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AGENDA FOR

PLANNING CONTROL COMMITTEE



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To: All Members of Planning Control Committee

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

Dear Member/Colleague

Planning Control Committee

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

Date:	Tuesday, 28 th July 2026
Place:	Council Chamber, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.

AGENDA

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 1ST JULY 2026 *(Pages 3 - 4)*

The Minutes of the meeting held on Wednesday the 1st July 2026 are attached.

4 PLANNING APPLICATIONS *(Pages 5 - 80)*

Reports attached.

5 DELEGATED DECISIONS *(Pages 81 - 94)*

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 95 - 116)*

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: 1st July 2026

Present: Councillor G Staples-Jones (in the Chair)
Councillors C Boles, D Duncalfe, U Farooq, M Hayes, D Hill,
B Ibrahim, D Quinn, M Rubinstein and J Rydeheard

Also in attendance: Councillor D. Green

Public Attendance: 8 members of the public and no members of the press were in attendance at the meeting.

PCC.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors J Roith and M Walsh. Councillor J Rydeheard acted as a substitute representative for Councillor Roith. There was no substitute representative for Councillor Walsh.

PCC.2 DECLARATIONS OF INTEREST

There were no reported declarations of interest.

PCC.3 MINUTES OF THE MEETING HELD ON THE 28TH MAY 2026

Delegated decision:

That the Minutes of the meeting held on the 28th May 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 numbers 72863, 72939 and 72968.

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

Delegated decisions:

1. That the Committee **Approved with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and the supplementary information submitted **along with an amended condition 6 in relation to the inclusion of swift bricks** and subject to all other conditions included:-

1-3 Haslam Street, Bury, BL9 6EQ

Change of use from 2 no. units (Class E) to 8 bedroom (single occupancy) House in Multiple Occupation (Class Sui Generis) with alteration to front elevations and change of roof style from hip to gable

2. 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:-

High View, Kersal Road, Prestwich, Manchester, M25 9SN

Conversion of bungalow to create 2no. flats

3. That the Committee **Approved with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and the supplementary information submitted **along with an amended condition 11 in relation to 3 EV charging points** and subject to all other conditions included:-

Whitefield Library, Pinfold Lane, Whitefield, Manchester, M45 7NY

Change of use of former library (Use Class F1(d) to provide a health centre (Use Class E(e)), together with associated external alterations, car parking provision, landscaping, and engineering 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 URGENT BUSINESS

No urgent business was report.

COUNCILLOR G STAPLES-JONES
Chair

(Note: The meeting started at 7.00pm and ended at 7.35pm)

Title	Planning Applications
To:	Planning Control Committee
On:	28 July 2026
By:	Development Manager
Status:	For Publication

Executive Summary

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

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

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

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

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

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

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

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

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

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

Development Manager

Background Documents

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

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

01	Township Forum - Ward:	Prestwich - Sedgley	App No.	72682
	Location:	31 Grosvenor Street, Prestwich, Manchester, M25 1ES		
	Proposal:	Change of use of Swim School building (Class E(d)) to dwelling (Class C3); Demolition of a single storey rear projection; Replace corrugated roof to composite roof with tiled covering; Composite timber panelling adding to front elevation windows		
	Recommendation:	Approve with Conditions	Site Visit:	N
02	Township Forum - Ward:	Radcliffe - West	App No.	72750
	Location:	Land at Harper Fold Road & Canute Street, Radcliffe, Manchester, M26 3BX		
	Proposal:	Erection of 2 no. dwellings		
	Recommendation:	Approve with Conditions	Site Visit:	N
03	Township Forum - Ward:	Bury West - Elton	App No.	73065
	Location:	Elton Fold Working Mens Club, Leigh Lane, Bury, BL8 2RH		
	Proposal:	Erection of external raised decking at side with canopy and timber board cladding to side elevations		
	Recommendation:	Approve with Conditions	Site Visit:	N
04	Township Forum - Ward:	Bury East	App No.	73083
	Location:	102 Sixth Avenue, Bury, BL9 7RP		
	Proposal:	Change of use from dwelling (Class C3) to a children's residential care home (Class C2) for up to 3 children		
	Recommendation:	Approve with Conditions	Site Visit:	N

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Ward: Prestwich - Sedgley

Item 01

Applicant: GMPE Property Ltd

Location: 31 Grosvenor Street, Prestwich, Manchester, M25 1ES

Proposal: Change of use of Swim School building (Class E(d)) to dwelling (Class C3);
Demolition of a single storey rear projection; Replace corrugated roof to composite roof with tiled covering; Composite timber panelling adding to front elevation windows

Application Ref: 72682/Full

Target Date: 16/06/2026

Recommendation: Approve with Conditions

Description

The application relates to a single storey brick built building which has a glazed hexagonal shaped conservatory frontage located within the frontage and grounds of 31 Grosvenor Street, a detached 4 bedroom property called 'Ivy Bank'. The building was previously used the application building as a Swimming Pool where lessons were held to give lessons - Ivy Bank Swim School.

The application site, is a former outbuilding to 31 Grosvenor Street, located on the corner of Grosvenor Street and Randlesham Street on a triangular site that formerly was a Swim School.

The submitted red edge indicates a triangular plot and Ivy Bank, 31 Grosvenor Street is outlined in a blue edge, which indicated the applicant owns the property.

There is a low red brick capped wall forming the front boundary of the site which defines the curtilage of the property from the adopted highway. The rear of the application building abuts the garden area of no. 74 Whittaker Lane, a detached property, historically in use as a Vicarage. No. 36 Randlesham Street also shares the front boundary of the property with the application site.

Planning permission is sought to change the use of the former single storey swim school building to a one bedroom Class C3 dwellinghouse, for the demolition of a single storey side element of the building, the replacement of the existing corrugated roof to a composite roof with tiled covering and for the installation of composite timber panelling to the front elevation windows. The front elevation overlooks Grosvenor Street and Randlesham Street.

The area of the building to be demolished currently projects 2.67m beyond the western elevation of the building, has a width of 2.25m an eaves height of 2m and an maximum height of 2.4m.

Ivy Bank, 31 Grosvenor Street, to which the building formed part of, is within the same ownership, and this is indicated by the property being outlined with a blue edge.

Procedural Issue

It has been asserted by neighbouring occupiers and proved via Land Registry documents that the submitted Ownership Certificate A is incorrect, as the red edge seems to encroach on to land within the ownership of other people; primarily no. 24 Whittaker Lane and also a plot of land adjoining the garden area of no. 24 Whittaker Lane and the land owned by 36

Randlesham Road within the ownership of whoever owns the land between 74 Whittaker Lane and 151 Rectory Lane. During the course of this application the red edge has been reduced in size that reflects current Land Registry records.

Relevant Planning History

71567 - Lawful development certificate for proposed change of use from a dwellinghouse (Use Class C3); the internal layout will be revised to allow the use of the property as a small house in multiple occupation 'HMO' for up to six individuals (Use Class C4). - Lawful Development, 24/03/2025

70742 - Change of use from dwelling (Class C3) and Swim School building (Class E(d)) to 10 no. bed House of Multiple Occupancy (HMO) (Class Sui Generis) to include changes to the fenestration of the pool building; Loft conversion with 2 no. rear dormers to dwelling - Refused, 18/07/2024

27174 - Erection of swimming pool building - Approved, 28/05/1992

29646 - Conservatory extension to proposed swimming school building - Approved, 03/05/1994

26594 - Change of use of ground floor to children's nursery (Class D1) and Toilet extension at rear - Approved, 28/11/1991

Publicity

5 adjoining neighbouring properties have been consulted about this application via letter on 12/01/2026 before the application was made invalid over concerns over the submitted Ownership Certificate. The submitted red edge was amended and the application was revalidated and neighbours were reconsulted for 21 days on the . On receipt of amended plans neighbours were reconsulted on the 24 April 2026.

17 representations have been received as a result of this publicity. 1 comment has been raised, 4 letters of support have been received, 12 letters of objection and 1 petition have been received. These representations raise the following matters:

Support

The following reasons for supporting are summarised as follows:

- There is a clear need for a more accessible, single level home within our area. This proposal offers a practical housing solution while respecting the character of the surrounding properties.
- Derelict buildings attract antisocial behaviour and create anxiety among residents.
- The proposed conversion is consistent with the character of the surrounding properties and would integrate well in the street.
- The buildings use as a swim school has historically generated noise and more importantly so much traffic coming and going, I believe a return to a swim school which would undoubtedly happen if the current owner doesn't get this planning accepted, would negatively impact the area again.
- The proposal represents a positive improvement to the street and will provide a quieter more appropriate use over another swim school.

Objections

The following objections have been received:

- Land Ownership
 - Neighbouring residents assert the submitted red edge incorporates land owned by them and not the applicant.
- Harmful to neighbouring residents
 - Overlooks neighbouring properties, causing an unacceptable loss of privacy and harming amenity.
 - Residential use would increase noise, disturbance, and daily activity immediately beside shared boundaries
- Parking and Highway Safety
 - Parking pressures will worsen; the address already has multiple vehicles and the area is congested from parked cars.
 - There are currently three extra vehicles parked on the roadside, despite the developers undertaking to restrict his tenants to bicycles or public transport only. This further development cannot guarantee to not add to the already overloaded street parking.
 - Evidence of failure to comply with provisions regarding parking of vehicles is already evident and the developer has no means or methods in place to ensure tenants only access their property by either walking or cycling
- Servicing
 - Existing refuse problems (bins left out, contamination, odours) would worsen with more residents.
 - Access for emergency services is already difficult. Further vehicles will make it virtually impossible.
- Drainage
 - Drainage is an issue here, the addition of another dwelling would make this issue worse.
- Other Matters
 - Wants to know why another development is proposed on this site again as it was refused last time the criteria hasn't change.
 - Condition of the site and unsafe parts of the building.

On receipt of the latest set amended plans reducing the number of bedrooms within the application building from two bedrooms to one bedroom accommodation and creating a rear garden area incorporating the area between the western side elevation and the angled boundary of the site incorporating part of the site which is proposed to be demolished, neighbours directly adjoining and closest to the application site were reconsulted on the 06/07/2026. The following additional concerns received are therefore as follows:

- The building is located immediately adjacent to my property boundary and has the potential to increase overlooking, reduce privacy and create additional noise and disturbance. The amended plans appear to move the proposal even further away from

the character of the surrounding area, which is a quiet residential neighbourhood occupied predominantly by family households.

- Concerned by the current condition and management of the site.
- At present there are four bins associated with 31 Grosvenor Street positioned at the end of my driveway. These bins have been left there for a prolonged period and are creating an eyesore within the street scene. In addition, there is a fridge that has been left outside the property for several months without being removed or properly disposed of. This accumulation of waste and discarded items is detrimental to the appearance of the area, negatively impacts neighbouring residents and raises serious concerns regarding the management and maintenance of the property. If the site is not being appropriately managed now, this does not give confidence that it will be properly managed should further residential accommodation be permitted.
- Also raises concerns that one of the bins appears to belong to Warrington Borough Council rather than Bury Council. Stating they cannot understand how a bin belonging to another local authority has ended up at this property, and asking that this matter is investigated as part of the Council's consideration of the application.

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

Statutory/Non-Statutory Consultations

Traffic Section - Raises concerns that no parking is proposed within curtilage and that the redundant access - a legacy from the 1992 approval for the Swim School use - should be reinstated to adjacent footway levels and new footway crossing.

Environmental Health - Pollution Control - No comments or observations received

Waste Management - No comments or observations received

Prestwich Village Neighbourhood Forum (PVNF) - No objections to this proposal that will make use of a redundant building to provide, what is in effect, a bungalow.

PVNF Housing Needs Assessment identified a shortage of bungalows in the Neighbourhood area; therefore, this proposal would support the Prestwich Village Area Housing Need Assessment (HNA) findings. It is worth noting that there is very little amenity space and no off-street parking on the application site, but given that the proposal is for only one small residential unit, PVNF doesn't consider this to be sufficient to outweigh the other benefits of the proposal.

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
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD11	Parking Standards in Bury
SPD13	Conversion of Buildings to Houses in Multiple Occupation
JP-C2	Digital Connectivity
JP-C6	Walking and Cycling

JP-C8	Transport Requirements of New Development
JP-S2	Carbon and Energy
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
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 of Development

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. The application site is within a residential location off Whittaker Lane and is within walking distance of Heaton Park Metrolink stop and Whittaker Lane / Bury Old Road Local Centre. Creating a dwelling in this location is therefore acceptable in principle.

Density of Development

PfE Policy JP-H4: Density of New Housing seeks to ensure an effective use of land and therefore sets minimum density requirements. This application site is within an area where 70 dwellings are required per hectare. This site is only 0.01 hectares. Based on this policy, a site of this size yields an exact target of 0.7 dwellings, which rounds up to 1 dwelling. Therefore the conversion of this building accords with the requirements of this policy.

Design and Layout

The large property within the submitted blue edge, known as 'Ivy Bank', is in very close proximity to the application building, is currently in use as a 6 bedroom House in Multiple Occupation (HMO). This HMO property appears to currently be only partly occupied, with the representations received indicating that only 3 or 4 occupants currently live in the property.

In the conversion of this property to a HMO the former ground floor rear door, which provided direct access into a rear yard area, has been removed. A bedroom is now occupying the area where the rear door was. There is now no direct access to the rear yard area of this property from within the property. As a result 4 bins from 31 Grosvenor Street are being stored on the adopted highway (pavement) adjacent to the application site. The LPA has witnessed these bins and the representations received advise that the 4 bins are permanently stored on the adopted highway.

This application, seeks to convert and extend the former Swimming Pool building to a 2-bedroom open market dwelling. No new windows or openings are proposed. A small side extension is proposed to the end of the building closest to the boundary of the site bordering the grounds of no. 29 Randlesham Street to create an internal store area off Proposed Bedroom 2.

Each proposed bedroom would accord with the Nationally prescribed Space Standards, thus the proposal would comply with this aspect of PfE Policy JP-H3.

The conservatory frontage of the property which would be used as the sole entrance to the proposed dwelling. No garden area or outside space is proposed.

The proposed site plan indicates the 3 refuse bins for the proposed dwelling would be stored to the northern side of the application building, adjacent to the boundary of the site with Grosvenor Street. Due to changes in waste collection legalisation, Council's will have to collect 4 types of waste and therefore 4 bins would be required. This will be secured by condition. In addition, to minimise the visual clutter of bins on the streetscape, a planning condition will be imposed requiring these be stored within a covered bin store. Therefore the proposed development would be in accordance with Policies EN2/1, H2/1, H2/2 and H2/4 of the Unitary Development Plan and PfE Policy JP-C8.

Amenity of neighbouring residents

The neighbours whose boundaries directly adjoin the application site are:

- Ivy Bank, 31 Grosvenor Street, a property within the submitted blue edge, in use as a 6 bedroom House in Multiple Occupancy (HMO).
- The former Vicarage, 74 Whittaker Lane; and,
- 36 Randlesham Street

Ivy Bank, 31 Grosvenor Street

This property is currently in use as a HMO for up to 6 individuals. The property was converted to an HMO from a dwelling using permitted development rights. Permitted development rights would also allow the change of use of a HMO back into a dwelling.

The proposed development has therefore been assessed in terms of the impact upon the occupiers of No. 31 Grosvenor Street as both a dwelling and an HMO.

The front ground floor windows of the property known as Ivy Bank serve existing bedrooms.

From the proposed conservatory frontage and glazed entrance door of the application building, direct views into both ground floor windows of Ivy Bank, which serve bedrooms within the adjoining HMO and would have served habitable rooms when it was in use as a dwellinghouse, would be possible. To protect the amenity of both the occupants of no. 31 Grosvenor Street and future occupiers of the application proposal it is thus recommended that the side elevation of the existing conservatory be obscure glazed. This is recommended to be secured by planning condition.

The former Vicarage, 74 Whittaker Lane

The application building adjoins the garden area of this neighbouring property. The rear elevation of the building forms the boundary to this neighbouring property. This neighbour has a Pergola abutting the rear elevation of the application site and a covered external seating area in close proximity to the shared boundary and rear wall of the application site. Part of the building sought to be demolished measuring approximately 2.4m high along the shared boundary, reducing to 2m high at the eaves beyond the boundary with this property.

Objections have been raised about the impact of the proposed bedroom wall on the use of the adjacent garden and a loss of privacy. It is considered that provided the rear elevation is satisfactorily soundproofed the amenities of both the occupiers of the proposed development and the adjacent property would not be demonstrably harmed. The soundproofing would be secured by condition.

The proposed development involves the removal of the existing single storey store, which is located off the west facing elevation. In order to maintain the privacy of the occupiers of the proposed development and neighbouring properties, a condition to secure a fence of at least 2.2 metres in height would be included.

36 Randlesham Street

The front door of this property and its main outlook is southward covering the westerly end of the of the application site and of the area of the building proposed to be demolished and turned into a garden area.

The proposal seeks to remove the existing large window present in the west facing elevation of the building and infill the opening with matching brickwork. This aspect is thus of benefit to these neighbours.

Whilst not noted on the amended plans received, the single storey store has been removed to create an area of garden between the west facing side elevation (Elevation B on the submitted drawing). The planning condition recommended for boundary treatments will thus ensure the amenity of the occupiers of this property are not demonstrably harmed by this proposal.

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

Amenity of Future Occupants

The proposal would provide a one-bedroom property which would provide separate kitchen area and lounge areas. The internal layout of the proposed residential property would meet the space standards required within the Nationally prescribed Space Standards size and within PfE Policy JP-H3.

The proposal has been amended through the course of this application to reduce the size of the building by demolishing a portion of the building at the rear. The demolition of part of the existing building would create a rear garden area for future occupiers of the property. The storage of up to 4 refuse bins is also proposed at the opposite end of the application building.

Overall, the internal layout and external layout of the development proposed would provide a satisfactory standard of accommodation for any future occupier(s) of the application building. Ensuring the proposal is designed to accord with Building Regulations M4/2 standards could be secured by planning condition and such a condition is therefore recommended.

Therefore, the proposed development would be in accordance with Policy JP-H3 of the Places for Everyone Joint Development Plan

Parking and Highway Safety

Due to the constraints of the site, it is not possible to provide off-street parking to serve the proposed development within the application site. SPD 11: 'Parking Standards in Bury' sets a target for the proposal to provide one space per dwelling within this zone, as well as a total of two secure and covered cycle parking spaces. Two

It is important to note that the lawful use of the property was as a communally accessible swimming pool. This means that lawful operation of the site as it presently exists would see a significantly greater demand for parking (that could also not be accommodated on-site), as well as a significantly greater number of vehicle movements and comings and goings. In comparison, the residential use of the property for up to three people would generate significantly less movement, disturbance and general demand.

Furthermore, there are currently no waiting restrictions within either Grosvenor Street or Randlesham Street. It is also noted that on both of these roads on-street car parking is well-subscribed due to the terraced and semi-detached nature of this area of Prestwich. There are therefore limited opportunities for off-street parking within the locality.

It is accepted that the proposed development would contribute further to this local subscription of on-street parking in the locality. However, this would be by one additional parking space only. This is not held to be materially significant and would not cause such demonstrable harm to justify refusal on this basis. Moreover, SPD11 does stipulate that an under provision could be acceptable in certain circumstances.

Aside from the planning reasons that outweigh this under provision of a car parking space, as discussed in other sections of this Report, such as more homes being required, the site would provide a compliant provision of cycle parking space and is within comfortable walking distance of bus stops to the west, east and south. Prestwich supermarkets are also within a 14-minute - 17 minute walk of the application site and the application site is within 550m of Heaton Park Tram Stop and the Whittaker Lane/ Bury Old Road Local Shopping Centre. The location of the application site is therefore sustainably located for the provision of a new dwelling in this location.

Carbon and Energy

PfE Policy JP-S2: Carbon and Energy requires new development to be net zero carbon in relation to the developments operational carbon emissions. Policy JP-S2 expects all new development to be net zero carbon. The expectation from the adoption of the PfE Development Plan is that net zero carbon should be achieved for regulated carbon emissions; from 2028 for all emissions in construction; and from 2025, development should also calculate and minimise carbon emissions from unregulated emissions.

The proposed development embraces a fabric-first approach to sustainability. By upgrading and converting the existing building rather than demolishing it, the project preserves substantial embodied carbon within the structural envelope.

To minimise operational energy demand, the building fabric will be comprehensively retrofitted with high-performance insulation across all thermal elements (floors, walls, and roof) alongside high-specification double glazing, targeting U-values that exceed standard building regulations for conversions. Space and water heating will be delivered via highly efficient electric system, entirely avoiding fossil fuel reliance on-site in accordance with the GMCA Net Zero Design Guidance. Accordingly the proposal accords with PfE Policy JP-S2.

Digital Connectivity

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

The proposed bungalow is to be provided with future proofed digital infrastructure with the necessary ducting and internal routing to facilitate Full-Fibre to the Premises from the point of occupation. The proposed dwelling will be well equipped to support remote working,

digital inclusion and modern telecommunications infrastructure.

Biodiversity Net Gain - Statutory Requirement

As the application was made after 2 April 2024, it is subject to the provisions in Schedule 7A of the Town and Country Planning Act 1990 (the Act) relating to "Biodiversity Net Gain in England" which "makes provision for grants of planning permission in England to be subject to a condition to secure that the biodiversity gain objective is met".

The applicant has indicated that they consider the proposal to be "subject to the de minimis exemption (development below the threshold)". This exemption applies to development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of on-site habitat, or 5 metres of linear habitats such as hedgerows.

As the proposed development relates to the conversion of an existing building on land which is presently sealed surface hardstanding this is the correct approach and the general condition of planning permission relating to biodiversity gain does not apply in this instance.

Response to Objections

Many of the objections received have been addressed in this report.

Bin Storage on the Highway and other Waste Management Matters

The matters relating to no. 31 Grosvenor Street bins being stored on the highway is a matter that residents should be reported to the Council's Waste Management Service. It can be reported through Bury Council's "Report an issue in your neighbourhood" page under Roads, pavements and highways → Obstruction on the highway.

In terms of bins being used from Warrington Council, under Section 46 of the Environmental Protection Act 1990, Bury Council has the power to require occupiers to use specified receptacles for the storage and collection of household waste and to stipulate how and where those receptacles should be stored and presented for collection.

A Waste Management Officer will contact the landlord of 31 Grosvenor Street to remind them of their responsibilities in relation to the proper storage and presentation of waste containers. Should further compliance issues arise, enforcement action may be considered where appropriate.

As part of this investigation, the officer will establish whether a Warrington Borough Council bin is being used at the property. If it is confirmed that the bin does not belong to Bury Council and its removal is considered necessary, appropriate action will be taken. The officer will also investigate the reported fly-tipping and/or accumulation of waste at the site and determine any appropriate course of action.

Any unwanted bulky items, including white goods such as fridges - one of which is stored on the site, should be disposed of through Bury Council's paid for bulky waste collection service (<https://www.bury.gov.uk/waste-and-recycling/bulky-waste>) or via another authorised chargeable waste disposal route.

The owner and occupiers of the property are responsible for ensuring that all waste, recycling containers and bulky items are managed appropriately, stored within the property boundary when not awaiting collection, and do not have a detrimental impact on the local environment or visual amenity. These responsibilities will also be reinforced during contact with the landlord.

Lack of Maintenance of Ivy Bank, 31 Grosvenor Street

This matter has been passed to the Council's Building Control team, who will investigate

and, where necessary will take action.

Conclusion

The matters in the representations received have been addressed and where planning conditions can be used to address concerns raised, they are recommended. Subject to the recommended planning conditions being imposed, the application is recommended to be approved.

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 permission relates to the following plans and documents:

Drawing no. LP01D: Location and Block Plan;
Drawing no. 2526-LB02B: Proposed Layouts; and letter
Letter from Alpha Planning, dated 13 July 2026

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings and documents.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan, Greater Manchester Places for Everyone Joint Development Plan and the National Planning Policy Framework.

3. The dwelling hereby permitted shall not be occupied until a soundproofing scheme to be introduced on the south and east facing walls forming the boundary with 72 Whittaker Lane has been submitted to and approved in writing by the Local Planning Authority. The soundproofing scheme shall ensure that the level of sound insulation provided is in compliance with the requirements of Approved Document E of The Building Regulations 2010 (or any equivalent Order following the revocation and re-enactment thereof, with or without modification). The duly approved soundproofing scheme shall thereafter be implemented in full before the property hereby permitted is occupied.

Reason. To ensure that the development does not give rise to unacceptable noise

and disturbance to the occupiers of adjoining residential properties, particularly during unsocial hours, in accordance with the requirements of Policies EN1/2: Townscape and Built Design, H2/1 - The Form of New Residential Development H2/4: Conversions and EN7/2: Noise Pollution of the Bury Unitary Development Plan and the National Planning Policy Framework.

4. Within 3 months of development first taking place, details of the height, design, materials and finish of all boundary treatments at the site shall be submitted to and approved in writing by the Local Planning Authority. Any boundary treatments bordering a neighbouring property (72 Whittaker Lane and 36 Rendlesham Street) shall be 2.2m high.

The boundary treatments shall be constructed in accordance with the duly approved details before the building is first occupied and retained as such thereafter.

Reason. In the interests of site security and to ensure a satisfactory relationship with the character of surrounding buildings and the street scene and in the interests of safeguarding the amenity of nearby residents, in accordance with the requirements of Policies EN1/2: Townscape and Built Design, H2/1: The Form of New Residential Development H2/4: Conversions of the Bury Unitary Development Plan and the National Planning Policy Framework.

5. Within three months of development first taking place, a scheme for the provision of a bin store for the dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the siting, size, design and materials of the bin store and make provision for the storage of 4 no. standard size refuse bins. The bin store shall be constructed in accordance with the duly approved scheme and made available for use before the building hereby approved is first occupied and retained as such thereafter.

Reason. To ensure the provision of satisfactory facilities for the storage of refuse in the interests of the amenity of future occupiers and to ensure the appropriate siting and design of any refuse storage facilities within the site in the interests of visual amenity in accordance with the requirements of Policies EN1/2: Townscape and Built Design, H2/1: The Form of New Residential Development H2/4: Conversions of the Bury Unitary Development Plan and the National Planning Policy Framework.

6. Within 3 months of development first taking place, details of the size, materials and design of a covered and secure cycle store, in the location shown on drawing no. LP01D shall be submitted to and approved in writing by the Local Planning Authority. The duly approved covered and secure cycle storage shall be installed and made available for use before the building is first occupied and retained as such thereafter.

Reason. To promote modal shift and encourage travel to the site by more sustainable modes of transport and to achieve a sympathetic relationship with the character and appearance of surrounding buildings and the street scene in accordance with Policies EN1/2: Townscape and Built Design, H2/1: The Form of New Residential Development and H2/4: Conversions of the Bury Unitary Development Plan and the modal shift and active travel objectives of the Places for Everyone Joint Development Plan.

7. The conservatory windows shown on the east facing side elevation of the dwellinghouse hereby approved facing towards the front windows of no. 31 Grosvenor Street (Ivy Bank) shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and shall be and shall be non-opening before the dwelling hereby approved is first occupied, and shall be retained as such thereafter.

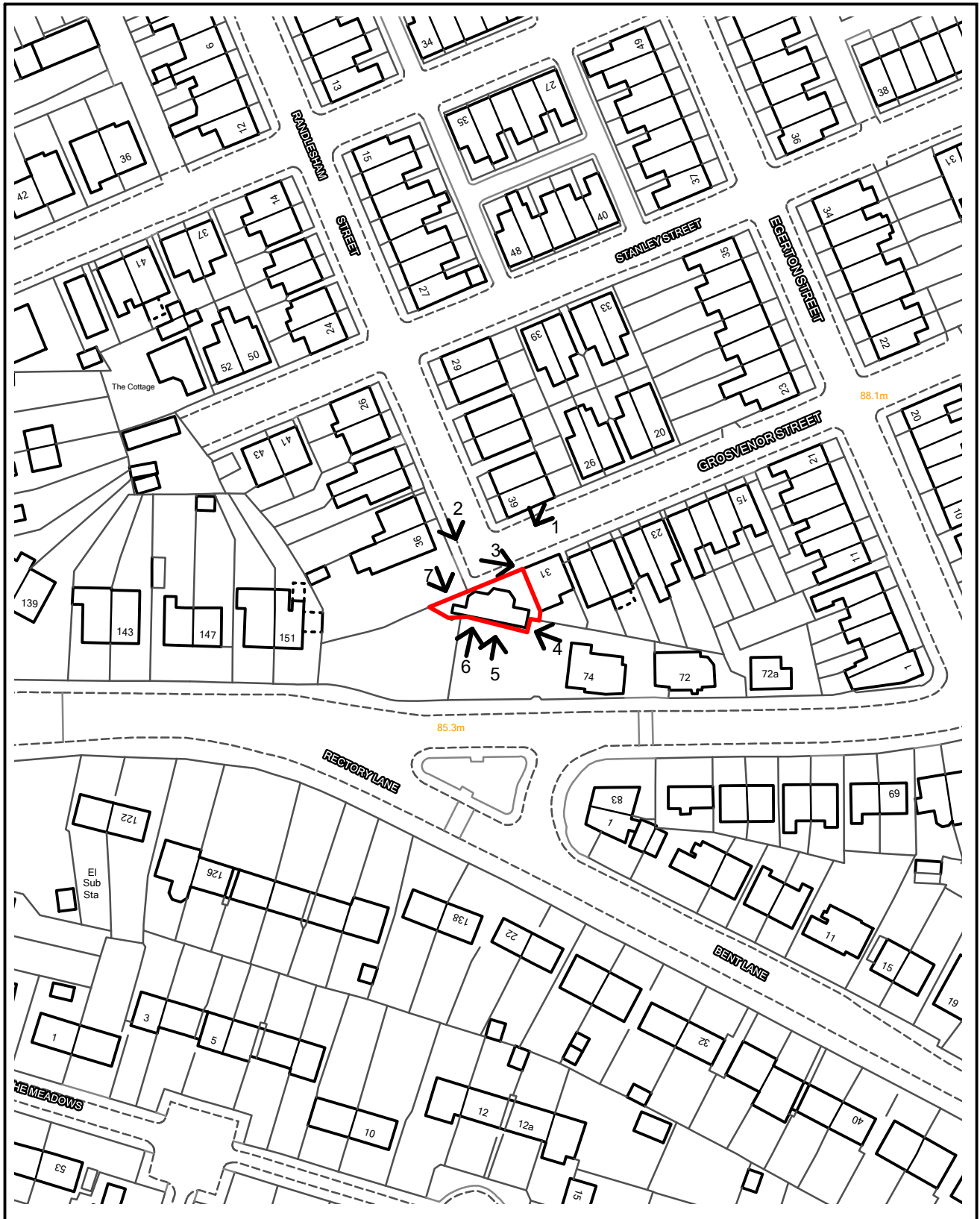
Reason. To safeguard the privacy of occupiers of neighbouring dwellings and ensure satisfactory levels of amenity for future residents in accordance with the requirements of Policies EN1/2: Townscape and Built Design, H2/1: The Form of New Residential Development, H2/4: Conversions of the Bury Unitary Development Plan and the National Planning Policy Framework.

8. The dwelling hereby approved shall meet the accessible and adaptable dwellings M4 (2) standard of the Building Regulations 2010 (or any equivalent Order following the revocation and re-enactment thereof, with or without modification).

Reason. In order to create accessible and adaptable homes, in accordance with Policy JP-H3: Type, Size and Design of New Housing of the Greater Manchester Places for Everyone Joint Development Plan.

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

Viewpoints



Application No 72682

ADDRESS: 31 Grosvernor Street, Prestwich

Planning, Environmental and Regulatory Services

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Bury
Council

72682

Photo 1

Front Elevation of Outbuilding/ Former Swim School building



Photo 2

Front Elevation of application building showing proximity of Ivy Bank, 31 Grosvenor Street



72682

Photo 3

View towards Ivy Bank, 31 Grosvenor Street – taken from Grosvenor Street



Photo 4

Taken from Garden of no. 74 Whittaker Lane – East facing gable of application building



Photo 5

Taken from Garden of no. 74 Whittaker Lane – Pergola positioned adjacent to the rear of the application building:



Photo 6

Corner of Garden Area of no. 74 Whittaker Lane looking towards the southern end of the outbuilding and the lean-to extension proposed for demolition. Gable elevation of 36 Randlesham Street shown in the background:



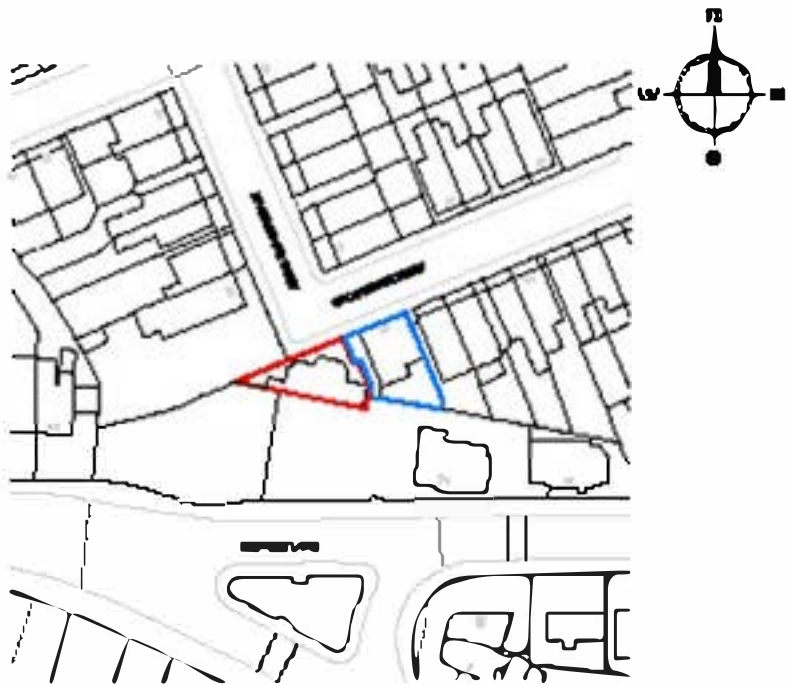
Photo 7

Portion of building proposed for demolition – View from frontage area of 36 Randlesham Street – shows lean-to addition proposed for demolition.



Do not scale. Contractors must check all dimensions on site before preparing production drawings or commencing any work. This drawing and its design is the copyright of LMC Architecture limited and may not be reproduced in any form whatsoever without their prior express written consent.

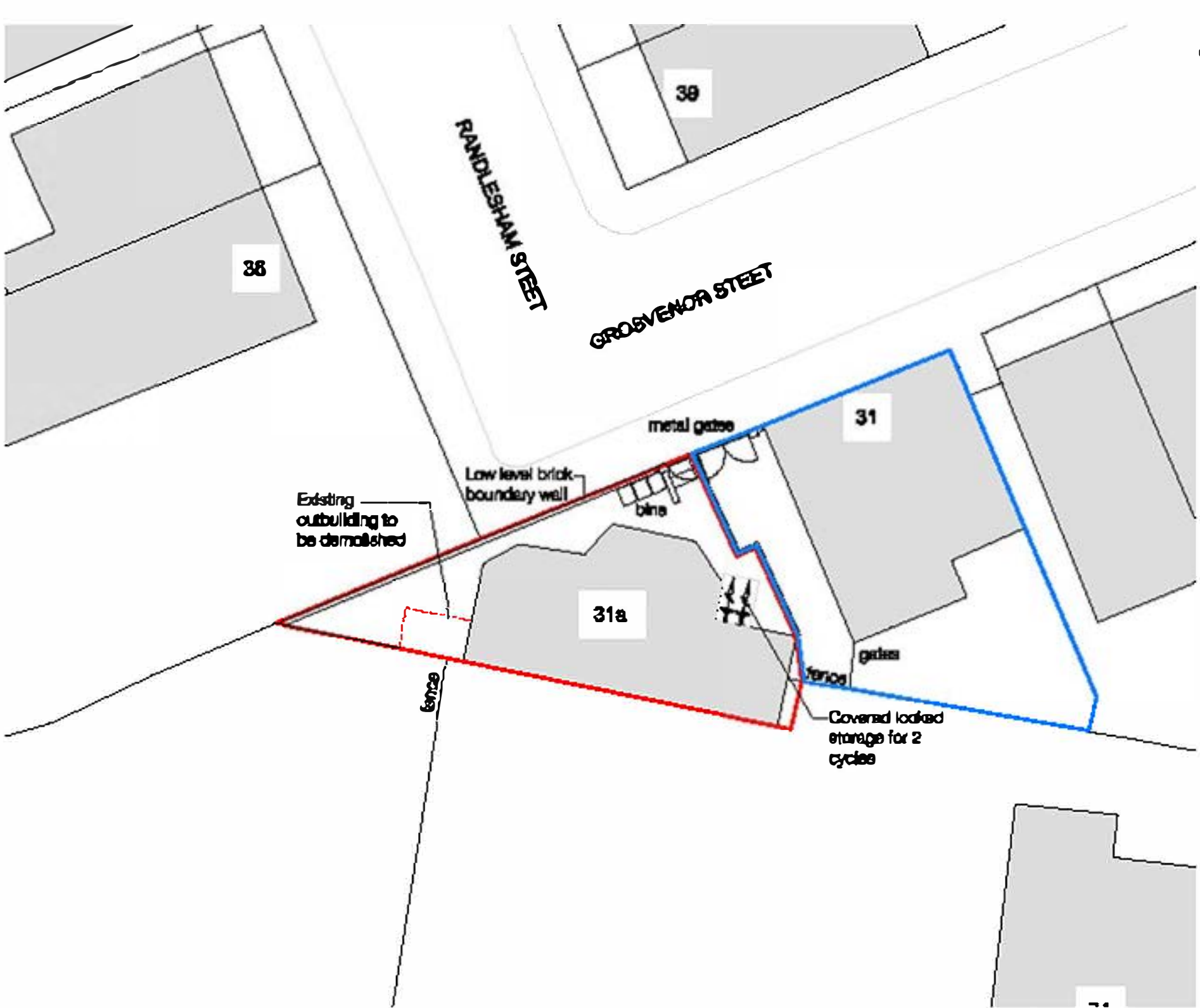
Revision	Date	Revision note	Drawn by	Purpose of issue
0	14.08.26	Outbuilding demolished. Bin location changed.	LM	Planning



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Ordnance Survey 100000000

LOCATION PLAN - 1:1250

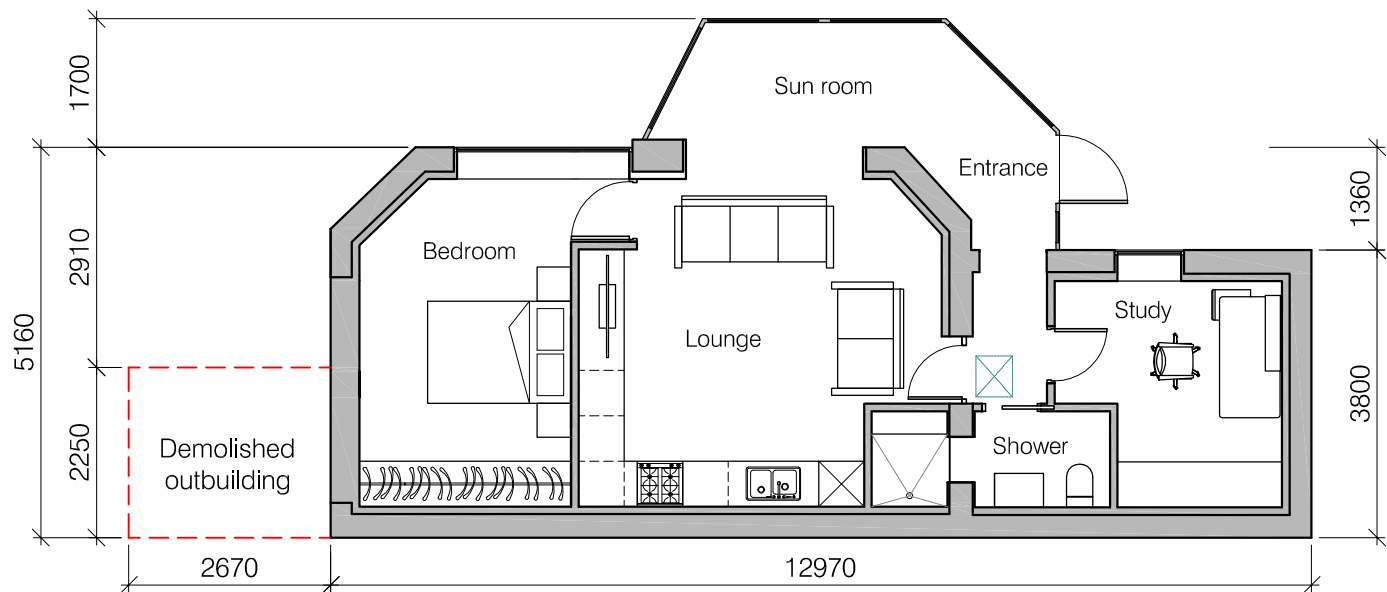
Page 28



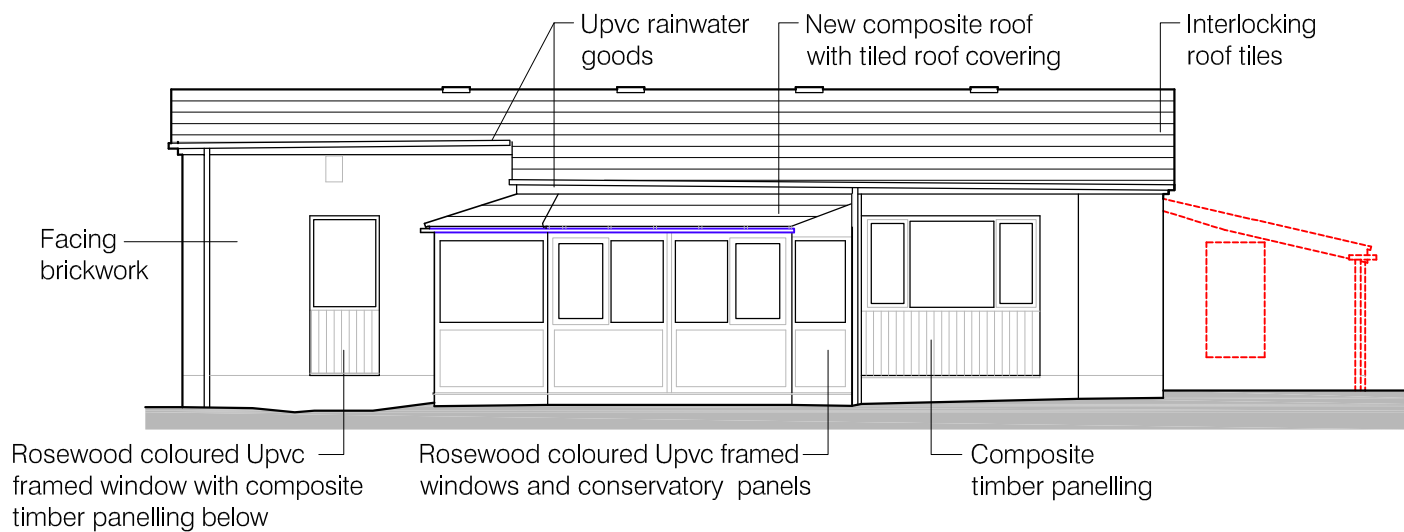
BLOCK PLAN - 1:200

Project Conversion of 31 Grosvenor Street Prestwich	Drawing title Location and Block plan	Scale As noted @ A3	LMC Architecture Limited Architectural design services 4 Dovedale Drive, Littleton Hill, Burnley, Lancashire, BB12 8XD Web : www.lmcarchitecture.co.uk	
Client Mr J Ramsey	Drawing number 2526-LP01 0	Date 30.10.25		

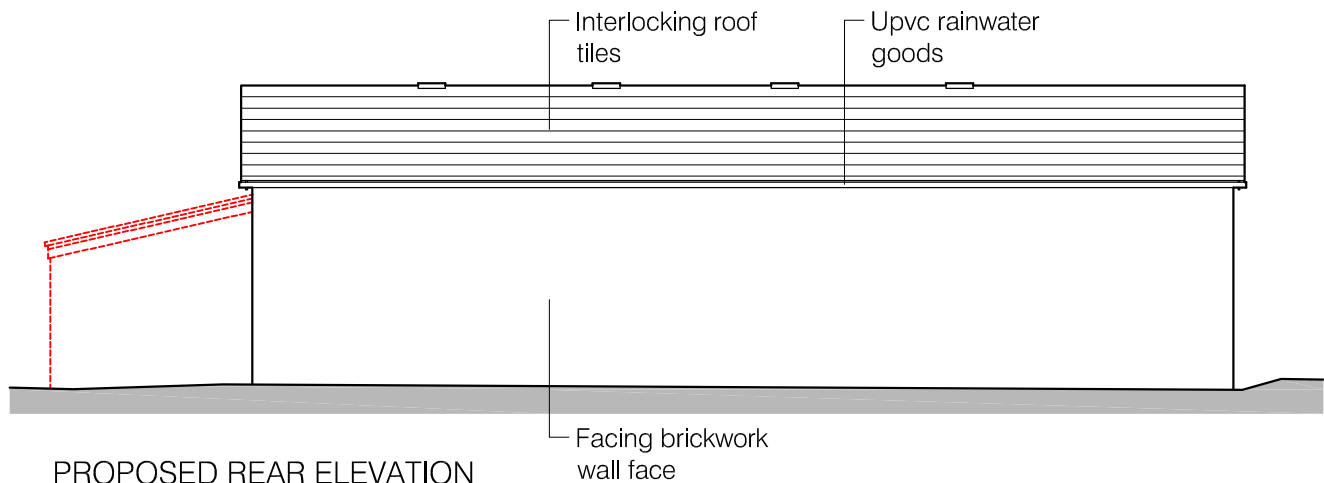
Revision	Date	Revision note	Drawn by	Purpose of issue
B	14.06.26	Bedroom 2 changed to study. Outbuilding demolished.	LM	Planning



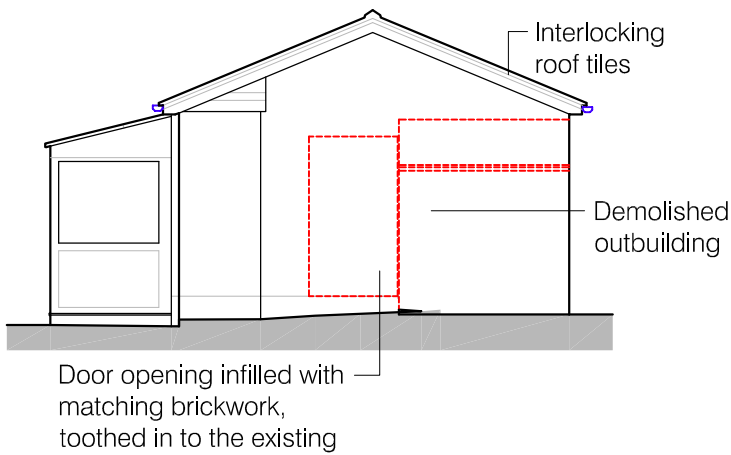
PROPOSED GROUND FLOOR PLAN
- 1 person apartment - 61.5m2, double bedroom 12.3m2



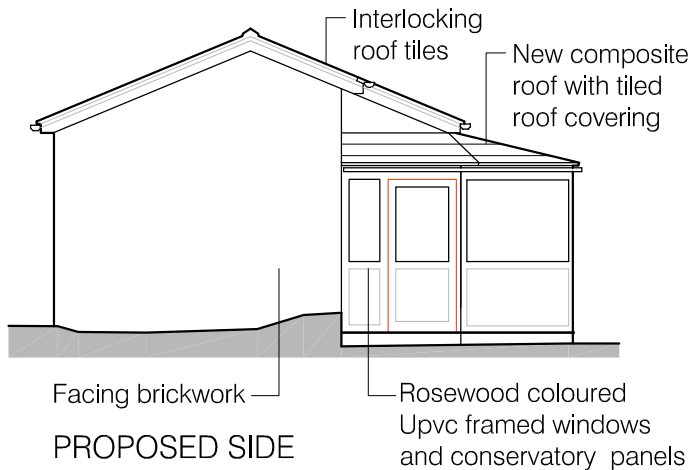
PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION



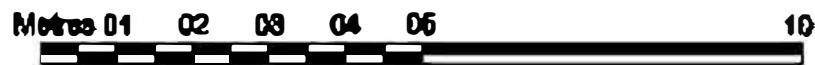
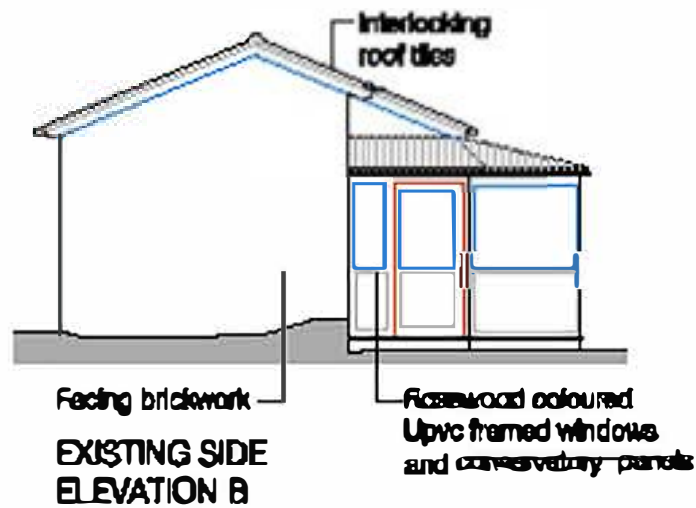
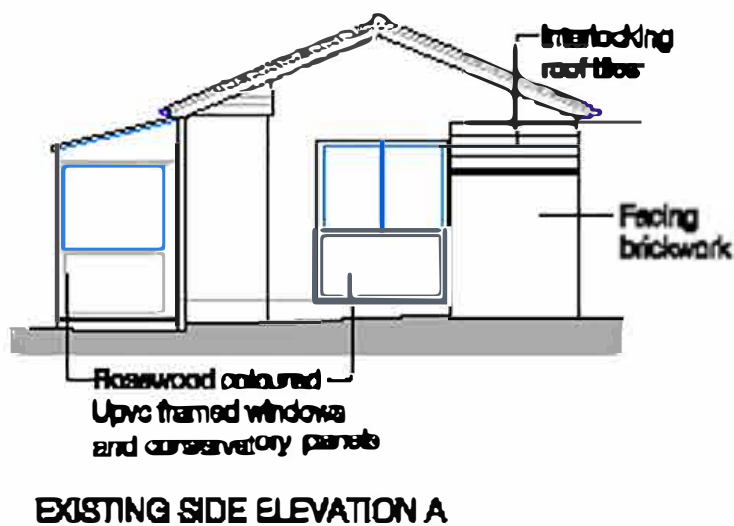
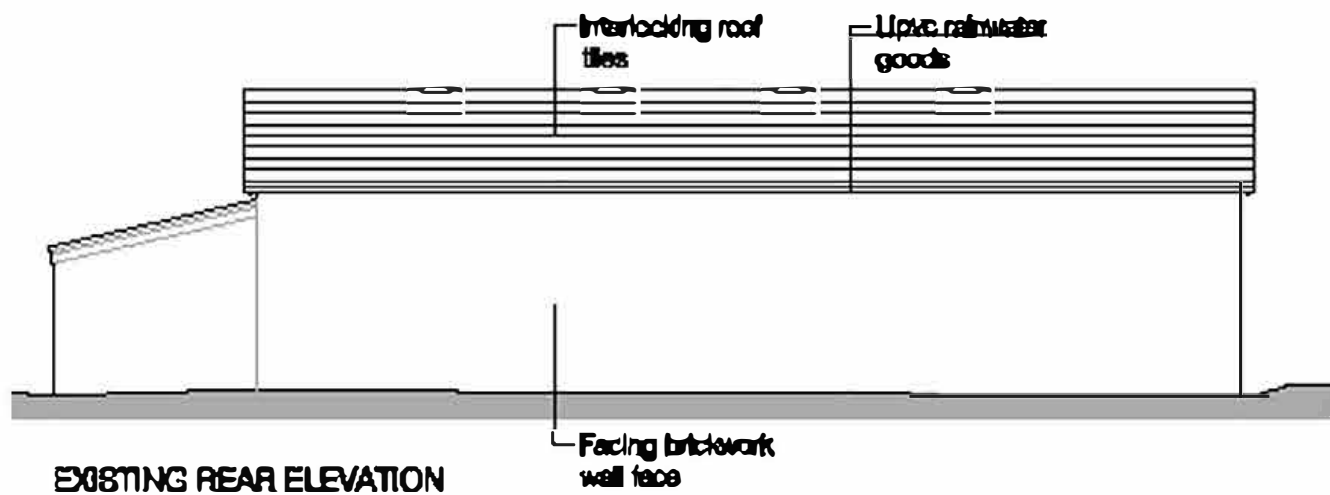
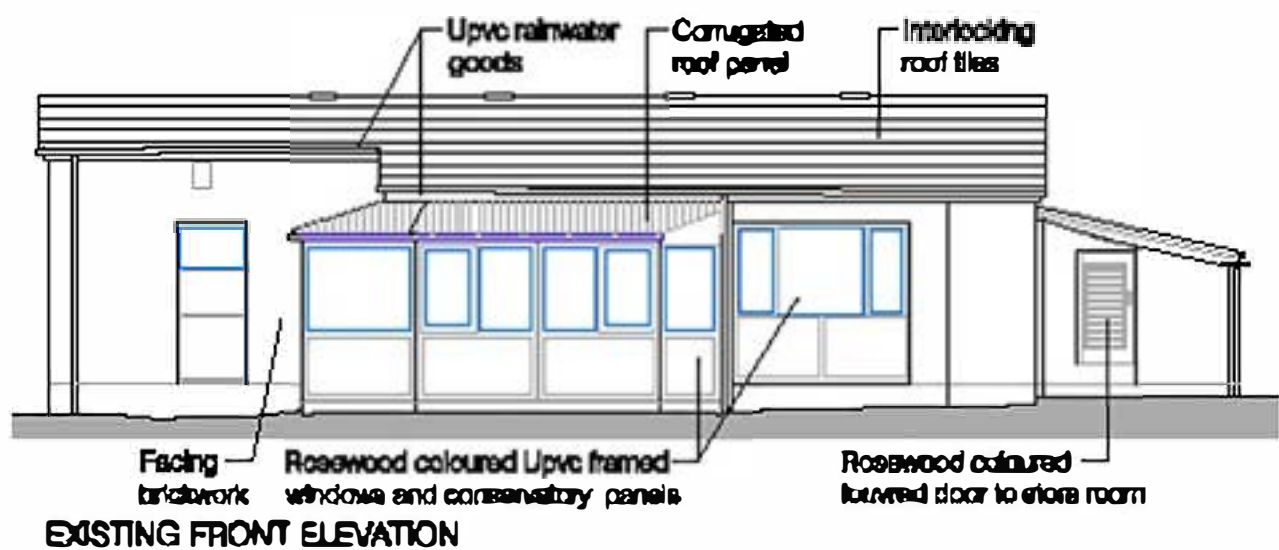
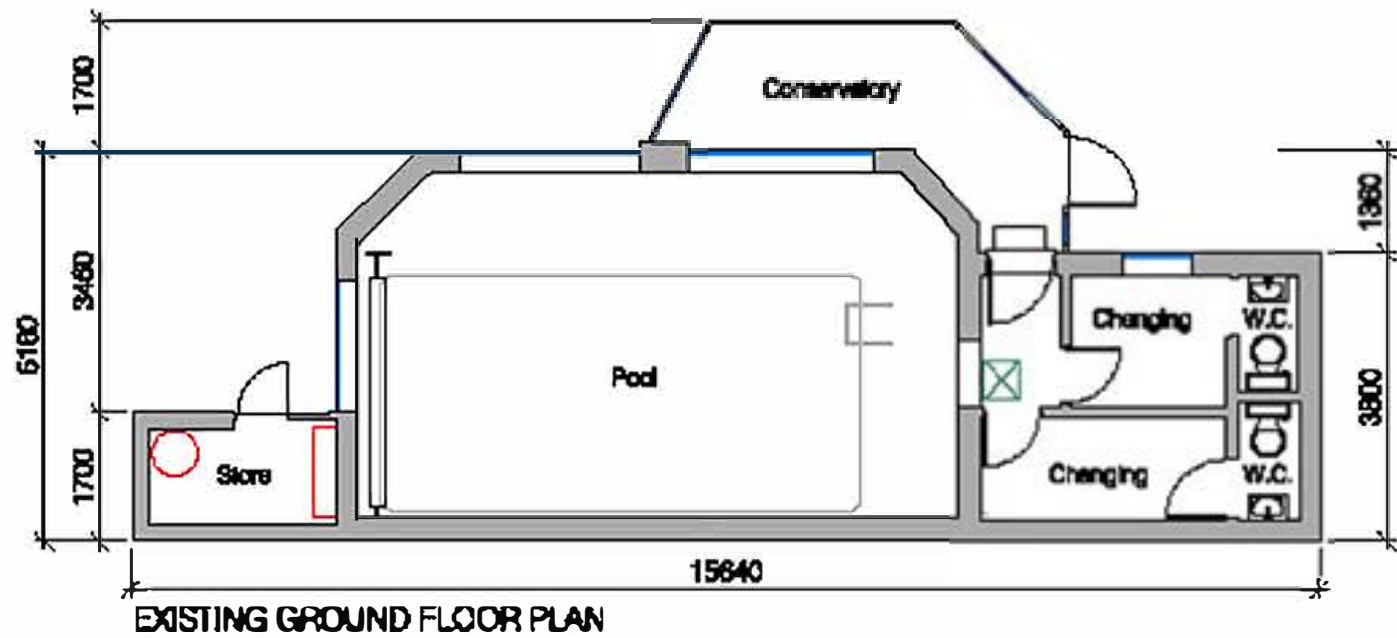
PROPOSED SIDE ELEVATION A



PROPOSED SIDE ELEVATION B



Revision	Date	Revision note	Drawn by	Purpose of issue
-	30.10.25	First issue	LM	Planning



Ward: Radcliffe - West

Item 02

Applicant: Mr Mohammed Amirinejad

Location: Land at Harper Fold Road & Canute Street, Radcliffe, Manchester, M26 3BX

Proposal: Erection of 2 no. dwellings

Application Ref: 72750/Full

Target Date: 19/05/2026

Recommendation: Approve with Conditions

Description

The application site is an approximately 381sqm site bound to the east by Harper Fold Road and to the west by Canute Street. The site is bound to the north by infrastructure belonging to United Utilities, and to the south by properties that line Harper Fold Road. The site is currently undeveloped grassland.

The site is an unallocated urban site and is surrounded by predominantly residential development, with a primary school and community centre in relatively close proximity.

The proposal is for the erection of 2no. dwellings. The proposed dwellings would be semi-detached dormer bungalows, each hosting a dining room, living room, kitchen and WC at ground floor and bedroom and bathroom at first floor.

The dimensions of the proposed properties would be 5.8m wide and a maximum of 10.9m in length from the rear elevation of the properties to the front elevation of the front porch. The properties would feature dual pitched gable roofing, a maximum of 5.8m in height with an eaves height of 2.8m. Within the rear roof plane, each property would feature a small flat roof dormer at a height of 1.6m and a length of 2.2m. Each proposed dormer would project 2.6m from the rear roof plane but be set down from the ridge by 0.9m and up from the eaves by 0.8m.

Each bungalow would have a floorspace of approximately 81.7sqm and a private side garden approximately 85sqm in size. On the proposed plans, there is also allocated space for 4 waste bins for each property as well as one car parking space.

The area surrounding the site is predominantly residential in nature, with some other uses such as a primary school and hot food takeaways. Parking within the area is mixed with some properties benefitting from private driveways however due to the close-knit nature of the residential developments surrounding the site, parking on street is not uncommon.

Amendments

Amendments to the scheme were sought to change the orientation of the proposed dwellings from facing Bolton Road, to facing Harper Fold Road to appear more consistent with the existing dwellings along this street.

The proposed parking provision at the site was also amended, as well as the position of EV charging points on the proposed dwellings.

Relevant Planning History

54258 - Installation of above ground control kiosk and changes in ground levels - Approve

with Conditions 13/09/2011

58225 - Outline application for 3 no. dwellings with associated car parking - Refused 27/02/2015

68092 - Outline application for 2 no. dwellings with all matters reserved - Approve with Conditions 12/10/2022

69590 - Erection of building comprising of 3 no. commercial units (Class E) at ground floor with 2 no. flats at first floor (Class C3) with associated car parking and external works - Refused 19/12/2023

14/0174 - Untidy land; Breach of Condition - 16/06/2014

70477 - Erection of 2 no. dwellings - Refused 17/05/2024

71444 - Erection of 2 no. dwellings - Refused 03/03/2025, subsequent appeal dismissed 29/10/2025

Publicity

88 neighbouring properties were consulted on 02.04.2026. 28 objection comments from 23 addresses have been received detailing the following concerns:

Visual Amenity

- The dwellings are out of character within the area
- Loss of green space
- The plot of land is not suitable for development, overdevelopment of the site
- The proposed dwellings are cramped with little space surrounding them
- The site provides a visual break in the densely built-up area
- The land hasn't been developed previously

Highways and Parking Concerns

- Concerns over traffic and parking, especially given the proximity to the school and chip shop
- Concerns regrading congestion increasing on neighbouring streets
- Safety, damage and disruption concerns to properties from construction vehicles
- Safety impacts caused by visibility issues at nearby junctions
- Impact on emergency services
- Safety concerns to school children caused by increase parking and traffic
- Impact on road infrastructure

Residential Amenity Concerns

- Noise concerns during construction
- Privacy concerns to neighbouring residents, including impacting residential amenity

Drainage Concerns

- The land was developed with storm drains which will be hindered by the development
- Concern over utility infrastructure, and whether easements or stand off distances would apply and whether maintenance of the land would still happen.
- Concern over United Utilities infrastructure which caused a gas leak recently

Other

- The proposed is in close proximity to a primary school, an elderly people's home, a busy

- community centre and a busy chip shop
- The dwellings aren't needed
- The proposed hinders the work being done by the local Community Centre which neighbours the site
- The proposals have not changed from those previously refused
- The properties could end up as HMOs which are not needed in the area, nor wanted
- Safety concerns for the footpath leading from Harper Fold Road to Canute Street
- How many times can a planning application be submitted?
- Concern over whether the proposed would change to a different use once approved, such as a shop

Statutory/Non-Statutory Consultations

Traffic Section - raised objections to the proposal.

Comments and the response of the LPA has been discussed within the Highways Team in the Access Section of the report below. Highways Officers recommended 8 reasons for refusal as detailed below:

1. The proposal would result in the creation of sub-standard access arrangements to a site in close proximity to the Higher Dean Street/Canute Street junction.
2. The proposed accesses are sub-standard in terms of visibility both at the junctions with Canute Street and at the back edge of the footway.
3. The proposals would result in the loss of existing on-street parking facilities.
4. The proposed car parking provision is inadequate.
5. The proposal does not provide suitable accommodation for vehicles to enter and leave the site in a forward gear.
6. The proposed boundary treatment on the southerly site boundary would result in the worsening of conditions for pedestrians on the unadopted footpath linking Harper Fold Road to Canute Street (which is a highway through usage) by enclosing the route, creating a ginnel and resultant personal safety issues.
7. The application and submitted plans contain insufficient, topographical survey based information in order to properly assess the physical impact of the proposed development on the adjacent adopted highway.
8. The application and submitted plans contain insufficient information in order to ensure that adequate bin storage/access arrangements can be provided within the curtilage of both dwellings or that surface water from the two driveways proposed will not discharge onto the adjacent adopted highway.

Drainage Section - raised no objections subject to a condition requiring details of surface water drainage proposals to be submitted to and approved by the Local Planning Authority prior to commencement of the development. This has been acknowledged within the conditions of this report.

Environmental Health - Contaminated Land - provided initial comments that due to the sensitivity of the proposed land use, as a minimum, a Desk Study and Preliminary Risk Assessment will be required. This was submitted and Contaminated Land Officers recommended 5 conditions, all of which have been acknowledged within the conditions of

this report.

Waste Management - raised no objections, but made comment that bins would be presented on Canute Street for collection and would need returning as soon as possible after collection to avoid any issues with restricting the public footpath. This has been added as an informative.

Environmental Health - Pollution Control - made no comments/raised no objection to the proposed.

The Coal Authority - reviewed the application and determined that part of the application site falls within the Coal Authority's defined Development High Risk Area. The application was accompanied by a Coal Mining Risk Assessment Report (Bolton Road / M26 3BX / 2023, dated 13 September 2023) produced by Worms Eye Limited for commercial development at the site. The Coal Authority considered the details outlined within the report, and raised no objections subject to the inclusion of two conditions which have both been acknowledged within the conditions of this report.

United Utilities (Water and waste) - raised objection to the proposal based on the applicant not including the proven location of infrastructure/sewers within the site boundary. Despite this, the consultee response included a pre-commencement condition which has been acknowledged within the conditions of this report.

Greater Manchester Ecology Unit - made comment that the application is accompanied by a Preliminary Ecological Appraisal, which found the site to comprise predominantly modified grassland with minimal ecological value. Nevertheless, there was some value for hedgehog, and as such precautionary working methods were recommended. These should be adhered to and secured via condition. Enhancements were also proposed, which included bat and bird boxes and hedgehog houses. These should also be secured via condition. These conditions have therefore both been acknowledged within the conditions of this report.

Furthermore, with regard to Biodiversity Net Gain, a metric has been submitted which shows the baseline value of the site to comprise 0.12 units. A post-development assessment has not been undertaken; however, considering the site will entirely comprise buildings, hardstanding, and vegetated gardens (in which habitats cannot be secured) it is likely that a loss will be incurred on site and off-site units will need to be purchased. Based on the small number and low distinctiveness of units present on site, the LPA can be reasonably confident that these will be available and the BNG condition could be discharged. As such, it is accepted that a post-development assessment is not required at this stage. However, the Statutory Biodiversity Gain Condition will be deemed to apply should this planning application receive permission, and to discharge the condition, sufficient information will be required to demonstrate that a 10% net gain will be achieved, including a Biodiversity Gain Plan, final version of the BNG metric showing a 10% net gain in habitat units based on final plans, and evidence that the correct number and type of units have been successfully purchased and allocated to this development. These have been acknowledged within the conditions of the report.

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

Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention

EN1/7	Throughroutes and Gateways
OL3/1	Protection of Urban Open Space
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-P1	Sustainable Places
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
NPPF	National Planning Policy Framework

Issues and Analysis

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

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

Principle of the Development

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.

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 and is outside of the Green Belt. The proposal, albeit only for two dwellings, would result in a small but positive contribution to the housing supply of the borough and with this, and taking into account the above, the principle of the development would be acceptable.

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. Therefore in accordance with Policy JP-H4 regard should be had to a minimum net residential density of 35 dwellings per hectare at this site.

The application form states that the site is 0.03 hectares, which based on a total of 2 dwellings would result in a density of 66.7 dwellings per hectare. This exceeds the minimum density on site and as such it is considered that the proposal would achieve efficient use of land in accordance with the above Policy.

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.

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 seeks to create a city region that consists of a series of beautiful, healthy and varied places. High quality design is fundamental to achieving this.

PfE Policy JP-H3 seeks to provide an appropriate mix of dwelling types and sizes reflecting

local plan policies and having regard to relevant local evidence. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build.

The site is bound by Harper Fold Road and Canute Street, with vehicular access to the site being proposed off Canute Street. The front of the properties would face Harper Fold Road to appear consistent with existing residential properties along this road. The proposed dwellings would also be semi-detached to appear consistent with existing bungalows along Harper Fold Road. The proposed maximum height of 5.8m would also remain consistent with existing bungalows along Harper Fold Road, as can be seen within the submitted Street Scene Plan.

Areas of private amenity space for each dwelling is proposed to be to the side of the dwellings, with these areas proposed to be approximately 85sqm in size. Boundary treatment has not been submitted at this stage but has been acknowledged within the conditions of this report. Each property would also have space within the private amenity space for 4 waste bins, and each property would have one car parking space allocated to the rear of the private amenity space. It is considered that the size of the amenity space for the proposed dwellings would be acceptable. A hard and soft landscaping scheme condition has also been acknowledged within the conditions of the report.

It is therefore considered that the proposed development would fit appropriately within the locality and would be in accordance with Policies H2/1, H2/2, EN1/2, JP-P1 and JP-H3. PfE Policy JP-H3 also states that all new dwelling must:

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

The NDSS states that 1 bedroom 2 person properties must have a minimum floor space of 58sqm. The floorspace of the proposed dwellings is over 81sqm, and therefore exceeds this.

The accessible and adaptable standard in Part M4(2) of Building Regulations can be secured via condition however given the entrances to the properties are step-free access, it is likely that the proposals meet the regulations.

Residential Amenity

UDP Policy H1/2 states that the council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses. There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 (SPD6) provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

SPD 6 provides the following guidance:

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

Neighbouring properties to the east, such as Hollybank Nursing Home, retains over 36m between the proposals, compliant with the guidance outlined within SPD 6.

Properties to the north retain over 30m, also compliant with SPD 6.

Properties to the south are sited over 8m from the proposed dwellings, with no habitable room windows proposed to face these neighbours. This therefore is compliant with the guidance outlined within SPD 6.

Neighbouring properties to the west retain approximately 13m between side elevations and rear gardens to the proposed dwellings. Given the guidance outlined above, this is considered compliant.

Given the above, it is considered that the proposed dwellings would comply with UDP Policy H1/2 and would be in accordance with the intentions of SPD 6 in terms of separation distances. A condition restricting permitted development rights for the proposed dwellings has been acknowledged in order to prevent the dwellings from being further extended towards neighbouring dwellings without the benefit of planning permission.

Highways and Access

UDP Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. This is further supported by UDP 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.

PfE Policy JP-C8 seeks to enable a reduction in the need to travel by private car and prioritise sustainable transport opportunities ahead of capacity enhancements on the highway network.

The proposals set out that the semi-detached dwellings would face onto Harper Fold Road with amenity space at the side of each dwelling. The amenity space would have a vehicular access which would be taken from Canute Street.

Application 71444 was refused based on the following reasons:

- The proposed access and resultant car parking arrangements indicated on submitted plan reference HF001 001 Revision D do not take into consideration the presence of the existing street lighting column or parked vehicles on Canute Street are sub-standard and are likely to lead to vehicles parking, reversing onto and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety.
- Due to the conflicting details submitted, the proposals indicated on plan reference GW-HFR-R-10-01 Revision A do not provide suitable accommodation for vehicles to enter and leave the site in a forward gear, which would therefore be detrimental to road safety and maintaining the free flow of traffic on the adjacent adopted highway.

The subsequent appeal for application 71444 however noted that:

- The application plans do not detail how the parking spaces for the properties would be accessed, but it is common ground between the parties that access would be taken from Canute Street. Although there is a lighting column within the pavement between the appeal site and Canute Street there would still be sufficient space to provide an appropriate access without needing to move the lighting column.

It is therefore considered that the access off Canute Street would be acceptable in principle.

Highways Engineers were consulted and raised objections based on the access needing to be a singular parking court located solely at the southern end of the site, as was considered

acceptable by the inspector. The layout provides in curtilage parking for each dwelling. Highways Engineers raised objections to the car parking space proposed for the proposed northern dwelling due to the proximity of the space from the corner of Higher Dean Street and Canute Street, including visibility issues with this parking space as well as details not being provided that show parked cars can leave the spaces in a forward gear. They also raised concerns that existing on street parking provision would be lost.

In terms of the space proposed for the northern dwelling at the site, it would be approximately 18.4m from the corner of Higher Dean Street to the car parking space. The average speed of a residential terraced street is 20mph, with cars going around corners on average at 10mph. At this limit, and assuming a standard reaction time of 2 seconds, a car turning the corner at Higher Dean Street would stop in a maximum of 7.6m, leaving a distance of 10.8m between the stopped car and the parking space. It is considered by the Local Planning Authority that this is an adequate distance between the proposed space and the corner.

Furthermore, existing on street parking is common within the area, with unrestricted parking along the western side of the proposed site. It is therefore the case that, as existing, cars could be pulling out from spaces along the side of the road whilst other cars come around the corner at Higher Dean Street, and so it is considered a level of care would already be shown within this area by drivers.

As stated by the inspector within appeal decision 71444, appropriate visibility for both pedestrians and vehicle drivers around the proposed access could be secured by condition, as could also be the case for the proposed car parking spaces. This has therefore been acknowledged within the conditions of the report.

Although the spaces do not provide sufficient space within the site to provide turning space to allow vehicles to enter and exit the site in a forward gear, this is not uncommon of spaces within this area, such as along Higher Dean Street, and so although desirable, it is not considered that this in itself should present as a reason for refusal particularly given the scale and nature of Canute Street, a lower grade highway that the main principal distributor roads.

The inspector also stated that:

The proposal includes a policy compliant provision of off-street parking, and the creation of an access would only result in the loss of a small amount of on-street parking. Whilst there may be increased demand for parking during school pick up and drop off times and when the nearby takeaway or community centre are busy, there is no substantive evidence of parking stress in the area.

Despite two access points for the dwellings now being proposed, these access points are smaller than that previously considered under 71444 and so it is considered that these comments would still apply. A policy compliant parking provision of off street parking is still proposed, and on street parking would only be impacted slightly.

Given the above, the Local Planning Authority consider that the highways and access proposals at the site would be considered acceptable.

It is noted, and respected, that Highways Engineers object to these considerations. However, the reasons for refusal as listed within the consultations section of this report have been addressed within the section above. It is not considered that these could warrant a refusal that either have been or would be up held at any subsequent appeal due to the reasoning above.

Furthermore, Chapter 2 of the NPPF states that decisions apply a presumption in favour of sustainable development, whilst also saying within Paragraph 125 (c) that: 'Planning policy and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.'

Although the proposed site is currently not built on, the site is unmanaged currently, and is degraded and derelict, currently overgrown and presents as an eyesore when driving through Bolton Road. For this reason, it could be considered brownfield land which could be developed into a small housing scheme, where the site would be better managed. The site is also within an existing settlement area, also considered a sustainable area within the NPPF.

Given this, it is therefore stated within the NPPF that the proposed should be approved unless substantial harm would be caused. Given the reasoning above, it is not considered the concerns raised by the Traffic Section would be significant.

It is also the consideration of the Local Planning Authority that the refusal reasons presented by the Highways Department didn't reflect the degree of flexibility that the Appeal Inspector for Application 71444 and related appeal decision conveyed.

The proposal is therefore considered by the Local Planning Authority to comply with the policies outlined above.

Parking

SPD 11 provides guidance on the parking provision required for new developments within the borough.

The site is located within Zone 4, with 1 no bedroom homes requiring an off road car parking provision of 1 space. As detailed on the proposed site plan, this has been accounted for both proposed dwellings and therefore the parking provision proposed meets the requirements as set out within SPD 11.

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 187 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment.

Colleagues at Greater Manchester Ecology Unit were consulted who made comment that the application is accompanied by a Preliminary Ecological Appraisal, which found the site to comprise predominantly modified grassland with minimal ecological value. Nevertheless, there was some value for hedgehog, and as such precautionary working methods were recommended. These should be adhered to and secured via condition. Enhancements were also proposed, which included bat and bird boxes and hedgehog houses. These should also be secured via condition. These conditions have therefore both been acknowledged within the conditions of this report.

Biodiversity Net Gain

With regard to Biodiversity Net Gain, a metric has been submitted alongside the application which shows the baseline value of the site to comprise 0.12 units. A post-development

assessment has not been undertaken; however, considering the site will entirely comprise buildings, hardstanding, and vegetated gardens (in which habitats cannot be secured) it is likely that a loss will be incurred on site and off-site units will need to be purchased.

Based on the small number and low distinctiveness of units present on site, the LPA can be reasonably confident that these will be available and the BNG condition could be discharged. As such, it is accepted that a post-development assessment is not required at this stage.

However, the Statutory Biodiversity Gain Condition will be deemed to apply should this planning application receive permission, and to discharge the condition, sufficient information will be required to demonstrate that a 10% net gain will be achieved, including a Biodiversity Gain Plan, final version of the BNG metric showing a 10% net gain in habitat units based on final plans, and evidence that the correct number and type of units have been successfully purchased and allocated to this development. These have been acknowledged within the conditions of the report.

Flood Risk and Drainage

PfE Policy JP-S4 seeks to provide an integrated catchment-based approach to protect the quantity and quality of water bodies with reference to the North West River Basin Management Plan and managing flood risk. Chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF confirms that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.

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.

The proposed site is located within Flood Risk 1, which has the lowest risk of flooding. In this instance, it is therefore not a requirement for a Flood Risk Assessment to be submitted. The Council's Drainage Engineer was consulted who recommended a condition requiring details of surface water drainage proposals to be submitted to and approved by the Local Planning Authority prior to commencement of the development. A similar condition was also recommended by United Utilities. These have been acknowledged within the conditions of this report.

Carbon And Energy

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

A Carbon and Energy Statement has been submitted alongside the application, detailing ways in which the development will seek to achieve net zero carbon emissions. These include increasing energy efficiency through a fabric first approach, incorporating low carbon heating systems and a focus on sustainable design.

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

Digital Connectivity

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

It has been confirmed that the development will be provided with full connections in accordance with the requirements of Policy JP-C2.

Response to Objection Comments

- Access to emergency services would still remain.
- It is not considered that the road infrastructure would be impacted beyond an unacceptable level by two new dwellings.
- The proposed being in close proximity to a primary school, an elderly people's home, a busy community centre and a busy chip shop is not a reason in itself to refuse planning permission.
- The development of two 1no bedroom dwellings is not considered to hinder the work being done by the local Community Centre which neighbours the site.
- The proposals have now changed significantly from those previously refused.
- The properties ending up as other uses such as HMOs or a shop would require the benefit of full planning permission. It is unlikely the properties would end up as HMOs as they are proposed as just 1no bedroom dwellings.
- Safety concerns for the footpath leading from Harper Fold Road to Canute Street has been addressed by conditioning boundary treatment.
- A planning application can be submitted as many times as deemed necessary, and this is not considered a material planning consideration.
- All other concerns are considered to have been addressed within the body of the report, or within the conditions imposed.

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 numbered RAD/3469/26/4, RAD/3469/26/1/RevD 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. Details and samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.

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

4. 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: To promote sustainable development. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact.

5. 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; (v) Details of points of discharge for foul and surface water; and (vi) 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: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

6. 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).

- 7. 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).

- 8. 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).

- 9. 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).

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

Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to the Local Planning Authority for approval prior to any soil or soil forming materials being brought onto site.

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

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

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

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

Reason: to ensure that past coal mining activity has no impact on the development.

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

Reason: to ensure that past coal mining activity has no impact on the development.

13. The dwellings hereby approved shall be built in accordance with the 'accessible

and adaptable' standard in Part M4(2) of the Building Regulations.

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

14. To satisfy the requirements of Schedule 7A to the Town and Country Planning Act 1990, development must not commence until the following has been submitted for the approval of the Local Planning Authority:
1. information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
 2. the pre-development biodiversity value of the onsite habitat;
 3. the post-development biodiversity value of the onsite habitat;
 4. any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
 5. any biodiversity credits purchased for the development; and
 6. any such other matters as the Secretary of State may by regulations specify.

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

15. The precautionary working measures recommended for hedgehogs outlined within the Preliminary Ecological Appraisal submitted alongside this application shall be adhered to and 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

16. A bird and bat enhancement strategy shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should target house sparrow and starlings and include the provision of House Sparrow terraces, swift bricks and bat boxes. Thereafter, the development shall be implemented in full accordance with the approved details and measures.

Reason. To secure the satisfactory development of the site and ensure enhancements and net gains for biodiversity pursuant to Places for Everyone Joint Development Framework Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity, Bury Unitary Development Plan Policy EN6/3 - Features of Ecological Value and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

17. Prior to the commencement of development, details relating to the proposed boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development and in relation to Canute Street and intervisibility for the vehicular parking bays, the approved treatments to these shall remain as approved for as long as they serve the development hereby approved. Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

18. No development approved by this permission shall be commenced until a soft and hard landscaping scheme has been submitted to and agreed by the Local Planning Authority. The approved details only shall be implemented as part of the approved development.

Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

19. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:

- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials;
- Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations

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

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

20. No development approved by this permission shall be commenced until details of the existing and proposed floor levels have been submitted and approved by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved details.

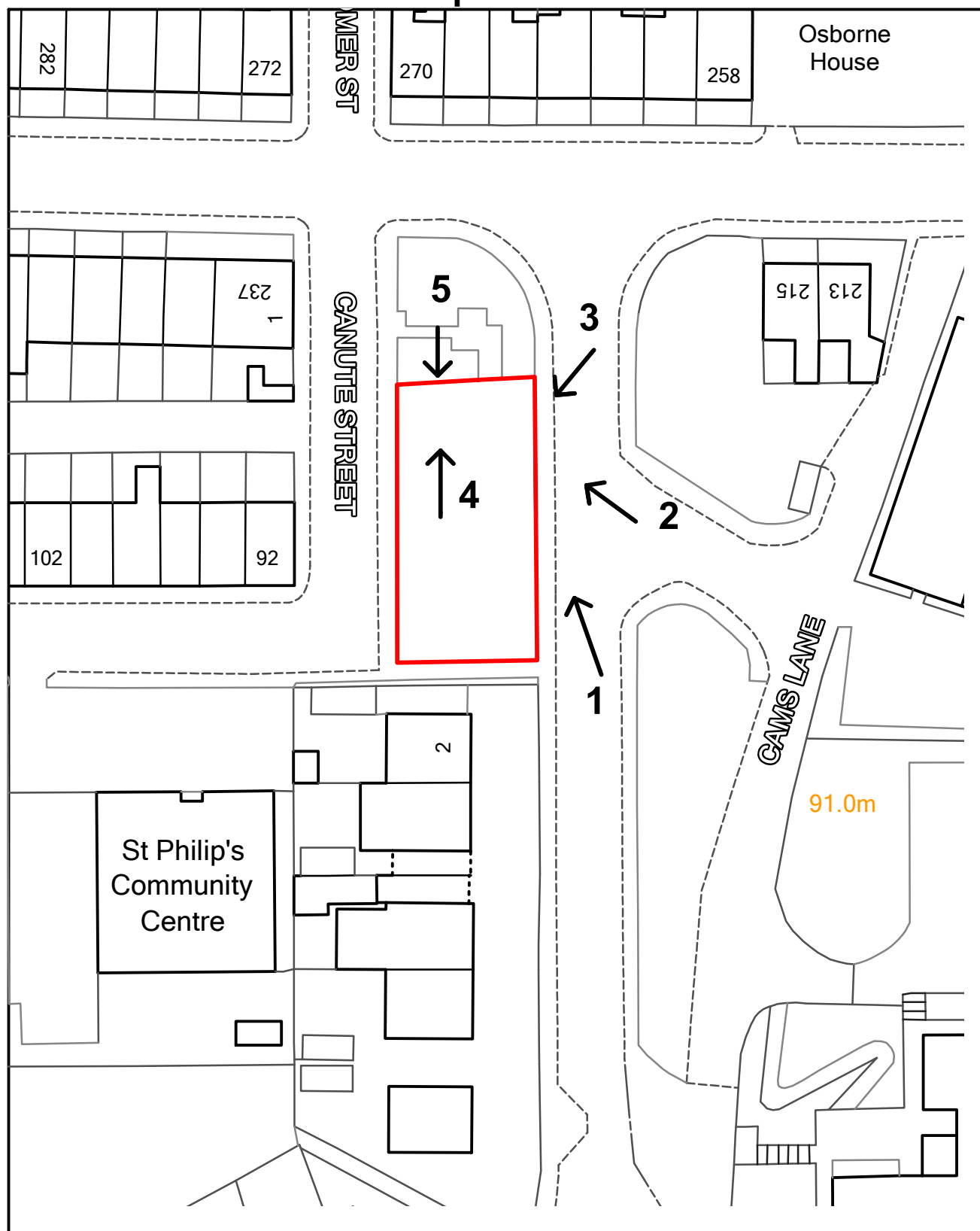
Reason: To ensure that the development is subject to minimum risk of flooding to

ensure compliance with PfE Policy JP-S4 and UDP Policies EN7/3 and EN7/5.

21. Notwithstanding the terms of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order) no development shall be carried out on the site within the terms of Classes A, B, C, D, E, F, G and H of Part 1 and Classes A and B of Part B of Schedule 2 of the Order, without the prior consent of the Local Planning Authority.
Reason. To enable the Local Planning Authority to control any future development, having regard to the character and appearance of this Listed Building.
22. Visibility splays for both vehicles and pedestrians measuring 2.4 metres by 2.4 metres shall be provided at the junction of Higher Dean Street with Canute Street **and** at the junction between each proposed parking space and Canute Street to the written satisfaction of the Local Planning Authority before the development is brought into use and shall subsequently be maintained free of obstruction above the height of 0.6m
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
23. The driveways approved shall be constructed of porous and permeable material to prevent discharge of surface water onto the adjacent highway.
Reason: In the interests of highway safety and to maintain the integrity of the adopted highway, compliant with Policy JP-C5 of PfE.

For further information on the application please contact **Charlotte Orrell** on **0161 253 5426**

Viewpoints



Application Number 72750

Land at Harper Fold Road & Canute Street, Radcliffe, Manchester, M26

ADDRESS: 3BX



Bury
Council

Planning, Environmental and Regulatory Services

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Photo 1



Photo 2



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Photo 3



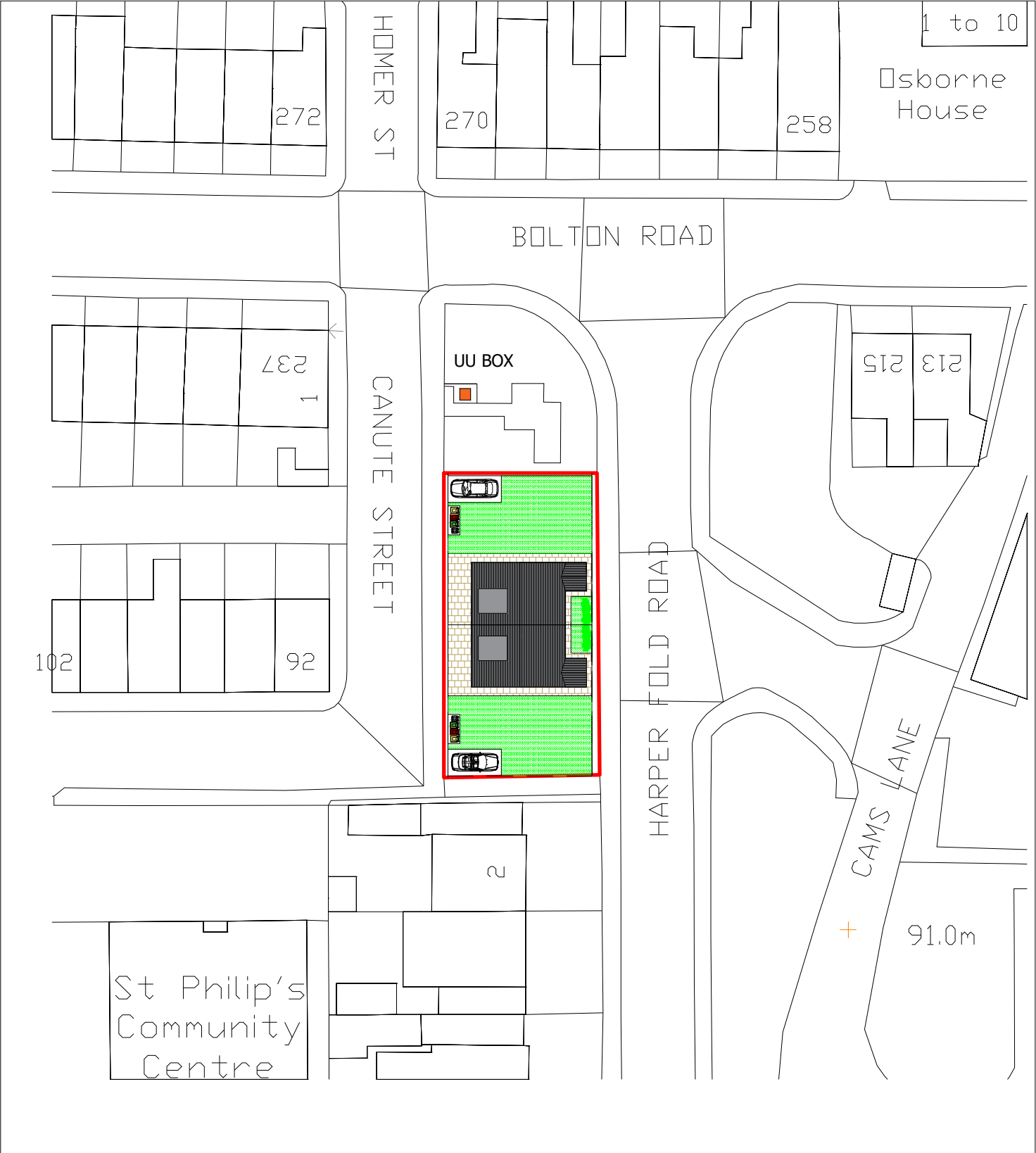
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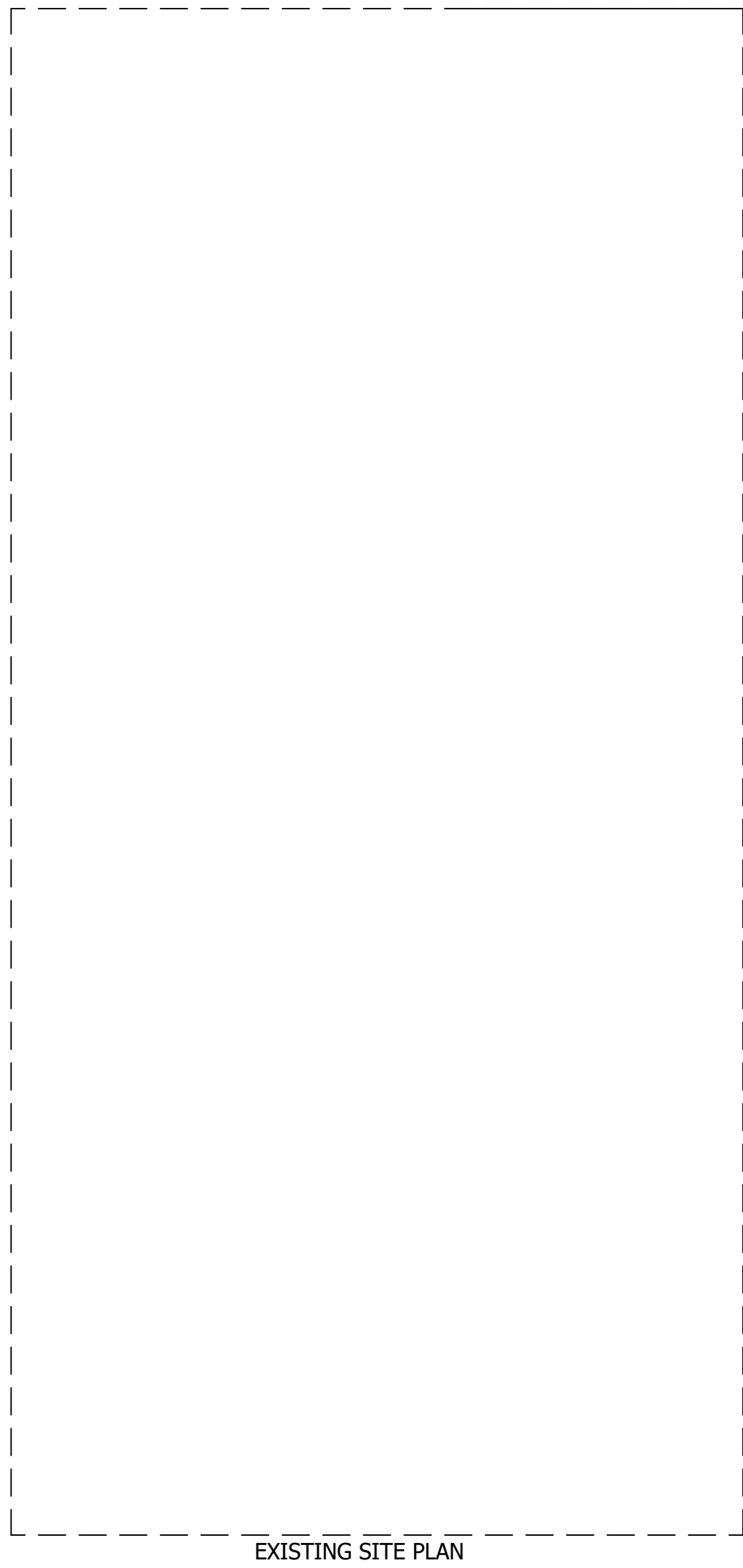
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Photo 5

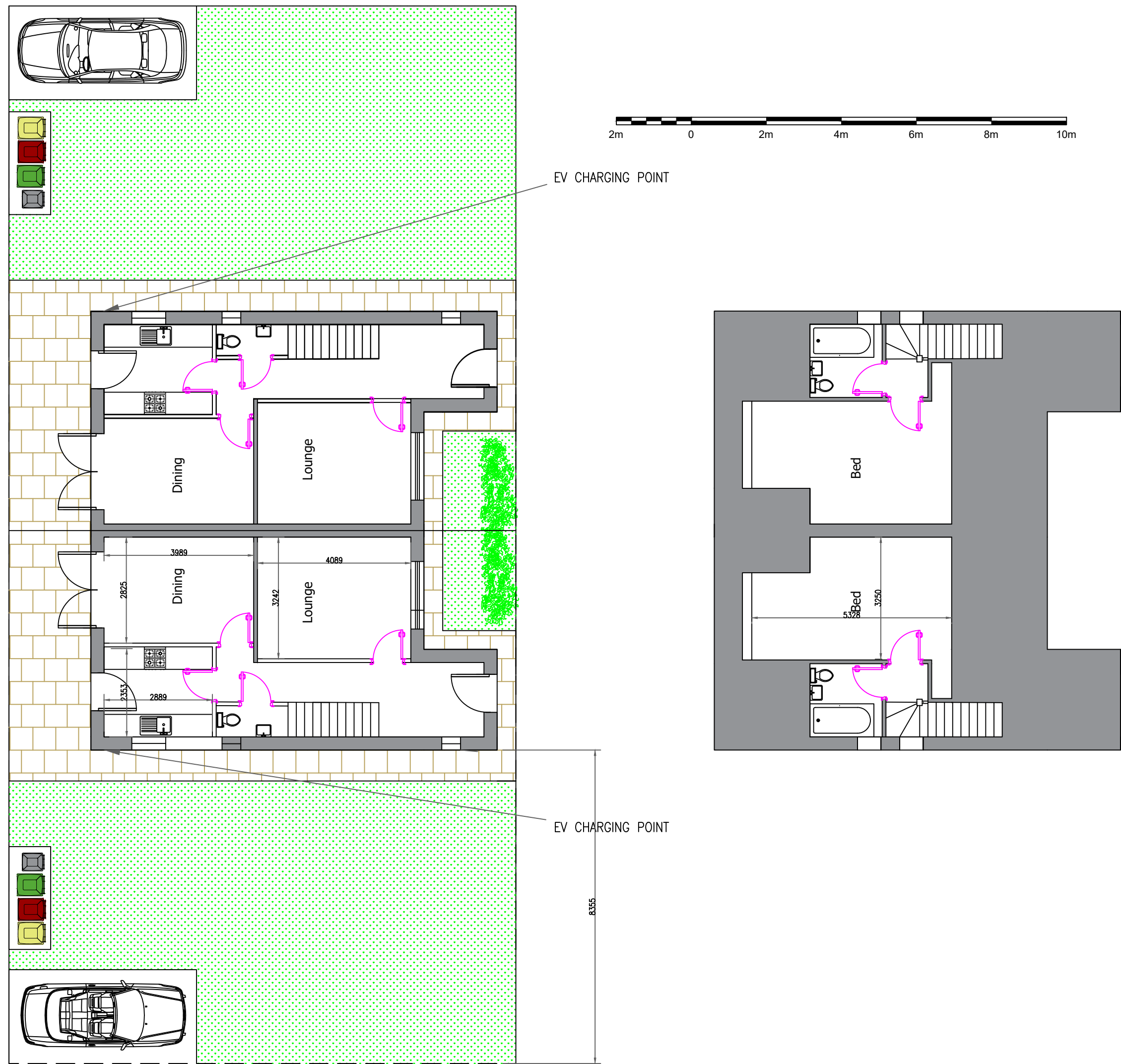




RAD The White House, 42-44 Chorley New Road, Bolton BL1 4AP Tel : 01204 322196 Fax : 01204 214110 Mob: 07790 361104 Email: info@radesignprojects.co.uk	Project LAND AT HARPER FOLD ROAD & CANUTE STREET, RADCLIFFE, M26 3BX	Client
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		Date JUNE 2026
		Scale 1:500 @ A4
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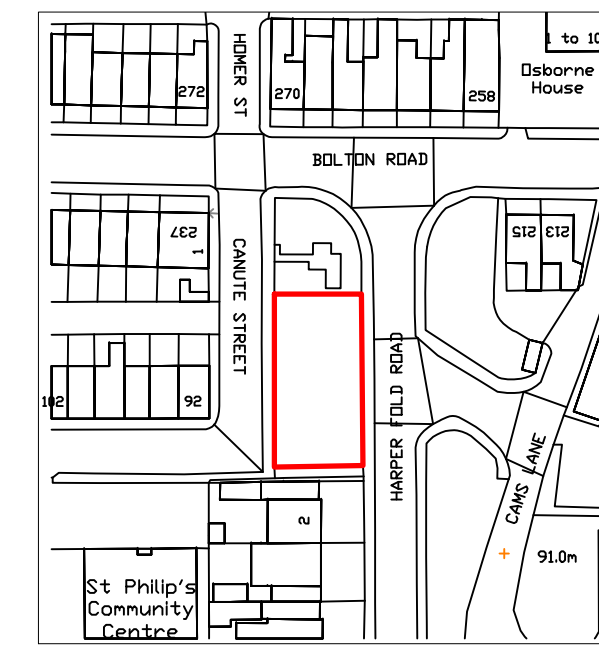


EXISTING SITE PLAN

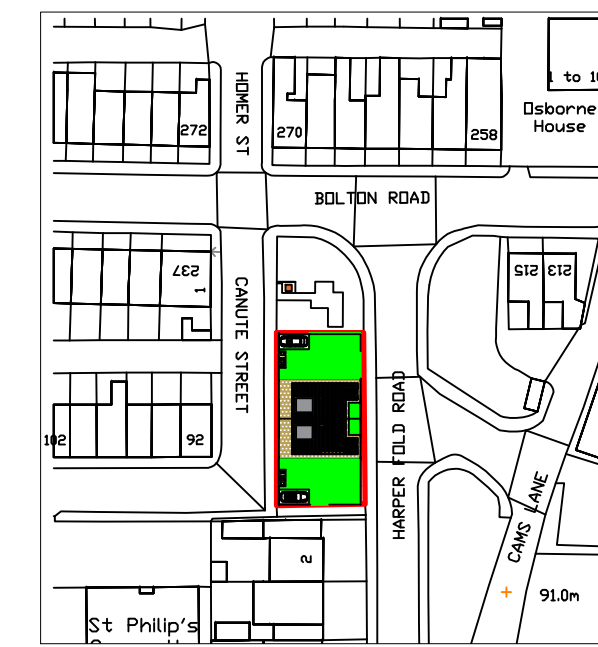


PROPOSED GROUND FLOOR

PROPOSED FIRST FLOOR



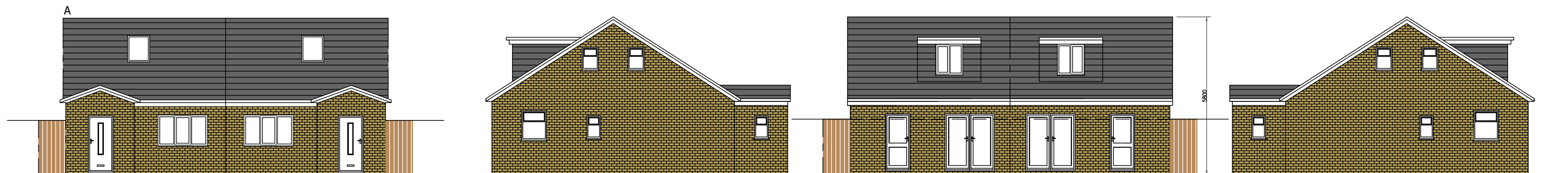
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PROPOSED LOCATION PLAN (1:1250)



BLOCK PLAN (1:500)



PROPOSED FRONT ELEVATION

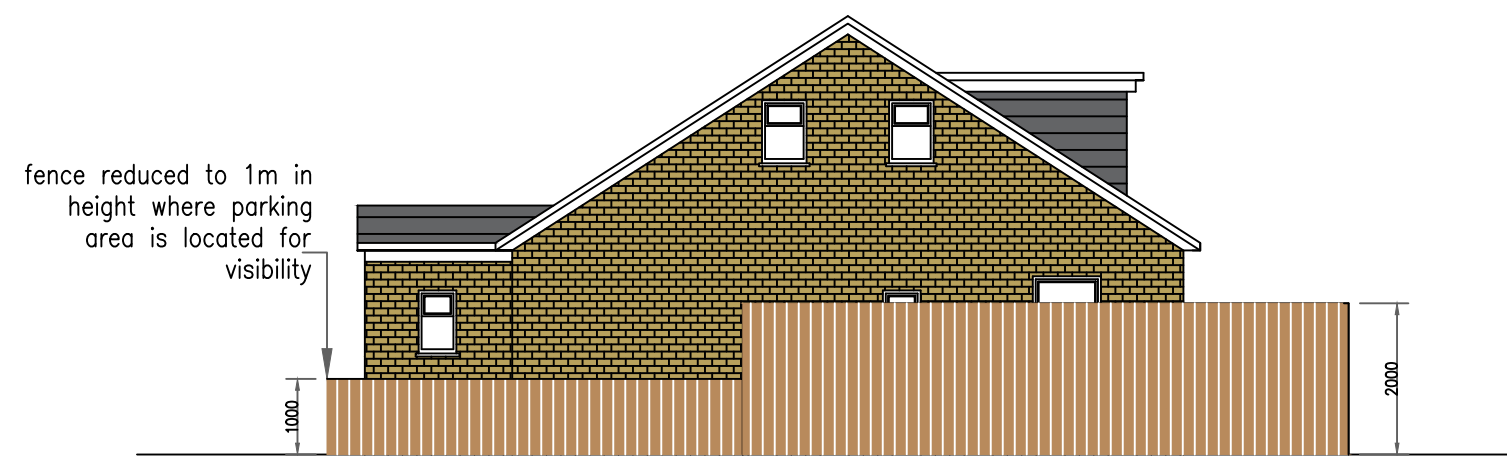
PROPOSED SIDE ELEVATION

PROPOSED REAR ELEVATION

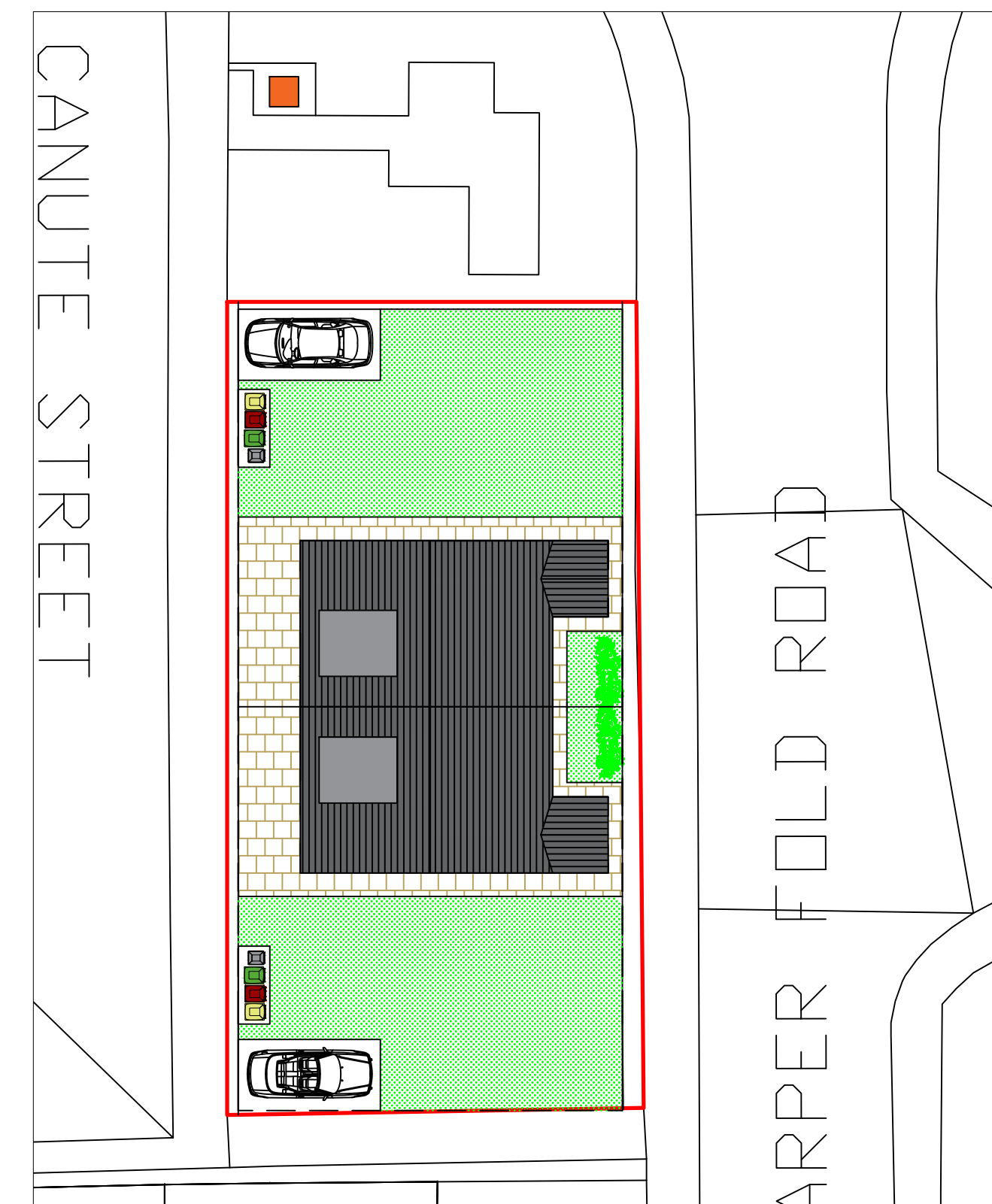
PROPOSED SIDE ELEVATION



PROPOSED FENCING SIDE ELEVATION (HARPER FOLD RD.)



PROPOSED FENCING SIDE ELEVATION (CANUTE ST)



SITE PLAN (1:200)

[illegible]

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The whole of the works to comply with Planning Approval & Conditions and current Building Regulations. No work to commence without Planning & Building Regulations approval.

The client must ensure the project complies with the Construction Design and Management Regulations 2015

The Client should ensure consent from any landowner or interested party is obtained, as well as compliance with Party Wall Act 1996

Notes

RAD

The White House,
42-44 Chorley New Road,
Bolton
BL1 4AP

Tel : 01204 322196
Fax : 01204 214110
Mob: 07790 361104
Email: info@radesignprojects.co.uk

	Project
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LAND AT HARPER FOLD ROAD & CANUTE
STREET,
RADCLIFFE,
M26 3BX

Title

EXISTING AND PROPOSED PLANS

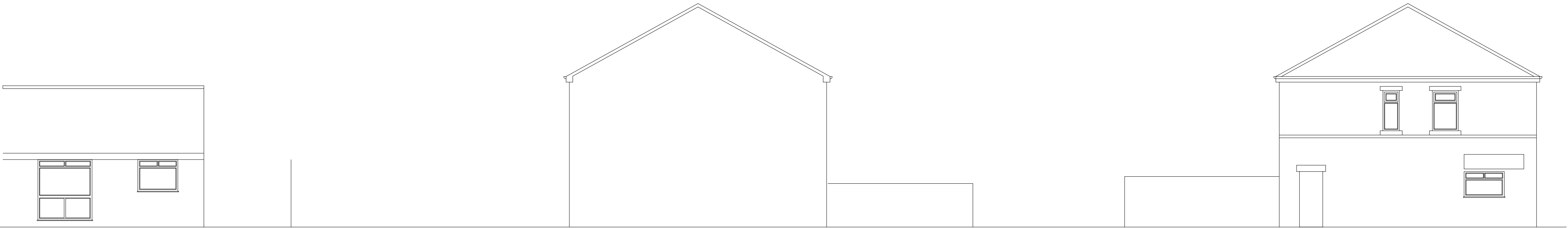
Client	
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Drawn RA

Date	JULY 2026
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Scale	1:100 @ A1 / 1:200 @ A3
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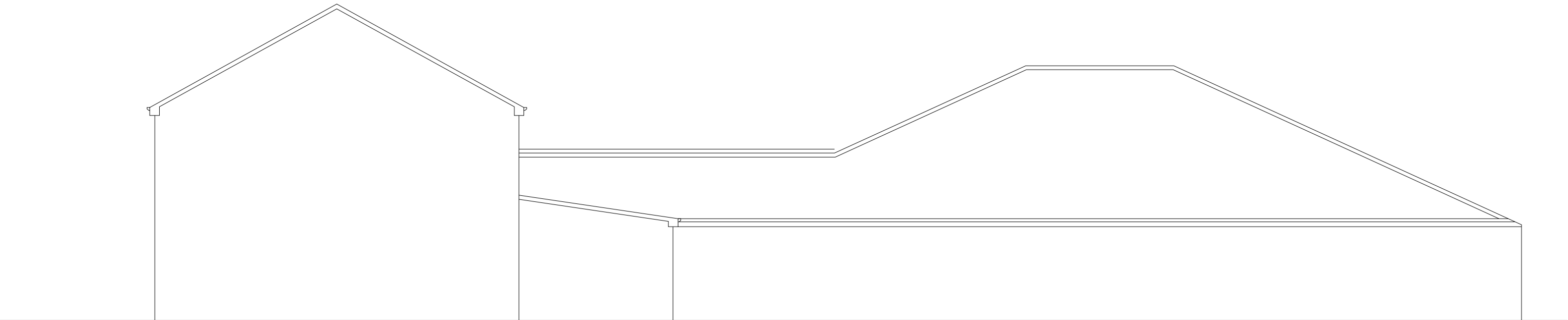
Drawing Number	RAD/3469/26/1/RevD
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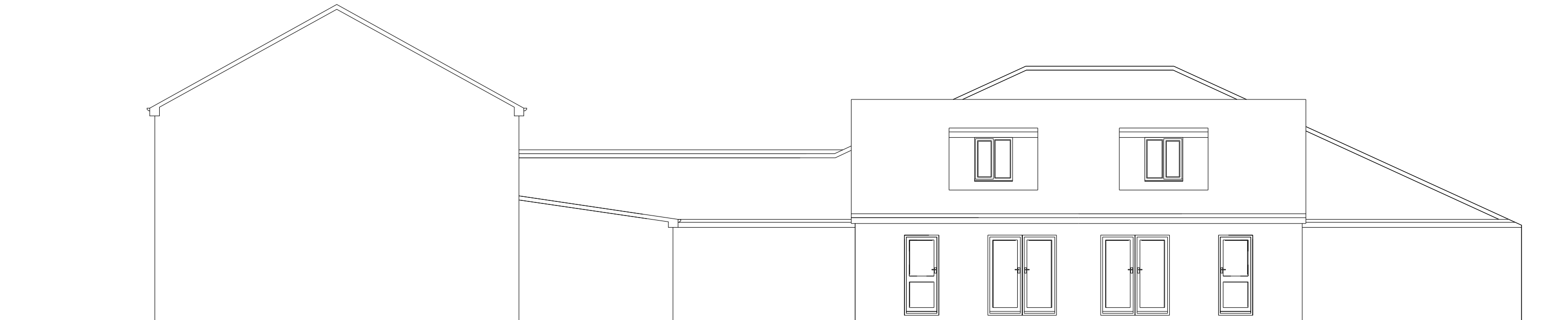
EXISTING STREETSCENE - HARPER FOLD ROAD



PROPOSED STREETSCENE - HARPER FOLD ROAD



EXISTING STREETSCENE - CANUTE ST



PROPOSED STREETSCENE - CANUTE ST

Date	Rev.		Initials	
6/5/26	A.	Amended streetscene	RA	
14/7/26	B.	Amended streetscene	RA	

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Email: info@radesignprojects.co.uk

Project
LAND AT HARPER FOLD ROAD & CANUTE STREET,
RADCLIFFE,
M26 3BX

Title
EXISTING AND PROPOSED STREETSCENE

Client
Drawn RA
Date JULY 2026
Scale 1:100 @ A1 / 1:200 @ A3
Drawing Number RAD/3469/26/2/RevB

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Ward: Bury West - Elton

Item 03

Applicant: Elton Fold Workmens Club and Institute Ltd

Location: Elton Fold Working Mens Club, Leigh Lane, Bury, BL8 2RH

Proposal: Erection of external raised decking at side with canopy and timber board cladding to side elevations

Application Ref: 73065/Full

Target Date: 03/07/2026

Recommendation: Approve with Conditions

Description

The application property is a large detached commercial building on the northern side of Leigh Lane and western side of Redford Street. The north of the site is bound by metal fencing which separates the property from residential properties along Elton Fold Chase. To the west of the property, there are further residential properties.

The proposal is for the erection of external raised decking at the side with a canopy and timber board cladding to side elevations. Existing decking at the property has been removed due to age related degradation which was making it dangerous.

The proposed decking area will project a maximum of 13.5m towards the east from the original side elevation of the property, approximately 9.6m further to the east than the original decking at the property. It would be 7.3m in length with the raised section a maximum of 1.1m in height where the levels are lowest towards the east of the site.

The proposed canopy would cover the entirety of the raised decking area, with a maximum height of 4.5m from the lowest level at the site to the top of the roof lanterns proposed.

The northern side of the proposed decking area would feature solid timber board cladding. The solid timber board cladding would also feature acoustic insulation of an 18mm plywood stud wall, a 100mm layer of acoustic foam within the cavity, and a dense acoustic panel system on the outer face. The eastern side of the proposed (facing Redford Street) to be clad with weatherproof boarding from ground level to 1.1m above the proposed decking level. Trellis panels would be installed above this to the height of the eaves of the canopy.

The area is mixed use in nature, predominantly of residential and commercial uses. Parking within the area is predominantly on street.

Amendments

Amendments to the scheme were requested and provided to make the proposed northern elevation a solid timber structure, rather than with trellis panels to reduce any privacy impacts to neighbouring properties to the north.

Relevant Planning History

02763/E - Extension to rear of club to form a games room - Enquiry completed 26/10/2022
03161/E - Replace existing external wooden decking to the side of the club. It has been in place c15 years and is in a serious state of disrepair and unsafe. Whilst replacing the existing decking, our proposal is to extend the decking to the entire free area of the side of the club. - Enquiry completed 12/02/2026

35088 - APPLICATION FOR PRIOR APPROVAL OF DETAILS: ERECTION OF AGRICULTURAL STORAGE BARN - Withdrawn 26/07/1999
 35122 - 1 NO 15M HIGH PCN POLE; 3 NO CO POLAR SECTOR ANTENNAE; 2 NO 600MM DIAMETER MICROWAVE DISHES; 6 NO LNA UNITS; 1 NO 2F CABIN ON NEW CONCRETE BASE - Approve 16.03.1999
 66291 - Erection of 3 No. bay practice nets and security fence - Approve with Conditions 11/02/2021
 69668 - Single storey rear extension with access ramp - Approve with Conditions 06/07/2023
 70662 - Variation of condition no. 2 (approved plans) and no. 7 (landscaping plan) of p/p 69668: Remove the conifers running along rear boundary and replace with a 450mm high trellis above the existing fencing and plant growing vines up the fence and into the trellis, creating a green screen over time. - Approve with Conditions 17/05/2024
 15/0387 - Creation of beer garden/children's play area - 18/09/2015

Publicity

22 neighbouring properties were consulted on 15.05.2026. 6 objection comments from 4 neighbouring properties have been received detailing the following concerns:

- Concern regarding noise
- Concern over intensification of use
- Concern over privacy impacts and overlooking into neighbouring dwellings
- Planting proposed would not mitigate the privacy impacts caused
- Concern over increased light spill
- Conditions should be imposed regarding external lighting, noise, a solid boundary facing neighbouring properties with no openings and strict limits on hours

One letter of support was also received detailing the below:

- The proposed represents a good overdue upgrade
- The plans to replace the existing decking, which had stood long before any houses were built nearby, would actually create more privacy for those living close to the club.
- The club celebrates its 135th birthday next year and has lots of neighbours and friends who are also members.

Statutory/Non-Statutory Consultations

Traffic Section - did not wish to restrict the granting of planning permission

Environmental Health - Contaminated Land - assessed the application and had no comments to make regarding contaminated land and air quality.

Environmental Health - Pollution Control - commented that Environmental health have no records of complaints of noise from this premises. Also provided advice on the noise condition, which has been acknowledged.

Borough Engineer - Drainage Section - no objections and requested no further information. Made the below comment, which has been acknowledged as an informative:

The submitted information indicates that the proposal only involves the replacement and extension of the existing decking structure. The applicant should ensure that suitable drainage arrangements are provided for the proposed canopy roof drainage and that any

necessary approvals from United Utilities are obtained for any drainage connections, where required.

Pre-start Conditions - Applicant has agreed to pre-start conditions.

Development Plan and Policies

EN1/2	Townscape and Built Design
JP-P1	Sustainable Places
SPD6	Supplementary Planning Document 6: Alterations & Extensions
NPPF	National Planning Policy Framework
PfE	Places for Everyone

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.

Visual Amenity

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 proposed raised decking area would be at the same height as the previous decking area, and would be constructed of similar materials to that previously at the site.

The proposed canopy, including the timber cladding to the elevations, would also utilise similar materials to that already at the site, and therefore it would not appear incongruous within the area.

The height of the proposed would be lower than the eaves of the existing building and would therefore appear as a subordinate addition to the property.

Overall, the proposed would appear similar to previously existing at the property, with the timber cladding to the northern and eastern side elevations and canopy not appearing as inconsistent additions incongruous within the area, or uncommon features at properties of this use.

Given this, the proposed accords to both UDP Policy EN1/2 and PfE Policy JP-P1 and would be considered acceptable.

Residential Amenity

SPD 6 provides guidance on aspect standards between developments and neighbouring residential dwellings.

Properties to the north of the site would retain approximately 13.6m between the proposed and their rear elevations. As outlined within SPD 6, extensions should maintain a minimum

distance of 6.5m between a principal window to a habitable room in one property and a single storey blank wall. Given this, the proposed would be considered acceptable. There are some slight levels changes, with the site lowering towards the north however SPD 6 also states that there should be an extra 3 metres of separation for each 2.5m or one storey of height or level difference. The interface distance of 13.6m would still far exceed the 9.5m guidance outlined within SPD 6.

There are no residential properties to the east or south of the proposed within a reasonable distance to be impacted.

Properties to the west of the application property are sited away from the proposed, and therefore there would be limited further impacts to these neighbours.

UDP Policy CF1/1 Location of New Community Facilities states that proposals for new and improved community facilities will be considered with regard to the impact on residential amenity and the local environment.

Due to the proposed decking area increasing in projection from the existing decking area, and therefore the chance of use of the area intensifying and leading to more noise, it is considered this has been considered by the applicant by ensuring acoustic insulation to the elevation closest to residential neighbours.

The acoustic insulation would be 18mm plywood stud wall, a 100mm layer of acoustic foam within the cavity, and a dense acoustic panel system on the outer face. It was also confirmed by the applicant that for this type of acoustic insulation, the expected airborne sound reduction would be in the region of 40-45 dB in the mid-to-high frequency range when fully sealed. The foam itself provides absorption within the cavity, while the mass of the plywood and acoustic panels provides the primary sound-blocking performance.

This was reviewed by the Council's Pollution Control Team, who noted that given the lack of evidence/complaints received previously for this site, the opening hours couldn't be reasonably reduced from previously in this instance. It was also noted however that if complaints were to be received, the following could occur:

- Environmental health can ask licensing to review their licence in front of the licensing committee who can revoke the alcohol licence
- Environmental health can investigate noise under the statutory nuisance provisions of the Environmental Protection Act 1990

These comments have been added as an informative.

Given the above, the proposed is therefore considered acceptable in relation to SPD 6 and UDP Policy CF1/1.

Response to Objection Comments

The proposed scheme has been amended in order to protect the privacy of neighbouring dwellings, and this is considered to have therefore acknowledged these concerns. Noise and external lighting conditions have been acknowledged within the conditions of the report. This should also help to mitigate any concerns regarding the intensification of the use. An informative has also been added regarding steps Environmental Health would take should unacceptable noise impacts occur.

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

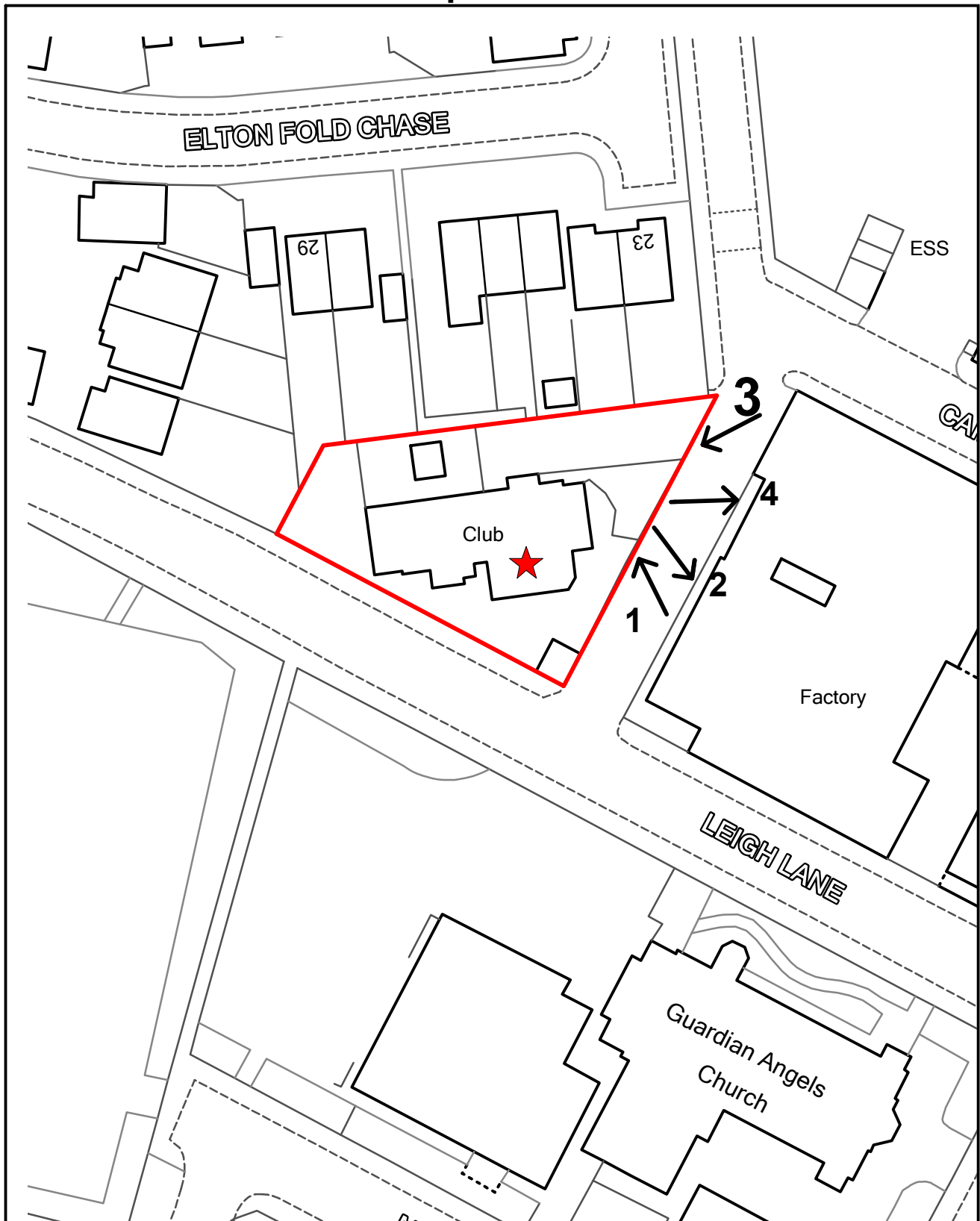
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered EFDW-004A and EFDW-003E and the development shall not be carried out except 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 external finishing materials for the proposal hereby approved shall match those as shown on drawing numbered EFDW-003E.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The use hereby permitted shall not be open to customers outside the following times: 16:00 to 00:00 *on Mondays to Friday*, 12:00 to 00:00 *Saturdays* and 12:00 to 22:00 *on Sundays and Bank Holidays*

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/5 – New Local Shopping Provision Outside Recognised Shopping Centres and S2/6 – Food and Drink of the Bury Unitary Development Plan.
5. There shall be no loud speakers, amplified music or TV/video screens provided to the proposed decked patio area at any time.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy S2/6 - Food and Drink of the Unitary Development Plan.
6. Prior to commencement, an external lighting scheme shall be submitted to the Local Planning Authority detailing how the proposed development is to be lit.

Reason. In the interests of residential amenity.

For further information on the application please contact **Charlotte Orrell** on **0161 253 5426**

Viewpoints



Application number 73065

**Elton Fold Working Mens Club, Leigh
Lane, Bury, BL8 2RH**

ADDRESS:



Bury
Council

Planning, Environmental and Regulatory Services

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73065

Photo 1



Photo 2



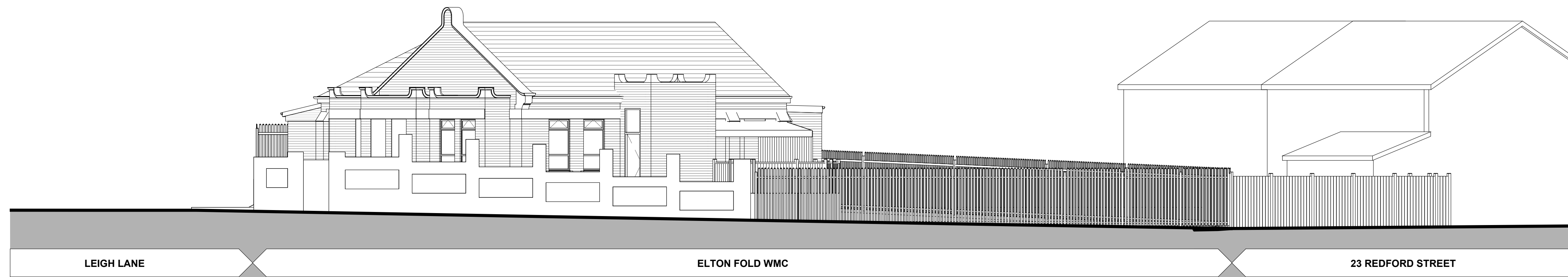
73065

Photo 3

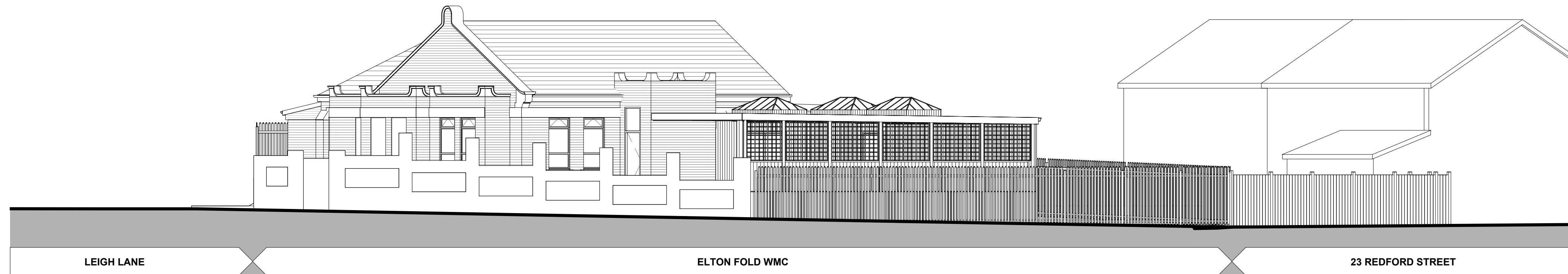


Photo 4

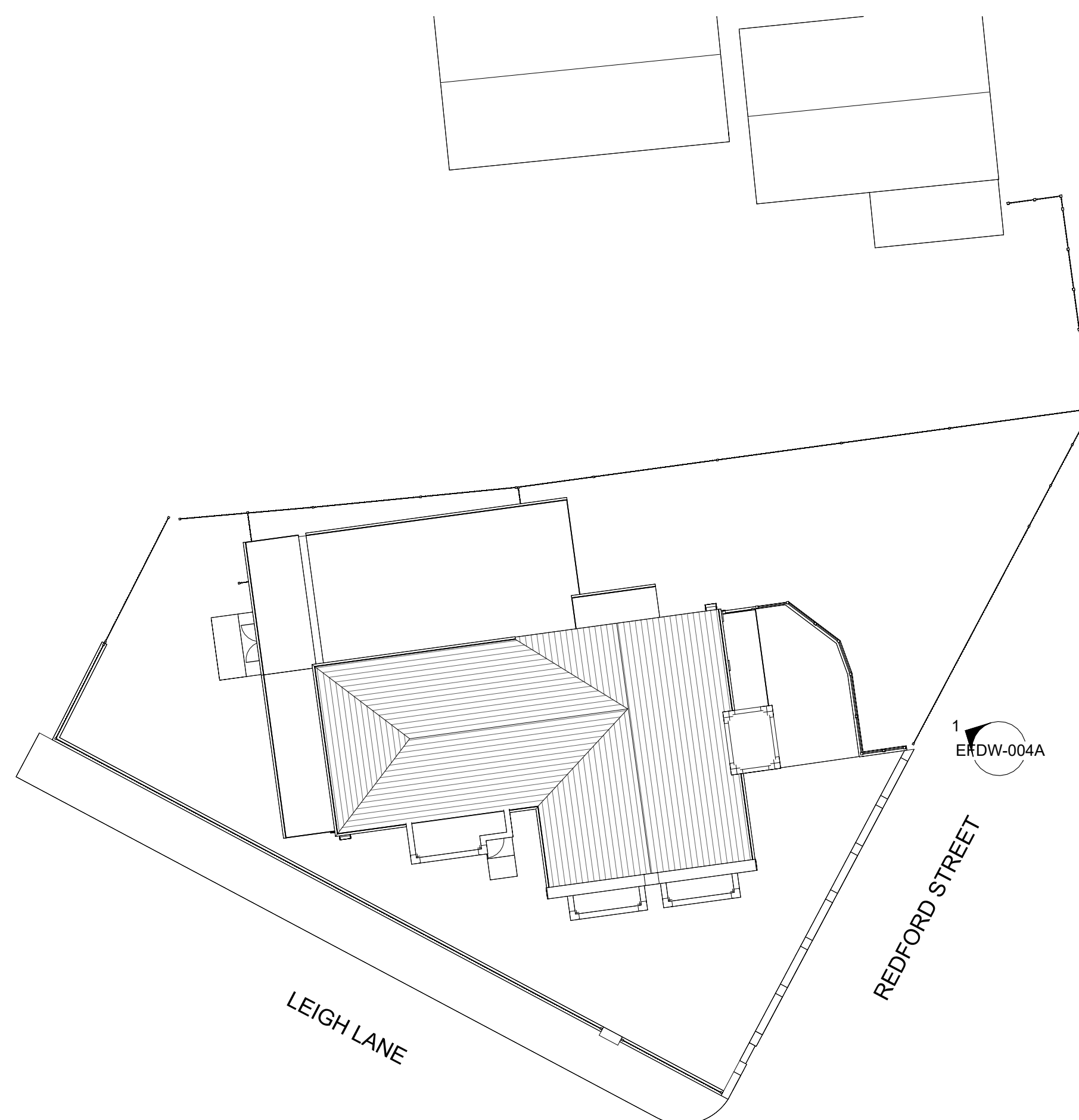




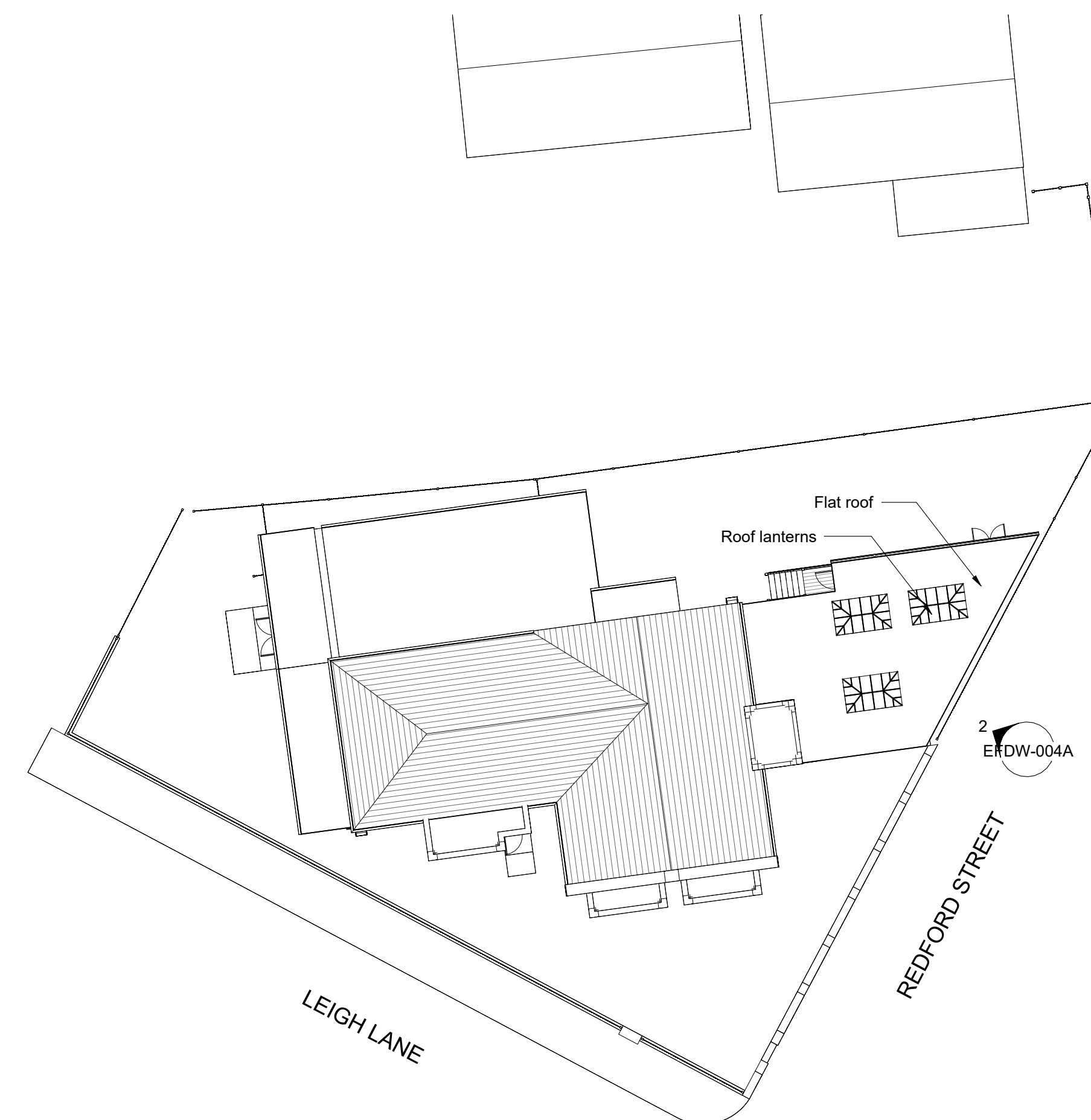
1 Existing East Elevation Street Scene
Scale @ 1 : 100



2 Proposed East Elevation Street Scene
Scale @ 1 : 100



3 Existing Site Plan
Scale @ 1 : 200



4 Proposed Site Plan
Scale @ 1 : 200

Rev A - 17/06/2026
Wall construction to North Elevation revised from railings and trellis, to a solid timber clad construction

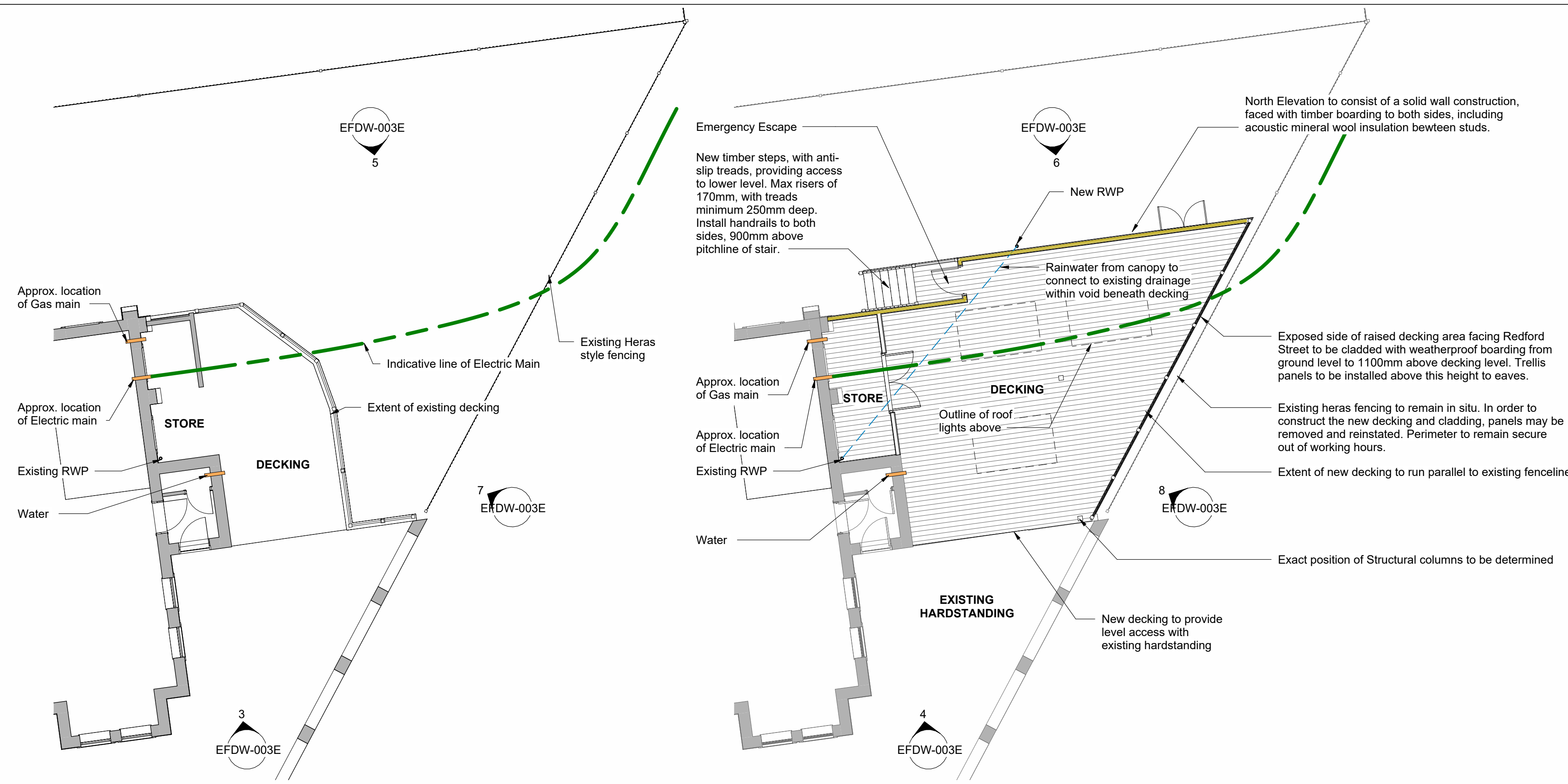
Project:
Proposed Decking Works at Elton Fold WMC.
Leigh Lane, Bury, BL8 2RH

Sheet Name:
Existing and Proposed Decking Street Scene

Date
06/05/2026

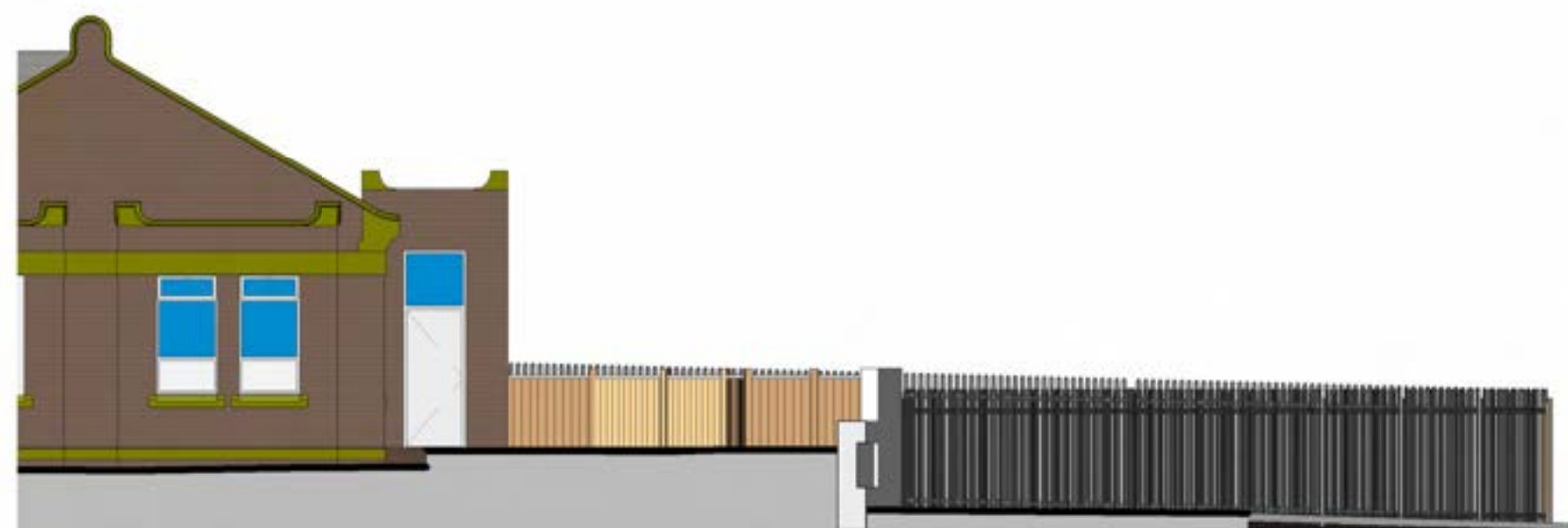
Scale As indicated Size A1

EFDW-004A



1 Existing Decking Plan
Scale @ 1 : 100

2 Proposed Decking Plan
Scale @ 1 : 100



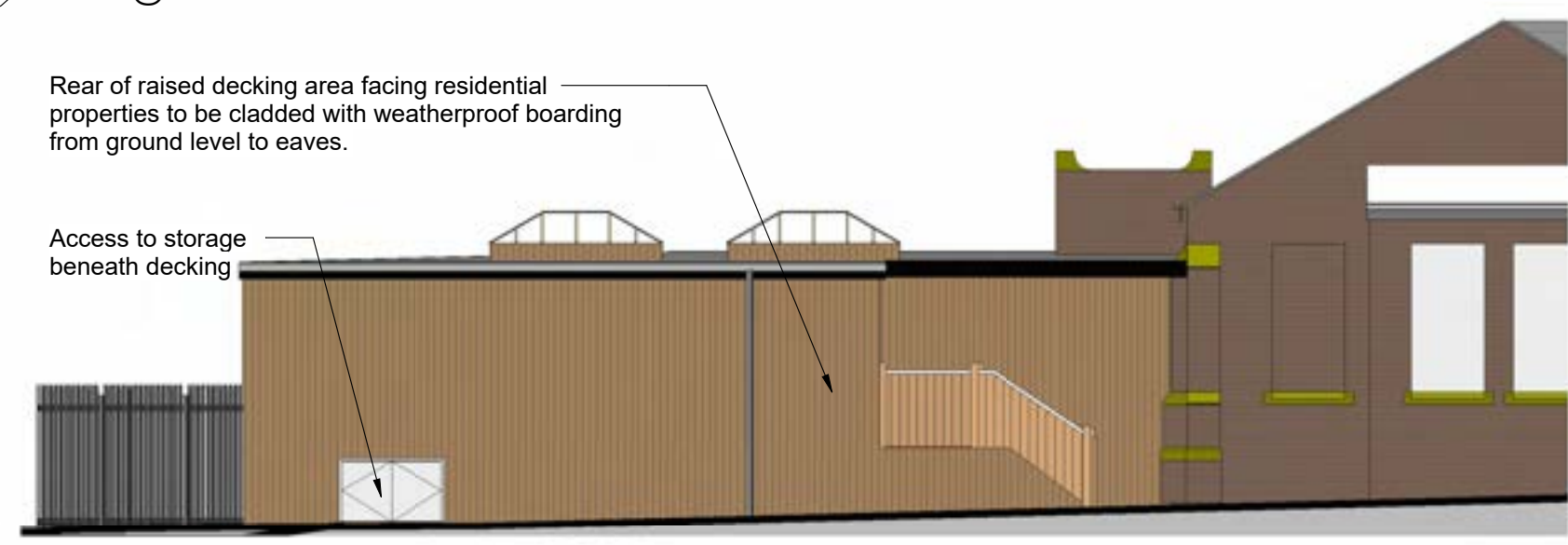
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Scale @ 1 : 100



4 Proposed Part South Elevation
Scale @ 1 : 100



5 Existing Part North Elevation
Scale @ 1 : 100



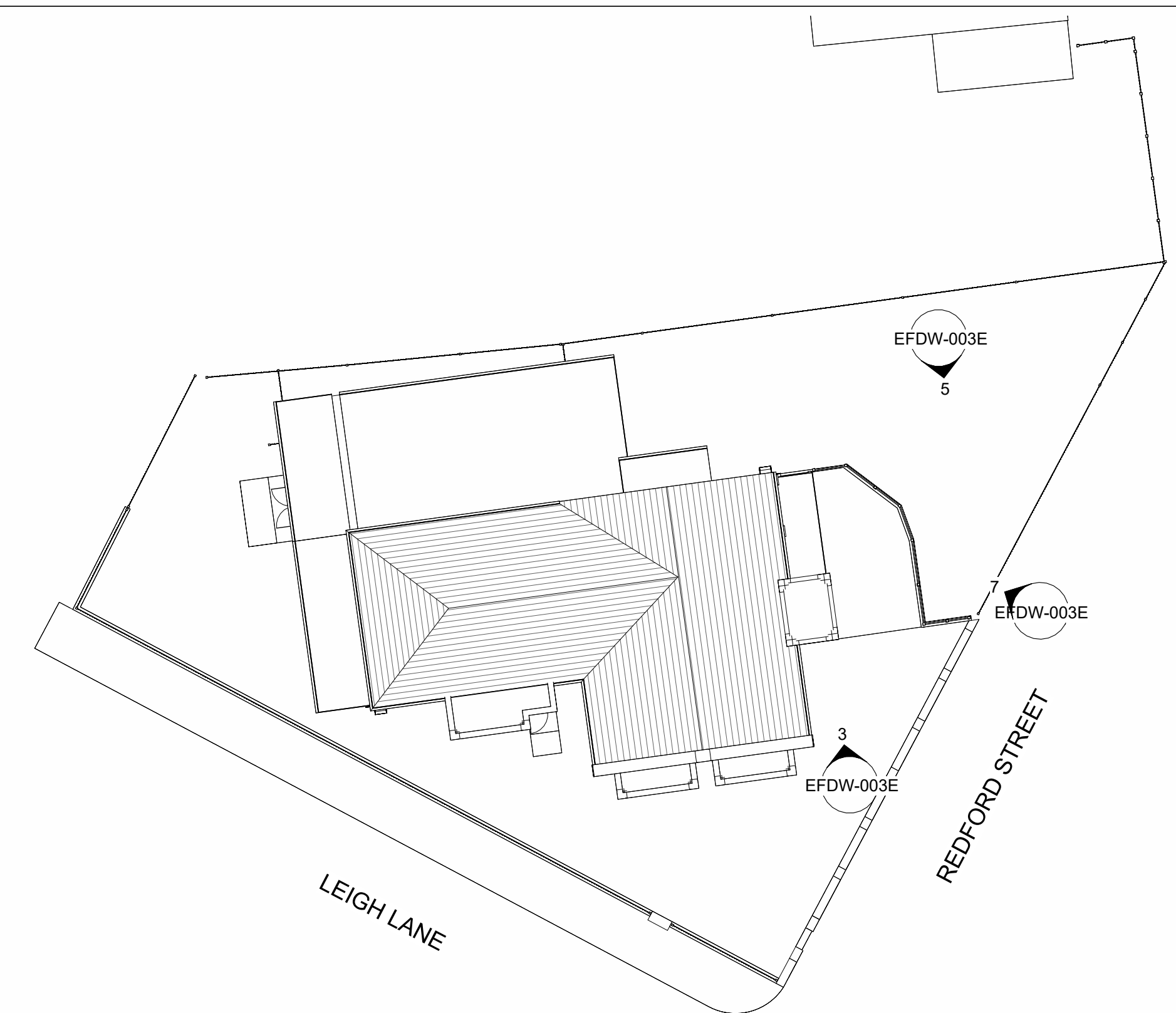
6 Proposed Part North Elevation
Scale @ 1 : 100



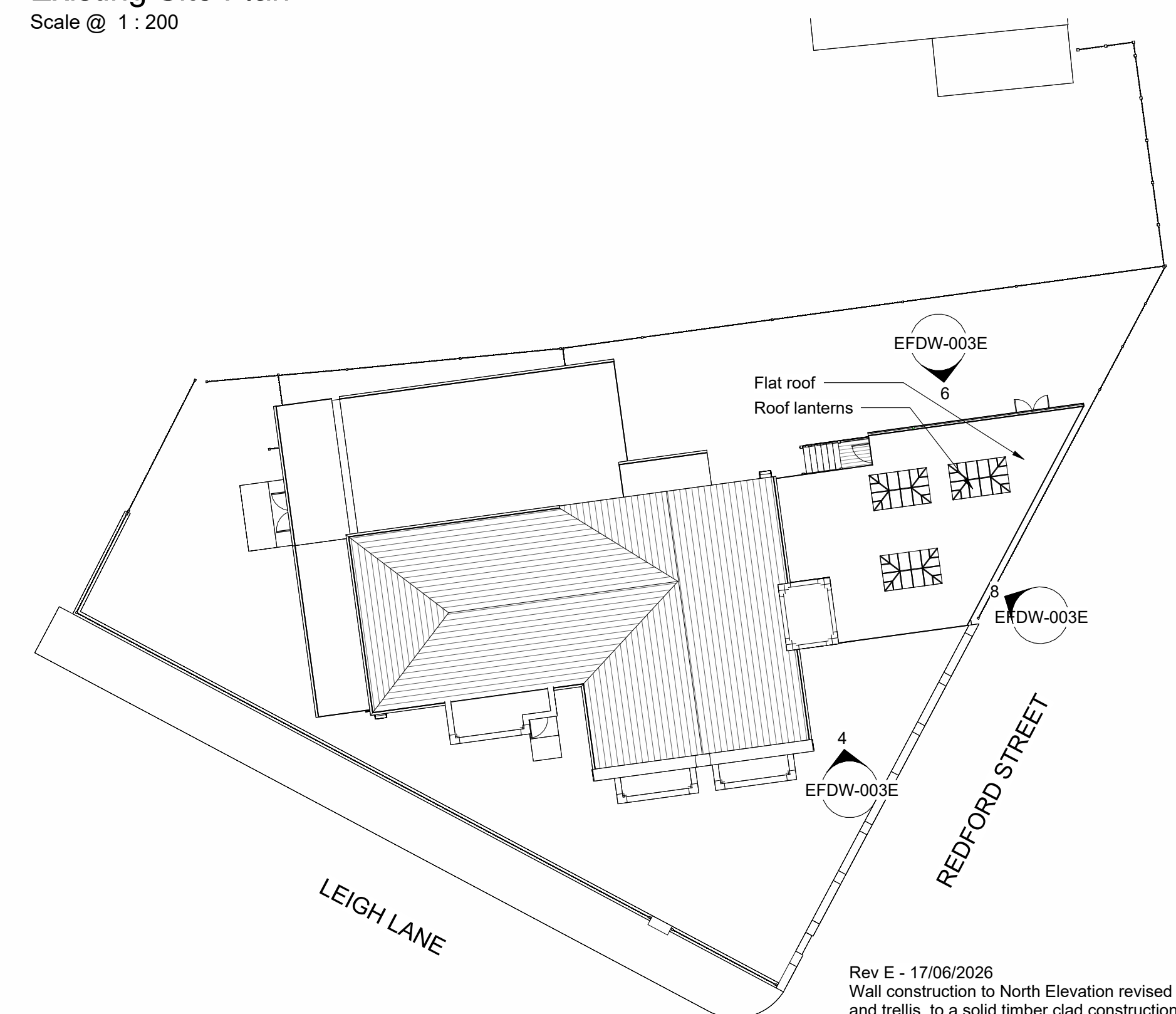
7 Existing East Elevation
Scale @ 1 : 100



8 Proposed East Elevation
Scale @ 1 : 100



Existing Site Plan
Scale @ 1 : 200



Proposed Site Plan
Scale @ 1 : 200

Rev E - 17/06/2026
Wall construction to North Elevation revised from railings and trellis, to a solid timber clad construction

Rev D - 06/05/2026
Elevation markers added.

Rev C - 05/04/2026
Drainage connection indicated.

Rev B - 01/04/2026
Store revised, railing loading indicated.

Rev A - 30/03/2026
Footprint amended, canopy added, and height of timber trellis increased

Project: Proposed Decking Works at Elton Fold WMC. Leigh Lane, Bury, BL8 2RH	
Sheet Name: Existing and Proposed Decking Plans and Elevations	
Date 06/05/2026	
Scale As indicated	Size A1
EFDW-003E	

Ward: Bury East

Item 04

Applicant: Coral Mullings

Location: 102 Sixth Avenue, Bury, BL9 7RP

Proposal: Change of use from dwelling (Class C3) to a children's residential care home (Class C2) for up to 3 children

Application Ref: 73083/Full

Target Date: 30/06/2026

Recommendation: Approve with Conditions

Description

The application property is a two storey detached dwelling located on the south-eastern side of Sixth Avenue. The front elevation of the property is separated from the pavement by a tarmac driveway and small front garden. To the north/north-eastern side of the property is a large private driveway and an access gate for both vehicles and pedestrians into the rear garden area. The rear garden boundaries are formed by timber fencing and hedging.

Planning permission is sought to change the use of the dwelling from a Class C3 use to a Class C2 children's residential care home for up to 3 children. As noted on the plans, there are no alterations to the existing floor plans or elevations proposed.

As stated within the supporting information, the home will be staffed on a 24-hour basis, typically comprising two/three members of staff on duty during daytime hours with two staff transitioning to night time duties. Staffing will operate on a shift-based system, commonly structured around longer shifts (for example 24-hour or 48-hour arrangements).

As can be seen within the Planning History for this site, application 72755 for a Lawful Development Certificate for the proposed change of use from a dwelling (Class C3) to children's residential home (Class C2) was refused on 09/02/2026 due to the proposal being deemed to potentially intensify the use of the property as more than a Class C3a dwelling, and therefore it was concluded that the proposed could not be considered as permitted development. This full application has therefore now been submitted.

The area is residential in nature, predominantly of larger detached dwellings. Parking at Sixth Avenue is restricted in the fact that it is a cul-de-sac and therefore the majority of vehicles park off street on private driveways. It is noted however that parking on the road is common, but limited.

Relevant Planning History

38927 - REDUCE LEVEL OF EXISTING PARKING AREA AND ERECTION OF CONSERVATORY AT REAR - Approve with Conditions 28/03/2002

53918 - Lawful Development Certificate for existing garage at rear - Lawful Development 31/05/2011

72755 - Lawful development certificate for proposed change of use from dwelling (Class C3) to children's residential home (Class C2) - Refused 09/02/2026

Publicity

7 neighbouring properties were consulted on 06.05.2026. A total of 13 objection letters from 9 addresses have been received detailing the following concerns:

Impact on the Area

- The proposal would impact the character, amenity and safety of the area and result in a material change of the area
- The proposed use differs from the established close-knit, residential nature of the area
- Is this type of commercial/business-style premises suitable within a cul-de-sac?

Impact on Neighbours

- Recently approved neighbouring extensions have already impacted the neighbour, and this will impact further
- The area is peaceful and quiet, with many elderly residents/disabled residents. The proposed will increase noise and result in disruptions which isn't fair.
- Concern over general health of residents and quality of life should the application be approved

Parking

- Concern over parking including access for emergency vehicles, and especially as the street is always busy due to neighbouring streets being restricted parking areas and the proximity to Fairfield Hospital
- Concern over intensification of traffic

Safety

- Potential for disorder/anti-social behaviour and increased police presence
- Concern over safety of children already living in the area
- Impact on local services

Other

- How has the application changed from the previous application?
- The company is already registered on Companies House, with the address as the application property. Does this mean the application has already been decided, with the concern of residents not appropriately considered?
- Could de-value neighbouring properties
- Is the property appropriate for the number of children and the needs of the children?
- The application includes insufficient information in regards to staffing numbers, overnight staffing arrangements, shift patterns, visitor frequency, operational management, and parking provision associated with the use.
- Request for information on operator records

Statutory/Non-Statutory Consultations

Traffic Section - requested the off-road car parking provision to be detailed on the submitted site plan. This was amended and added to the application as a revised plan. Following this, the Highways Engineer recommended the following conditions:

1. The parking arrangements indicated
2. Bin storage arrangements made available.

These have been acknowledged within the conditions of the report. There were no further requests for information or objections.

Environmental Health - Pollution Control - had no comments or observations to make on the proposed.

Planning Policy Manager - no comments received.

Waste Management - no objections, just made comment that as the proposed is a change of use to a care home, the property will now have to arrange a commercial waste contract and this should be in place for when the change of use happens.

Greater Manchester Police - designforsecurity - provided the following comment:

A facility of this nature is best located and supported within a conventional domestic residential community.

In addition to the immediate setting, the house is served by a number of schools and community facilities.

Should the local authority be mindful to approve this application Design for Security have the following comments:

1. Should there be any changes/upgrades to external doors and windows should be certified to PAS24 standards.
2. The maximum number of residents should be three.
3. The minimum number of staff members (qualified and vetted), whilst residents are in occupation should be two.
4. Unfortunately, the supporting Planning Statement does not state the age range. However, we recommend the age should be between 7 - 15 years of age.
5. Visiting arrangements to the site are to be arranged during permitted hours which do not conflict with other residents visitors.

The above comment has been acknowledged as an informative.

Children's Commissioning Team - no comments or observations received.

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

Development Plan and Policies

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

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) of the Proposed Development

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. It also 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 5no. bedroom property within a well established residential area. The supporting information states that all bedrooms at the property are considered to be double bedrooms, however 4 of the bedrooms are smaller than the Nationally Described Space Standard double bedroom requirement of 11.5sqm and so these would be considered to only be single bedrooms.

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

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.

The previous application 72755 sought a lawful development certificate for the proposed change of use from a dwelling (Class C3) to a children's residential home (Class C2). It was refused on the basis that the existing dwelling was considered to currently be inhabited by up to 6 residents where the supporting information submitted alongside application 72755 indicated that a maximum of 3 children would be cared for at the home. Staff would operate on a shift pattern with 3 members of staff generally being at the property during most of the day and night, however a minimum of 5 staff at the property during handover periods amounting to a minimum of 8 people at the property during this period.

This therefore could mean that there could be an increase in activity at the property and so a material change of use would occur. This therefore meant that full planning permission needed to be sought in order to evaluate whether there would be any further intensification of the use of the property to the detriment of neighbouring properties.

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 5 bedroom detached dwelling. 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 6 individuals. Furthermore, without planning permission, the dwelling could be utilised as a house in multiple occupation for up to 6 occupants. Although the number of people at the property around handover periods and shift changes could be 8, the dwelling is detached, which would reduce the immediate noise from, and indeed to the future occupants. Furthermore, it is common for families of this size to have visitors, and therefore not uncommon for 8 people to be in a home of this size for short periods of time.

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 side of the property and 2no. parking spaces at the front with a slope and steps to and from the main front access door.

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 4 with the parking standards for this use class (C2) set out in SPD 11 being 1 space per 2 staff & 1 space per 4 beds. Given the number of staff being a maximum of 5 during changeover periods, this means 2.5 spaces would be needed for the staff and 1.25 spaces due to the number of bedrooms. This equates to 3.75 spaces. Given the site plan showing the parking provision at the property to be 5 off road car parking spaces, this is considered acceptable.

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 Objection Comments

Many matters raised within the 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 planning considerations.

The application has changed from the previous application by now being submitted as a full planning application, rather than seeking a lawful development certificate for the proposed use.

The company already being registered on Companies House, with the address as the application property does not mean the planning application has been decided. The application is not decided until Planning Committee have considered it in this instance.

It is not considered that the application included insufficient information in regards to staffing numbers, overnight staffing arrangements, shift patterns, visitor frequency, operational management, and parking provision associated with the use. Where further information was needed, the officer requested this from the agent, and this was received in order to form the basis of this recommendation.

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

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

3. There shall be no more than 3 children residing at the property hereby approved at any one time.

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

4. The premises to which this approval relates shall be used for residential accommodation and care for people in need of care and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

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

5. The use hereby approved shall not be commenced unless and until the parking arrangements indicated on the approved plans, incorporating the retention of the existing footway crossings and hardstandings, have been made available to the satisfaction of the Local Planning Authority.

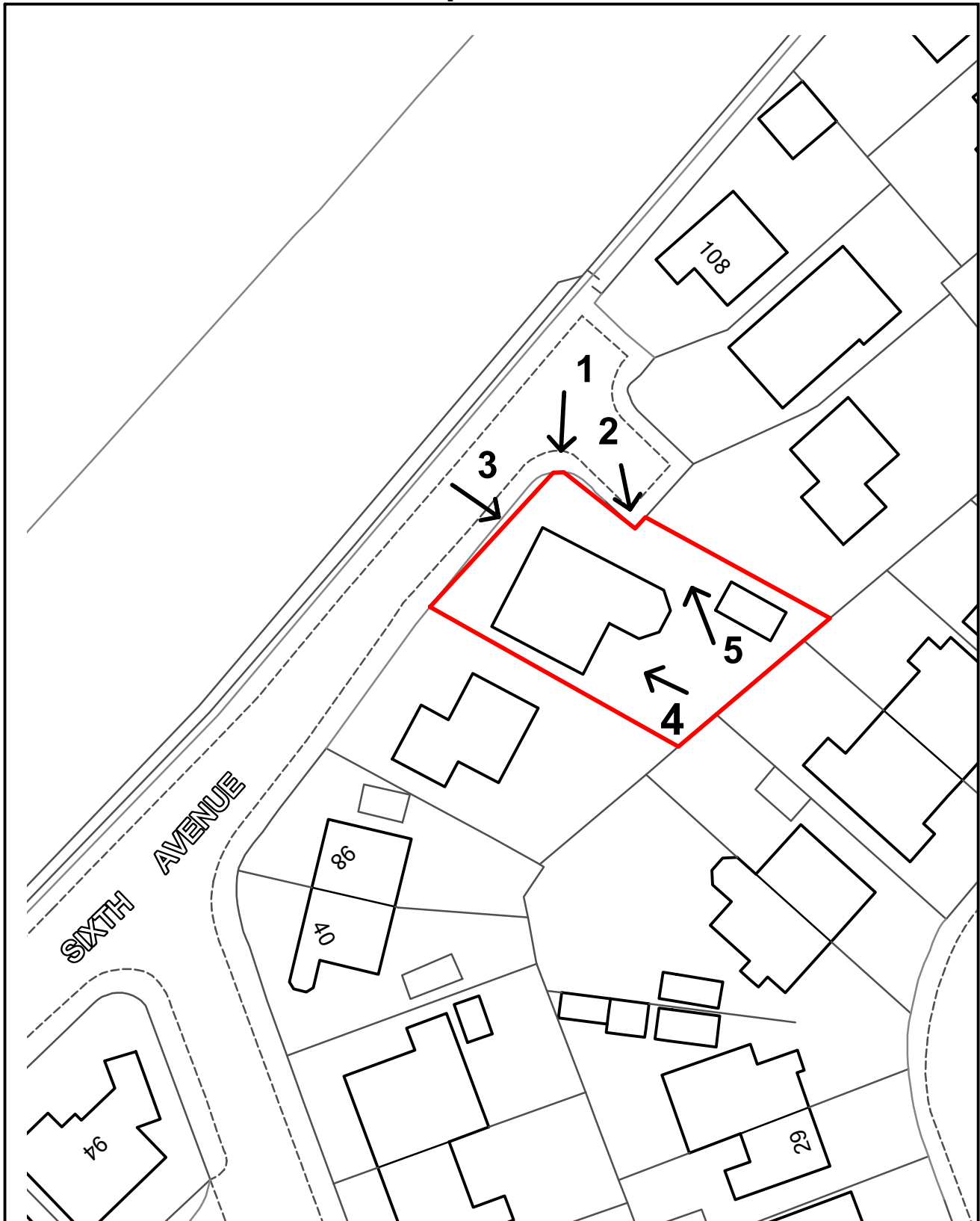
Reason: To ensure adequate off-street car parking and to allow adequate space to maintain a vehicle clear of the highway, in the interests of road safety and in accordance with policies HT2/4, JP-C5 and JP-C6.

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

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

For further information on the application please contact **Charlotte Orrell** on **0161 253 5426**

Viewpoints



Application number 73083

ADDRESS: 102 Sixth Avenue, Bury, BL9 7RP



Bury
Council

Planning, Environmental and Regulatory Services

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73083

Photo 1



Photo 2



73083

Photo 3



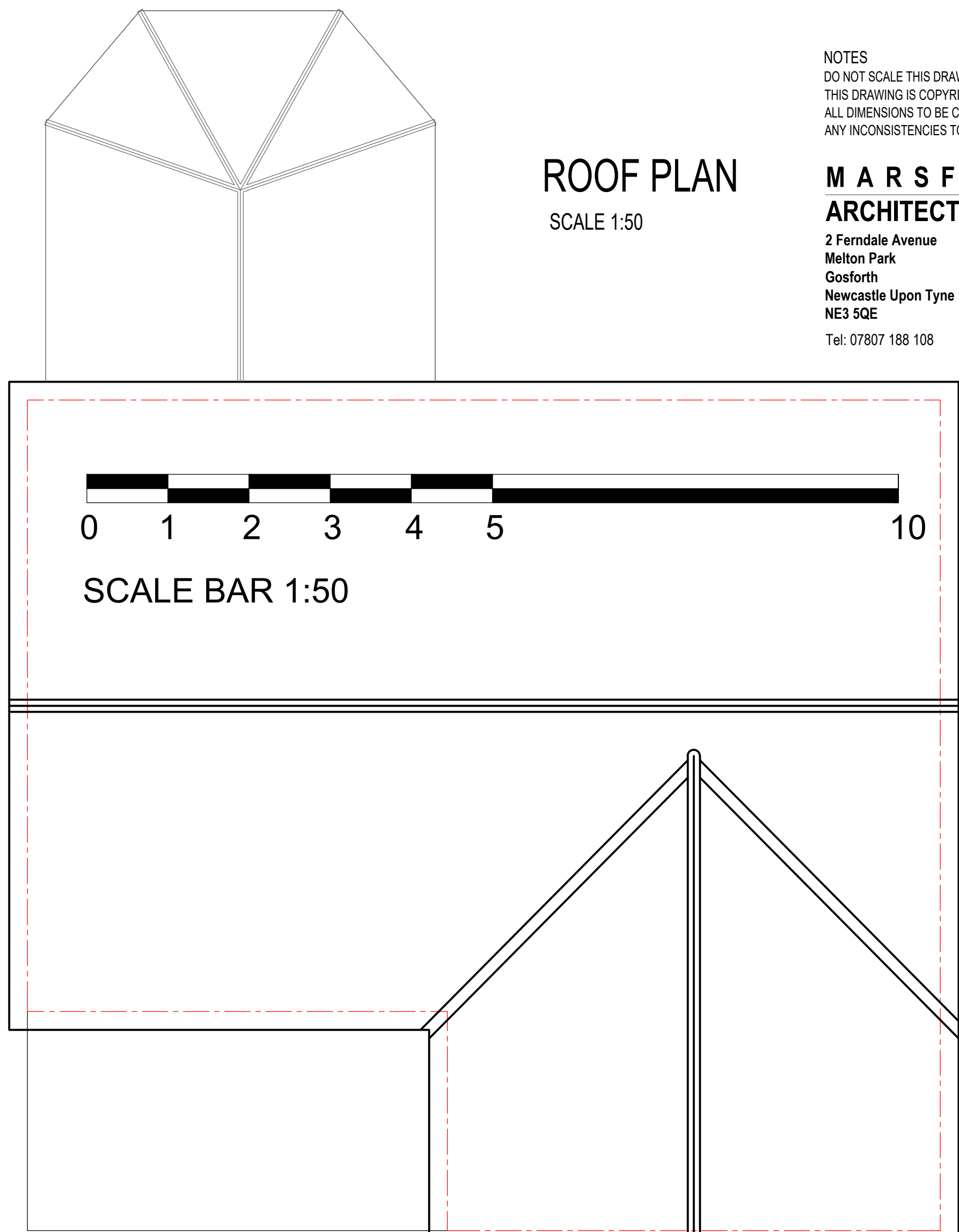
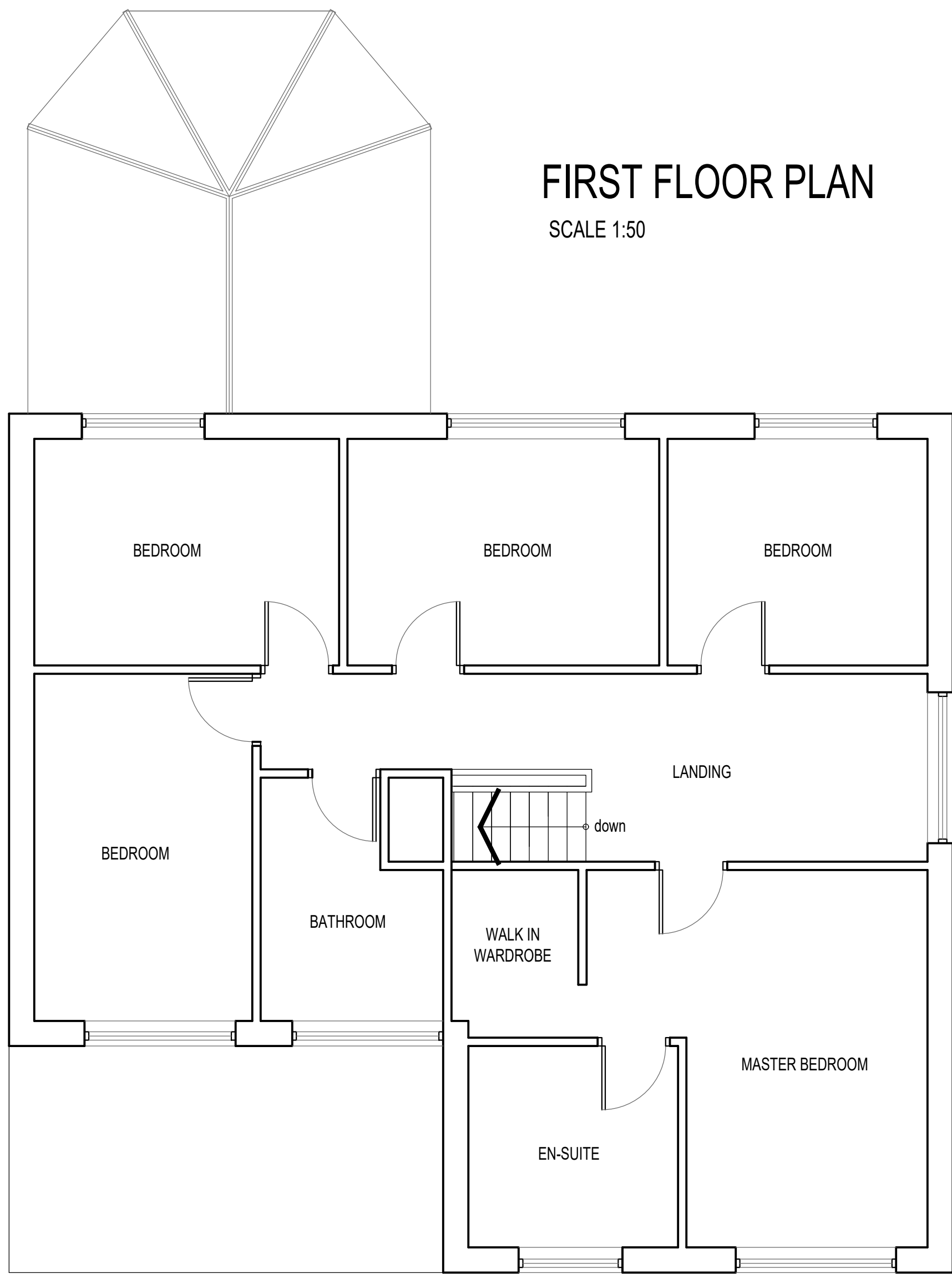
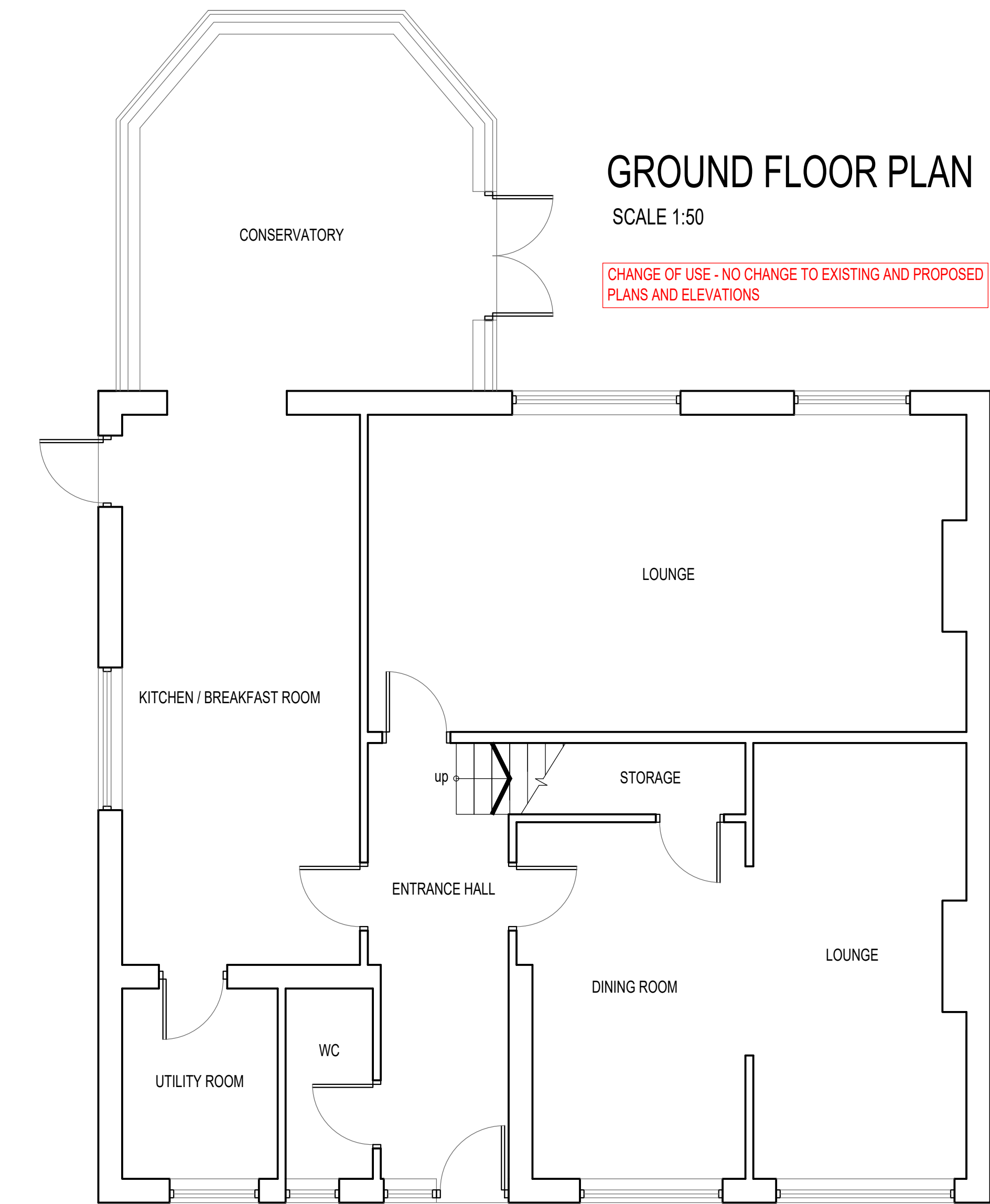
Photo 4



73083

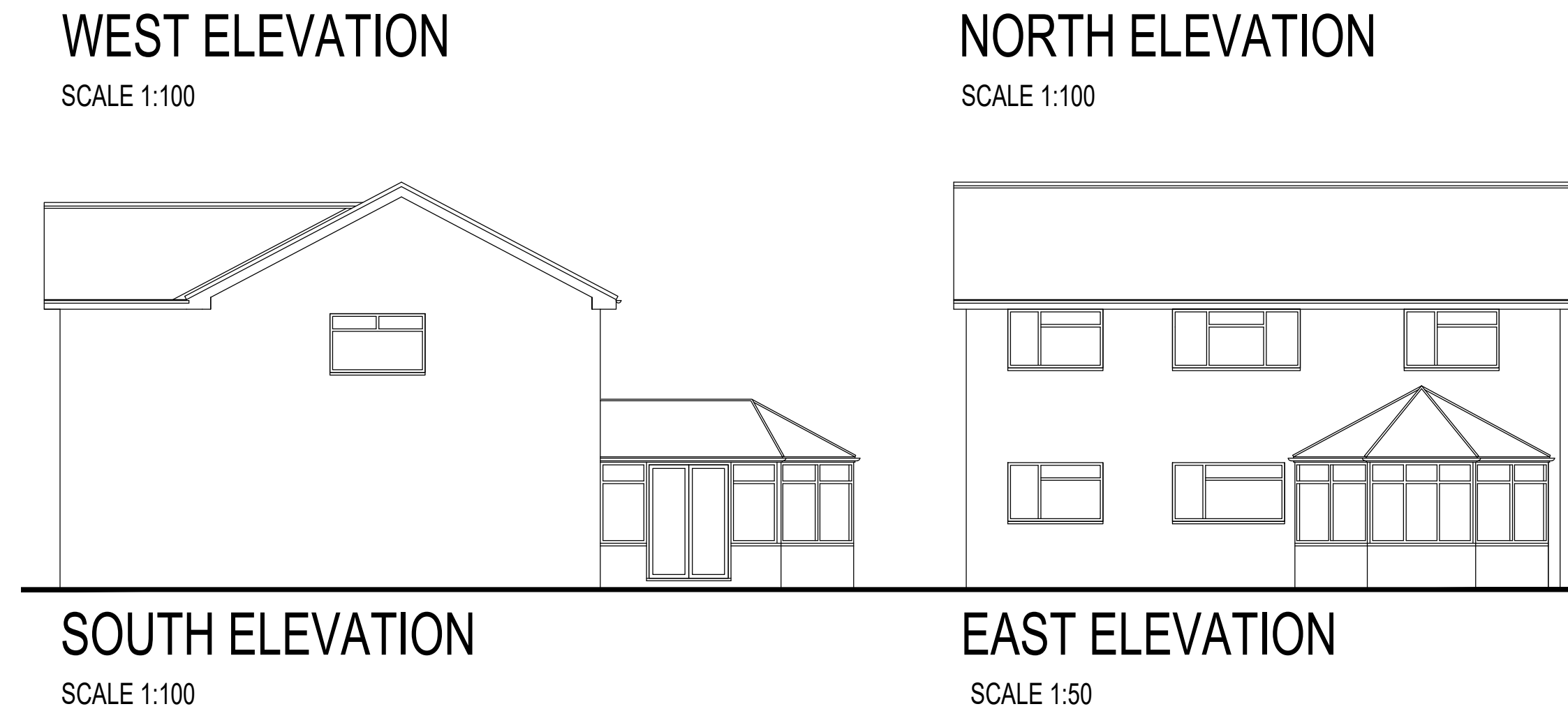
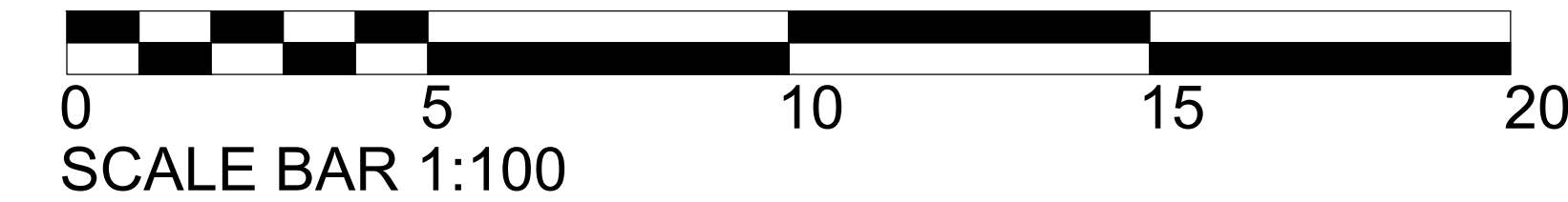
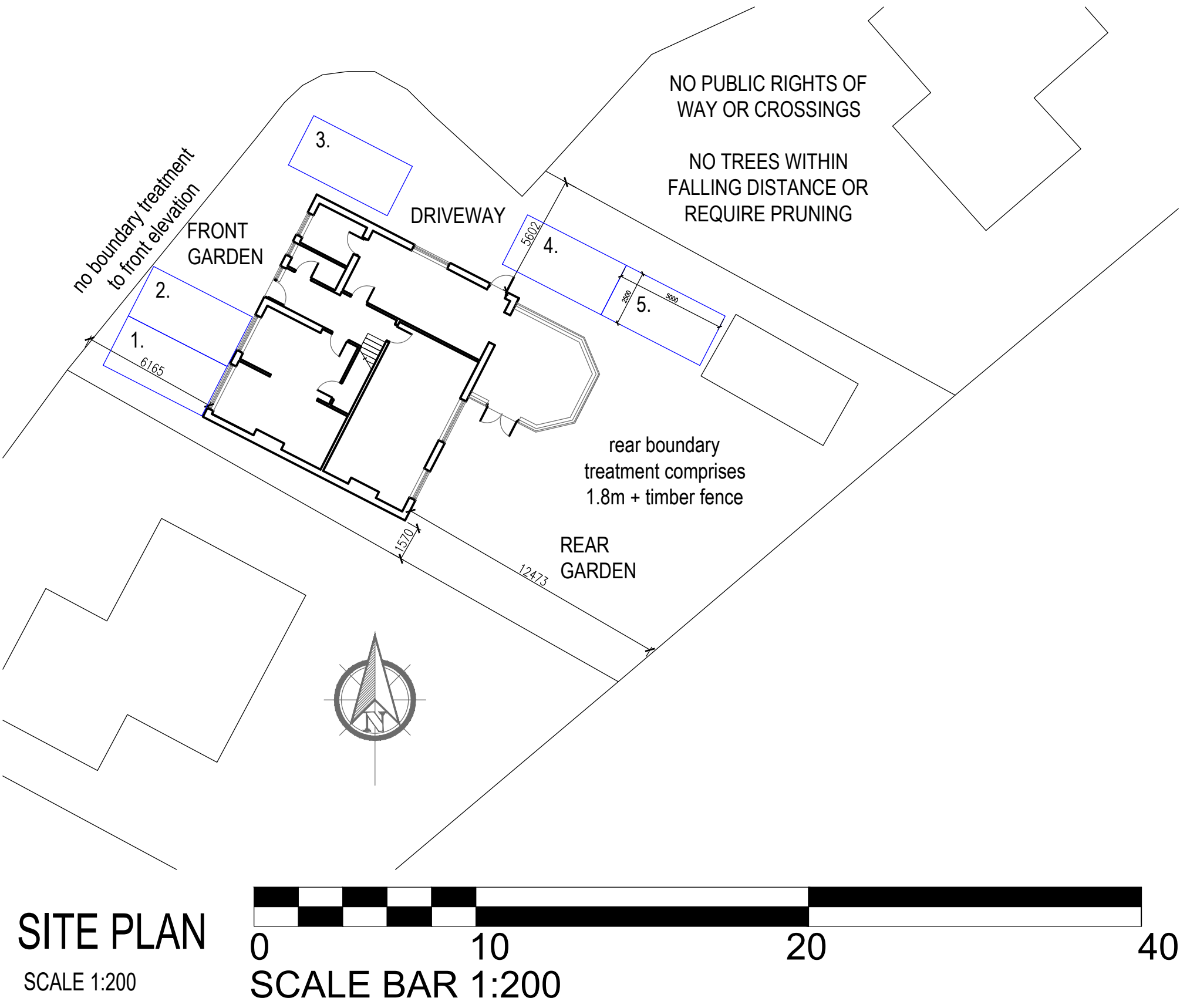
Photo 5





NOTES
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MARSFEN ARCHITECTURE
2 Ferndale Avenue
Melton Park
Gosforth
Newcastle Upon Tyne
NE3 5QE
Tel: 07807 188 108



SITE LOCATION PLAN
SCALE 1:1250

DO NOT START WORK ON SITE UNTIL THE FOLLOWING ITEMS HAVE BEEN CARRIED OUT

- o Planning permission granted
- o Planning conditions DISCHARGED
- o Building Regulations/Building Notice - conditional approval have all conditions been discharged
- o Asbestos surveys been carried out
- o Have structural works been commissioned?
- o Check that all Party Wall notices are served if applicable? Have you discussed your project with your neighbour? Are they aware of your impending works?
- o Leasehold Properties - notification of works and approval granted from land owner.
- o Check there are no restrictive covenants over works proposed
- o Confirmation of site boundaries and ownership
- o Contact Northumbrian Water for drainage drain surveys carried out and building over agreements applied for where necessary.

CLIENT
CARTER SMITH PLANNING CONSULTANTS

PROJECT
102 SIXTH AVENUE, BL9 7RP

TITLE
EXISTING AND PROPOSED PLANS AND ELEVATIONS

SCALE @ A1
Varies

STATUS
Planning

NAME	SIGNATURE	DATE
LEVEL 1 DRAWN	####	19.03.2026
DRAWING NUMBER	####	PO-20-100
REVISION	A	

REPORT FOR NOTING

**Agenda
Item**
5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	28 July 2026
SUBJECT:	DELEGATED DECISIONS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	The report lists: Recent delegated planning decisions since the last PCC
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A
Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS**DIRECTOR:**

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

1.0 BACKGROUND

This is a monthly report to the Planning Control Committee of the delegated planning decisions made by the officers of the Council.

2.0 CONCLUSION

That the item be noted.

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

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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

Planning applications decided using Delegated Powers

Between 20/06/2026 and 20/07/2026



Ward:

Application No.:	72016	App. Type:	CONDIS	29/06/2026	Approve
Location:	Ivy Bank, Walmersley Old Road, Bury, BL9 6RU				
Proposal:	Application to dishcharge condition 3 (Preliminary Risk Assessment), condition 7 (Natural England Licence), condition 8 (Non-native Invasive Species Management Plan), condition 10 (CTMP), condition 14 (materials) pursuant to application 70409				
Application No.:	72451	App. Type:	CONDIS	15/07/2026	Approve
Location:	Land adjacent to 9 Taylors Lane, Radcliffe, Bolton, BL2 6QS				
Proposal:	Application to discharge condition 3 (preliminary risk assessment), condition 7 (landscaping), condition 9 (highways) and condition 13 (materials) on planning permission 67787				
Application No.:	73071	App. Type:	CONDIS	13/07/2026	Approve
Location:	Star Radcliffe Academy, Spring Lane, Radcliffe, M26 2SZ				
Proposal:	Application to discharge condition 10 (drainage management & maintenance plan), condition 22 (school travel plan), condition 31 (3G pitch details), condition 32 (ball strike assessment) and condition 35 (management & maintenance scheme) on planning permission 72502				
Application No.:	73092	App. Type:	CONDIS	08/07/2026	Approve
Location:	Sunny Bank, Arthur Lane, Radcliffe, Bolton, BL2 5PN				
Proposal:	Application to discharge condition 11 (landscaping details) and condition 13 (construction traffic management plan (CTMP)) on planning permission 68988				
Application No.:	73123	App. Type:	CONDIS	16/07/2026	Approve
Location:	Land to east of M66 motorway, connecting Rochdale Road, Edenfield to Woodgate Hill WTW Compound, Bury				
Proposal:	Application to discharge condition 12 (details of compensatory habitats) on planning permission 66947				
Application No.:	73162	App. Type:	CONDIS	06/07/2026	Approve
Location:	Polyflor Limited, Leicester Road, off Radcliffe New Road, Manchester, M45 7NG				
Proposal:	Application to discharge conditions 9. (bat roosting), 10. (demolition), 11. (surface water) on planning permission 58638				
Application No.:	73181	App. Type:	CONDIS	14/07/2026	Approve
Location:	Land off Parkinson Street, Bury, BL9 6NY				
Proposal:	Application to discharge condition 5 (remediation strategy) on planning permission 71577 Plots 27-28 & 65-73				
Application No.:	73191	App. Type:	CONDIS	06/07/2026	Approve
Location:	102 Nelson Street, Bury, BL9 9HX				
Proposal:	Application to discharge condition 7 (Construction Traffic Management Plan) on planning permission 72224				

Application No.:	73192	App. Type:	CONDIS	06/07/2026	Approve
Location:	104 Nelson Street, Bury, BL9 9HX				
Proposal:	Application to discharge condition 7 (Construction Traffic Management Plan) on planning permission 72225				
Application No.:	73193	App. Type:	CONDIS	06/07/2026	Approve
Location:	106 Nelson Street, Bury, BL9 9HX				
Proposal:	Application to discharge condition 7 (Construction Traffic Management Plan) on planning permission 72226				
Application No.:	73233	App. Type:	CONDIS	14/07/2026	Approve
Location:	Land off Parkinson Street, Bury, BL9 6NY				
Proposal:	Application to discharge condition 5 (Garden & Gas validations on plots 33-44 only) on planning permission 71577				
Application No.:	73236	App. Type:	CONDIS	25/06/2026	Approve
Location:	21 Rowlands Road, Summerseat, Ramsbottom, Bury, BL9 5NF				
Proposal:	Application to discharge condition 3 (materials schedule) and condition 4 (programme of works) on planning permission 72734				
Application No.:	73237	App. Type:	CONDIS	25/06/2026	Approve
Location:	23 Rowlands Road, Summerseat, Ramsbottom, Bury, BL9 5NF				
Proposal:	Application to discharge condition 3 (materials schedule) and condition 4 (programme of works) on planning permission 72735				
Application No.:	73241	App. Type:	CONDIS	13/07/2026	Approve
Location:	Longfield Shopping Centre/Car Park, Fairfax Road Car Park & adjoining land at Bury New Road, Rectory Lane & Fairfax Road, Prestwich				
Proposal:	Application to discharge condition 19 (car park management plan) and part discharge condition 41 (site verification report) on Phase 1A Plot G (travel hub) on planning permission 70449				
Application No.:	73258	App. Type:	PAVE	26/06/2026	Raise No Objection
Location:	Broad Street Social, Broad Street, Bury				
Proposal:	Consultation on application for placement of tables and chairs on public highway (Ref: TM8/20/63)				
Application No.:	73263	App. Type:	CONDIS	10/07/2026	Approve
Location:	Fire Station, Bury New Road, Whitefield, Manchester, M45 7SY				
Proposal:	Application to discharge condition 12 - part 2 - (review of existing signals and road markings) and part 3 (street lighting assessment) on planning permission 70895				
Application No.:	73269	App. Type:	REG5	23/06/2026	Raise No Objection
Location:	Vicarage Street, adjacent to gable of 30 Spring Lane, Radcliffe, Manchester, M26 2TQ				
Proposal:	Intention to Install Above Ground Cabinet				
Application No.:	73270	App. Type:	REG5	23/06/2026	Raise No Objection
Location:	33 Stand Rise, Radcliffe, M26 1BT				
Proposal:	Intention to Install Above Ground Cabinet				

Application No.:	73285	App. Type:	CONDIS	17/07/2026	Approve
Location:	Millwood Primary Special School, School Street, Radcliffe, Manchester, M26 3BW				
Proposal:	Application to discharge condition 12 (landscaping) of planning permission 70195				
Application No.:	73304	App. Type:	REG5	25/06/2026	Raise No Objection
Location:	Pavement at c/o 30 Spring Lane/Vicarage Street, Radcliffe, Manchester, M26 2TQ				
Proposal:	Regulation 5 notification (ref. BOLT-X-XV01AK) of intention to install above ground cabinet				
Application No.:	73305	App. Type:	REG5	25/06/2026	Raise No Objection
Location:	Pavement outside 103-105 Outwood Road, Radcliffe, Manchester, M26 1AY				
Proposal:	Regulation 5 notification (ref. BOLT-X-XU02AC) of intention to install above ground cabinet				
Application No.:	73306	App. Type:	REG5	25/06/2026	Raise No Objection
Location:	Pavement outside 246 Durers Lane, Radcliffe, Manchester, M26 2QJ				
Proposal:	Regulation 5 notification (ref. BOLT-X-XS01AL) of intention to install above ground cabinet				
Application No.:	73343	App. Type:	REG5	02/07/2026	Raise No Objection
Location:	Starling Water Tower, Cockey Moor Road, Bury, BL8 2HB				
Proposal:	Regulation 5 notice (Ref: 12072140) of intention to install: 1No. Arqiva SM omni-directional antenna to be mounted via a new support pole and MAFI 3274 brackets fixed to an existing unused support pole; 1No. proposed Arqiva SM stub-omni antenna, 1No. proposed Trimble Bullet III GPS antenna, and 1No. proposed rotary isolator, alongside 2No. 100mm wide vertical cable ladders, all to be mounted via a new bracket onto a proposed gantry support pole; 1No. proposed Arqiva M410D ground-based equipment cabinet situated on a new concrete root foundation.				
Application No.:	73344	App. Type:	PAVE	23/06/2026	Raises No Objection Subject to Condition
Location:	Central Cafe, 8 Market Street, Bury, BL9 0AJ				
Proposal:	Consultation on application for placement of tables and chairs on public highway				
Application No.:	73347	App. Type:	CONDIS	15/07/2026	Approve
Location:	Spurr House, Pole Lane, Bury, BL9 8QL				
Proposal:	Application to discharge condition 13 (method statement for invasive species) on planning permission 72240				
Application No.:	73351	App. Type:	REG5	02/07/2026	Raise No Objection
Location:	Pavement at side of 205 Stand Lane/Beech Street, Radcliffe, Manchester, M26 1JJ				
Proposal:	Regulation 5 notification (ref.BOLT-XU03A) of intention to install above ground cabinet				
Application No.:	73356	App. Type:	CON	10/07/2026	Raise No Objection
Location:	Former Whitehouse Club, Middleton Road, Manchester, M8 4JZ				

Proposal: Article 18 consultation from Manchester City Council (application no. PLA-2026-000615): Variation of Conditions 2 (Specified plans), 3 (Phasing plan), 5a (Local labour), 6 (Drainage), 7a (Ground Conditions), 8 (Construction Management Plan), 9 (Materials), 10 (Window Reveals), 11 (Boundary Treatment), 14 (Landscaping) and 17 (Waste) attached to planning permission 131045/FO/2021 to amend the approved layout and house types of the Housing Phase and discharge pre-commencement conditions in relation to the Housing Phase.

Application No.: 73379 **App. Type:** PAVE 02/07/2026 Raises No Objection Subject to Condition
Location: 5 Fairfax Road, Prestwich, Manchester, M25 1AS
Proposal: Consultation on application for placement of tables and chairs on public highway

Application No.: 73391 **App. Type:** REG5 17/07/2026 Raise No Objection
Location: Pavement opposite Endura House, James Street, Radcliffe, M26 1AW
Proposal: Regulation 5 notification of intention to replace existing 1no. 17.5m monopole with 1no. 20m monopole supporting 6no. antennas and 1no. 300mm dish, the replacement of existing 4no. cabinets with 3no. cabinets, and ancillary works

Ward: **Bury East**

Application No.: 73152 **App. Type:** FUL 25/06/2026 Approve with Conditions
Location: Wolstenholme House, 4 Tenterden Street, Bury, BL9 0EG
Proposal: Erection of pergola 4m x 3m, height 2.5m to side elevation

Application No.: 73177 **App. Type:** LBC 02/07/2026 Approve with Conditions
Location: The Art Picture House, Haymarket Street, Bury, BL9 0AY
Proposal: Listed building consent for 1 no. non-illuminated sign of individual letters & 1 no. amenity board to front elevation

Application No.: 73178 **App. Type:** ADV 02/07/2026 Approve with Conditions
Location: The Art Picture House, Haymarket Street, Bury, BL9 0AY
Proposal: 1 no. non-illuminated sign of individual letters & 1 no. amenity board to front elevation

Application No.: 73211 **App. Type:** FUL 15/07/2026 Approve with Conditions
Location: 61 Kershaw Street, Pimhole, Bury, BL9 7HH
Proposal: Raise part of the roof ridge height in line with existing roof ridge with 2 no. rooflights

Application No.: 73242 **App. Type:** FUL 29/06/2026 Approve with Conditions
Location: 104 Sixth Avenue, Bury, BL9 7RP
Proposal: Single storey extension at front with roof extension/alterations to existing two storey front extension and new entrance canopy; Two storey side extension and two storey rear extension

Ward: **Bury East - Moorside**

Application No.: 73013 **App. Type:** FUL 01/07/2026 Approve with Conditions
Location: 18 Birch Street, Bury, BL9 5AL
Proposal: Two storey/single storey rear extension;

Application No.:	73054	App. Type:	FUL	30/06/2026	Approve with Conditions
Location:	Land to west of Huntley Mount Road, Bury				
Proposal:	Erection of 2 no. industrial units (Use Class E(g)(iii) - Industrial processes) and associated fencing				

Application No.:	73105	App. Type:	FUL	06/07/2026	Refused
Location:	7 Richard Burch Street, Bury, BL9 6DU				
Proposal:	First floor extension at rear				

Application No.:	73206	App. Type:	FUL	02/07/2026	Approve with Conditions
Location:	15 Taylor Street, Bury, BL9 6DT				
Proposal:	Single Storey Rear Extension				

Application No.:	73291	App. Type:	FUL	17/07/2026	Approve with Conditions
Location:	10 Halsall Close, Bury, BL9 6HN				
Proposal:	Two storey side extension and single storey rear extension				

Ward: **Bury East - Redvales**

Application No.:	73198	App. Type:	FUL	17/07/2026	Approve with Conditions
Location:	Former Tetlo & Hutchinson Ltd, Regent Street, Bury, BL9 5AT				
Proposal:	Construction of new single storey office building following demolition of existing works.				

Application No.:	73227	App. Type:	FUL	02/07/2026	Approve with Conditions
Location:	24 & 26 Wellington Road, Bury, BL9 9BG				
Proposal:	Two/single storey rear extension to both properties				

Application No.:	73252	App. Type:	FUL	10/07/2026	Approve with Conditions
Location:	6 Fletcher Fold Road, Bury, BL9 9RX				
Proposal:	Single storey orangery extension at rear				

Application No.:	73253	App. Type:	GPDE	01/07/2026	Prior Approval Not Required - Extension
Location:	111 Devon Street, Bury, BL9 9HT				
Proposal:	Prior Approval for Proposed Single Storey Rear Extension				

Ward: **Bury West**

Application No.:	73088	App. Type:	FUL	08/07/2026	Approve with Conditions
Location:	2 Stainforth Close, Bury, BL8 3DQ				
Proposal:	Garage conversion with single-storey front extension; two-storey side extension; single-storey rear extension				

Application No.: 73282 **App. Type:** FUL 08/07/2026 Approve with Conditions
Location: 63 Watling Street, Bury, BL8 2TG
Proposal: Single storey front, side and rear extensions; garage conversion with pitched roof over proposed porch

Ward: **North Manor**

Application No.: 73084 **App. Type:** FUL 03/07/2026 Approve with Conditions
Location: Dowry Chase, 138 Brandlesholme Road, Tottington, Bury, BL8 4DZ
Proposal: First floor front/side/rear extension; Single storey rear extension; Single storey side extension to garage

Application No.: 73251 **App. Type:** FUL 03/07/2026 Approve with Conditions
Location: 415 Holcombe Road, Tottington, Bury, BL8 4HB
Proposal: First floor side extension above existing garage

Application No.: 73293 **App. Type:** FUL 20/07/2026 Approve with Conditions
Location: 14 Ramsbottom Road, Tottington, Bury, BL8 4JS
Proposal: Variation of condition no. 2 (approved plans) following grant of planning permission 71134 (Demolition of garage and shed and erection of single storey side and rear extensions with white render; new glazed entrance; first floor balcony at rear with balustrade at sides / rear; privacy screen at side and first floor window to side elevation): removal of window from front elevation

Ward: **Prestwich - Holyrood**

Application No.: 73007 **App. Type:** FUL 26/06/2026 Approve with Conditions
Location: 45 Holyrood Road, Prestwich, Manchester, M25 1PE
Proposal: First floor side extension and two/single storey extension at side/rear

Application No.: 73215 **App. Type:** FUL 13/07/2026 Refused
Location: 18 Malvern Close, Prestwich, Manchester, M25 1PH
Proposal: Variation of condition 2 (approved plans) on planning permission 72713 (Two storey extension at side; two storey extension at rear and alterations to existing roof; change to fenestration including render):
Extend the approved rear extension by up to a further 1.98M

Ward: **Prestwich - Sedgley**

Application No.: 73051 **App. Type:** FUL 23/06/2026 Approve with Conditions
Location: 166 Albert Avenue, Prestwich, Manchester, M25 0HF
Proposal: Basement conversion to create annexe accommodation ancillary to main dwelling, single storey side extension and external steps to basement and side access door with retaining wall; Basement access at rear

Application No.: 73099 **App. Type:** FUL 29/06/2026 Approve with Conditions
Location: 50 Downham Crescent, Prestwich, Manchester, M25 0FH
Proposal: Single storey rear extension

Application No.:	73159	App. Type:	FUL	06/07/2026	Refused
Location:	72-74 Kings Road, Prestwich, Manchester, M25 0LN				
Proposal:	Change of use of 72 Kings Road from residential dwelling (Class C3) to synagogue (Class F1(f)); two storey side extension to link to existing synagogue at 74 Kings Road and external alterations				

Application No.:	73161	App. Type:	FUL	06/07/2026	Refused
Location:	72 Park Road, Prestwich, Manchester, M25 0FA				
Proposal:	Erection of 4 no. dwellings				

Application No.:	73205	App. Type:	FUL	29/06/2026	Approve with Conditions
Location:	2 Castle Hill Road, Prestwich, Manchester, M25 0FR				
Proposal:	Erection of outbuilding at rear to be used as a granny annexe ancillary to the main dwelling				

Application No.:	73301	App. Type:	GPDE	02/07/2026	Prior Approval Required & Granted - Ext
Location:	2 Oakfield, Prestwich, Manchester, M25 0DP				
Proposal:	Prior approval for proposed enlargement of existing bungalow by construction of additional storey				

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

Application No.:	73011	App. Type:	FUL	26/06/2026	Approve with Conditions
Location:	59 Hilton Lane, Prestwich, Manchester, M25 9SA				
Proposal:	Creation of new driveway, wall and ramped access to the side elevation				

Application No.:	73103	App. Type:	FUL	03/07/2026	Approve with Conditions
Location:	67 Shrewsbury Road, Prestwich, Manchester, M25 9GQ				
Proposal:	Single storey rear extension with balustrade balcony/terrace at first floor				

Application No.:	73221	App. Type:	FUL	30/06/2026	Refused
Location:	36 Agecroft Road East, Prestwich, Manchester, M25 9RT				
Proposal:	Installation of electric sliding entrance gates and 1.8M high replacement dark grey composite fencing at front/side				

Application No.:	73224	App. Type:	FUL	25/06/2026	Approve with Conditions
Location:	55 Chapel Road, Prestwich, Manchester, M25 9SQ				
Proposal:	Two storey side extension				

Application No.:	73235	App. Type:	FUL	06/07/2026	Approve with Conditions
Location:	1 Hamilton Close, Prestwich, Manchester, M25 9JS				
Proposal:	Single storey extension at side/rear with part conversion of existing garage to habitable room				

Ward: **Radcliffe - East**

Application No.:	72455	App. Type:	FUL	25/06/2026	Approve with Conditions
Location:	57 Riverside Road, Radcliffe, Manchester, M26 2PX				
Proposal:	Single storey extension at front and single storey extension at rear; Erection of replacement detached garage/covered open area				

Application No.:	72920	App. Type:	PIP	16/07/2026	Refused
Location:	Land at Orkney Close/rear of 77 Bury Road, Radcliffe, M26 2WR				
Proposal:	Application for permission in principle for erection of 5 no. dwellings				

Ward: **Radcliffe - North and Ainsworth**

Application No.:	72934	App. Type:	FUL	14/07/2026	Approve with Conditions
Location:	Queens Hotel, Bradley Lane, Radcliffe, Bolton, BL2 6RA				
Proposal:	Erection of timber pergola/seating area on existing external terrace with festoon lighting on timber posts				

Application No.:	73137	App. Type:	FUL	01/07/2026	Approve with Conditions
Location:	61 Bury Old Road, Ainsworth, Bolton, BL2 5SD				
Proposal:	Provision of a new vehicular access including a dropped kerb and creation of a new driveway				

Application No.:	73245	App. Type:	FUL	06/07/2026	Approve with Conditions
Location:	4 Boundary Drive, Radcliffe, Bolton, BL2 6RU				
Proposal:	Single storey side and rear extension and new gate to the rear fence				

Application No.:	73266	App. Type:	FUL	06/07/2026	Approve with Conditions
Location:	5 Kentsford Drive, Radcliffe, Manchester, M26 3XX				
Proposal:	First floor extension at side and two/single storey extension at rear				

Application No.:	73275	App. Type:	FUL	06/07/2026	Approve with Conditions
Location:	49 Bury And Bolton Road, Radcliffe, Manchester, M26 4LF				
Proposal:	Demolition of existing attached outbuilding at rear and erection of single storey extension at side/rear				

Ward: **Radcliffe - West**

Application No.:	73072	App. Type:	LDGP	15/07/2026	Lawful Development
Location:	A1 Repairs Radcliffe Ltd, 1 Lodge Road, Radcliffe, M26 1AL				
Proposal:	Lawful development certificate for proposed Class B2 - MOT bay inside of existing car & commercial garage repairs				

Application No.:	73121	App. Type:	LDGP	13/07/2026	Lawful Development
Location:	Black Moss Farm, Black Moss Court, Radcliffe, M26 3EL				
Proposal:	Lawful development certificate for proposed change of use of dwellinghouse from C3a to C3b for 24 hour supported living for up to two individuals				

Ward: **Ramsbottom**

Application No.:	72952	App. Type:	FUL	10/07/2026	Refused
Location:	Land between Emmanuel Church, Chapel Lane & Helmshore Road, Ramsbottom, BL8 4NB				
Proposal:	Replacement 1.2 m height fencing along Helmshore Road boundary				
Application No.:	73058	App. Type:	FUL	25/06/2026	Refused
Location:	19 Central Street, Ramsbottom, Bury, BL0 9AF				
Proposal:	Change of use from veterinary practice (Class E) to 2 no. self contained commercial units ground floor (Class E) and 1 no. 1 bedroom and 1 no. 2 bedroom apartments first floor (Class C3); External alterations to recover roof, installation of 7 no. rooflights to front elevation, rear dormer, render & cladding				
Application No.:	73100	App. Type:	FUL	06/07/2026	Approve with Conditions
Location:	Peel Brow Primary, Fir Street, Ramsbottom, Bury, BL0 0BJ				
Proposal:	Partial replacement of boundary fencing with 2.4m high fence and 2no. additional gates and associated works				
Application No.:	73190	App. Type:	LDCP	01/07/2026	Lawful Development
Location:	93 Ripon Hall Avenue, Ramsbottom, Bury, BL0 9TQ				
Proposal:	Lawful development certificate for proposed - Replace all roofs, rear facing solar panels, new roof tiles from concrete to grey flat				
Application No.:	73218	App. Type:	FUL	06/07/2026	Approve with Conditions
Location:	Meadow Heys, Moorbottom Road, Ramsbottom, Bury, BL8 4NS				
Proposal:	Removal of existing storage container; Rebuild of existing stone retaining wall at rear and excavation works to form covered storage space/area with new window/door/gate and resiting of existing steps to upper landscaped area; Replacement of existing hardstanding with decked area				
Application No.:	73228	App. Type:	FUL	29/06/2026	Approve with Conditions
Location:	229 Bolton Road West, Ramsbottom, Bury, BL0 9PS				
Proposal:	Construction of raised decking and access steps at rear with associated external works				
Application No.:	73231	App. Type:	FUL	15/07/2026	Approve with Conditions
Location:	22 Earl Road, Ramsbottom, Bury, BL0 9EF				
Proposal:	Single storey infill extension at rear; basement and ground floor extension at front; first floor extension at front; single storey infill extension at rear; erection of outbuilding in the rear garden to form gym; patio area / covered patio area to basement and steps from basement and ground floors				
Application No.:	73239	App. Type:	FUL	08/07/2026	Approve with Conditions
Location:	9 St Edmund Hall Close, Ramsbottom, Bury, BL0 9DE				
Proposal:	Single storey extension at side/rear to existing detached garage and conversion to living accommodation ancillary to main dwelling				
Application No.:	73289	App. Type:	FUL	17/07/2026	Approve with Conditions
Location:	25 Windermere Drive, Ramsbottom, Bury, BL0 9YB				
Proposal:	Front dormer				

Application No.: 73292 **App. Type:** REG5 10/07/2026 Raise No Objection
Location: 33 The Spinnings, Waterside Road, Summerseat, Ramsbottom, Bury, BL9 5QW
Proposal: 50m external, 55m internal, 1 external hole and 2 internal cocreate holes, 5m Pigtales to
The Spinnings 33 Waterside Road Summerseat Bury Lancashire BL9 5QW

Application No.: 73303 **App. Type:** PIP 13/07/2026 Refused
Location: Land adjacent to Dry Gap Barn, Bury Old Road, Shuttleworth, Ramsbottom, Bury, BL0 0RX
Proposal: Application for permission in principle for erection of 1 no. dwelling

Application No.: 73323 **App. Type:** REG5 01/07/2026 Raise No Objection
Location: Land at Pike Farm, Bury Old Road, Walmersley, Bury, BL9 6SY
Proposal: Intention to Install 5G Electronic Communications Apparatus

Ward: **Tottington**

Application No.: 73247 **App. Type:** FUL 03/07/2026 Approve with Conditions
Location: 2 Rosewood Avenue, Tottington, Bury, BL8 3HG
Proposal: Two storey side extension

Application No.: 73336 **App. Type:** LDGP 29/06/2026 Lawful Development
Location: 2 Calderwood Close, Tottington, Bury, BL8 3LE
Proposal: Lawful Development Certificate For Proposed Demolition Of Existing Conservatory And
Proposed Single Storey Extension

Ward: **Whitefield + Unsworth - Besses**

Application No.: 73164 **App. Type:** FUL 25/06/2026 Approve with Conditions
Location: 18 Cambeck Close, Whitefield, Manchester, M45 8NF
Proposal: Front Porch

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

Application No.: 72958 **App. Type:** P3JPA 22/06/2026 Prior Approval Required and Granted
Location: 171 Bury New Road, Whitefield, Manchester, M45 6AB
Proposal: Prior approval for proposed change of use from Use Class E (Offices) to Use Class C3
(Dwellinghouse)

Application No.: 73131 **App. Type:** FUL 25/06/2026 Approve with Conditions
Location: 15 Oakdale Close, Whitefield, Manchester, M45 7LU
Proposal: First floor rear extension; Loft conversion including increase in ridge height by 1m; Rear
dormer and 6 no. front velux windows

Application No.: 73197 **App. Type:** FUL 25/06/2026 Approve with Conditions
Location: 21 Hawkstone Avenue, Whitefield, Manchester, M45 7PG
Proposal: Loft conversion with rear dormer and juliette balcony, side dormer and roof lights to front

Application No.:	73207	App. Type:	FUL	06/07/2026	Approve with Conditions
Location:	44 Ringley Road, Whitefield, Manchester, M45 7LL				
Proposal:	First floor extension at side/rear; Pergola to front elevation				

Application No.:	73244	App. Type:	FUL	15/07/2026	Approve with Conditions
Location:	148 Park Lane, Whitefield, Manchester, M45 7PX				
Proposal:	Single storey side extension; loft conversion and render external walls				

Application No.:	73261	App. Type:	LDCP	06/07/2026	Refused
Location:	107 Higher Lane, Whitefield, Manchester, M45 7EY				
Proposal:	Lawful development certificate for proposed extension of existing patio with raised decking into the garden				

Ward: **Whitefield + Unsworth - Unsworth**

Application No.:	73059	App. Type:	FUL	15/07/2026	Approve with Conditions
Location:	Unsworth Cricket And Tennis Club Ltd, Pole Lane, Bury, BL9 8QL				
Proposal:	Erection of 5 no. covered padel courts (Class F2(c)) with ancillary food and beverage facility with seating area and associated lighting, landscaping and infrastructure				

Application No.:	73210	App. Type:	FUL	26/06/2026	Approve with Conditions
Location:	4 Goodison Close, Bury, BL9 8JY				
Proposal:	First floor extension at front/side with conversion of garage to habitable room				

Application No.:	73219	App. Type:	FUL	01/07/2026	Refused
Location:	Vino Cicchetti, 626 Manchester Road, Bury, BL9 9SU				
Proposal:	Enclosure of existing front forecourt with lightweight glazed structure with a retractable roof				

Application No.:	73226	App. Type:	FUL	01/07/2026	Approve with Conditions
Location:	13 Moreton Avenue, Whitefield, Manchester, M45 8GG				
Proposal:	Replacement of existing conservatory with new single storey rear extension; Porch at front				

Application No.:	73260	App. Type:	FUL	29/06/2026	Approve with Conditions
Location:	72 Leyton Drive, Bury, BL9 9TS				
Proposal:	Two/single storey extension at side				

Total Number of Applications Decided: 96

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REPORT FOR NOTING

Agenda Item 6

Bury
COUNCIL

**Agenda
Item**

6

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	28 July 2026
SUBJECT:	PLANNING APPEALS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	Planning Appeals: - Lodged - Determined Enforcement Appeals - Lodged - Determined
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

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

1.0 BACKGROUND

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

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

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-

Contact Details:-

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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

**Planning Appeals Lodged
between 20/06/2026 and 20/07/2026**



Application No.: 72535/FUL

Appeal lodged: 22/06/2026

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Refuse

Applicant: Mr & Mrs Ferguson

Location: 5 Chapel Grove, Fernbank, Radcliffe, Manchester, M26 1YP

Proposal: Retention of metal fence around the boundary

Application No.: 72985/FUL

Appeal lodged: 14/07/2026

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Refuse

Applicant: AJ & MH Properties Ltd

Location: 33 Knowsley Street, Bury, BL9 0ST

Proposal: Change of use from a 6 bed/6 person HMO (Use Class C4) to a 7 bed/7 person HMO (Sui Generis)

Application No.: 72991/FUL

Appeal lodged: 03/07/2026

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Refuse

Applicant: BT Group Plc

Location: Pavement outside Chicken Cottage, 1 Market Street, Bury, BL9 0BL

Proposal: Installation of 1 no. BT Street Hub Unit with 2 no. digital 75 inch LCD display screens either side of unit

Application No.: 72992/ADV

Appeal lodged: 16/07/2026

Decision level: DEL

Appeal Type:

Recommended Decision: Refuse

Applicant: BT Group Plc

Location: Pavement outside Chicken Cottage, 1 Market Street, Bury, BL9 0BL

Proposal: Advertisement consent for 1 no. BT Street Hub Unit with 2 no. digital 75 inch LCD display screens either side of unit

Application No.: 73145/CONDIS

Appeal lodged: 22/06/2026

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Split Decision

Applicant: Failsworth Property

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

Proposal: Application to discharge condition 7 (landscaping scheme), condition 9 (resurfacing works) and condition 10 (Construction Traffic Management Plan) on planning permission 71464

Total Number of Appeals Lodged: 5

**Planning Appeals Decided
between 20/06/2026 and 20/07/2026**



Application No.: 71464/FUL

Decision level: COM

Recommended Decision: Approve with Condition

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

Appeal Decision: Dismissed

Date: 07/07/2026

Appeal type: Written Representations

Application No.: 72414/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr Asim Humza

Location: 65A Windsor Road, Prestwich, M25 0DB

Proposal: Change of use from shop to restaurant/coffee shop (Class E(b)) including retention of front canopy with the installation of new extractor system at side and AC unit at rear

Appeal Decision: Dismissed

Date: 14/07/2026

Appeal type: Written Representations

Application No.: 72495/FUL

Decision level: DEL

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

Appeal Decision: Dismissed

Date: 10/07/2026

Appeal type: Written Representations

Application No.: 72498/PIP

Decision level: DEL

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

Appeal Decision: Allowed

Date: 26/06/2026

Appeal type: Written Representations



Appeal Decision

Site visit made on 30 June 2026

by **E Heron MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7th July 2026

Appeal Ref: 6007933

Land to the rear of Westminster Avenue, Radcliffe, Bury M26 3WD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
- The appeal is made by Mr Ian McDonald, Failsworth Property, against the decision of Bury Council.
- The application Ref 71464 was approved on 22 October 2025, and planning permission was granted subject to conditions.
- The development permitted is Erection of 14 garages – 2 identical blocks of 7 units each.
- The condition in dispute is No 9 which states that:

Notwithstanding the details indicated on the approved plans, no further development shall commence unless and until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

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

The highway works subsequently approved shall be implemented to an agreed programme before the development hereby approved is brought into use.
- The reason given for the condition is:

To ensure good highway design and the intervisibility of the users of the site and the adjacent highway in the interests of road safety and to maintain the integrity of the adopted highway

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

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The laying of hard-surfacing means that the development has been partially carried out. Therefore, this appeal is being considered under section 73a of the Town and Country Planning Act 1990 (as amended).

Background and Main Issue

3. Planning permission was granted on 22 October 2025 for the erection of 14 garages within the appeal site comprising two blocks of 7 units arranged either side of a courtyard. This was subject to a number of conditions, including condition 9, which requires a scheme of carriageway resurfacing works and measures to prevent the discharge of surface water from the site and site access onto the adjacent adopted highway. The appellant now seeks to remove this condition.

4. The main issue is therefore whether the condition is reasonable or necessary in the interests of highway safety and highway design.

Reasons

5. Policy JP-C5 of Places for Everyone¹ requires well designed and managed streets adopting a Streets for All approach. This includes maximising the ability of pedestrians to navigate easily and safely, amongst other things. Policy JP-C8 requires new development to be designed to enable and encourage walking and requires appropriate connectivity to the existing highway network and surrounding built environment, alongside other criteria.
6. Policy EN1/2 of the Bury Unitary Development Plan (1997) affords favourable consideration to proposals that do not have an adverse effect on the design and appearance of access, parking and service provision. Policy JP-P1 and JP-C6 of Places for Everyone, require places to be functional and convenient, safe, attractive and easy to move around, amongst other things.
7. The appeal site was formerly used as a garage colony. The planning permission is to reinstate garage blocks within the site, making use of the existing access. The site access crosses over the public footway and adjoins the carriageway of Westminster Avenue at a splayed access point. The access is tarmac and demarcated with kerb stones. There is a dropped kerb at the pavement crossover, allowing for near-level access for pedestrians over the access surface.
8. Although the appellant asserts that the access is unchanged and in a reasonable condition, I observed during my site visit that the surface is in a poor state of repair at the access point, and in the vicinity of the crossover. This has resulted in a pitted and uneven surface. As such, the ability of pedestrians to navigate easily and safely has been diminished and connectivity has been eroded. This is particularly the case for the visually impaired or less-abled bodied. Moreover, its deleterious condition contrasts harmfully with the smoother surface and higher visual quality of the adjacent footpath and amenity grassland.
9. It is unclear if the number of garages that were present on the site when it was in active use, was 17 or 20, however the site has not been in active use for a number of years. The appellant advises that the use ceased in 2019, but also that it was overgrown at that time. The Council state that it was a green vegetated area, as long ago as 2005.
10. Regardless of the length of time it has not been in active use, or the number of garages that were present, vehicular comings and goings will increase from the present number. This would be at least during construction of the garage blocks, and during the period when they become occupied. It is also reasonable to consider that the garages would have regular use, given that interested parties at the application stage, stated that there was a local demand. These comings and goings over an already dilapidated surface are highly likely to cause further wear.
11. The site itself has recently been hard surfaced. There is nothing before me to indicate that surface water from the site will not flow into or pool within the access or highway, including the pavement crossover point. Such occurrences would impede connectivity for pedestrians and reduce the quality of the walking route.

¹ Places for Everyone, Joint Development Plan for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan, 2022-2039, adopted 21 March 2024.

They would also be likely to compromise the effectiveness of the highway to reduce safety issues, such as vehicles skidding or spraying water.

12. The appellant contends that the application did not seek to re-surface the site access. Paragraph 56 of the National Planning Policy Framework (the Framework), is clear that consideration should be given to whether otherwise unacceptable development could be made acceptable through the use of planning conditions. The access forms part of the planning application site boundary, and its use is required in order to access the public highway.
13. To delete the disputed condition would mean that the surface of the site access could remain in a poor condition without incentive to repair it. Its condition may decline further when the site is actively used. There is also nothing before me to indicate that surface water will not discharge onto the public highway. The condition is therefore necessary, reasonable and relevant to the development, and accords with Policies JP-P1, JP-C5, JP-C6 and JP-C8 of Places for Everyone, and Policy EN1/5 of the Bury Unitary Development Plan.

Conclusion

14. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

E Heron

INSPECTOR



Appeal Decision

Site visit made on 23 June 2026

by K Mee BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 July 2026

Appeal Ref: 6008647

65A Windsor Road, Prestwich, Bury M25 0DB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Asim Humza against the decision of Bury Metropolitan Borough Council.
- The application Ref is 72414.
- The development proposed is the change of use from shop to restaurant/coffee shop (Class E(b)) including retention of front canopy with the installation of new extractor system at side and AC unit at rear.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Planning permission was granted on 20 February 2024¹ for the temporary use as a restaurant (Class E) for a period of 12 months. The permission included a condition requiring customer use of the front canopy area to cease by 7:30pm.
3. The Council amended the description of development during the consideration of the application to one which more accurately describes the various elements of the proposal. I have taken the description above from the decision notice, which also appears in the appeal form. I am therefore satisfied that the main parties would not be prejudiced by use of the above description. I have determined the appeal accordingly.
4. The application form states that the development has already been completed. At the time of my site visit, the use was operating and a front canopy, extractor system and air conditioning (AC) unit were in place. However, the canopy installed includes additional solid vinyl panels on 3 sides, mounted on roller mechanisms, which are not shown on the submitted drawings and the extractor system also differs from that shown. For clarity, I have determined the appeal on the basis of the development as shown on the submitted drawings.

Main Issues

5. The main issues are:
 - the effect of the proposed development on the character and appearance of the surrounding area; and
 - the effect of the proposed development on the living conditions of neighbouring residents with regard to noise and disturbance.

¹ LPA Reference 70340

Reasons

Character and Appearance

6. The appeal property occupies the end of a parade of commercial units characterised by a consistent rhythm of flush-fronted façades with ground floor shopfronts and fascia signage above, some with enclosed forecourts defined by low-level metal railings. Whilst some units retain commercial use across both floors, many have been converted at first floor level to separate residential accommodation. The commercial units comprise a mix of uses compatible with a residential context, the majority operating during daytime hours. The surrounding area is predominantly residential, comprising mainly traditional semi-detached dwellings.
7. The black metal canopy to the front elevation, incorporating a tinted glass balustrade to three sides, would be set on a raised platform projecting prominently from the façade of the building to the back edge of the pavement, facilitating outdoor seating. At the time of my visit, 4 tables and 8 seats were in place with lighting affixed to the underside of the canopy. The ground floor extractor system, incorporating a ventilation grille on the side elevation, would not be visually intrusive, and the rear AC unit would not be visible from public vantage points.
8. The scale, materials, means of enclosure and elevated form of the front canopy would result in an incongruous addition that draws the eye, particularly given the uniform, flush frontage of the parade and the predominantly residential character of the area.
9. The appellant suggests that the visual impact of the canopy could be mitigated through additional planters or green screening. However, no detailed proposals are before me and, in any event, such measures would not overcome the canopy's significant projection or its incongruous appearance in the local context.
10. Consequently, I find that the proposed development would materially harm the character and appearance of the surrounding area. It would therefore be contrary to Policy EN1/2 of the Bury Unitary Development Plan (August 1997) (the UDP) which seeks to protect the character and townscape from adverse impacts, having regard to the design, external appearance, choice of materials and relationship to the surrounding area of new development.

Living Conditions

11. The appeal site occupies a ground floor business unit with separate residential accommodation on the upper floor and is located in a predominantly residential area.
12. The proposal would introduce a covered outdoor seating area, enabling patrons to gather, converse and dine outside. Whilst relatively modest in scale, it could accommodate several people, and associated noise, including raised voices, would be perceptible, particularly in the early evening when background road noise is reduced.
13. The extractor system would be located on the side elevation, in close proximity and directly facing the neighbouring dwelling at 63b Windsor Road which has two openable windows at first floor level. Furthermore, the AC unit would be sited on

the rear elevation at first floor level directly between an entrance door and openable window for the existing flat above.

14. The proposed opening hours would be until 9pm. The nature of the canopy's use, with customers arriving, departing and socialising in small groups, would give rise to increased noise and disturbance, resulting in harm to the living conditions of nearby residents, particularly in the evening when residents would reasonably expect a quiet environment. This harm would be exacerbated in warmer months, when the canopy is more likely to be used and neighbouring occupiers are more likely to have windows open. This impact is further heightened by the site's location within a parade that is otherwise predominantly characterised by daytime uses.
15. The use has been operating for a period of time following the granting of a temporary permission². Objections have been received, even though the use of the canopy area was restricted until 7:30pm within the temporary permission. indicating potential harm to living conditions arising from noise associated with the business, including use of the front canopy, extraction system and AC unit. However, the appellant has failed to provide a noise assessment in support of the proposal or any technical information relating to the AC unit.
16. In the absence of any robust assessment or supporting technical evidence (other than limited information relating to the extractor system), I am unable to conclude that noise impacts would not be harmful to the living conditions of neighbouring residents. There is no information on noise levels above background or on the timing of potentially harmful effects. Consequently, even with the proposed limit on the use of the outside seating area to between 7am to 7pm, the appellant has failed to demonstrate that harm would not arise, and this would be difficult to enforce given the premises would be open until 9pm.
17. Consequently, in the absence of an acoustic assessment and any associated mitigation measures, on the evidence before me the development would be materially harmful to the living conditions of neighbouring residents with regard to noise and disturbance. It would therefore be contrary to Policies S2/6, EC4/1 and EN7/2 of the UDP which together, and amongst other things, seek to protect the amenity of residents.

Other Matters

18. The appellant identifies a range of benefits, including the provision of a livelihood for the operator, the occupation of a previously vacant unit, support for the local economy, increased footfall benefiting neighbouring businesses, an expanded range of services for local residents including a communal space for socialising, a dog-friendly space and has resulted in positive customer feedback. Nevertheless, there is no substantive evidence before me to demonstrate that the use could not operate in an alternative form without the elements that give rise to the identified harms and I give them only limited weight. These considerations do not therefore alter my conclusion.
19. I acknowledge the Council have not raised concerns with regards to highway safety or parking. However, while I have no reason to conclude otherwise, these are neutral matters which do not weigh in favour of allowing the appeal.

² LPA Reference 70340

Conclusion

20. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. Therefore, the appeal should be dismissed

K Mee

INSPECTOR

Appeal Decision

Site visit made on 30 June 2026

by **E Heron MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 July 2026

Appeal Ref: 6006642

Land adjoining Plane Trees Farm, Bradley Fold Road, Ainsworth BL2 5QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs S O Gara against the decision of Bury Council.
 - The application Ref is 72495.
 - The proposed development is described as 'Proposed stables and menage.'
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development would be inappropriate development in the Green Belt with regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect of the development on the character and appearance of the area;
 - the effect of the development on highway safety; and
 - whether harm by reason of inappropriateness, and any other harm is outweighed by other considerations, so as to amount to very special circumstances required to justify the development.

Reasons

Whether Inappropriate Development

3. The appeal site is within the Green Belt. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of the Green Belt being their openness and permanence. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions including those set out in paragraph 154.
4. Paragraph 154 b), allows for the provision of appropriate facilities (in connection with the existing use of land or change of use) for outdoor sport, outdoor recreation, cemeteries, burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

5. Policy OL1/2 of the Unitary Development Plan¹ (UDP), broadly reflects the requirements of paragraph 154 b) of the Framework, but states that facilities must be essential, rather than appropriate. As this pre-dates the provisions of the Framework, I attach more weight to the tests set out within the Framework. There appears to be no dispute that the development would be an appropriate facility for outdoor recreation.
6. To comply with paragraph 154 b) an assessment must also be made as to whether the development would preserve the openness of the Green Belt and whether it would conflict with the purposes of including land within it. The Council has not raised a conflict with Green Belt purposes, but in its officer report has found harm in relation to openness. Accordingly I have limited my assessment to that of openness.
7. Openness has spatial and visual aspects and can take account of activity. The appeal site is an open and undeveloped grassed field sloping from north to south that merges with the adjoining open land, with little separating it from fields to the east other than hedgerows. There are localised views towards the site from Bradley Fold Road and Bury and Bolton Road, and longer distance views from further south, interrupted by hedges and trees.
8. The development would not be adjacent to the building group to the north. It would be visually and spatially isolated from it and would be set apart from the nearest field boundaries. When viewed from the south, the space around the stable building would be particularly apparent, due to a combination of the building's volume and massing, the openness of the land, and the height difference between it and the nearest building group. It would introduce built development into an isolated open space.
9. The horse arena would have negligible volume and massing, would not be lit, and the post and rail fencing would be open aspect. As such it would not harm Green Belt openness. I also note the Council has not raised a concern in this respect. Nonetheless, there would be a low degree of harm to the openness of the Green Belt, taking account of the low-profile form of the stable building. This harm would not preserve the openness of the Green Belt. As the proposal fails this test, it is not necessary for me to further consider whether the proposal conflicts with the purposes of including land within the Green Belt.
10. Accordingly, the stable building would not fulfil the requirements of paragraph 154 b) of the Framework, and it would be inappropriate development in the Green Belt. Moreover, its harm to openness would conflict with the requirements of Policy JP-G9 of Places for Everyone, which states that the beneficial use of the Green Belt will be enhanced where this can be achieved without harm to its openness, amongst other things.

Character and Appearance

11. Policy OL4/7 of the UDP allows for development involving horses where it would not adversely impact on the appearance of rural areas. Policy JP-G1 states that within Landscape Character Areas development should reflect and respond to the special qualities and sensitivities of key landscape characteristics, including topography, views and perceptual qualities, amongst other things.

¹ Bury Unitary Development Plan, 'Creating a Brighter Borough,' Adopted Plan (1997)

12. Details of the wider Landscape Character Area are not before me. However, from a localised perspective the context is rural. Hedge-lined, spacious fields prevail, with sporadic but generally tight-knit, building groups leading from roads and lanes. Views across the site and wider field are afforded from the south, with more fleeting views along Bradley Fold Road to the west.
13. The stable would comprise a large U-shaped building with lengthy elevations, resulting in a visually prominent form. Its isolated position, removed from existing buildings and boundary features, would accentuate its presence within the landscape. SPD10² advises that stables are preferably sited adjacent to existing buildings or close to boundaries. By contrast, the proposed stable would appear detached and incongruous, increasing its harmful visual impact.
14. The appellant asserts that limited weight should be afforded to the guidance in the SPD10. SPD10 supports the policies of the UDP. The Framework is clear that Supplementary Planning Documents are capable of being a material consideration in planning decisions, even though they are not part of the development plan.
15. The stables would incorporate a shallow profile, sheet roof and simple timber walling. Windows and rooflights would provide natural light to what would otherwise be dark stables, leading from a central unlit space. As such the design of the building would be functional, rather than domesticated. The elevation which incorporates most windows and the rooflights faces north and would not be widely visible from outside of the site. Moreover, the post and rail fence around the horse arena, would be harmonious with the rural character of the surroundings. I am also satisfied that the arena's surface colour would be a matter reasonably dealt with by way of planning conditions.
16. Nevertheless, I conclude that the stables, by way of their siting and size, would have a harmful effect on the character and appearance of the area, and would conflict with the relevant provisions of Policies OL4/7 of the UDP, and Policy JP-G1 of Places for Everyone³. It would also conflict with Policy EN1/2 of the UDP, which is favourable towards development that does not have adverse effects on local character, amongst other things.

Highway Safety

17. Policy JP-C8 of Places for Everyone, requires safe and convenient access to sites for all users, ensuring appropriate connectivity to the existing highway network, and to make adequate provision for car parking, amongst other things.
18. I observed during my site visit that the access joins the highway at a bend in the road and that visibility in both directions is restricted. As such, use of the access would be hazardous due to the higher likelihood of conflict between vehicles, and I note similar observations were made by the highway authority consultee. The issue would be particularly acute for vehicles pulling trailers that are more likely to be moving slowly and potentially use more of the highway to manoeuvre.
19. The Council did not request access design details; however the access is existing and no design changes are proposed to it. I am also mindful that the use would not be commercial. The appellant asserts that the site is already used for grazing,

² Development Control Policy Guidance Note 10, 'Planning for Equestrian Development', adopted 10th January 2007.

³ Places for Everyone, Joint Development Plan for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan, 2022-2039, adopted 21 March 2024.

such that use of the access would be reduced, as horses would not need to leave the site for shelter or exercise.

20. Even so, the proposal is for five stables and a horse arena, on a site where there is currently no development. It is unclear, how many horses graze the site and the associated vehicle trips. It is also unclear as to the number of horses that would be kept on the site as a result of the development. The officer report refers to four horses on the land and two more owned by the appellant. The appellant refers to the stables being capable of accommodating five.
21. There is also no robust evidence to demonstrate that vehicle trips would significantly reduce or indeed stay the same. The lack of existing baseline data means it is not possible to make a comparison, and there is little evidence beyond an assertion that horses are less likely to be taken from the site due to the size of the land, and the proposed facilities. I am not persuaded that this would be the case, as travel may be required for vet visits, treks or events elsewhere.
22. The appellant states that there have been no highway safety issues to date, and I have no reason to disagree. Yet this relates to the existing use. The evidence does not persuade me that this is directly comparable to the proposal. I have also considered whether access details and visibility splays could be secured by way of planning condition. Due to the telemetry of the road and the access position, I am not persuaded that such details would be sufficient to overcome the highway safety concern.
23. The proposed drawings do not indicate parking or manoeuvring space within the site. The site is large enough to accommodate these requirements, far enough from the site's access without requiring vehicles to reverse into, park, or wait on the highway. I am also satisfied that the details of these space requirements could be dealt with by planning condition.
24. Policy JP-S4 of Places for Everyone expects developments to manage surface water run-off through sustainable drainage systems and as close to source as possible. There are no details of surface water drainage before me. However, the development is a significant distance from the highway, surrounded by grass, and the arena's surface would be permeable. In the absence of evidence to the contrary I am satisfied that such details can be agreed by way of a condition of planning permission. Even so, vehicles would still be required to utilise the existing access on to the highway, and I have already found the visibility to be inadequate.
25. Accordingly, I conclude that the development would have a harmful effect on highway safety. It would conflict with the relevant provisions of Policy JP-C8 of Places for Everyone. It would also conflict with Policy JP-C5 of Places for Everyone, which adopts a Streets for All approach, including ensuring streets are welcoming for all. It would also fail to accord with paragraph 116 of the Framework due to the unacceptable impact on highway safety.
26. The Council cites Policy EN1/2 in its reasons for refusals relating to highway safety and car parking provision. As the policy concerns itself with design and character, I identify no conflict with it.

Other Considerations

27. The proposal amounts to inappropriate development in the Green Belt that would result in a loss of openness. It would also harm the character and appearance of the area and would be detrimental to highway safety. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be allowed except in very special circumstances. Substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations.
28. The development is capable of meeting the requirements for 10% biodiversity net gain, by way of details submitted to discharge the statutory biodiversity gain condition. The stable building would incorporate energy efficiency measures such as roof insulation and locally sourced timber, amongst other things. These are modest benefits given the small extent of development
29. Due to the intervening distances between the development and residential dwellings, there would be no harm to the living conditions of neighbouring occupiers. I am advised that Plane Trees Barn is included on a draft local list of buildings of special architectural or historic interest. I am satisfied that the development would not adversely affect its significance through development in its setting, due to the aforementioned distances and the extent of development proposed. These are neutral factors that weigh neither for nor against the proposal.
30. The appellant refers to three appeal decisions within its Planning Statement. These were dismissed, and the case made by the appellant is that the appeal proposal differs from them. I have no details, such as the site context or proposals before me. I am therefore unable to assess whether the cases are comparable, and this limits the weight I can attribute to them.
31. The benefits attract modest weight in favour of the proposal. Therefore, the other considerations are not sufficient to clearly outweigh the totality of harm I have identified, including the substantial weight afforded to Green Belt harm. The very special circumstances needed to justify the development do not exist and the proposal conflicts with the Framework.

Other Matters

32. There is some dispute as to the post-planning permission requirements for Biodiversity Net Gain. I have not pursued this further with the parties given my other fundamental concerns.

Conclusion

33. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given, I therefore conclude that the appeal should be dismissed.

E Heron

INSPECTOR



Appeal Decision

Site visit made on 18 June 2026

by **J Smith MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 June 2026

Appeal Ref: 6006965

Land off Bentley Lane, Bury BL9 6RZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Jamie Unsworth against the decision of Bury Metropolitan Borough Council.
 - The application Ref is 72498.
 - The development proposed is erection of up to 9 no. dwellings.
-

Decision

1. The appeal is allowed and permission in principle is granted for the erection of up to 9 no. dwellings at Land off Bentley Lane, Bury BL9 6RZ, in accordance with the terms of the application Ref 72498.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
4. The appeal has been accompanied by a Noise Note prepared by the appellant, to support the appeal. Critically, this note was not before the Council at the application stage of the proposal. I cannot be assured that this submission has been reviewed by all parties with an interest in this appeal. This is tantamount to the submission of new information. The Planning Inspectorate Appeals' Procedure Guide makes it clear in chapter 16 that the appeal process should not be used to evolve a scheme, and it is important that what is considered by the Inspector is essentially what was considered by the Council. I have not therefore considered this new information in this appeal as it would prejudice the Council, its decision and any interested parties. I have judged the appeal on the evidence which the Council made its decision on.

Main Issue

5. The main issue is whether the location, proposed use, and amount of development are appropriate for residential development, with specific regard to whether the proposed development would make optimal use of the potential of the appeal site.

Reasons

Amount

6. Policy JP- H4 of the Places for Everyone Joint Development Plan 2024 (PFE) sets out the requirements in respect of the density of new housing developments. In a location such as this, proposals are expected to deliver a minimum housing density of 35 dwellings per hectare. Chapter 11 of the National Planning Policy Framework (the Framework) is concerned with making effective use of land. Critically at Paragraph 130, it notes that it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site, stating at point C of that paragraph that applications should be refused where they fail to make an efficient use of land.
7. As noted, the site is expected to achieve a minimum density of 35 dwellings per hectare. With an area of approximately 0.64 hectares, a proposal for up to 9 dwellings would equate to around 14 dwellings per hectare, significantly below the requirement of Policy JP-H4 of the PFE. However, the policy allows for lower densities where justified by local housing market conditions or site-specific constraints, including design context and potential impacts on the wider landscape or townscape.
8. The appeal site is located to the north of Bentley Lane and is bound by the M66 motorway along a significant portion of its edge. The presence of the motorway is a key constraint. It would require the layout and design of any development to mitigate the potential noise impacts from the motorway on its future occupants. It would likely necessitate the positioning of dwellings away from this boundary. In addition, the site has a steep gradient rising from the M66 towards Bentley Lane. Without substantial excavation, the sloping topography would require careful design to ensure that any proposed dwellings can be appropriately accommodated and meet the necessary technical considerations at the detailed application stage, particularly in relation to character and appearance and living conditions. The presence of trees at various points along the boundary further add to these constraints overall too.
9. The wider townscape context is also relevant. The immediate area surrounding the site comprises individual or small groups of properties dispersed along Walmersley Old Road and Bentley Lane, giving it a village-like character distinct from the higher-density development further south. This location represents a transition from the built-up area to the countryside, where a lower density of development would be characteristic and appropriate. While a more recent, denser housing development is visible further to the south of Walmersley Old Road, it sits within an area characterised by closely arranged estate development. In contrast, the appeal site lies within a more spacious, village-like setting, where properties are more dispersed. This results in a greater sense of openness and supports a prevailing lower-density character of the area.

10. Together, these site constraints indicate that the physical characteristics of the appeal site would constrain the buildable area of the appeal site, and would therefore necessitate a lower dwelling density. Furthermore, a higher density scheme would risk appearing incongruous and uncharacteristically intensive within the local context.
11. Concern has been raised that, as the application was submitted under a Permission in Principle stage 1 application, where a range between 1 or 9 dwellings could be provided, that at stage 2, a final number of dwellings may come forward that is lower than the maximum range of 9 given in this application. As such, this would create an even lower density than the maximum density that would be created with 9 dwellings of 14 dwellings per hectare. This appeal relates to a stage 1 Permission in Principle application. In considering the technical details at stage 2, it would be for the determination of the Council if any number less than 9 dwellings would be appropriate, when the technical details of the scheme are before them.
12. Given the aforementioned considerations, I do not consider that the proposed development, taking into account the specific site constraints and surrounding design context observed during my site visit, would be at an inappropriately low density for this location. I therefore find no conflict with Policy JP – H4 of the PFE on this matter, the relevant provisions of which I have set out above. I also find no conflict with Paragraph 130 of the Framework which seeks to ensure that development makes efficient use of land, while taking into account, among other things, the identified need for different types of housing, and the desirability of maintaining an area's prevailing character and setting.

Location and proposed use

13. The appeal site lies within the Green Belt, where the Framework identifies the construction of new buildings, including residential dwellings, as inappropriate development. However, consistent with the Council's reasoning, the site is considered to fall within the definition of Grey Belt land. In line with Paragraph 155 of the Framework, the Council considers that the proposed development would not fundamentally undermine the purposes of the wider Green Belt. There is also an identified unmet need for the type of development proposed, and the site's location, approximately a 10-minute walk from Walmersley centre, makes it accessible in principle.
14. In reaching these conclusions, the Council determined that the appeal site falls within the definition of Grey Belt land and satisfies the requirements of Paragraph 155 of the Framework. Having reviewed the officer's assessment, I find no compelling reason to depart from these conclusions. Accordingly, the appeal site's location and proposed use are acceptable in principle.

Other Matters

15. Representations have been made by interested parties. Many of the issues raised, including impacts upon wildlife, living conditions, highway safety, and access, are technical matters that can only be fully assessed at the technical details stage, when supporting information is provided, as per the requirements of a permission in principle application route. It is therefore not possible to reach definitive conclusions on these matters at this stage. Comments have been raised that suggest that crime is undertaken under the M66 motorway bridge, a short distance

from the appeal site. There is no evidence to substantiate this claim, nor is it the responsibility of the planning system to deal with such matters away from the appeal site. Impacts on private views or property values are not material planning considerations.

16. It is acknowledged that up to 9 dwellings would not, in isolation, address the wider shortfall in housing supply, whether that be at a local or national level. However, as the Council cannot demonstrate a five-year supply of deliverable housing as required by the Framework, the proposal would make a small contribution towards meeting Bury's identified housing need.
17. During the appeal, reference was made to the right to fair treatment under the Equality Act 2010. This legislation establishes the Public Sector Equality Duty (PSED) under Section 149, which applies to the exercise of my functions. The PSED requires due regard to three aims. These are eliminating discrimination, harassment, victimisation, and other prohibited conduct, advancing equality of opportunity and fostering good relations between individuals with and without protected characteristics. I have given due regard to these requirements. There is no evidence to suggest that the individual concerned would be subject to unlawful discrimination as a result of my decision based on any protected characteristic.

Conditions

18. The PPG indicates that it is not possible to impose conditions as the terms of any permission in principle must only include the site location, type of development and amount. Without having to specify such by way of a condition, the default duration of permission in principle is 3 years, with any Technical Details Consent application to be determined during this period.
19. The Council have requested that informatives are placed on the decision, in the event that I were to allow the appeal. The Planning Inspectorate does not use informatives in their decisions. These are matters that must form the basis of considerations at the technical details stage application.

Conclusion

20. For the reasons set out above, in having regard to its location, the proposed land use and the amount of development, I conclude that the appeal should be allowed.

J Smith

INSPECTOR

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