

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 12/01/2026	Ref: 72595/FUL
Registration: 28/11/2025	LDfC: 02/01/2026	Expiry Date: 23/01/2026
Site Visit: 16/12/2025	Site Notice: 16/12/2025	Press Date: N/A
Objections: 0	Con Area:	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Installation of Air Source Heat Pump (ASHP) to replace gas fired boilers and associated works

Location: Bury Community Fire Station, Magdalene Road, Bury, BL9 0ES

Description

The application site relates to Bury Community Fire Station which is located at the Chamberhall Business Park. The Fire Station is situated at the end of Magdalene Road where a digital textile business is also located to the west of the fire station. To the rear of the fire station are units on the Chamberhall site and running down the eastern boundary of the site is footpath which leads to the River Irwell land connects to Woodhill Road.

The application seeks the installation of Air Source heat Pumps (ASHP) to replace gas fired boilers and associated works.

The ASHP would be located directly behind the fire station and contained within a 2.4m high timber compound with a plant room container for associated equipment.

Relevant Planning History

01854/E - Proposed business led mixed use development - Enquiry completed 19/12/2016

55353 - Sensory garden and multi-use recreation area - Approve with Conditions
02/10/2012

67738 - Formation of 4 no. openings to facilitate the installation of 3 no. windows at first floor level and 1 no. window at ground floor level. - Approve with Conditions 09/12/2021

Publicity

Three letters sent on 8/12/25

Site notice posted 16/12/25

No response received

Statutory/Non-Statutory Consultations

Environmental Health - Contaminated Land - No objection subject to condition

Environmental Health - Pollution Control - Recommend the unit operate within the permitted noise levels of 42dBlaeq

Pre-start Conditions - Not relevant

Development Plan and Policies

NPPF National Planning Policy Framework

EC1/3 Land Suitable for Business (B1)

EN1/2 Townscape and Built Design

EN7/2 Noise Pollution

JP-S3 Heat and Energy Networks

JP-S2 Carbon and Energy

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

PfE Policy JP-S2 - Carbon and energy positively supports and encourages measures to minimise energy usage and maximise energy efficiency and increasing the reliance on renewable energy.

The NPPF advocates the move towards sustainable energy and development.

The proposal to install ASHP would contribute to GMF&RS Sustainability Strategy to being carbon positive by 2050 and essentially moving beyond net zero.

The only gas being used on site is serving the boilers and the removal and replacement with ASHP would have the largest potential to reduce the carbon footprint for the station.

The proposed development is therefore acceptable and would comply with policies JP-S4 and the principle of the NPPF.

Impacts on visual amenity

The proposed ASHP and associated equipment would be located directly behind the fire station on the north eastern side and within the service yard area. Views of the equipment would potentially be from users of the footpath to the east. The ASHP and equipment would be enclosed by a 2.4m high timber fence compound and 2.6m high plant room which would provide screening. The boundary to the footpath and the site is also tree lined. As such, views of the ASHP and associated equipment would be limited and would not be significantly harmful to the visual amenity of the area.

The proposal is therefore considered acceptable and would comply with EN1/2.

Noise impacts

UDP Policy EN7/2 - Noise Pollution is required to be considered for this application. This policy states that the Council will not permit development which could lead to an unacceptable noise nuisance to nearby occupiers and or/amenity users or development close to a permanent source of noise.

The MCS Planning Standards (MCS 020) stipulate that noise levels for an air source heat pump on its own must stay at or below 42 decibels (dB) from a metre distance away from any habitable room. The Pollution Control section have recommended a noise survey be carried out to assess the noise level of the equipment to confirm whether the permitted development noise limit of 42dBlaeq 5 mins would be met.

The site is located within a Business Park at the end of a road and there are no residential properties nearby. Users of the footpath may be susceptible to some noise output from the equipment but this would be for a brief and temporary period and as such considered not to harm public amenity.

It is therefore considered that given its position within the site and the character of the surrounding area a noise survey or condition for a noise survey is considered unnecessary in this instance.

An informative will also be added in relation to section 79 of the Environmental Protection Act 1990 - statutory nuisance

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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 Site location plan
GMFRS-BUR-PARR-XX-00-DR-A-9001 C1

Proposed electrical services layout 312991-HAH-BY-00-D-E-09610 P02
Proposed site services layout 312991-HAH-BY-00-D-ME-09610 P02
Proposed electrical schematic 312991-HAH-BY-XX-D-E-06010 P02
Proposed strip out of LTHW System 312991-HAH-BY-00-D-M-05601 P01
Proposed LTHW System Schematic 312991-HAH-BY-00-D-M-05602 P01
Proposed PTHW Heating layout 312991-HAH-BY-00-D-M-05610 P02

Proposed M&E elevations GMFRS-BUR-PARR-XX-00-DR-ME-5005 C1
Proposed M&E layout GMFRS-BUR-PARR-XX-00-DR-ME-5003 C1

Mechanical Services Equipment Schedule HH_Form_M_01

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 and Places for Everyone Joint Development Plan listed.

- 3 The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	12/1/26	DM	14/01/26