

Planning Policy Statement

**The Works / 49 Bury Road,
Radcliffe**



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1. Introduction

- 1.1 This statement is submitted in support of a full planning application for the demolition of a small engineering building and the erection of a replacement building, which is to be used in connection with an existing business.
- 1.2 The building forms the southern part of what was once a single engineering building facing on to Bury Road, now in three units. The adjoining unit (the middle of the three) is on use as a furniture shop. The other (northern) end unit is a garage business.
- 1.3 The application building has been used by 'J.H. & A. Unsworth Ltd, Ventilating Engineers; Tin & Coppersmiths; and General Sheet Metal Workers' since it was built after WWII. Following the retirement of the last employee of that engineering company the building was bought by the owner of Bury Road Garage, an established MOT, car servicing and repair business operating from 53 Bury Road (next door but one).
- 1.4 The building, which still contains much of the old engineering equipment from J.H. & A. Unsworth Ltd, is not fit for purpose, with part of the roof supported by acrow props. It is gradually being cleared, made safe and brought into use by the associates garage business.
- 1.5 The proposal is to replace the building with a like-for like rebuild on the same footprint, with the same floorspace and for the same (in planning use classes terms) use. It will continue be used in connection with the established MOT, car servicing and repair business operating from 53 Bury Road, which also includes the restoration of classic cars. Specifically, it will be used for re-engineering engines and gear boxes, together with specialised engineering repairs associated with classic car restoration.
- 1.6 Bury Road Garage, at 53 Bury Road, employs three people and operates 5 or 6 days a week (depending on workload), during normal working hours, typically servicing between 6 and 8 cars a day (most being brought in for a combination MOT and service). Alongside the main business there are typically up to 4 classic car restoration projects being undertaken at the same time. This part of the business, which is growing, requires space to store parts and be-spoke engineering facilities for stripping down engines and gear boxes where parts can be laid out for re-assembly.
- 1.7 The building, which latterly supported 1 employee, will continue to support 1 employee. Similarly, the buildings servicing and access arrangements will remain unchanged. Together the three units that make up the former works share a forecourt with access from Bury Road. Each has pedestrian and vehicular access. The existing J.H. & A. Unsworth Ltd building has a large side door onto a private road off Bury Road. That is not required as all access can be through a smaller door at the front of the building. The new building will, therefore, continue to operate as it does under the current ownership with engine and gear box parts brought on a trolley across the forecourt from the main garage to the engineering works shop.

- 1.8 The replacement building (as described in the DAS) replicates the adjoining buildings with a simple pitched roof and facing materials to match. As such the appearance of this small run of industrial buildings will be improved and the street scene enhanced.
- 1.9 Similarly, the quality of the building stock will be improved an the opportunity taken to provide Solar PV panels on the roof, to match those on the MOT Garage at 53 Bury Road, generating sustainable energy for the business to operate.
- 1.10 As a Class E1 use the building can operate by definition, within an area without detriment to amenity. There will be no resultant noise, air or effluent pollution emanating from the building.
- 1.11 The current building occupies the entirety of its site, save for the fully tarmacked forecourt (neither of which count towards a BNG calculation). It has no landscaping and supports no flora or fauna. A walk-over survey by an ecologist (see speciality report) has found no evidence of the presence of bats.
- 1.12 The site is in Flood Zone 1 (Bury Road marking the very edge of Flood Zone 2) and is not at risk of flooding. The re-development of the site will not change the area of hard surfacing and will not have any resultant impact on the risk of flooding to others.
- 1.13 The BMBC local validation list requires the submission of:
- Supporting Planning Policy Statement - To explain how the proposal relates in policy terms to national planning guidance, the development plan and adopted Supplementary Planning Guidance; and as they emerge, the Local Plan and Supplementary Planning Documents.*
- 1.14 This statement identifies relevant policy and then explains how the proposal complies with it.

2. Relevant Planning Policy

- 2.1 The current Bury UDP was adopted by the Council on 29th August 1997. The Council is now working to replace the adopted UDP with a new document (Bury Local Plan). Until the new Local Plan is produced the UDP will continue be used to make planning decisions.
- 2.2 The Joint Places for Everyone (PfE) Development Plan Document was adopted by Bury Council with effect from 21 March 2024 and supersedes some of the UDP policies. In the list of polices below, those that have been superseded by PfE are identified.
- 2.3 The Places for Everyone DPD (PfE) Policy JP-S1 reflects the presumption in favour of sustainable development in accordance with paragraph 11 of the revised NPPF (see below).
- 2.4 Policy JP-J1 aims to support long-term economic growth with thriving, inclusive and productive economy across the Greater Manchester boroughs. It places an emphasis on maintaining a very high level of economic diversity. Part F of the policy supports local job growth.
- 2.5 Policy JP-J2 relates to employment sites and premises. It states that a diverse range of employment sites and accessible premises, both new and second-hand, will be made available across the Plan area in terms of location, scale, type and cost.
- 2.6 In 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF maintains the Government's commitment to a plan-led system whereby planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. The NPPF states that policies within it are material considerations and that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.
- 2.7 National planning policy says that the purpose of the planning system is to contribute to the achievement of sustainable development under three interdependent and over-arching objectives: economic, social and environmental. Plans and decisions should apply a presumption in favour of sustainable development unless the policies of the NPPF which protect assets of particular importance provide a clear reason for refusing the development proposed; such assets are clearly set out in the footnote to paragraph 11. Those assets do not include any designations applicable to the application site.
- 2.8 Section 6 of the NPPF confirms the Government's objective of ensuring that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. It places significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development; noting that LPA's should allow their area to build on its strengths, counter any weaknesses and address the challenges of the future (paragraph 85). Specifically, planning policies and decisions should recognise and address the specific locational requirements of different sectors.
- 2.9 The following local policies are relevant to the site and proposal:

Unitary Development Plan and Policies

- EC2/2 Employment Land and Premises - replaced with JP-J2 and JP-J4
- EC3/1 Measures to Improve Industrial Areas - replaced with JP-J2
- EN1/2 Townscape and Built Design
- EN1/5 Crime Prevention
- EN5/1 New Development and Flood Risk - replaced with JP- S4
- EN7 Pollution Control- replaced with JP-P1
- EN7/2 Noise Pollution
- EN7/5 Waste Water Management
- HT2/4 Car Parking and New Development
- HT4 New Development - replaced with JP-C8
- HT6/1 Pedestrian and Cyclist Movement - replaced with JP-C1, C5 and C6
- HT6/2 Pedestrian/Vehicular Conflict - replaced with JP-C5 and C6

Supplementary Guidance

- SPD11 Parking Standards in Bury
- SPD14 Employment Land and Premises

3. Compliance with Policy

- 3.1 The application site is currently an engineering workshop, used as an employment site, and the principle of any proposed development should be assessed against UDP Policy EC2/2 as superseded by The Places for Everyone DPD (PfE) Policy JP-J2.
- 3.2 Under these policies the Council will seek to retain the employment use of sites unless it can be clearly demonstrated that the land and premises are no longer suited, in land use terms, to continued employment use.
- 3.3 SPD14 provides additional guidance on how the Council will implement Policy EC2/2 and, in doing so, sets out a more flexible approach whereby, in addition to assessing the suitability of the site from a purely land use perspective, also considers whether there is a realistic prospect of an existing site being retained in employment use - including consideration of whether there is market demand.
- 3.4 Clearly there is market demand for the continued use of the site for employment purposes and a proposal for redevelopment for employment purposes accords with the Development Plan.
- 3.5 Applications for planning permission should be determined in accordance with the development plan, unless material consideration indicate otherwise. This is made clear in both the Town and Country Planning Act 1990 ('the TCP Act'):

"In dealing with such an application the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations." [Section 70(2)];

and the Planning and Compulsory Purchase Act 2004:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise." [Section 38(6)].

- 3.6 There is no conflict with the policies in the development plan and there are no material considerations that suggest that the determination of the application should not be determined in accordance with the development plan.