

DELEGATED REPORT

Report by Helen Pressley	Date of report: 23/07/2025	Ref: 72139/NON
Registration: 18/07/2025	LDFC:	Expiry Date: 15/08/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: Dec Level: DEL Stat Class: MIOT

Proposal: Non-material amendment following grant of planning permisison 71043 (alterations to existing tennis court to create 2 no. padel courts): Increase width of padel courts from 15 metres to 15.63 metres

Location: Holcombe Brook Sports Club, Hazel Hall Lane, Tottington, Bury, BL0 9FS

Description

The application relates to a tennis club facility, which includes tennis courts, coaching areas, a club house, car park and floodlighting. The site is located to the east of Longsight Road and to the north of the unadopted Hazel Hall Lane. The site is located within the Green Belt.

Planning permission has been granted for alterations to 1no. existing tennis court to the north east end of the site to create 2 no. padel courts. The proposal would also include provision of a an 8 metre galvanised steel frame covered with material and with toughened glass rebound panels to the end.

Non-material amendment proposed following grant of planning permission 71043 (alterations to existing tennis court to create 2 no. padel courts) to increase width of padel courts from 15 metres to 15.63 metres

Relevant Planning History

42996 - Construction of 13 tennis courts (9 with floodlights); new clubhouse, car park, 2 childrens courts, practice wall and landscaping at land off Hazel Hall Lane, Holcombe Brook. Refused - 13 October 2004.

45384 - Construction of 9 tennis courts (5 with floodlights); new clubhouse, car park, 2 childrens courts, practice wall and landscaping at land off Hazel Hall Lane, Holcombe Brook. Refused - 20 December 2005.

53247 - Construction of 8 Tennis Courts (6 with floodlighting), club house, associated car parking, mini tennis area with practice wall and landscaping at land off Hazel Hall Lane, Holcombe Brook. Approved with conditions - 2 March 2011.

55014 - Non material amendment (following grant of permission 53247) to clubhouse for alterations to layout; external alterations to openings and increase in width of building by 900mm at land off Hazel Hall Lane, Holcombe Brook. Approved - 17 April 2012.

55673 - Non material amendment following grant of permission 53247 for amendments to roof of proposed clubhouse at land off Hazel Hall Lane, Holcombe Brook. Approved - 10 October 2012.

57587 - Non-material amendment following grant of planning permission 53247 for construction of 8 tennis courts (6 with floodlighting), club house, associated car parking,

mini tennis area with practice wall and landscaping:

Revise and reduce the scope of the approved vehicular access arrangements to the development site from Longsight Road at Hazel Hall Lane, Longsight Road, Holcombe Brook. Approved - 13 June 2014.

58735 - Variation of condition no. 27 following grant of permission of pp 53247 - variation of materials to be surfaced in areas of the car park (Retrospective) at land off Hazel Hall Lane, Holcombe Brook. Received - 27 May 2015.

59309 - Prior notification for proposed installation of 230 solar photo-voltaic modules, Suntech STP285S-20/Wew (285W). A total of 66kW at Holcombe Brook Tennis Club, Hazel Hall Lane, Ramsbottom. Prior approval required and refused - 17 November 2015.

69774 - Extension to existing bin store; erection of storage container and 2.6m high screen fencing and provision of additional flood lighting to tennis courts. - Approve with Conditions 11/10/2023

71043 - Alterations to existing tennis court to create 2 no. padel courts - Approve with Conditions 19/11/2024

Publicity

N/A

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN8/2	Woodland and Tree Planting
OL1/2	New Buildings in the Green Belt
RT1/2	Improvement of Recreation Facilities
HT2/4	Car Parking and New Development
JP-P1	Sustainable Places
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-S2	Carbon and Energy
JP-C2	Digital Connectivity
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
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.

Layout and Design

Whilst increases are usually not considered to be non-material amendments the increased width would remain within the dimensions of the existing tennis court and within the red edge of the location plan accompanying the extant approval. The overall height of the padel courts, at 8 metres, would not change from the approved plans. An increase in width of 63cms for the proposed canopy would not materially alter the proposal from a visual amenity perspective.

Amenity

The proposal would utilise an area of the site current utilised as tennis courts. The adjacent field would act as a buffer zone to the nearby residential properties and the proposed development would be no worse than the existing sporting use. The site would be 145 metres from the nearest residential properties on Longsight Road and the dwellings on Hazel Hall Lane would be 125 metres from the site.

The proposed amendments would not impact adversely on the design of the proposed

development or the amenity of the neighbouring users. Therefore, the proposal would still be in accordance with the overall principles in terms of the approved application 71043 and the policies against which this was approved. As such, the application is a non-material amendment.

Recommendation: Approve

Conditions and Reasons:

- 1 The proposed amendments would not impact adversely on the design of the proposed development or the amenity of the neighbouring users. Therefore, the proposal would still be in accordance with the overall principles in terms of the approved application 71043 and the policies against which this was approved. As such, the application is a non-material amendment.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	23/07/2025	DM	28/07/2025