

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 20/11/2025	Ref: 72417/FUL
Registration: 26/09/2025	LDfC: 10/11/2025	Expiry Date: 21/11/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIDW

Proposal: Removal of condition 17 (sprinkler/misting system) from planning permission 68505 (Demolition works and redevelopment for 4no. new dwellings (3 new build, 1 barn conversion) with car ports and two storey extension at side of existing farmhouse; associated landscaping; access works): sprinkler system is not required

Location: Hollymount Farm, Hollymount Lane, Tottington, Bury, BL8 4HP

Description

The site is located at the lower end of a single lane track which continues past the site and leads to a residential hamlet, primary school and golf club. Claremont Lodge is the nearest residential property to the north. The site is otherwise bounded by open fields and farmland. The site is located on land designated as Green Belt, Landscape Character Area, West Pennine Moors, River Valley and Wildlife Corridor.

The site formally comprised a dwelling, mobile home, barns, outbuildings and agricultural buildings and storage areas with access from Hollymount Lane.

An application for demolition works, removal of the mobile home, all temporary structures and agricultural buildings and the redevelopment of the site for 5 no. dwellings on the site, removal of hardstanding and returning land to Green Belt, SuDS pond and landscaping was approved in December 2022.

The application comprised an extension to the farmhouse, barn conversion and extension and 3 new detached dwellings.

The existing access from Hollymount Lane would be utilised with two passing places formed on the approach to the site.

Following consultation of the Greater Manchester Fire and Rescue Service, given the deficient access to the site and that there was no secondary access, it was recommended that domestic sprinklers be installed to each of the dwellings. A condition (condition 17) was therefore included as follows -

Prior to first occupation of the development hereby approved, a sprinkler/misting system to meet the requirements of BS 9251:2014 or other subsequent standard that meets the requirements of Greater Manchester Fire and Rescue Service and deemed suitable to overcome the site's emergency access deficiencies, shall be installed in the dwelling hereby approved and shall thereafter be maintained at all times.

An application to remove this condition was submitted and withdrawn August 2025 (ref 72045).

This application is a resubmission to remove 17 on planning application 68505 for the installation of sprinklers.

Relevant Planning History

53930 - Lawful Development Certificate for existing use of site for siting of a mobile home in breach of condition no. 3 of planning permission 28271/93 - Lawful Development 17/06/2011

54962 - Demolition of 4 barn buildings & conversion of redundant agricultural buildings to form 3 dwellings, including reconstruction of external walls & raising of roof (Resubmission of 54376) - Refused 5/06/2012

60437 - Conversion of farm building into 4 no. residential units; Demolition of the other farm buildings and replacement of mobile home with permanent dwelling - Approve with Conditions 28/09/2016

68505 - Demolition works and redevelopment for 4 no. new dwellings (3 new build, 1 barn conversion) with car ports and two storey extension at side of existing farmhouse; associated landscaping; access works. - Approve with Conditions 14/12/2022

71877 - Raising of height of ridge of roof and installation of 2 no roof lights at rear to form loft conversion; two storey extension at side; new access door / stairs and first floor window to side elevation; bin store at side; erection of front boundary wall - Approve with Conditions 04/07/2025

72045 - Removal of condition no. 17 (a sprinkler/misting system) from planning permission 68505 (Demolition works and redevelopment for 4no. new dwellings (3 new build, 1 barn conversion) with car ports and two storey extension at side of existing farmhouse; associated landscaping; access works)

Independent Fire Consultant Comments submitted - Withdrawn by Applicant 22/08/2025

Publicity

Letters sent to 91 properties on 17/10/25

No responses received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection

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

- Meets the fire service requirements subject to compliance with BR B5 functional requirements.

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
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
OL1/4	Conversion and Re-use of Buildings in the Green Belt
OL5/2	Development in River Valleys
OL7/2	West Pennine Moors
HT2/4	Car Parking and New Development
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD 9	Conversion and Re-use of Buildings in the Green Belt
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-G1	Landscape Character
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt

JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment

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.

Assessment

Greater Manchester Fire and Rescue Service were consulted on the original application for the redevelopment of the site and responded that the development would not meet the access requirements for the fire and rescue service. There is only one access road into the site, effectively creating a cul-de-sac of approximately 280m. This is more than the recommended maximum cul-de-sac length of 250m. Any obstruction along the single access road could severely impact, or prevent Greater Manchester Fire and Rescue Service (GMFRS) appliances from accessing the site within reasonable timescales, increase attendance time and pose a risk to public life.

GMFRS therefore recommended the installation of domestic sprinklers which was included as condition 17 on the decision notice.

In August 2025, the applicant applied to remove condition 17.

The applicant had provided a report written by an independent fire consultant in whose opinion, and with reference to Building Regulations and specifically B5: Access and facilities for the fire service, there would be no deficiencies in the emergency access arrangements and therefore sprinklers/misting systems did not need to be installed in the new dwellings.

The applicant was asked to provide the Fire Statement submitted for their Building Regulations to substantiate this, but in an email from the Building Control Officer (BCO) for the development, it was stated that they did not believe sprinklers were proposed *due to any issues with means of escape, as it appears we have a protected escape route for the 3 storey dwellings and escape windows to habitable rooms in the 2 storey dwellings.*

The BCO did not consult the fire service as there did not appear to be any issues from an access point of view based on the plans provided and that there would be no issues with the omission of sprinklers as long as part B1-B5 of the Building Regs were met.

Building Regulations Part B1-B5 refer to the following -

B1 - Means of warning and escape

B2 - Internal fire spread (linings)

B3 - Internal fire spread (structure)

B4 - External fire spread

B5 - Access and facilities for the fire service.

B5: Access and Facilities for the Fire Service outlines the provisions that need to be made to allow fire and rescue services to safely and effectively access and operate within the building during a fire. This includes clear access routes, adequate water supplies, and sufficient space for firefighters to manoeuvre and fight the fire.

Approved document B (2019 edition incorporating 2020, 2022 and 2025 amendments and forthcoming 2026 and 2029 changes - for use in England) under the Requirement B5: access and facilities for the fire service, states that in the Secretary of state's view, requirement B5 is met if the development meets certain criteria which includes external access enabling fire appliances to be used near the building.

Although consulted on this application the Fire Service did not respond.

The applicant withdrew the application as they had failed to demonstrate mitigation measures required to overcome the site's emergency access deficiencies were considered unnecessary as it was not proven the development would meet Building Regs B5 requirements.

Resubmission

In this resubmission, the applicant has similarly submitted a report from an independent specialist fire consultant.

The site has also been visited by the Fire Safety Manager Technical Support Officer from GMF&RS. The GMF&RS Officer measured and determined the length of the single access road as approximately 240m and noted that there was a fire hydrant within 165m of the development.

The Fire Service have been consulted on this application and responded on 17/10/25. Their response letter and report is subdivided into the following sections:

- Access for fire and rescue service (B5)
- Provision of water supplies (B5)
- Recommendations for an automatic water suppression system
- Other considerations

In their response letter, the Fire Service concluded that -

This proposal does meet the requirements for Access for the fire and rescue service.
This proposal does meet the requirements for the Provision of water supplies.

The response letter also stated that should the proposal require statutory Building Regulations approval at a later stage and the comments relating to B5 functional requirements have not been acted on, this may result in a formal non-compliance response by the Fire Service at the Building Regulations stage. The Fire Service clarified this response in an email to the LPA on 17/11/25.

As the Fire Service have clarified their position and can accept the development would meet the requirements for access and provision of water supplies, the LPA can be satisfied that the access and fire safety arrangements for the development are acceptable and condition 17 can be removed.

However, it is the applicant's responsibility to ensure that the development would comply with Building Regulations in relation to B5 requirements. Should the development not meet B5 requirements, the development would not satisfy Building Regulations or the Fire Service.

This would be stated in an informative to the applicant.

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 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 -

Job No. 108 - dgs numbered:
01 Location plan rev F
L04 Constraints plan rev E
L14 Proposed site plan rev A
L15 Proposed access plan rev A
L 16 Proposed site areas rev A
L 17 Proposed site plan
L18 Proposed level details

P02 Proposed barn conversion plans rev C
P03 Proposed farmhouse extension rev C
P08 New Byre plans (Type 4) rev A
P09 New farmhouse plans (Type 3)

E03 Barn conversion elevation 1 of 2 rev A
E04 barn conversion elevation 2 of 2 rev A
E05 Farmhouse extension elevation 1 of 2 rev A
E06 Farmhouse extension elevation 2 of 2 rev A

E17 New Byre (Type 4) elevations 1 of 2 rev A
E18 New Byre (Type 4) elevation 2 of 2 rev A
E19 New Byre (Type 4) section rev A
E20 New car port type 1 and 4 rev B
E21 New farmhouse (Type 3) elevations 1 of 2
E22 New farmhouse (Type 3) elevations 2 of 2

Preliminary Bat Roost Assessment by Ecologysolutions
Sustainable Drainage Strategy FRA22 1030 dated April 2022
Preliminary Risk Assessment

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 The development hereby approved shall be carried out in accordance with the details submitted for condition 3 of 68505.
Reason. 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.
- 4 Following the provisions of Condition 3 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.
- 5 The development shall be carried out in accordance with the drainage details and scheme submitted for condition 5 for planning ref 68505 and and fulfill any remaining requirements of the condition.
Reason. To promote sustainable development and reduce flood risk pursuant to

Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 6 The recommendations contained in the Preliminary Bat Roost Assessment at Holly Mount Farm Ecology Solutions, Appendix 1 Section 5 shall be carried out in full.
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 Section 11 of the National Planning Policy Framework.
- 7 No building works including demolition shall 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.
- 8 The development hereby approved shall be carried out in accordance with the details submit for the discharge of condition 8 of planning ref 68505.
Each new dwelling should also provide bat/bird boxes, bricks or slates within the build and shall thereafter be maintained.
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.
- 9 The replacement hedgerow to the two new passing places hereby approved shall be implemented (in accordance with the details for native hedge planting contained within the landscaping condition 8) following the completion of the passing places and in any event, prior to the first occupation of the new dwellings hereby approved. The hedgerows shall be of a native species, of a similar height and density and shall thereafter be maintained.
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.
- 10 The development hereby approved shall be carried out in accordance with the details submitted for condition 10 of planning ref 68505 and fulfill any remaining requirements of the condition.
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.
- 11 The vehicular and pedestrian access arrangements, provision of the passing places on Holly Mount Lane/Public Footpath No. 26, Tottington (incorporating signage in accordance with Traffic Signs Regulations and General Directions 2016), turning

facilities and bin storage/collection arrangements for the new dwellings within the curtilage of the site indicated on the approved plans shall be provided before the development is first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason. In the interests of highway safety and to minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

- 12 The visibility splays indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use and subsequently 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 pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

- 13 The car parking for the new dwellings indicated on the approved plans, shall be surfaced and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained at all times.

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

- 14 The development hereby approved shall be carried out in accordance with the updated Materials Schedule 108 Version 6 and the remaining requirements of the condition.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design and H2/1 - The Form of New Residential Development.

- 15 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 and Class A of Part 2 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

- 16 The mobile home shall be removed from site prior to the first occupation of new dwelling Type 4 hereby approved.

Reason. In the interests of visual amenity and to protect the openness of the Green Belt pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual Amenity and OL1/2 - New Buildings in the Green Belt and chapter 13 - Protecting Green Belt land of the NPPF.

<u>Case Officer</u> JT 20/11/25	<u>Date</u>	<u>Sign off Officer</u> DM - 20/11/2025	<u>Date</u>
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