



<b>Item Number</b>	<b>Item No.</b> <b>7</b>
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<b>Meeting:</b>	<b>Planning Control Committee</b>
<b>Meeting date:</b>	<b>21<sup>st</sup> February 2023</b>
<b>Title of report:</b>	<b>Appeal against Non-Determination:-</b> <b>Planning Application: 67658</b> <b>Applicant: Westchurch Homes Limited &amp; Wyresdale Amateur Football Club</b> <b>Location: Land to west of Radcliffe Moor Road/Bury New Road, Radcliffe</b> <b>Proposal: Change of use of the land for use as outdoor sports pitches including engineering operations to form 4 pitches, the construction of a clubhouse, ancillary storage structures, creation of access from Radcliffe Moor Road, parking, landscaping, drainage and associated works.</b>
<b>Report by:</b>	<b>Head of Development Management</b>
<b>Decision Type:</b>	<b>Planning Control Committee</b>
<b>Ward(s) to which report relates</b>	<b>Radcliffe – North and Ainsworth</b>

## Background

1. On 30<sup>th</sup> August 2022 a report from the Development Manager was submitted to the Planning Control Committee in relation to the following planning application:-

**Planning Application:** 67658

**Location:** Land to west of Radcliffe Moor Road/Bury New Road, Radcliffe

**Applicant:** Westchurch Homes Limited & Wyresdale Amateur Football Club

**Proposal:** Change of use of the land for use as outdoor sports pitches including

engineering operations to form 4 pitches, the construction of a clubhouse, ancillary storage structures, creation of access from Radcliffe Moor Road, parking, landscaping, drainage and associated works.

2. The report recommended that the application be approved subject to conditions. The Committee heard representations from the applicant, an objector and Ward Councillors. The Committee resolved to defer consideration of the application pending further information in relation to the ecology of the site which included impact of surface water run-off into nearby wetlands and fishing lodges which are a Site of Biological Importance (SBI).
3. Officers sought to work with the Applicant to secure the further information for the Committee in a timely manner. However, on the 12<sup>th</sup> October 2022 the Council received notification that the Applicant had lodged an appeal with the Planning Inspectorate for "non-determination". Where an application has not been determined within the relevant statutory period (or such other period as has been agreed in writing between the Council and the Applicant), the Applicant has a right to appeal against non-determination.
4. The Planning Inspectorate has now confirmed that the appeal is valid and has started. This means that the Council no longer has jurisdiction to determine the application and the decision will instead be made by a Planning Inspector appointed by the Secretary of State.
5. All comments the Council previously received on the application will be forwarded to the Inspectorate and will form part of the appointed Planning Inspector's considerations. In addition, all those persons who were notified or consulted about the application and any other interested persons who made representations on the application have been notified of the appeal and will have the opportunity to make any additional comments directly to the Inspectorate by 14<sup>th</sup> March 2023.
6. The Planning Inspector has determined that the appeal will be determined using the written representations procedure. By the 14<sup>th</sup> March 2023 the

Council is required to submit a Statement of Case which will need to set out the decision the Council would have made if the power to determine the application remained with the Council. Consequently, it is important that members of the Planning Committee provide views on what decision they would have made so that officers are able to properly respond to the appeal.

### **Officer Report / Update**

7. The Officer Report to the Planning Control Committee on 30<sup>th</sup> August 2022 is attached as **Appendix 1** and the Supplementary Report with further details on the application is attached as **Appendix 2**.
8. In relation to the reason for deferral (for further information in relation to the ecology of the site which included impact on water run off into nearby wetlands and fishing lodges), no further information has been received and so there is nothing further to report.
9. It is acknowledged that the condition is undoubtedly complex. The aim of the condition was to allow the project to proceed on the basis that any adverse findings from the required further investigations would lead to suspension of any works pending an amended proposal or acceptable mitigation. The difficulty here is that due to the relatively unknown nature of the hydrology within the site and its relationship to the water bodies and SBI, mitigation may or may not be required and it was considered that the scheme would require close monitoring during implementation. The NPPG considers that when used properly, conditions can enhance the quality of development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable. It is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls.
10. The view of members was that these investigations should be undertaken prior to consideration of the planning application. Officers remain of the view that proposed Condition 7 in the Supplementary Report adequately controls the potential for surface water contaminated with nutrient or other contamination from entering the adjacent water bodies and the potential for disruption to the aquifers having an adverse effect on the quality or quantity of water entering the adjacent water bodies and consequently biodiversity of the SBI.
11. The Officer Recommendation remains that the planning application be approved subject to the conditions as set out in the Officer Report and the Supplementary Report.
12. Local planning authorities must review cases promptly following the lodging of an appeal and are at risk of an award of costs if they behave unreasonably with respect to a matter under appeal, for example, by unreasonably defending appeals.

## **Recommendation**

Members are being asked to provide their view on the application, so officers are able to defend the appeal in accordance with their wishes.

The Officer recommendation remains that the planning application be approved subject to the conditions set out in the Officer Report and the Supplementary Report.

## APPENDIX 1

The Officer Report to the Planning Control Committee on 30<sup>th</sup> August 2022

**Ward:** Radcliffe - North and Ainsworth

Item 02

**Applicant:** Westchurch Homes Limited & Wyresdale Amateur Football Club

**Location:** Land to west of Radcliffe Moor Road/Bury New Road, Radcliffe

**Proposal:** Change of use of the land for use as outdoor sports pitches including engineering operations to form 4 pitches, the construction of a clubhouse, ancillary storage structures, creation of access from Radcliffe Moor Road, parking, landscaping, drainage and associated works.

**Application Ref:** 67658/Full

**Target Date:** 10/01/2022

**Recommendation:** Approve with Conditions

**The Development manager suggests that a site visit be carried out by the Planning Control Committee Meeting**

### Description

The application site comprises 2 rectangular parcels of grassed land of 6 hectares in size. The site is located to the west of Radcliffe Moor Road and to the south of Bury New Road. The land slopes downwards from Bury New Road to Browns Road. The site was last used as agricultural land and there are hedgerows on the perimeter of and crossing the site.

Bury New Road forms the boundary to the north with residential properties beyond. There is a car sales dealer and a Public Right of Way on the north west corner. There are 4 lodges to the south of the site, with industrial building beyond. There is an open field to the west with residential properties beyond. Radcliffe Moor Road forms the boundary to the east with open fields beyond.

The proposed development involves the change of use of the land including operational development to form 4 football pitches with associated engineering works, the construction of a clubhouse, creation of an access from Radcliffe Moor Road and works to parking, landscaping and drainage.

The proposed pitches would be formed in the north and south of the site and 'cut and fill' would be used to create a level playing area. The proposed clubhouse would be single storey and would be located centrally in the site.

Access would be taken from Radcliffe New Road and a parking area for 78 cars and a cycle store for 24 cycles.

The application is submitted to provide a compensatory loss of open space within Bolton at Inverbeg Drive, where the site is currently intended to be redeveloped for housing.

### Relevant Planning History

None relevant.

## Publicity

The neighbouring properties were notified by means of a letter on 28 October 2021 and a press notice was published in the Bury Times on 25 November 2021. Site notices were posted on 12 November 2021.

1 letter in favour was received and raised the following issues:

- This will give a local club a fantastic up to date facility so they can continue to provide opportunities for hundreds of young people to play football on a weekly basis.
- The field is currently unused and will change very little with the addition of a parking area and two buildings.
- Most of the area will remain grass for wildlife to use.
- I am sure the council will look careful at appropriate traffic measures.
- People moan there is nothing for youngsters to do... Here is a perfect opportunity to help.

2 comments and 79 letters were received, which have raised the following issues:

- The existing site of the football club should be improved.
- Traffic on Radcliffe Moor Road is already an issue and cars are unable to turn right onto Bury New Road.
- The increase in traffic would increase danger and pollution
- This site has been encouraged to enable further housing applications
- The proposal is located on Green Belt land which should be preserved
- The applicant cannot maintain their current pitches and this site would fall into disrepair.
- The developer will continue and put homes on the Green Belt land
- The proposal is an overdevelopment as the club does not have enough members to warrant such large facilities
- The area around the lodges is a haven for wildlife.
- The noise and light pollution would cause distress to wildlife in the surrounding area
- Problems already exist with Browns Road - this road is classified as unsuitable for heavy vehicles but isn't managed and the small road is blocked daily by HGVs, preventing access to Boundary Drive. If cars attending sports events also attempt to park here, there will be chaos.
- The development is not required in that particular area - there are other developed sports facilities within 2km of this site and it therefore this represents a duplication
- The extra parking that will inevitably overflow onto Browns Rd and other nearby residential roads
- the noise from matches would be audible in this otherwise quiet area
- We need to keep natural habitat and green spaces to stop climate change and encourage biodiversity. This is greenbelt and as such should be protected
- Lack of consideration given to the existing mine shaft entry point highlighted in the objection by the Coal Authority.
- Twenty-seven spaces for spectators is inadequate.
- Safe access for those with limited mobility and / or a disability not considered.
- The existing land is a natural drain to the lodges. The development will again cause more localised flooding.
- Why destroy greenbelt and subsequent wildlife habitats in Bury when the football pitches in question have been sold for profit under another council.
- Why does a Bolton football club have to relocate into Radcliffe, why don't they go to Bolton council for greenbelt land to relocate to.
- The area is widely used by local people.

- Once again the greed of Bury Council to increase revenue on green land has now extended to allowing a very small Bolton FC to apply for permission to build a new complex.
- By approving this application, the council would be setting a precedent for other applications on Green Belt. Bury's Green Belt should not be sacrificed for Bolton's gain.
- The low intensity managed grassland provides capture and drainage of rainwater. Replacing this with intensively managed drained pitches can impact local flood resilience. The water drains into Starmount Lodges and then Blackshaw Brook. If installed drainage is permitted to have same outflow then I have concerns about pollution or eutrophication resulting from pesticides and fertilizers used in pitch maintenance.
- Security & devaluation of properties is another concern
- Footballs being jettisoned onto a main road will be dangerous
- Most of the other football pitches in the area have problems with jobs and druggies
- Our properties were built in 1912 and enjoy splendid unobstructed panoramic views towards the Cheshire Hills. Any change of the vista would be an eyesore and totally out of character.
- As a life long residents here and Council Tax (or equivalent) payers of over 50 years we were somewhat dismayed and disappointed to receive less than 3 weeks notice to reply to this proposal which evidently has been carefully assembled over an 18 month period.
- Bolton should first utilise their own brownfield sites for a development of this nature.
- We are bewildered if a struggling football club who needs to sell their site would be worthy of such a dramatic and out of context extension in a borough to which they do not belong.
- We believe that for the vast majority of the week the site and car-park would be redundant (Sporadic use) Especially given the seasonal nature of the sport and games at the weekend. Can it's development be justified when the fields lay idle for 3 months a year (Summer)?
- Would Bolton Council be willing to allow an amateur football club from Bury to build on their greenbelt land?

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

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

**Traffic Section** - No objections, subject to the inclusion of conditions relating to highway improvements, construction traffic management plan, turning facilities, parking and bin storage facilities.

**Drainage Section** - Comments to be reported in the Supplementary Report.

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

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

**Public Rights of Way Officer** - No objections.

**GM Ecology Unit** - No objections, subject to the inclusion of conditions relating to nesting birds, invasive species, method statement, disposal of surface water and landscaping and informatives relating to bats.

**Sport England** - No objections, subject to the inclusion of a condition relating to a management and maintenance scheme.

**Cadent Gas Ltd** - No objections, subject to the inclusion of a condition relating to the gas pipeline.

**The Coal Authority** - No objections, subject to the inclusion of an informative relating to coal mining.

**Lancashire Wildlife Trust** - No response received.  
**Transport for GM** - No objections.

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

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

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/11	Public Utility Infrastructure
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/2	Sites of Nature Conservation Interest LNR's
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/4	Groundwater Protection
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
OL1/2	New Buildings in the Green Belt
OL1/5	Mineral Extraction and Other Development in the Green Belt
OL4/1	Agricultural Land Quality
RT2/1	Provision of New Recreation Sites
RT3/4	Recreational Routes
RT3/5	Noisy Sport
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

### **Issues and Analysis**

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and 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 Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

**Principle - Green Belt** - The application site is located in the Green Belt and as such, paragraph 149 and 150 are relevant.

Paragraph 149 of the NPPF states that the construction of new buildings would be inappropriate in the Green Belt. Exceptions to this are:

- a. buildings for agriculture and forestry;
- b. the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;



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

Paragraph 150 of the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

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

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

- agriculture and forestry
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it;
- limited extension, alteration or replacement of existing dwellings, provided that this would not result in a disproportionate additions over and above the size of the original dwelling, or, in the case of replacement existing dwellings, the new dwelling is not materially larger than the one it replaces;
- limited infilling in existing villages.

Policy OL1/5 states that within the Green Belt other development, not including buildings, will be inappropriate unless:

- it maintains openness and does not conflict with the purposes of including land in the Green Belt;
- in the case of mineral extraction, it does not conflict with the purposes of including land in the Green Belt, and high environmental standards will be maintained and the site well restored.

Proposals for other development not falling into one of the above categories is inappropriate development and is, by definition, harmful to the Green Belt. Any development proposal considered to involve inappropriate development will only be permitted in very special circumstances.

One of the main issues to be considered in respect of the proposal is the impact of the proposed development on the Green Belt. This can be broken down into the following areas:

- A. Whether the proposed use as a football club (outdoor recreation) is an appropriate use within the Green Belt.
- B. Whether the details of the scheme would make the proposal inappropriate development within the Green Belt.
- C. Would the proposed development result in additional harm to the openness of the Green Belt.
- D. Are there any very special circumstances, which would outweigh any inappropriateness or harm to the openness of the Green Belt.

The proposed development involves the change of use of the land to form 4 sports pitches, including engineering operations and the construction of a clubhouse. The proposed change of use and associated engineering works would be appropriate development under paragraph 150 of the NPPF.

The proposed clubhouse would contain changing rooms for the teams and officials, plant, disabled changing facilities, toilets, an office, a kitchen and a coaching/meeting room. All of which would be essential facilities for outdoor recreation. The proposed clubhouse would be single storey structure with a pitched roof and would be located towards the middle of the site. The site slopes steeply and cut and fill would be used to create three level areas for 4 pitches and for the clubhouse and associated parking. The proposed clubhouse would be lower than Radcliffe Moor Road and the hedgerow would be maintained and would act as a screen.

It is acknowledged that some of the associated development, such as the proposed clubhouse and car park would have an impact upon the openness of the Green Belt. However, the principle of the recreational use is acceptable and the associated users would require parking. The proposed clubhouse would be relatively compact and the proposed parking provision is adequate for the proposed use - i.e. parking has not been over-provided. As such, bearing in mind the planning balance, the proposed development would invariably bring change but the change would be of such a scale that it would maintain the openness and character of the Green Belt.

As such, it is considered that the proposed development would be appropriate development and would not have a significant adverse impact upon the openness and character of the Green Belt. Therefore, the proposed development would be in accordance with Policies OL1/2 and OL1/5 of the Bury Unitary Development Plan and the NPPF.

**Principle - Recreation** - Policy RT2/1 states that the Council will give favourable consideration to proposals involving the provision of additional recreational facilities throughout the borough.

The proposed development would provide 4 sports pitches and an associated clubhouse. As such, the proposed development would provide additional recreational facilities. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy RT2/1 of the Bury Unitary Development Plan.

**Design and layout** - The proposed football pitches would be positioned on the perimeter of the site and would be of varying sizes for use by different age groups. The sloping site would be cut and filled to provide a level playing surface. Additional landscaping would be provided to supplement the existing hedgerows, which would act as a screen. As such, the

proposed pitches would not be a prominent feature in the streetscene or Green Belt location.

The proposed clubhouse and car park would be located broadly centrally within the site. The proposed clubhouse would be constructed in 2 phases as the club expands. The first phase of the proposed clubhouse would involve a rectangular, single storey building, which would be constructed from brick with a tile roof. The second phase of the proposed clubhouse would add two single storey extensions to the north and east, creating a L shaped building. The proposed development would incorporate pike details and brick headers, which would add visual interest. As such, the proposed development would not be a prominent feature in the streetscene.

A storage container would be located adjacent to the proposed clubhouse for storage of equipment required for maintenance of the pitches and would be viewed against the proposed clubhouse. The agent has confirmed that the proposed container would be clad in timber and the area around it would be landscaped. As such, given the landscaping and the cladding proposed, the proposed container would not be a prominent feature in the streetscene.

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

**Agricultural land** - Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

The Agricultural Land Classification grades land, with the best and most versatile being grades 1 and 2 and 3a being low quality. There is no grade 1 or 2 agricultural land within the borough and there are small pockets of Grade 3a land in the Unsworth, Pilsworth and Simister area and Grades 3b and 3c in the north west and south west parts of the borough. The site of the proposed club is classified as Grade 4, which is poor quality. Therefore, its loss would not be contrary to the requirements of Policies OL4 and OL4/1 of the adopted Unitary Development Plan and the NPPF.

**Drainage** - A Flood Risk Assessment was submitted as part of the application and identified a bedrock aquifer and secondary source within the site. It is understood that Stormont

Lodges and its associated ponds, which are located to the south of the site, are fed via natural springs/aquifers from the application site.

Policy EN7/4 states that the Council will not permit development proposals which would have an unacceptable adverse effect on groundwater resources particularly in terms of their quality and/or supply.

The Drainage Strategy submitted with the application confirms that the proposed car park and football pitches would be constructed using a cut and fill method. As such, the proposed cut and fill method of construction could disrupt the water flow from the springs to the lodges and ponds. In addition, this could lead to cross contamination from maintenance and usage of the pitches and potentially decrease the flow of supply to the lodge and pond. This then could impact upon the nearby Site of Biological Interest (SBI).

Further information has been submitted which has confirmed that the proposed drainage works would be acceptable. In addition, the report confirms that the deeper aquifer feeds the existing lodge and reservoir and would not be affected by the proposed works. As such, the water level would be maintained. In addition, the applicant has agreed to a monitoring point being provided, which would allow for regular testing to highlight any potential issues in terms of water quality. The Drainage Section has no objections in principle and the conditions would be reported in the Supplementary Report.

**Ecology** - An ecological survey was submitted as part of the application and identified no significant issues.

Bats - No buildings or trees with potential bat roosting features are present on the site. Bat foraging/commuting is likely to be restricted to using linear features to reach the Site of Biological Interest (SBI) where foraging habitat is of significantly higher value. These linear features are primarily retained and the hedgerow to be removed is the least structurally developed. GM Ecology Unit states that the proposed development is unlikely to impact upon bats.

There is no mention of flood lighting and a statement that external lighting would be LED and on a timer to prevent use prior to dawn and after dusk. GM Ecology Unit states that there would not be any likely indirect impacts from the proposed lighting and that any future phases that propose flood lighting should submit bat activity surveys. Therefore, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Great Crested Newts - It is unlikely that Great Crested Newts (GCN) would be present in this area as the ponds and lodges have been surveyed previously and are sufficiently isolated from known meta populations at Coggra Fold and Darcey Lever. As such, colonisation is extremely unlikely. GM Ecology Unit agrees with the findings and has no objections, subject to a condition relating to reasonable avoidance measures being implemented. Therefore, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Nesting Birds - The central hedgerow would be lost as well as a section of hedgerow along Radcliffe Moor Road. The hedgerows would provide potential bird nesting habitat and there is a chance that ground nesting birds, such as lapwings, use the fields. GM Ecology Unit has no objections, subject to the inclusion of a condition relating to nesting birds. Therefore, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Invasive Species - Japanese Knotweed and Himalayan Balsam are present along boundaries of the site. Both species are included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended and it is an offence to introduce or cause to grow wild either of these plants.

Both would appear to be largely avoidable, given the boundary hedges where both plants occur are to be retained. However, earthworks for pitch 3 do appear to encroach on the hedgerow, with the roots of Japanese knotweed potentially extending in to the zone of the earthworks and similarly seed from balsam potentially impacted upon. GM Ecology Unit has no objections, subject to the inclusion of a condition relating to invasive species. Therefore, the proposed development would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan

Protection of Bradley Fold SBI and Blackshaw Brook - The site drains towards Bradley Fold SBI and it is proposed to discharge primarily to Blackshaw Brook with some drainage leading to the SBI via a swale. GM Ecology Unit has no objections in principle, but require a condition to ensure that any surface water draining into either the Brook or the mill ponds is the same or better in terms of nutrient levels, pollutants and discharge volumes to ensure no negative impacts occur on either water body both during construction and operations. This is discussed above and relates to this concern directly.

Therefore, the proposed development with conditional controls, would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Contributing to and Enhancing the Natural Environment - Section 170 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment.

The proposed development will result in the loss of a small part of the low ecological value grassland to hardstanding and buildings and around 90 metres of hedgerow to low value grassland. The proposed development includes tree and shrub planting around the boundaries of the site and there are significant areas of grassland that would be retained as amenity grassland with annual cuts. As such, the proposed development would be able to provide adequate mitigation on site and additional mitigation for the loss of bird nesting habitat should be provided.

No flood lighting is proposed.

GM Ecology Unit has no objections, subject to the inclusion of a condition relating to landscaping, including hawthorn hedges, native tree and shrub planting and ornamental planting around the car park and clubhouse. Therefore, the proposed development would be in accordance with Policies EN1/3, EN6 and EN6/3 of the Bury Unitary Development Plan.

**Impact upon residential amenity/noise** - The proposed development would provide 4 football pitches, a clubhouse and car park on site. There are 4 elements of the proposed development which may affect residential amenity:

- Noise directly associated with the use of the pitches for playing football;
- Noise associated from the clubhouse;
- Noise from the car park.

The proposed pitches would be 78.6 metres from the dwellings on Bury New Road; 211 metres from the dwellings on Somerton Road and 179.8 metres from the dwellings on Browns Road.

The proposed clubhouse would be 245 metres from the dwellings on Bury New Road; 360 metres from the dwellings on Somerton Road and 287.5 metres from the dwellings on Browns Road.

Given these significant distances, it is considered that the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties through noise.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring residents, subject to conditional control and would be in accordance with Policies EN7 and EN7/2 of the Bury Unitary Development Plan.

**Highways issues** - The proposed development would be accessed from Radcliffe Moor Road and a new junction would be formed. The proposed access would be 6.3 metres wide and there would be appropriate levels of visibility. Turning facilities would be provided in the proposed car park.

The Traffic Section has no objections, subject to the inclusion of conditions relating to highway improvements, construction traffic management plan, turning facilities, parking provision and bin storage facilities.

Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2 and HT4 of the Bury Unitary Development Plan.

**Public right of way** - A Public Right of Way passes near the north west corner of the site and would be unaffected by the proposals. The Public Rights of Way Officer has no objections to the proposed development. Therefore, the proposed development would be in accordance with Policy RT3/4 of the Bury Unitary Development Plan.

**Parking** - With regard to parking provision, there is no maximum standard with SPD11 and the parking provision should be determined on the individual merits of the proposal.

The proposed development would provide 78 spaces for cars and 24 spaces for cycle storage.

This would reflect the likely maximum demand, based on a tournament with a number of teams playing on all courts. The proposed level of parking would also ensure that there would be no parking on Radcliffe Moor Road. The site is located in a high access area and there is a regular bus service on Bury New Road, which is within walking distance and shared transport would also be expected to be used. As such, the level of parking provision would be acceptable in this instance and would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11.

**Access issues** - The provision of the disabled parking bays, level access to the clubhouse and the disabled toilet/changing facilities is welcomed. As such, the proposed development would be fully accessible and would be in accordance with Policy HT5/1 of the adopted Unitary Development Plan.

## **Response to objectors**

- The issues relating to impact upon wildlife, noise and light pollution, traffic generation and access for persons with disabilities have been addressed in the main report.
- The proposed development would be appropriate development within the Green Belt and would maintain openness.
- No applications have been submitted for housing on this land.
- No precedent would be set as each application is assessed on its own merits.
- The proposed development would not impact upon access to the wider area.
- The proposed development would be accessed from Radcliffe Moor Road and not Browns Road.
- The Coal Authority has no objections to the proposed development.
- Impact upon property prices and the loss of a view are not material planning considerations.
- The existing hedgerows surrounding the site would be retained and supplemented and would prevent footpaths from passing onto Radcliffe Moor Road.
- The Council has complied with the statutory requirements for the publicity of the application.
- Bury Council is determining the application and does not own the land or have any connection to the applicant.
- A brownfield site is unlikely to be suitable for use for grassed football pitches.
- As a result of the development, the borough would gain additional sport pitch facilities to contribute to the overall recreation provision within the Radcliffe area.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

**Recommendation:** 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 2102-GTA-00-00-DR-A-1000, 2102-GTA-00-00-DR-A-1001 A, 2102-GTA-00-00-DR-A-1002 C, 2102-GTA-00-00-DR-A-1003 C, 2102-GTA-00-00-DR-A-1004 C, 2102-GTA-00-00-DR-A-1005 A, ISO A4 - Proposed layout, ISO A4 - Cross Section A - AA, ISO A4 - Cross Section B - BB, ISO A4 - Cross Section C - CC, ISO A4 - Cross Section D - DD, ISO A4 - Cross Section E - EE and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

3. Details/Samples of the (materials/bricks/cladding/paint finishes) to be used in the external elevations of the clubhouse and storage facility, 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 EN1/1 Visual Amenity.

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

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

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

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

6. Prior to occupation the applicant shall provide one dual head fast capability electric vehicle (EV) charging point.

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

7. Before the drainage system associated with the club house, playing pitches and car park is brought into use, a Management and Maintenance Scheme for the playing pitches and other facilities hereby approved including management and maintenance responsibilities, a maintenance schedule, a monitoring regime (after first establishing a baseline for quantity and quality) including the monitoring of water quantity and quantity discharged from the proposed reed bed, and a mechanism for review, shall be submitted to and approved in writing by the Local Planning Authority.



The scheme shall include details of any fertiliser to be used on the site, including its type, chemical composition, method and density of application, as well as the timing of application.

The Management and Maintenance of the site including the playing surfaces, swale and reed bed shall thereafter be strictly in accordance with the approved scheme.

No fertiliser, pesticides, conditioning agents, or other chemicals shall be used on the site other than that expressly identified in the Maintenance and Management Scheme.

Should the monitoring and maintenance regime not be followed then use of the facility (pitches, clubhouse and car park) must cease immediately until the breach is investigated and rectified. No fertiliser, pesticides, conditioning agents, or other chemicals shall be applied until the swale and reed bed are established and functioning as intended.

Reason. To ensure that a new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and to accord with paragraph 99 of the NPPF whilst preventing any adverse effect on quality or quantity of water entering the adjacent water bodies due to surface water contaminated with nutrient or other contaminants or disruption of aquifers which would otherwise have an adverse effect on water quantity or quality and consequently biodiversity.

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

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

9. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

10. No earth moving shall take place or material or machinery brought on site until a method statement to protect the ponds at Bradley Fold and the Blackshaw Brook from accidental spillages, dust and debris has been supplied to and agreed by the LPA. All measure will be implemented and maintained for the duration of the construction period in accordance with the approved details.

Reason. To protect the Site of Biological Interest from harm pursuant to Policies EN6/2 - Sites of Nature Conservation Interest and EN6/3 - Features of Ecological

Value of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.

11. No development shall take place until it can be demonstrated that there will be no negative impacts on the ecological potential of the ponds at Bradley Fold and Blackshaw Brook resulting from the disposal of surface water post-development submitted to and approved in writing by the Local Planning Authority. The details, as approved, shall be implemented in full in accordance with a timetable which has first been agreed in writing by the Local Planning Authority.  
Reason. To protect the Site of Biological Interest from harm pursuant to Policies EN6/2 - Sites of Nature Conservation Interest and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.
12. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The contents of the landscaping scheme should include wildflower grassland, hawthorn hedges, native tree and shrub planting and the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the clubhouse is first occupied or within the first available tree planting season; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.  
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
13. Notwithstanding the details indicated in different forms on approved plan references B026883 TTE 00 XX PL D 001 Revision P01 & 2102-GTA-00-00-DR-A-1003 Revision C, no development shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority:
  - Provision of a swept path analysis of the proposed junction onto Radcliffe Moor Road to determine adequate access road width and kerb radii;
  - Provision of a swept path analysis of the proposed refuse collection/site servicing arrangements;
  - Formation of the site access onto Radcliffe Moor Road, incorporating the provision of adequate arrangements at the interface with the adopted highway to form a maximum 1 in 20 plateau, 2.0m wide (minimum) footways tying into existing footways at positions to be agreed, provision of visibility splays at the junction of the site access with Radcliffe Moor Road for an appropriate design speed based on speed surveys to be undertaken on the classified road, alterations to the adjacent site boundaries in order to ensure that there will be no obstructions within the splays above a height of 0.6m, demarcation of the limits of the adopted highway, tactile paved crossing points in positions to be agreed including, if necessary, of revised limits of adoption required to ensure that the crossing point is located on the adopted highway, give-way markings and alterations to the existing road markings on Radcliffe Moor Road to provide a right turn pocket into the development, and all associated highway and highway drainage remedial works;

- Measures to prevent the discharge of surface water from the proposed car park hardstanding areas and site access onto the adjacent adopted highway
- Provision of a street lighting assessment to a scope and specification to be agreed for the junction of the site access with Radcliffe Moor Road and, where necessary, a scheme of improvements;
- Proposals for the introduction of waiting restrictions at the junction of the site access with Radcliffe Moor Road, including all necessary road markings and signage.

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

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Policies EN1/2 - Townscape and Built Design and Policy H4 - New Development of the Bury Unitary Development Plan.

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

- Photographic dilapidation survey of the footways and carriageways leading to and abutting the site access in the event that subsequent remedial works are required following construction of and statutory undertakers connections to the development;
- Access route for vehicles from the highway network;
- Access point(s) to the site for each phase of the development, including any temporary works and measures required to protect highway users and facilitate vehicular access;
- Hours of operation and number of vehicle movements;
- Proposed site hoarding/gate positions clear of appropriate visibility splays onto Radcliffe Moor Road;
- A scheme of appropriate warning/speed limit signage in the vicinity of the construction site access(es);
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site of operatives' and construction vehicles together with storage on site of construction materials;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the 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.

15. The turning facilities indicated on the approved plans (or as required to satisfy a separate condition) shall be provided before the development hereby approved is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.  
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
16. The car and cycle parking spaces indicated on the approved plans shall be surfaced/implemented and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
17. The bin storage facilities indicated on the approved plans shall be implemented to the satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use and maintained thereafter.  
Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
18. Prior to the commencement of development a detailed drainage design, broadly in accordance with the principles established in the Hydrological Assessment (July 2022) (ref. HYD633) and Preliminary Drainage Strategy (ref. HYD633.633.BET.1 Rev. A) shall be submitted to and approved in writing by the local planning authority. The detailed scheme shall include the detailed design and construction of the swale (to include the detailed design of the reed bed, wet and dry portions of the swale, as well as the flow control mechanisms to deliver the required attenuation and flows to ensure the integrity and functionality of the reed bed as well as the provision of facilities to allow the monitoring off water quality from the reed bed) as well as all other proposed drainage features on the site. The detailed design calculations shall be submitted for the approved scheme, including attenuation design to accommodate a 1 in 100 year storm event, plus a minimum allowance of 75% for climate change. The drainage scheme shall be implemented strictly in accordance with the approved details in its entirety prior to the pitches hereby approved being brought into use and shall thereafter be retained, and managed and maintained in accordance with the Management and Maintenance Scheme required by condition 7 above.  
Reason. To ensure that the detail design of the scheme has proper regard to the need to drain the site and safeguard both the fabric of the adjacent waterbodies as well as the quantity and quality of the water discharging in accordance with the following Policies of the Bury Unitary Development Plan:  
Policy EN5/1 - New Development and Flood Risk  
Policy EN7/5 - Waste Water Management  
Policy EN6/3 - Features of Ecological Value
19. Prior to the commencement of development a scheme of intrusive site drainage investigations and preliminary engineering works to investigate ground water flows

feeding Starmount reservoir and springs in the vicinity of the proposed swale, including the timing of such works, shall be submitted to and approved in writing by the local planning authority.

A report of the findings of such investigations shall be submitted to the local planning authority. Any such report should include where appropriate any additional drainage works that are necessary to safeguard the functionality of the swale and the water quality and ground water flows into the adjacent existing waterbodies. Including detailed design that demonstrates that the proposed works will safeguard the structural integrity of Starmount reservoir and the quantity and quality of the water feeding the reservoir. Any such additional works shall be approved in writing by the local planning authority and shall thereafter be implemented prior to the completion of the drainage works to which they relate.

The additional works shall be implemented in full in accordance with the approved details prior to the pitches hereby approved being brought into use and shall thereafter be retained, and managed and maintained in accordance with the Management and Maintenance Scheme required by condition 7 above.

Reason. To ensure that the detail design of the scheme has proper regard to the need to drain the site and safeguard both the fabric of the adjacent waterbodies as well as the quantity and quality of the water discharging in accordance with the following Policies of the Bury Unitary Development Plan:

Policy EN5/1 - New Development and Flood Risk

Policy EN7/5 - Waste Water Management

Policy EN6/3 - Features of Ecological Value.

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

**APPENDIX 2**

Supplementary Report to the Planning Control Committee on 30<sup>th</sup> August 2022

**BURY COUNCIL**

**DEPARTMENT FOR BUSINESS, GROWTH AND INFRASTRUCTURE**

**PLANNING SERVICES**

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**PLANNING CONTROL COMMITTEE**

**30 August 2022**

**SUPPLEMENTARY INFORMATION**

**Item:02 Land to west of Radcliffe Moor Road/Bury New Road, Radcliffe  
Application No. 67658  
Change of use of the land for use as outdoor sports pitches including  
engineering operations to form 4 pitches, the construction of a  
clubhouse, ancillary storage structures, creation of access from Radcliffe  
Moor Road, parking, landscaping, drainage and associated works.**

**Publicity**

1 letter of support has been received, which has raised the following issues:

- Strongly support the application on one condition
- The postal address is Bradley Fold, Bolton, BL2 with 01204 numbers. It is BOLTON not Radcliffe. The football club would still be geographically in Bolton. Some objectors referring to Radcliffe are not locals. Besides Bolton Borough's loss would be our gain.
- A football club will bring new much needed facilities for local kids - there are zero other sports facilities in Bradley Fold. So this is a great opportunity.
- The particular piece of land is not open to the public and the objectors have no idea of what wildlife on the site might be displaced. Currently it is unused scrubland, an eyesore, not particularly attractive at all.
- The condition - yes traffic on Radcliffe Moor Rd can be busy (at peak times, not football match times) so the club to fund a roundabout at the junction of Radcliffe Moor Road and Bury New Road to both calm the 40mph traffic down and let traffic out of Radcliffe Moor Rd.

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

- It is really frustrating to see any applications that potentially use greenfield sites - it is as if the climate changes aren't really happening? Once we have no more brownfield sites left then the council shouldn't be allowing any greenfield development before then. Time for the Council to adopt a responsible policy that protects the environment rather than developers calling the shots.
- I oppose the fact that football pitches are being created on a wildlife corridor when there are actual football pitches just down the road.
- The traffic will now be dangerous on the main road with cars turning into this facility and there will be excess noise created in a quiet area.
- What will happen to the deers that currently reside in those fields?
- Bury already have a large amount of football pitches available.
- Why are you even contemplating building on this beautiful land. The area is greenbelt and is home to an abundance of wildlife.
- Objection on grounds of loss of greenbelt to a Bolton club, whose council want to relocate them to build houses. These facilities should be relocated in Bolton and the greenbelt in Radcliffe and associated wildlife maintained.
- Object to this application on the strongest terms, especially as the plan has so far been rejected by Bolton Council. Addressing that meeting, Cllr Adele Warren said: "I understand the need for new housing but that should not be to the detriment of local residents, local sports provision or wildlife. Common sense! So why should it be considered in Bury?"
- The proposal will result in a loss of yet more greenbelt, which is here fundamentally to protect urban sprawl from merging one town to another and to encourage reuse of urban and derelict land keeping land permanently open for the health of the residents and the wildlife. Do our Council not already tell us how our use of green areas is good for our health?

- The proposal would destroy and damage wildlife and have an adverse effect on local ecology, compounded by the effects of extra road traffic together with noise and light pollution.
- No building should take place on Green Belt land.
- The proposed social club would lead to anti-social behaviour
- Firstly it is wrong that Bury Council are even considering such an application on Green Belt land when they have previously stated that they will protect the loss of such land. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.
- A local planning authority should regard the construction of new buildings as inappropriate in the greenbelt. Obviously there are exceptions for outdoor sport or outdoor recreation, but I do NOT consider this application to fit the criteria of 'Very Special Circumstances' and should NOT be considered by Bury council as a reason for building on any greenbelt in Radcliffe.
- There is no justification to make changes to this Green Belt and there is certainly no exceptional circumstances to consider. There are more than sufficient 'suitable' locations, even brown field sites within Bolton to accommodate the future needs of Wyresdale football club, BOLTON.
- Even the coal authority have stated that they have concerns regarding the land in this area and building on it because of unmapped areas which are considered unsafe of there are pollution concerns which have been expressed by representatives of the wildlife organisation.
- Drainage into the adjacent lodges, this would have a massive impact on the wild life and surrounding properties.
- Only yesterday, 24th August 2022, an accident happened at the top of Radcliffe Moor Road, where a vehicle who's driver was trying to avoid a speeding car, caught the kerb and the car overturned, the driver plus car ending up in the very fields which they want to turn into a football pitch!
- The masonic hall holds approximately 300 Masonic Meetings each year and there are serious concerns at the high extra congestion that will be caused in and around the entrance if this application is approved.
- There are also concerns that cars from the football could be parked on Radcliffe Moor Road restricting vision when leaving the Hall and that cars from the football could park on the Hall Car Park if the gates were open for a Meeting or function.
- Again this is absolutely disgusting - more houses built purely out of greed. The constant destruction of our local outdoor space is becoming unbearable. You wouldn't have to start having clean air zones if you didn't keep allowing more and more houses to be built. No No NO!

### **Response to objectors**

- The proposed development involves the provision of grass football pitches and associated changing facilities in a clubhouse, which is an appropriate development in the Green Belt. As such, the applicant does not have to demonstrate a case for very special circumstances.
- The issues relating to noise, ecology and traffic have been addressed in the main report.
- It is not possible to refuse consent because the existing facilities are being redeveloped in another borough.
- It is unusual to develop grass football pitches on brownfield sites.
- For the avoidance of any doubt, the application is for the creation of football pitches and a clubhouse and not for housing or a social club.



- The Coal Authority has no objections to the proposal, subject to an informative relating to coal mining.

### **Issues**

**Principle - Green Belt** - Paragraph 138 of the NPPF states that the Green Belt serves five purposes:

- h. to check the unrestricted sprawl of large built-up areas;
- i. to prevent neighbouring towns merging into one another;
- j. to assist in safeguarding the countryside from encroachment;
- k. to preserve the setting and special character of historic towns; and
- l. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The proposed development would provide grassed football pitches, a clubhouse with changing facilities and showers and parking. The majority of the application site would remain open and grassed and as such, would still fulfill the purpose of a - c in paragraph 138. The site is not located near a historic town and is greenfield and as such, purposes d and e are not relevant. Therefore, the proposed development would comply with the purposes of the Green Belt and would be appropriate development. The proposal would be in accordance with Policy OL1/2 of the Bury Unitary Development Plan and the NPPF.

**Pre-start conditions** - The agent has agreed with pre-start conditions.

### **Conditions**

Conditions 7 and 12 have been amended and conditions 18 and 19 have been added in relation to drainage, groundwater supply and quality.

7. Before the drainage system associated with the club house, playing pitches and car park is brought into use, a Management and Maintenance Scheme for the playing pitches and other facilities hereby approved including management and maintenance responsibilities, a maintenance schedule, a monitoring regime (after first establishing a baseline for quantity and quality) including the monitoring of water quantity and quantity discharged from the proposed reed bed, and a mechanism for review, shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include details of any fertiliser to be used on the site, including its type, chemical composition, method and density of application, as well as the timing of application.

The Management and Maintenance of the site including the playing surfaces, swale and reed bed shall thereafter be strictly in accordance with the approved scheme.

No fertiliser, pesticides, conditioning agents, or other chemicals shall be used on the site other than that expressly identified in the Maintenance and Management Scheme.

Should the monitoring and maintenance regime not be followed then use of the facility (pitches, clubhouse and car park) must cease immediately until the breach is investigated and rectified. No fertiliser, pesticides, conditioning agents, or other chemicals shall be applied until the swale and reed bed are established and functioning as intended.

Reason. To ensure that a new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and to accord with paragraph 99 of the NPPF whilst preventing any adverse effect on quality or quantity of water entering the adjacent water bodies due to surface water contaminated with nutrient or other contaminants

or disruption of aquifers which would otherwise have an adverse effect on water quantity or quality and consequently biodiversity.

12. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The contents of the landscaping scheme should include wildflower grassland, hawthorn hedges, native tree and shrub planting and the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the clubhouse is first occupied or within the first available tree planting season; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

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

18. Prior to the commencement of development a detailed drainage design, broadly in accordance with the principles established in the Hydrological Assessment (July 2022) (ref. HYD633) and Preliminary Drainage Strategy (ref. HYD633.633.BET.1 Rev. A) shall be submitted to and approved in writing by the local planning authority. The detailed scheme shall include the detailed design and construction of the swale (to include the detailed design of the reed bed, wet and dry portions of the swale, as well as the flow control mechanisms to deliver the required attenuation and flows to ensure the integrity and functionality of the reed bed as well as the provision of facilities to allow the monitoring of water quality from the reed bed) as well as all other proposed drainage features on the site. The detailed design calculations shall be submitted for the approved scheme, including attenuation design to accommodate a 1 in 100 year storm event, plus a minimum allowance of 75% for climate change. The drainage scheme shall be implemented strictly in accordance with the approved details in its entirety prior to the pitches hereby approved being brought into use and shall thereafter be retained, and managed and maintained in accordance with the Management and Maintenance Scheme required by condition 7 above.

Reason. To ensure that the detail design of the scheme has proper regard to the need to drain the site and safeguard both the fabric of the adjacent waterbodies as well as the quantity and quality of the water discharging in accordance with the following Policies of the Bury Unitary Development Plan:

Policy EN5/1 - New Development and Flood Risk

Policy EN7/5 - Waste Water Management

Policy EN6/3 - Features of Ecological Value

19. Prior to the commencement of development a scheme of intrusive site drainage investigations and preliminary engineering works to investigate ground water flows feeding Starmount reservoir and springs in the vicinity of the proposed swale, including the timing of such works, shall be submitted to and approved in writing by the local planning authority.

A report of the findings of such investigations shall be submitted to the local planning authority. Any such report should include where appropriate any additional drainage works that are necessary to safeguard the functionality of the swale and the water quality and ground water flows into the adjacent existing waterbodies. Including detailed design that demonstrates that the proposed works will safeguard the structural integrity of Starmount reservoir and the quantity and quality of the water

feeding the reservoir. Any such additional works shall be approved in writing by the local planning authority and shall thereafter be implemented prior to the completion of the drainage works to which they relate. The additional works shall be implemented in full in accordance with the approved details prior to the pitches hereby approved being brought into use and shall thereafter be retained, and managed and maintained in accordance with the Management and Maintenance Scheme required by condition 7 above.

Reason. To ensure that the detail design of the scheme has proper regard to the need to drain the site and safeguard both the fabric of the adjacent waterbodies as well as the quantity and quality of the water discharging in accordance with the following Policies of the Bury Unitary Development Plan:

Policy EN5/1 - New Development and Flood Risk

Policy EN7/5 - Waste Water Management

Policy EN6/3 - Features of Ecological Value.