

DELEGATED REPORT

Report by Claire Booth	Date of report: 13/07/2026	Ref: 72934/FUL
Registration: 17/03/2026	LDFC: 27/04/2026	Expiry Date: 12/05/2026
Site Visit: 01/04/2026	Site Notice: 01/04/2026	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Erection of timber pergola/seating area on existing external terrace with festoon lighting on timber posts

Location: Queens Hotel, Bradley Lane, Radcliffe, Bolton, BL2 6RA

Description

The application relates to the Queens Hotel Public House (P.H) on Bradley Lane, Radcliffe and its associated outdoor terrace area located to the rear of the P.H.

The PH faces the lane, a Public Right of Way (Footpath 23CC) to Bradley Fold Cottages that runs between the boundary of the application site and the rear boundaries of dwellings on Boundary Drive and Browns Road. The side elevation of the public house abuts Bradley Lane. The P.H has a chamfered corner that wraps the pub around the corner of the lane in front of the pub and Bradley Lane

The frontage of the P.H facing onto the lane, a PROW, and faces southwards. On the western side of the P.H exists a car park and pub garden area which run along the boundary of a row of terraces properties 84 - 98/ 98A (even) Bradley Lane. A couple of traditional single storey brick outbuildings also exist in this area which run along the southern boundary of the application site which abuts the lane leading to both Bradley Fold Cottages and the boundary of Fold Mill.

To the northern elevation/ rear of the building is a raised terraced external seating area for the pub. Adjacent to this, is the side elevation and conservatory of a detached dwelling, no. 100 Bradley Lane, that borders the site.

The application site is on land allocated as Employment Land within the adopted Development Plan.

Planning permission is sought for the construction of a timber pergola covering approximately 50% of the existing raised terrace area. This includes the installation of 2.0m high sound insulated timber screens to three sides of the pergola and for the pergola to be covered with a clear polycarbonate roof set between timber joists. Planning permission is also sought to install festoon lighting supported on 2.5m high timber posts within the open (uncovered) section of the terrace and for the installation of a television fixed internally to one of the timber screens. It should be noted that the installation of a TV screen is not development and therefore this assessment will assess only the proposed Pergola and the proposed festoon lighting.

Relevant Planning History

47796 - Proposed covered area to rear - Approved with Conditions, 04/05/2007

26737 - Single storey toilet and food preparation area at rear - Approved with Conditions, 23/01/1992

Publicity

The application has been advertised by Site Notice erected to front of P.H and on the timber canopy at the rear of the property - 01/04/2026

One representation has been received from an adjoining neighbour who raises no objections to the proposed development.

Statutory/Non-Statutory Consultations

Traffic Section - No objections, provided the plan showing the storage of construction materials within the curtilage of the site being secured by planning condition.

Environmental Health - Pollution Control - No comments or observations received.

Licensing Department - No comments or observations received.

Greater Manchester Police - design for security - No objections, but recommends the CCTV is extended to cover the outside seating area.

Pre-start Conditions - Whilst the Local Highway Authority recommended a pre-start/commencement condition, the applicant has provided a plan illustrating where the limited construction materials for the Proposed Pergola would be stored, which is to be within the existing outbuildings within the site. This therefore negates the need to impose a pre-start condition.

Development Plan and Policies

EC2/1	Employment Generating Areas
EC4/1	Small Businesses
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
JP-S1	Sustainable Development
JP-S3	Heat and Energy Networks
JP-C8	Transport Requirements of New Development
JP-J1	Supporting Long-Term Economic Growth
JP-J2	Employment Sites and Premises
JP-P4	New Retail and Leisure Uses in Town Centres
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.

Principle of Development

The application site is within an allocated Employment Area (Bradley Fold). UDP Policy EC2/1 supports uses falling within the former B1 use class, which are now within Use Class E(g) use, and B2(General Industrial) and B8 (Storage and Distribution/ Warehousing) uses. Whilst the Public House, being a Sui-Generis does not fall within any of the use classes within UDP Policy EC2/1, as the P.H is within the Employment Area, the proposal is for a development associated with the existing Public House use occupying the application site and therefore is acceptable in principle.

Moreover, UDP Policy EC4/1- Small Businesses supports proposals for small businesses where the scale of development is appropriate to, and the use is environmentally compatible with , the surrounding area in which it is to be located, and where they do not conflict with other policies and proposals of the Plan. The following report will thus consider whether the proposal accords with this policy and those in the adopted Development Plan and National Planning Policy Framework (NPPF).

Impact on nearby businesses

The car park and wider land area of the P.H shares part of its rear boundary with Folds Mill, a mill which occupies a large intake of land within the Bradley Fold Employment Land allocation.

As the proposal would have minimal impact on the working operations of Folds Mill, the proposal accords with the requirements of NPPF, para. 200 which states, amongst other things, that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.

Impact on nearby residential occupiers

The nearest residential properties are:

- i) No 100 Bradley Lane – 2 storey detached residential property to the north of the Pub being east of the raised seating area. The property is about 4 metres from the external seating area.
- ii) Nos 98-84 Bradley Lane – 2 storey terraced residential properties to the north of the Pub. The properties are about 10 metres from the external seating area.
- iii) No 2-12 Boundary Drive – 2 storey residential properties to the south side of the premises. The properties are about 20 metres from the external seating area.

Boundary planting exists adjacent to the rear boundary of the raised seating area and along the north, east and western boundaries. Nos. 98-84 Bradley Lane and 2-12 Boundary Drive cannot see the existing raised terraced area.

Turning to the nearest neighbour, 100 Bradley Lane, this property has a first floor window overlooking the application site and a ground floor window in close proximity to the shared boundary of the raised terrace area.

This neighbour has been contacted and informed the LPA that the ground floor window is a secondary window within a kitchen. The main light source to this room is from the rear elevation of this dwelling via the conservatory addition. The neighbour also advised that the first floor window on the side elevation is also a secondary window to the front bedroom within the property. The neighbour has also written in advised they raise no objections to the proposal.

Whilst this is the case, the NPPF is clear that the amenity of future occupiers also needs to be considered.

The proposed Pergola would cover approximately 50% of the raised terrace, outside seating area. By its covered nature the proposal would likely increase the usability of this outside hospitality area.

The rear of the application site has mature trees and landscaping which provide mitigation to the properties located to the rear/ north of the application site.

Turning to the nearest neighbouring residential occupier, it is proposed to install 2m high acoustic fence panels along the shared boundary with 100 Bradley Lane. 2m high fencing can be erected along the boundary with no. 100 Bradley Lane as Permitted Development, therefore without obtaining planning permission. This is a strong fallback position. SPD 6 which is used to assess the impact of proposals on residential properties also does not protect secondary windows.

Notwithstanding the above, noise is a material consideration in the assessment of this proposal. The submission includes a Noise Assessment this states that the Pergola should be constructed from 25mm thick close boarded timber boarding or equivalent acoustic rated panels with minimal gaps/joints and to minimise this seating area becoming acoustically reverberant, which could cause speech to sound louder it is recommended that the proposed Pergola side paneling should be internally lined (exposed to sound source) with 25mm thick Class 'O' acoustic ST30 foam or suitable equivalent. There are proprietary materials available and should be installed and maintained as per manufacturer instructions. The applicant has submitted a satisfactory soundproofing plan showing the soundproofing panelling proposed (within the submitted Proposed Plans, that accords with this recommendation. These proposed plans will thus be secured by planning condition.

The submitted Noise Report also recommends that in view of the proximity of the residential

properties to minimise impact the volume output should be controlled and suitably limited to LAeq 70dB and no greater than L_{Amax} 80dB as measured by a suitably ISO/UKAS calibrated sound level meter at 1 metre from the front of the TV front panel. No planning permission is required for a Television therefore the suggested sound restricter cannot be secured by planning condition, as such a condition would not meet the statutory tests identified within the NPPF.

The submitted Noise Report has been amended to include a Management Plan of this proposed covered Pergola. An Acoustic Fence is also proposed along the neighbours boundary. These measures should safeguard. These measures should ensure that the amenity of the nearest neighbours would not be demonstrably harmed by the proposed development. Therefore, the mitigation measures set out in the submitted Noise Assessment are recommended to be secured by planning condition.

Turning to the proposed Festoon Lighting, this is proposed to be installed from two points on the front of the Pergola and would connect to three 2.5m high timber posts located on the boundary of the raised seating area with the car park associated with the Public House.

The proposed Pergola would be approximately 2.5m high on the raised seating area. The proposed festoon lighting timber posts will also be 2.5m high. On this basis, the proposed Pergola would shield the proposed lighting from the secondary ground floor window of no. 100 Bradley Lane. The lighting would not cause any light pollution issues to the first floor secondary window on the side elevation of this neighbours property.

The proposed lighting would also not adversely affect the residents further to the north of 100 Bradley Lane, namely nos 84 - 98A (even) Bradley Lane due to the northern boundary of the site being planted with trees. Moreover, the height of the timber posts and the festoon lighting would mean any light spillage that could occur would not spill such a distance to affect any residents to the north of the application site, or the business (Bellybusters) operating within 98A Bradley Lane. This business is the second closest property to the application site.

Overall, subject to the recommended planning conditions, the proposal would not cause harm to the amenity of nearby residents and would not cause harm to the business operating within no. 98A Bradley Lane. The proposal therefore accords with Policy EN1/2: Townscape and Built Design of the Bury Unitary Development Plan, and the National Planning Policy Framework.

Parking and Highway Safety

The proposal would not result in the permanent loss of any car parking spaces and would not adversely affect users, or the useability of the PROW running along the lane running along the southern boundary of the application site past the cottages. A plan illustrating where materials for the proposed development would be stored. It illustrates that one disabled car parking space would be temporarily unavailable considering the proposal would not take more than a week to install.

Crime and Disorder

The proposal is to cover an existing external seating area. Although with the area becoming partly covered will allow the area to be used at all times of the year, whereas it will currently be used on dry days, it is not envisaged that its use would cause an increase in any anti-social behaviour. Greater Manchester Police have recommended the CCTV at the Public House be extended to cover the outside seating area if the CCTV does not cover this area already. A planning informative will relay this advice from GM Police Crime and Design Officers.

Carbon and Energy

The development represents a minor alteration to an existing outdoor seating area and does not involve the construction of a new enclosed building, the creation of additional

internal floorspace, or the installation of energy-intensive building services. Consequently, many of the detailed requirements of PfE Policy JP-S2 relating to building fabric performance, energy demand reduction, renewable energy generation and whole-life carbon assessments are not applicable or proportionate to the nature and scale of the proposal.

Notwithstanding this, the proposal has been designed to minimise its environmental impact where appropriate. The pergola is to be constructed predominantly from timber, a renewable material with relatively low embodied carbon compared with more carbon-intensive alternatives.

The proposed clear polycarbonate roof will provide weather protection whilst allowing natural daylight to reach the seating area below, maintaining a well-lit external environment during daylight hours. The installation of energy-efficient LED wall-mounted lighting and LED festoon lighting will minimise operational energy consumption whilst providing appropriate illumination for the safe use of the outdoor seating area during the evening. The proposal makes efficient use of an existing outdoor hospitality space, improving its usability throughout the year without requiring the expansion of the existing building or the development of additional land. Given the limited scale and ancillary nature of the development, operational energy requirements and associated carbon emissions will be negligible. Given the above, the proposal accords with PfE Policy JP-S2.

Digital Connectivity

As the proposal relates to an existing external seating area, PfE Policy JP-C2: Digital Connectivity is not applicable in this instance.

Conclusion

The proposed pergola and associated acoustic screening represent a modest and ancillary addition to the existing public house and outdoor seating area. The development is considered acceptable in principle within the Bradley Fold Employment Area, as it supports the ongoing operation of an established use on the site and would not prejudice the function of the wider employment allocation.

The proposal would have no material impact on the operation of neighbouring businesses and would not result in any unacceptable effects on highway safety, parking provision, public rights of way, crime and disorder, digital connectivity, or carbon and energy objectives. Furthermore, the development utilises an existing outdoor hospitality space, improving its year-round usability without requiring the expansion of the existing building or the development of additional land.

In terms of residential amenity, whilst the seating area is located in proximity to No. 100 Bradley Lane, the proposal incorporates mitigation measures including a 2-metre-high acoustic fence, acoustic treatment to the pergola structure, and a management plan governing the use of the covered area. The submitted Noise Assessment demonstrates that, subject to the implementation and retention of these measures secured by condition, the development would not result in unacceptable levels of noise or disturbance to neighbouring occupiers. The proposal is therefore considered to accord with the requirements of UDP Policies EN1/2 and EN7/2 and relevant provisions of the NPPF. The proposed Festoon lighting would also not cause any harm to the amenity of neighbouring occupiers.

Taking all material planning considerations into account, the development is considered to comply with the adopted Development Plan and national planning policy. Accordingly, it is recommended that planning permission be granted, subject to the conditions recommended below.

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 ref. PP-14754983v1 - Location Plan;
Drawing no. 2277 - 04: Proposed Site Plan;
Drawing no. 2277-05: Existing & Proposed Elevations; and,
Drawing ref. Construction Materials Storage Plan Rev. A.

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, Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 3 The covered and partly enclosed Pergola shown on drawing no. 2277-05 shall be installed in full prior to the first occupation of the development and shall thereafter be retained and maintained for the lifetime of the development.

The Pergola shall be constructed from 25mm thick close boarded timber boarding or equivalent acoustic rated panels with minimal gaps/joints and to minimise this seating area becoming acoustically reverberant, which could cause speech to sound louder it is recommended that the proposed Pergola side paneling should be internally lined (exposed to sound source) with 25mm thick Class 'O' acoustic ST30 foam or suitable equivalent.

Reason. To safeguard the amenities of neighbouring residents in the interests of noise attenuation and residential amenity in accordance with Policies EN2/1: Townscape and Built Design and EN7/2: Noise Pollution of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 4 Prior to the first use of the development hereby approved, all noise mitigation measures and recommendations detailed within the Environmental Noise Assessment Report prepared by ENL Acoustic Consultants dated February 2026) and the Management Plan - Noise Control dated 08 July 2026 shall be fully implemented.

The approved measures shall thereafter be retained and maintained for the lifetime of the development.

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Reason. To safeguard the amenities of nearby residents in accordance with the requirements of Policies EN2/1: Townscape and Built Design and EN7/2: Noise Pollution of the Bury Unitary Development Plan and the National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	13/07/2026		