

DELEGATED REPORT

Report by Helen Pressley	Date of report: 14/11/2025	Ref: 72438/FUL
Registration: 07/10/2025	LDFC: 14/11/2025	Expiry Date: 02/12/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Variation of condition no. 2 on planning permission 70502 (Installation of a generator compound containing 2 no. generators and 2 no. fuel tanks with surrounding fence): Best Available Techniques (BAT) guidelines are no longer applicable, the generators should now be assessed against the Medium Combustion Plant Directive (MCPD)

Location: Fairfield General Hospital, Rochdale Old Road, Bury, BL9 7TD

Description

The application relates to Fairfield General Hospital, Rochdale Road. The hospital site is bounded by largely residential properties, with the River Roch and Broad Oak Wood to the South and Rochdale Road to the South. The site is accessed from Rochdale Old Road, via Rough Hill Lane which is the main access to the site, and that leads to Jericho Road that enables access to the wider site.

The planning permission has been granted in relation to an area of land within the car park to the south west of the main building. The area of land was utilised as an area of soft landscaping rather than parking spaces. Permission was granted for the installation of 2no. generators (12.19m x 2.43m x 3.79m) and 2 no. fuel tanks (4.48m x 3.8m x 2.75m) located within a compound the boundary of which will be depicted by mesh fencing ranging in height from 2.89m to 3m

This application seeks to vary condition no. 2 on planning permission 70502 as Best Available Techniques (BAT) guidelines are no longer applicable. Condition 2 states.

Notwithstanding the details included within the approved drawings the installed generators shall not exceed the EA Best Available Technique (BAT) guidelines for standby generators (2000mg/Nm³). A scheme for the construction of exhaust stacks above the generators shall also be submitted to, and approved in writing by the Local Planning Authority within 6 months of the date of the decision.

Reason. *In order to improve the dispersion of emissions and reduce the overall impacts and concentrations at receptor locations pursuant to Places for Everyone Joint Development Plan Policy JP-S5 - Clean Air.*

The applicant seeks to vary the wording to:

Notwithstanding the details included within the approved drawings, The installed generators shall only be used for testing purposes for no more than 50 hours per year and in situations where the primary power supply to the hospital has failed. The generator shall comply with the emission limits set out in the Medium Combustion Plant Directive (MCPD).

Reason. *In order to improve the dispersion of emissions and reduce the overall impacts and concentrations at receptor locations pursuant to Places for Everyone Joint Development Plan Policy JP-S5 - Clean Air.*

Relevant Planning History

44321 - Demolition of existing nursery and erection of prefabricated modular building to

form nursery - Approve with Conditions 19/05/2005

46815 - Construction of external fenced compound and installation of stand-by generator with 24 hour fuel tank - Approve with Conditions 27/09/2006

51546 - Erection of smoke particulate emissions control filtration unit for the coal fire energy plant - Approve with Conditions 04/09/2009

54442 - Two single storey extensions at ground floor level; internal remodelling to the existing Accident and Emergency Department. - Approve with Conditions 25/10/2011

62511 - Construction of a car park and associated access, footpaths, boundary treatments, lighting columns and landscaping. - Approve with Conditions 06/06/2018

65385 - Link bridge at first floor level to connect Wards 24 and 25 to the main hospital street corridor - Approve with Conditions 30/06/2020

65466 - Extension at level 03 built on the existing flat roof to the South. - Approve with Conditions 24/06/2020

66197 - Installation of a VIE Compound containing a liquid oxygen vessel and two ambient vaporisers in order to supply medical oxygen to the hospital, perimeter security fencing and works to site and access - Approve with Conditions 12/02/2021

66815 - Erection of a facility for cold water booster tanks containing 2no. 125m³ water tanks, booster units and associated external works. - Approve with Conditions 21/09/2021

69513 - Erection of a new single storey ED modular unit extension - Approve with Conditions 07/12/2023

69880 - Prior approval for proposed demolition of existing two storey residential accommodation blocks, nos. 54, 55, 56 and 57 - Prior Approval Required and Granted 04/08/2023

70502 - Installation of a generator compound containing 2 no. generators and 2 no. fuel tanks with surrounding fence - Approve with Conditions 20/05/2024

70779 - Variation of condition no. 2 (approved plans) following approval of planning permission 66815: Replace 'Site Location Plan' and 'Design and Access Statement' to amend the proposed replacement tree planting locations - Approve with Conditions 11/07/2024

70979 - Installation of temporary car park - Approve with Conditions 27/09/2024

71654 - Variation of condition no. 2 following approval of planning permission 70979 - Amendment to car park surface material - Approve with Conditions 09/04/2025

71698 - Alterations to existing building to accommodate 2 no. internal generators and 2 no. fuel tanks with surrounding fence, including new exhaust flues 1m above roof height - Approve with Conditions 16/05/2025

71966 - Non-material amendment following grant of planning permission 66815 to replace decorative trees with wildflower meadow; 2no. Armco barriers; new flat paving to main entrance; Steps with brick wall coping and balustrade above and revised curblines - Approve 17/06/2025

72319 - Variation of condition 2 (approved Plans) on planning permission 71698 - to include alterations to the fuel tank enclosure (1100mm above tank height), increase of 600mm of brick wall adjacent to fuel tanks, new and amended access points (including doors, gate,

bridge, and dormer fire escape), relocation of hatch and ladder, and associated changes to walls and elevations - Approve with Conditions

Publicity

Letter sent to neighbouring properties 23/10/2025

No representations received.

Statutory/Non-Statutory Consultations

Environmental Health - Pollution Control - No comment from EH

Pre-start Conditions - Not relevant

Development Plan and Policies

CF1	Proposals for New and Improved Community Facilities
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
JP-P6	Health
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-S2	Carbon and Energy
JP-S5	Clean Air
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.

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, it is 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 material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Carbon, Energy and Air Quality

Policy JP-S2 sets out the steps required to achieve net zero carbon emissions. Policy JP-S5 supports improvement in air quality.

The applicant states that the Best Available Techniques (BAT) guidelines are no longer applicable and that proposed generators should now be assessed against the Medium Combustion Plant Directive (MCPD).

The Environment Agency (EA) guidelines on BAT from back-up generators are on the basis of sites regulated under the IED, which the applicant confirms is not the case at Fairfield Hospital.

The submitted Emissions Impact Assessment Report confirms that as the proposed plant falls under the MCPD. A Medium Combustion Plant (MCP) Permit would therefore need to be applied for in due course, as the operation of the plant will be regulated by the EA. The EA will place appropriate operational conditions for the plant upon permit granting.

The Emissions Impact Assessment considers that it is not appropriate to require the facility to operate in line with the ELVs and techniques prescribed for a much larger combustion plant, taking into consideration the capacity of the standby generators, their proposed operation and the need for the plant. Given the above, and the permit requirements of the EA no objections are raised to varying condition 2.

Other Matters

The proposed amendments to the regulations set out within the condition would not amend the overall layout, access or principle of development. As such the assessments made under application 70502 in relation to layout and design, amenity and access and parking stand.

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 and Reasons:

- 1 This decision relates to drawings numbered 040099 P02, 040100 P02, 040101 P02, 040110 P03, 040111 P03, 041111 P03, 041112 P01 and supporting documents: Planning Statement including Non-designated Heritage Asset Statement Emissions Impact Assessment Report V2 30th September 2025 and the development shall not be carried out except in accordance with the drawings hereby approved.

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

- 2 Notwithstanding the details included within the approved drawings, The installed generators shall only be used for testing purposes for no more than 50 hours per year and in situations where the primary power supply to the hospital has failed. The generator shall comply with the emission limits set out in the Medium Combustion Plant Directive (MCPD).

Reason. In order to improve the dispersion of emissions and reduce the overall impacts and concentrations at receptor locations pursuant to Places for Everyone Joint Development Plan Policy JP-S5 - Clean Air.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 14/11/2025			