.
15. No elevation plans are provided to illustrate the appearance of the amenity building or canopy over the socialising space. No details of the perimeter fence appear to have been provided, although I understand it would be around 2.4m high. The Design and Access statement refers to a reception and onsite shop, but these are not illustrated. Elevation plans for one canopied padel court have been provided but there are no elevation or street scene plans that illustrate 4 together. As such, the plans do not appear to illustrate the entirety of the proposal.
16. Viewed from the surrounding area, the closely spaced padel court canopies would visually merge. By virtue of design and combined scale, the large expanse of canopies, with internal floodlighting, would be conspicuous and visually obtrusive. The proposal would be overtly contemporary and it would not respect or be sympathetic to the verdant and traditional surrounding townscape. It would be a discordant and incongruous feature that would not make a positive contribution to local distinctiveness or historic sense of place.
17. Where proposals affect a CA, case law has established that they must be judged according to their effect on the CA as a whole and must therefore have at least a moderate degree of prominence. In this case, the appeal site is below the level of surrounding roads and it is screened in some views by planting. Nevertheless, by virtue of its height, scale and illumination, the proposal would be readily visible from locations in the surrounding townscape including Hamilton Road, Higher Lane and the cricket club, Parklands, the neighbouring park and playground, and All Saints

Church. As the proposal would be prominent and it would harm the character and appearance of the townscape, it would be capable of harming the CA as a whole. It would not therefore preserve the significance of the CA.

18. All Saints Church is elevated above Hamilton Road and the lower lying cricket ground and appeal site, and there are intervening trees. Nevertheless, there is intervisibility between the appeal site and the LB and I observed the tennis courts, cricket nets and appeal site from the churchyard at the time of my visit. It follows that the padel court facility would be visible from LB and vice versa. By virtue of its scale, design and siting, it would detract from views and the historic prominence of the LB. The proposal would be in use from 7am til 10pm nearly every day of the year. The adverse effect on the setting of the LB would be exacerbated by this intensity, duration and frequency of use. Consequently, the proposal would erode the setting and thereby it would fail to preserve the special interest of the LB.
19. The appellants are aware of the historic significance of the area and would be willing to amend the scheme to minimise its adverse visual impact. While they would welcome an open dialogue to reach creative solutions for more substantial changes, that is not a matter for the appeal. Moreover, as I cannot be certain what, if any, amendments might mitigate the adverse visual impact of the proposal, this is not a matter that could be dealt with by the imposition of planning conditions.
20. Paragraph 212 of the Framework advises that when considering impacts on the significance of a designated heritage asset, great weight would be given the asset's conservation. Paragraph 213 advises that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and thus such harm should have a clear and convincing justification. Taking into account the scale and nature of the proposal, I find there would be a moderate degree of less than substantial harm to designated heritage assets, which would be of considerable importance and weight.
21. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
22. As there are currently no padel courts in this area, the facility would be a benefit to padel players. However, there is little substantive evidence of a significant unmet demand in this area or that the private padel courts would be a wider community benefit. The proposal would be a financial benefit to the appellants and to Stand Cricket and Tennis Club, but it has not been demonstrated that the Cricket Club would not be economically viable in its absence. There would be temporary economic benefits during construction. Collectively, the modest public benefits would not be of sufficient magnitude to outweigh the harm that I have found.
23. Given the above, I conclude that on balance the proposal would fail to preserve the setting and special historic interest of the Grade I listed building and the character and appearance of the Conservation Area would be neither conserved nor enhanced. This would fail to satisfy the requirements of the Act, paragraph 212 of the Framework and conflict with UDP saved policies EN1/2, EN2/1, EN2/2 and EN2/3. These require, among other things, that proposals avoid unacceptable adverse effects on townscape character, preserve and enhance the character or appearance of conservation areas and safeguard the setting of listed buildings. As a result, the proposal would not be in accordance with the development plan.

### *Parking provision*

24. The appeal site is an accessible urban location and close to bus stops and Whitefield Metrolink station. Consequently, the proposal would be accessible by sustainable forms of transport including walking, cycling and public transport. Padel court players would be carrying sports equipment and clothing, but at least some that live within walking distance or have reasonable access to public transport would be likely to travel by these modes. Nevertheless, some players and spectators would travel by private vehicle.
25. The Design and Access statement refers to a pathway from the existing car park which would lead patrons to the site. However, the Cricket Club does not appear to have a car park. While Parklands might not be the first choice for parking due to the absence of a pedestrian link to the appeal site, nevertheless people travelling by car would be likely to exacerbate the on street parking problems that currently arise from the operation of the Cricket Club.
26. The padel courts would most likely be accessed via Hamilton Road Park from Hamilton Road and Bury New Road. Parking is restricted along these roads, but I am not aware that padel court visitors would be unable to park for at least the duration of a playing session. In addition to parking, vehicles would likely stop to drop off and pick up players. Therefore, the proposal would contribute to on street parking pressure and vehicle movements locally.
27. I understand padel is commonly a doubles game, such that there could be as many as 16 people playing at any one time. Numbers would increase at the changeover of playing sessions. Taking into account spectators and social events, there could be significantly large numbers of people in and around the facility including during evenings and weekends. Depending on factors such as the time of year, the weather, the numbers involved and distances travelled, the proposal could therefore result in considerable on street parking demand.
28. I note that the appellants consider that there is ample parking on surrounding streets and the proposal would be minimally disruptive. However, this is not the view of the Highway consultee who states that on street parking is at a premium at all times on the surrounding residential streets and the additional on street vehicle and manoeuvring would significantly impact existing resident parking and be detrimental to the free flow of traffic and road safety. In the absence of substantive evidence, such as a robust estimate of vehicle trips or a parking survey, the proposal fails to demonstrate either that parking demand would be negligible or that there would be sufficient street parking capacity to absorb the additional demand.
29. On the basis of the evidence, the proposal would result in significant additional demand for parking in a residential area where on street parking is already under pressure. Irrespective that waiting times are limited along the adjacent residential road, there would be a marked increase in vehicular activity arising from padel court visitors parking, looking for or waiting for parking spaces, or dropping off and pick up others. This would disrupt traffic flows, increase the potential for conflict between road users including children visiting the adjacent park, and it would be detrimental to local residential amenity.
30. The appellant would be happy with planning conditions to encourage travel by public transport and requesting that players not park on Parklands. However, neither party has suggested the wording of any such condition nor demonstrated

that a condition would be an appropriate or effective mechanism to prevent people from travelling by private car and parking on public roads.

31. Therefore, I conclude that, in absence of adequate parking provision, the proposal would harm residential amenity and the safe operation of the highway. It would conflict with saved UDP policies EN1/2, HT2/4 and HT2/4 and PfE policies JP-C5, JP-C6 and JP-C8. These require, among other things, that proposals minimise the negative effects of vehicle traffic, ensure the efficient movement of people and make adequate parking provision. It would also conflict with the aims of the Council's Policy Guidance Note 11 parking standards in Bury (May 2007).

#### *Lighting and noise impacts*

32. The proposal would operate 7 days a week from early in the morning til late at night, with limited exceptions. The social spaces would be used for spectating, mingling and relaxing as well as club social events, mini-tournaments and club nights. At times, there could be large numbers of people congregating in the open air in and around the padel courts. There would be noise from the courts, including ball strike and players voices, and from the recreational activity of large numbers of people including during the evenings and weekends. Therefore, the proposal would potentially disturb nearby residential occupiers on a frequent and regular basis, including at traditionally quieter times of the day and week.
33. No noise impact assessment was submitted with the planning application nor requested by the Council during the processing of the application. I note the excerpts from a noise impact assessment carried out in relation to padel courts at East Dorset Lawn Tennis and Croquet Club. However, there is little evidence that scheme or its background noise levels, with nearby railway line and neighbouring middle school, are directly comparable to the appeal scheme. Noise assessments relating to padel courts elsewhere do not provide a justification for the appeal.
34. The appellant would be amenable to the imposition of a planning condition requiring a noise impact assessment but do not explain how noise might be mitigated in the event that the type or level of sound was found to be incompatible with nearby residential uses. The likely impact on nearby sensitive noise receptors and any mitigation measures need to be understood before planning permission is granted. This is not a matter that could be satisfactorily addressed by condition.
35. Each padel court would be lit by LED floodlights angled to illuminate the playing area. However, the false colour rendering plan does not appear to correspond precisely to the proposal and the lighting assessment fails to take into account the cumulative impact of the proposed 4 courts. Based on the design of the canopies, it seems unlikely they would adequately mitigate light spill. There is also little information in relation to external lighting to the amenity building or the social spaces and spectator areas. Therefore, it has not been demonstrated that the proposal would avoid adverse lighting impacts on the surrounding area.
36. Drawing all this together, the proposal would result in vehicle parking, idling and manoeuvring on surrounding residential roads. There would be considerable noise and disturbance as a result of the comings and goings and activity of large numbers of people, including using the padel courts and congregating in the social spaces. The padel courts would be floodlit, and the open social spaces likely illuminated, until 10pm nearly every day of the year. These effects would be cumulatively detrimental to the residential amenity of the area.

37. I accept that there is a cricket pitch, tennis courts and a playground in this area. However, these do not appear to be directly comparable to the proposal in terms of their nature or their frequency, intensity or duration of use. The nearby sports and recreation facilities do not provide a justification for the proposed padel courts.
38. The preliminary ecological appraisal identifies that the trees fringing the appeal site provide functional links between patches of deciduous woodland priority habitat locally. Artificial illumination of surrounding habitats may adversely affect commuting bats. GMEU advises that a low impact lighting strategy with retained dark corridors can be secured by condition, but it has little confidence that such a strategy could be implemented effectively in the absence of a lighting plan that indicates predicated lux levels on sensitive ecological features. Taking into account the very close relationship between the padel courts and the neighbouring tree canopies, it seems unlikely that adverse lighting impacts on bat foraging and commuting habitat would be avoided.
39. Therefore, I conclude that the proposal would harm residential amenity and it would be detrimental to protected species. It would conflict with UDP saved policies EN1/2, EN6/3 and EN7/2 and PfE policies JP-P1 and JP-G8. These require, among other things, that proposals contribute to sustainable places, having regard to the relationship with the surrounding area, avoiding adverse impacts of lighting and noise, and protecting and enhancing biodiversity. It would also conflict with the aims of the Framework including in relation to the creation of places with a high standard of amenity.

#### *Trees*

40. The appeal site comprises a grassed surface that is open to the cricket pitch but with trees close to its north east and south east boundaries. The aerial photographs illustrate that the canopies of the neighbouring trees overhang the boundaries.
41. The padel courts require a flat smooth playing surface that is well drained and stable. This would be achieved by laying a hardcore subbase, a layer of porous tarmac, and an artificial playing surface. There would be a concrete ring beam around each of the courts to support the tempered glass. Drainage channels would be laid if necessary. Materials would be delivered by truck and excavated soil would be removed from site. However, no arboricultural survey has been provided nor are there any detailed plans to demonstrate that tree canopies and root protection zones would be adequately protected during these works.
42. The glass around the courts would be 3m tall. Above this, at the court ends, there would additionally be a 1m mesh barrier. The court canopies would then be over 9m tall at their highest points, dropping to just short of 7m tall along court sides. Even if the roughly 3m overhang at the court ends was omitted, the proposal would result in significantly tall structures in close proximity to the adjacent tree canopies.
43. The proposal fails to demonstrate that neighbouring tree canopies would not need to be pruned or removed to facilitate erection of the court canopies. There is also little evidence that the trees have reached their maximum size such that there would be no future conflict due to canopy or root spread. Moreover, given the proximity of trees and likely branch spread and leaf fall, with associated maintenance and safety concerns, it seems likely that there would be future pressure to cut back or remove adjacent tree canopies.

44. Therefore, I conclude that the proposal would result in adverse impacts on the adjacent trees. This would conflict with the tree protection and enhancement aims of UDP saved policy EN8/2 and PfE policy JP-G7.

### **Other Matters**

45. The appellants are local residents and they are committed to providing a thriving sports facility for the local community with the support of the Cricket Club. They are also willing to work with the Council to develop an acceptable scheme. While the Framework encourages local planning authorities to work proactively with applicants to secure developments that will improve economic, social and environmental conditions, this does not weigh in favour of the proposal.
46. As set out above, there would be some social and economic benefits, and the proposal would not result in an unacceptable loss of sports and recreation provision. However, the modest benefits and compliance with some policies in the development plan do not outweigh the harm that I have identified.

### **Conclusion**

47. For the reasons set out above, I conclude that the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict.
48. Therefore, I conclude that the appeal should be dismissed.

*Sarah Manchester*

INSPECTOR



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## Appeal Decision

Site visit made on 2 March 2026 by Kim Vo MPLAN

### Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 April 2026

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### Appeal Ref: 6003529

#### 15 Barnhill Road, Prestwich, Bury M25 9WH

- 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 Garry Almond against the decision of Bury Metropolitan Borough Council.
  - The application Ref is 72321.
  - The development proposed is for an external escape stair.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure and Main Issue

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal scheme. The main issue in regard to which is its effect on the character and appearance of the area.

### Reasons for the Recommendation

3. The appeal building is a detached two storey dwelling in a residential area. Architecture varies, but there is a pleasant homogeneity to the traditional and conventional suburb style of housing which is generally set back from and facing a single carriageway road with frontages given over to off street parking.
4. In this context, the staircase would be significant in scale, sprawling across the depth of the main side elevation and rising to the second floor. Its galvanised steel construction would give it a distinctly industrial character. In combination with its rigid, utilitarian design, the structure would appear incongruous and jar against the architectural traditionality of the host building and surrounding area. It would be positioned to the side and partly concealed by the existing front mature trees and planting. However, given its scale and positioning, it would remain visible from public viewpoints through the open front driveways of both the appeal site and Number 13 Barnhill Road.
5. For these reasons, the proposal would cause unacceptable harm to the character and appearance of the host dwelling and surrounding area. As such, it would be contrary to Policy H2/3 of the Bury Unitary Development Plan 1996 and the Alterations and Extensions to Residential Properties Supplementary Planning Document 2004. This policy and guidance require, amongst other things, alterations to not have a detrimental impact on the character of the property and surrounding area.

6. An occupier of the appeal property has a medical condition which results in mobility limitations. I am aware of the Public Sector Equality Duty set out under Section 149 of the Equality Act 2010. Disability is a protected characteristic thereunder.
7. The proposal would be accessible only from the second floor. This loft level is not occupied by the disabled resident, and it is unclear how they would access the external staircase in the event of an emergency. As such, the proposal would not directly meet their needs in providing them with an alternative means of escape and would only benefit the disabled occupier's relative who resides on this floor.
8. It is also unclear how exactly this disabled resident would cause an obstruction of the internal staircase, and why another household member would be unable to pass by them safely in the event of a fire, or even assist them in their escape. Additionally, there is no sufficiently compelling evidence to demonstrate that fire safety requirements could not be achieved through alternative means, which might have a lesser impact. Such measures could include a fire suppression system, fire warning systems, or changes to the internal living arrangements. I remain to be convinced that the proposal is the only way to achieve the outcome the appellant desires.
9. Therefore, I attach only limited weight to the benefits the development would provide for the disabled resident. The proposal would not alter their existing means of escape and does not present as an opportunity to eliminate discrimination against a person with the protected characteristics of a disability. Accordingly, the harm I have identified would outweigh the limited benefits and the impact of dismissing the appeal would be proportionate and justified.

### **Conclusion and Recommendation**

10. For the above reasons, the appeal proposal would conflict with the development plan and material considerations do not indicate a decision other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

*Kim Vo*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

11. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

*John Morrison*

INSPECTOR



**Details of Enforcement Appeal Decisions  
between 16/03/2026 and 12/04/2026**

**Location:**

**Case Ref:**

**Issue:**

**Appeal Decision:** Withdrawn



**Details of New Enforcement Appeals Lodged  
between 16/03/2026 and 12/04/2026**

**Case Ref:** /

**Date of Appeal:**

**Appeal Type:**

**Location:**

**Issue:**

**Total Number of Appeal Cases: 0**



**Planning Appeals Decided  
between 16/03/2026 and 12/04/2026**

**Application No.:** 71201/FUL

**Decision level:** DEL

**Recommended Decision:** Refuse

**Applicant:** Prestige Padel

**Location:** Stand Cricket And Tennis Club, Hamilton Road, Whitefield, Manchester, M45 7WF

**Proposal:** Erection of 4 no. Padel Courts

**Appeal Decision:** Dismissed

**Date:** 16/03/2026

**Appeal type:** Written Representations

**Application No.:** 72321/FUL

**Decision level:** DEL

**Recommended Decision:** Refuse

**Applicant:** Garry Almond

**Location:** 15 Barnhill Road, Prestwich, Manchester, M25 9WH

**Proposal:** External escape staircase to side

**Appeal Decision:** Dismissed

**Date:** 02/04/2026

**Appeal type:** Written Representations



**Planning Appeals Lodged  
between 16/03/2026 and 12/04/2026**

**Application No.:** 71464/FUL **Appeal lodged:** 10/04/2026  
**Decision level:** COM **Appeal Type:**  
**Recommended Decision:** Approve with Conditions  
**Applicant:** Failsworth Property  
**Location:** Land at rear of Westminster Avenue, Radcliffe, Manchester, M26 3WD

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

**Application No.:** 72260/PIP **Appeal lodged:** 30/03/2026  
**Decision level:** DEL **Appeal Type:** Written Representations  
**Recommended Decision:** Refuse  
**Applicant:** Christine Gill  
**Location:** Hilsden Farm Stables, Ringley Road West, Radcliffe, M26 1DW

**Proposal:** Application for permission in principle for erection of up to 4 no. dwellings

**Application No.:** 72495/FUL **Appeal lodged:** 18/03/2026  
**Decision level:** DEL **Appeal Type:** Written Representations  
**Recommended Decision:** Refuse  
**Applicant:** Mr & Mrs S O Gara  
**Location:** Land adjoining Plane Trees Farm, Bradley Fold Road, Radcliffe, Bolton, BL2 5QR

**Proposal:** Erection of stables and menage

**Application No.:** 72498/PIP **Appeal lodged:** 24/03/2026  
**Decision level:** DEL **Appeal Type:** Written Representations  
**Recommended Decision:** Refuse  
**Applicant:** Cornell Group  
**Location:** Land off Bentley Lane, Bury, BL9 6RZ

**Proposal:** Application for permission in principle for erection of up to 9 no. dwellings

**Total Number of Appeals Lodged: 4**