

DELEGATED REPORT

Report by Claire Booth	Date of report: 17/03/2026	Ref: 72520/FUL
Registration: 17/11/2025	LDfC: 09/12/2025	Expiry Date: 12/01/2026
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIOT

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

Location: Unit 1, Jubilee Works, Vale Street, Radcliffe, Bolton, BL2 6QF

Description

The application relates to a dual-pitch roofed building located to the north of the main collection of buildings at the Jubilee Works site Jubilee Works is located off Vale Street, Radcliffe. Vale Street is accessed from Bury New Road and is an allocated Public Right of Way (PROW).

The access road/ PROW are located to the east of the application site. To the east of the PROW is a fishing lake, 'Amitage Vale' and further east is a reservoir.

Blackshaw Brook is located to the west of the application site. Blackshaw Brook is allocated within the Development Plan as a Wildlife Link and Corridor.

Planning permission is sought for the installation of freestanding external biomass boiler to provide heating & hot water to existing building. The Biomass Boiler seeks to be sited on the west facing elevation of the building. The Biomass Boiler would be approximately 1.9m wide x 1.4m deep x 2.2m high. A metal flue would project approximately 0.47m off the west facing side of the boiler. The flue would extend 4m upwards and would project approximately 1m above eaves level.

The proposed biomass boiler is located on existing developed ground with access along an existing private road.

Relevant Planning History

71124 - Change of use to dog day care centre (Sui Generis) - Approved with Conditions, 03/02/2025.

Publicity

The application has been advertised by Site Notice, dated 17 February 2025. No representations have been received.

Statutory/Non-Statutory Consultations

Environmental Health - Contaminated Land - No objections, subject to a condition ensuring suitable fuel for a clean air zone is burnt.

Environmental Health - Pollution Control - No comments or observations received

Traffic Section United Utilities (Water and waste) - No objections.

Greater Manchester Ecology Unit - No objections.

Pre-start Conditions - Not applicable.

Development Plan and Policies

EC4/1	Small Businesses
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN6/4	Wildlife Links and Corridors
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
JP-C2	Digital Connectivity
JP-C8	Transport Requirements of New Development
JP-S2	Carbon and Energy
JP-S5	Clean Air
JP-C6	Walking and Cycling
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide

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.

Principle of Development

The proposed unit is located within an industrial and commercial setting but is not within an allocated Employment Generating Area under the Bury UDP allocations.

The proposal is to support an existing industrial use operating within the existing industrial building. It is therefore considered that the proposed development would be an acceptable addition within this industrial and commercial setting and would not conflict with the character of the surrounding area. Therefore, the proposed development would comply with UDP Policy EC2/2: Employment Land and Premises Outside the Employment Generating Areas which seeks to retain such areas within the borough.

Design, Layout and Visual Amenity

UDP Policies EC4/1 and EC6/1 both consider factors including computability within the surrounding area, scale, access and parking problems, boundary treatment, effect on neighbouring properties, and safety of employees and visitors. UDP Policy EN1/2 seeks to secure satisfactorily designed development that has an acceptable impact on visual amenity and residential amenity.

The proposed location of the Biomass Boiler would be sited between the side elevation of the building and the trees bordering the western boundary of the site and as such, would not be visible in the wider area.

A PROW runs along the eastern boundary of the site which allows views of the application building and proposed biomass boiler and flue. In the interests of visual amenity, the proposed flue and biomass boiler should be painted in a dark colour to blend the development into the surroundings, in the interests of visual amenity. A planning condition is therefore recommended to ensure the development is painted a dark colour, or is painted black.

Therefore, the proposed development would not be unduly prominent in the locality and would be in accordance with UDP Policies EC4/1, EC6/1 and EN1/2.

Air Quality

The borough of Bury is covered by a Smoke Control Order, which makes it an offence for smoke to be emitted from chimneys and for all wood burning stoves and boilers to comply with the requirements of the Order. PfE Policy JP-S5: Clean Air seeks all development to contribute to clean air.

To demonstrate compliance with PfE Policy JP-S5, during the course of the application, the applicant has provided details of the Biomass Boiler proposed and has been deemed acceptable by the Council's Environment Section team, provided DEFRA approved wood is burned within it. They have recommended a planning condition to secure this. Therefore, the proposed development would not have a significant adverse impact upon air quality and would be in accordance with Policy JP-S5 of the Places for Everyone Joint Development

Plan.

Carbon and Energy

The application site forms the northern edge of an established commercial/industrial estate. The site comprises a hardcore yard/car park with office and a free standing detached lightweight demountable building currently under construction.

The proposed biomass boiler is sought to provide local space heating for the workshop area used for the manufacture of timber framed canvas covered Tipis, during winter months. It is to replace electric fan heaters currently used to heat the offices and staff welfare units providing a warm dry environment for employees.

In addition to heating, the proposed boiler would also provide hot water to the office and welfare units in accordance with workplace H&S Regulations.

The boiler is to be fuelled using virgin only wood made up from the off cuts of the poles used to construct the tipis, which are already be dried to the correct moisture content. This supply of timber is the remains of what is used by the business, which otherwise would have to be removed from site as waste material. Provided the fuel to be burned complies with the requirements of DEFRA, the proposal is acceptable and would accord with the requirements of PfE Policy JP-S5.

The style of boiler has been chosen due to its economical operation and highly energy efficient output with a high combustion efficiency resulting in a virtually smokeless operation. The Environment Section has recommended a planning condition to secure this.

There would be no increase in the number of vehicles visiting the site, and an actual reduction in vehicle movements due to eliminating removal of all waste timber off site, resulting in a net carbon reduction. Additionally there will be a further reduction in carbon emissions through the replacement of existing electric fan heaters and water heaters for staff welfare of an existing business providing secure ongoing employment, resulting in a viable and sustainable scheme.

Based on all of the above, the proposal accords with the requirements of PfE Policy JP-S2.

Biodiversity

The proposed biomass boiler is to be located on developed ground with access along an existing private road. Whilst the Jubilee Works borders the banks of Blackshaw Brook, GM Ecology Unit has no records of any protected species near to this site and have therefore concluded that no further information or measures are required for this proposal.

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

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

The development will not result in the loss of any vegetated habitats and is very unlikely to have any negative effects on wildlife. Whilst located within 20m of a watercourse, based on the scale of the development, GM Ecology Unit is satisfied that it is very unlikely to have any negative effects.

With regards to biodiversity net gain, the only issue given no vegetation is present on site, is the proximity to a watercourse as it appears to be located within 10m of the bank top. However, there will be no change in the overall value of habitats within 10m of bank top, which are already developed and in any event the size of the boiler is under 5m in length, the de minimis value for impacts on a watercourse. GM Ecology Unit is satisfied that the development is exempt from 10% biodiversity net gain.

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 permission relates to the following plans:

Drawing no. 01: Location Plan,
Drawing no. 02: Site Plan, and
Drawing no. 03: Building Plan, except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development pursuant to the policies of the Bury Unitary Development Plan, Greater Manchester Places for Everyone Joint Development Plan and National Planning Policy Framework.
- 3 The Biomass Boiler and Flue shall be painted black or other dark colour.

Reason. In the interests of securing well-designed development and visual amenity in accordance with Policies EC4/1: Small Businesses, EC6/1: Assessing New Businesses, Industrial and Commercial Development and EN1/2: Townscape and Built Design of the Bury Unitary Development Plan and the National Planning Policy Framework.
- 4 The development shall be implemented and operated in full accordance with the following:
 - Only fuels that are authorised by Defra for use in smoke control areas shall be used.
 - The Biomass Boiler should be operated in accordance with the Operator Manual.
Reason. To safeguard amenity, public health and quality of life with respect to Local Air Quality, in accordance with Policy JP-S5 (Clean Air) of the Greater Manchester Places for Everyone Joint Development Plan and paragraphs 187e and 199 of the National Planning Policy Framework (December 2024).

DELEGATED REPORT

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB - 17/03/2026		HL - 17/03/2026	