

DELEGATED REPORT

Report by Claire Booth	Date of report: 10/09/2026	Ref: 73515/PIP
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Objections: 112	Con Area:	Adv Type: DEPA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Application for Permission in Principle for the construction of up to 9 detached dwellings with associated residential curtilages and parking arrangements

Location: Land at Oak Avenue, Ramsbottom

Description

The proposal is for permission in principle for up to 9 houses on an area of Public Open Space on Oak Avenue, Holcombe Brook. An Avenue approved as part of the Garden City development approved under application 33511.

A definitive Public Right of Way, reference 92 Ram) runs through part of the application site.

Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.

The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. These considerations, whilst appearing as limited, can encompass various issues which relate to these matters. The PPG does not explicitly state what should or should not be considered within these considerations.

Relevant Planning History

35034: change of floor levels - Plots 39-42 off Oak Avenue - Approved with Conditions, 16/04/1999

33511: Land at Garden City off Oak Avenue, Holcombe Brook - Residential Development: 56 Dwellings and Public Open Space - Refused, 18/12/1997 - Appeal Allowed 08/07/1998

Publicity

112 objections have been received from local residents and interested parties. The principal concerns raised are:

- The application would result in the loss of an established and well-used area of recreational open space which has been used for over 25 years for informal recreation, including children's play, ball games, dog walking, exercise and community gatherings. Residents state that the land is maintained at their own expense and is an important community asset.
- Objectors contend that the site was originally retained as a recreational area as part of

the planning approval for the Wain Homes development and reference previous planning permissions, appeal decisions and planning obligations which they consider sought to secure the land for recreational use.

- Concerns are raised regarding conflict with planning policy, including the site's designation as a proposed recreation site under saved UDP Policy RT2/1, references within the Council's Strategic Housing Land Availability Assessment (SHLAA), the emerging Local Plan and the provisions of the National Planning Policy Framework relating to the protection of open space and recreational land. Objectors argue that the site is not surplus to requirements and that no equivalent replacement provision has been demonstrated.
- Concerns are expressed regarding highway safety, traffic generation and parking. Residents state that Oak Avenue and surrounding roads already experience congestion, on-street parking and difficulties for pedestrians and vehicles. It is argued that additional dwellings would exacerbate these existing issues. Concerns are also raised regarding the proposed access arrangements.
- A number of objections cite local flooding and drainage issues, stating that the site currently accommodates surface water, contains areas that become waterlogged, and is affected by a nearby culvert. It is argued that development could increase surface water runoff and flood risk to surrounding properties.
- Objections have been made regarding the impact on wildlife, biodiversity and habitats. Residents report the presence of species including bats, hedgehogs, deer, rabbits and a variety of bird species and consider the site to function as a wildlife corridor and habitat.
- It is argued that the development would harm the character of the area by reducing the amount of open green space within the estate and creating a more cramped form of development. Some objectors consider the illustrative masterplan to understate the extent of development and overstate the amount of open space that would remain.
- Concerns have been raised regarding the loss of opportunities for recreation, physical activity, health and wellbeing, particularly for children and young people, and the wider social value of the site as a community meeting place.
- Some representations question whether the provision of up to nine detached dwellings would make a meaningful contribution to meeting housing needs, particularly as the proposed homes are not expected to be affordable housing.
- Additional matters raised include concerns regarding construction impacts, pedestrian safety, loss of a footway, maintenance responsibilities for proposed landscaped features, impacts on privacy and amenity, and the loss of an area reportedly used on occasion as an air ambulance landing site.

Overall, objectors consider that the public and community value of the recreational open space outweighs the benefits associated with the provision of up to nine dwellings and request that Permission in Principle be refused.

Whilst the representations received have been noted, in accordance with the Town and Country Planning (Permission in Principle) Order 2017 (as amended), the matters which can be considered by the Local Planning Authority in determining whether or not to grant Permission in Principle are limited to the location of development, the land use proposed, and the amount of development proposed. It is therefore only the comments received relating to these matters that have been considered.

Statutory/Non-Statutory Consultations

Environmental Health - Contaminated Land - Advise what information would need to be submitted at any Stage 2 Technical Details to demonstrate the land is safe to build on and that all dwellings would need to be provided with electric vehicle charging provision.

Traffic Section - Raises objections due to visibility being restricted in this location due to the bend in the road.

Borough Engineer - Drainage Section - No objections, subject to a drainage scheme being secured at any Technical Details stage.

United Utilities (Water and waste) - No objections, subject to a planning condition being imposed securing a satisfactory sustainable surface water drainage scheme and a foul water drainage scheme.

Greater Manchester Ecology Unit - Advises no initial biodiversity concerns but advises that both an Ecology Assessment and BNG metric would need to accompany any Stage 2 application.

Waste Management - No comments or observations received.

Public Rights of Way Officer - Advises the route of the PROW crossing the site is not accurately shown. Also questions who would maintain the proposed lighting and enhancements to the public right of way.

Pre-start Conditions - Not relevant

Development Plan and Policies

RT1/1	Protection of Recreation Provision in the Urban Area
RT2/1	Provision of New Recreation Sites
JP-G2	Green Infrastructure Network
JP-G6	Urban Green Space
JP-P7	Sport and Recreation
NPPF	National Planning Policy Framework
EBLP	Emerging Bury Local Plan

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.

Introduction

The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development.

The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This application relates to the first of these two stages.

Background of the application site

The application site forms part of an established area of amenity green space within Holcombe Brook that was originally provided as part of the planning approval for the Garden City housing development, specifically to meet the needs of the residents of the surrounding Garden City residential development. The Garden City development was built around open space which included the adjoining Wain homes site. The Wain homes site application took part of the school playing field and sited the open space adjoins the remaining open space that fronts on to Summerseat Lane.

The Garden City development was allowed at appeal under application 33511 and the purposely designed open space nature of the approved development was not subject to any condition or section 106 agreement.

Planning Policy Context

National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) (August 2026) is a material planning consideration in planning decisions.

NPPF Policy S3 sets out the presumption in favour of development and distinguishes between development within settlements and development outside settlements.

This PiP application is within a settlement, therefore NPPF Policy S4 applies. This states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework, including policies relating to existing recreational land and facilities (HC7).

NPPF Policy HO7 gives substantial weight to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community.

NPPF Annex D paragraph 8 states that local planning authorities should identify and update annually a supply of specific deliverable sites to provide a minimum of five years' worth of housing, with an appropriate buffer. The supply of housing must be assessed against the housing requirement set out in the development plan where this is less than five years old.

The NPPF also places significant emphasis on the role of open space and green infrastructure in creating healthy, attractive and sustainable places.

Policy HC7 of the NPPF states that development proposals should not result in the loss of existing open space, sports and recreational buildings and land, including playing fields, other formal and informal play space and allotments, unless:

- a. An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality, in a location which offers comparable or improved accessibility for the community it serves; or
- c. The development is for public service infrastructure, and the resulting loss would be replaced by equivalent or better provision in terms of quantity and/or quality; or
- d. The development is for alternative open space, sports and recreational buildings and land, the benefits of which clearly outweigh the loss of the current or former use.'

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- a. An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality, in a location which offers comparable or improved accessibility for the community it serves; or
- c. The development is for public service infrastructure, and the resulting loss would be replaced by equivalent or better provision in terms of quantity and/or quality; or
- d. The development is for alternative open space, sports and recreational buildings

and land, the benefits of which clearly outweigh the loss of the current or former use.'

The NPPF also recognises the wider benefits of green infrastructure. Green infrastructure is defined as a network of multi-functional green and blue spaces and other natural features capable of delivering environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity. The Framework places importance on the creation, protection and enhancement of such networks and on ensuring that development responds appropriately to existing green infrastructure.

In planning for climate change, Policy CC1 of the NPPF states that development plans should take a proactive approach to adapting to climate change through the incorporation of various methods, including identifying opportunities for green infrastructure provision and nature-based solutions which can safeguard and improve carbon storage, support nature recovery and resilience.

Bury Unitary Development Plan

The land was originally laid out in association with the adjacent residential development (Garden City) and provides an established area of informal amenity and recreational open space for the surrounding community. This is reflected in the adopted Unitary Development Plan which allocated the Garden City site for housing (H1/1/5) but this included an adjoining allocation for the provision of new recreational facilities under Policy RT2/1 (RT2/1/3 - Land north of Holcombe Brook Primary School).

Both the housing and the associated recreation provision have subsequently been delivered and, as a currently functional area of amenity green space, the application site is now regarded as protected recreation provision in the urban area under UDP Policy RT1/1. This Policy seeks to safeguard existing recreation land from development in order to maintain the quantity and distribution of recreational open space across the Borough unless specific criteria are met.

However, whilst similar, the approach in UDP Policy RT1/1 has now been superseded by Policy HC7 of the NPPF (2026).

Places for Everyone Plan

The Places for Everyone Joint Development Plan (PfE) was adopted by the Council on 21 March 2024 and forms part of the statutory development plan.

Policy JP-G2: Green Infrastructure Network establishes a strategic approach to protecting, managing and enhancing Greater Manchester's green infrastructure network. The policy seeks to ensure that development protects and enhances green infrastructure and that the network's functions and connectivity are maintained and improved.

Policy JP-G6: Urban Green Space is particularly relevant to the application. It seeks to ensure an appropriate scale, type, quality and distribution of accessible urban green space capable of supporting a high quality of life and wider green infrastructure functions. The policy states that existing urban green space will be protected and enhanced in balance with other considerations and supports the delivery of new high-quality urban green spaces.

Furthermore, Policy JP-P7 (Sport and Recreation) states that a network of high quality and accessible sports and recreation facilities will be protected and enhanced, supporting greater levels of activity for all ages.

Emerging Bury Local Plan

The Publication Bury Local Plan (June 2026) is at Regulation 19 stage and is therefore an advanced emerging plan. The Council is currently consulting on the Publication Plan, which is intended to provide the locally specific planning policy framework for Bury up to 2043.

Once adopted, it will replace the saved policies of the UDP.

The emerging Local Plan places particular emphasis on protecting and enhancing the Borough's green infrastructure and ensuring that residents have access to good quality open space, sport and recreation. Consequently, the emerging Local Plan identifies the site as an area of open space, sport and recreation under Policy LP-OS1 as well as an area of strategic Green Infrastructure under Policy LP-GI1.

Local Plan Policy LP-OS1 seeks to retain an adequate supply of good quality and accessible open space, sport and recreational assets, stating that in seeking to retain all forms of open space, sport and recreation provision including indoor sports facilities, development will not be allowed where it would result in the loss of such assets except where it can be clearly demonstrated that:

- a. a site is surplus to current and future community requirements taking into account the value of the site and its potential for addressing any identified deficiencies in other types of open space, sport and recreation; or
- b. replacement open space, sport and recreation land and facilities which are at least equivalent in terms of quality, quantity and accessibility are made available; or
- c. the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Of particular relevance in this case, LP-OS1 recognises the value of and provides specific protection for open space that has been provided intentionally to serve the needs of residents of housing development - as was the case with the application site which was originally laid out in association with the adjacent residential development and has continued to function as a valuable amenity green space serving that residential area.

Policy LP-GI1 seeks to protect and enhance a network of multi-functional green and blue infrastructure and supports proposals which improve the connectivity and quality of that network. The policy is intended to maintain the positive role and function of the network and places restrictions on development and changes of use which could have negative impacts on the network.

The Publication Local Plan therefore provides a policy framework which seeks to protect the site both because of its recreational function and because of its role within the wider green infrastructure network.

Bury Open Space Assessment

The Council's Open Space Assessment (2026) is an important part of the evidence base for assessing the proposal. It identifies a quantitative surplus of amenity green space of approximately 0.13 hectares per 1,000 population in the Ramsbottom, Tottington and North Manor assessment area that includes Holcombe Brook.

The Assessment also identifies that there is no qualitative or accessibility deficiency in amenity green space within the area

Location and Land Use

As this is an application for Permission in Principle, the acceptability of residential development on the site falls to be determined at this stage. The loss of existing protected open space and part of an identified green infrastructure network goes to the heart of the principle of development and cannot appropriately be deferred to the Technical Details Consent stage.

The boundary of the PiP application covers the footprint of the proposed residential development along the northern and eastern edges of the wider area of open space which forms part of an established area of amenity green space within Holcombe Brook that was originally provided specifically to meet the needs of the residents of the adjacent Garden

City residential development.

As set out above, the application site is identified as protected recreation provision in both the current and emerging development plan.

In addition, the site's designation in the emerging Local Plan as part of the Borough's network of Green Infrastructure is a material consideration in determining whether the proposed residential development would maintain the role and function of the Borough's network. This designation reflects the Council's recognition that the site performs a role that extends beyond its immediate recreational function and contributes to the wider environmental, ecological and social benefits delivered by the green infrastructure network.

The loss of the site would result not only in a reduction in open space provision available to the surrounding community, but also in the permanent loss of part of an identified green infrastructure asset, reducing the extent and continuity of the network.

In terms of the site's status as open space, Policy HC7 of the NPPF is relevant to determining whether the proposed loss of the site is acceptable. This states that development proposals should not result in the loss of existing open space, sports and recreational buildings and land, including playing fields, other formal and informal play space and allotments, unless it satisfies one of four exceptions (as set out above) with criterion (a) and (b) being relevant exceptions in this case.

Emerging Local Plan Policy LP-OS1 reflects the approach in national policy by requiring development resulting in the loss of open space to demonstrate that the site is surplus to current and future community requirements, taking account of its value and potential contribution to deficiencies in other types of open space, or to provide appropriate replacement provision in accordance with the policy.

Exception (a) of NPPF Policy HC7 is where an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements.

It is acknowledged that the Council's Open Space Assessment identifies a quantitative surplus of amenity green space within the Ramsbottom, Tottington and North Manor area and that no qualitative or accessibility deficiencies have been identified. However, the existence of a quantitative surplus does not, in itself, mean that the site is clearly surplus to requirements. It does not diminish the site's established recreational role, its contribution to the amenity of the adjacent residential community and it does not remove the policy protections afforded to the site.

The assessment cannot be limited solely to the amount of amenity green space available within the wider area. Regard must also be had to the site's specific function and contribution to the local community.

In this case, the site was specifically laid out as part of the adjacent Garden City residential development to provide amenity and recreational space for residents and continues to fulfil that purpose. It therefore performs an established and valuable recreational function that contributes to the character and liveability of the neighbourhood and is exactly the type of open space that Policy LP-OS1 of the emerging Local Plan seeks to protect stating that *"...Proposals that would involve the loss of open space, sport and recreation facilities that has been specifically provided to serve the needs of the residents of new housing will not be permitted"*.

Similarly, the absence of identified qualitative or accessibility deficiencies elsewhere in the area does not justify the loss of an existing protected and valued recreational resource. In addition, a quantitative surplus of open space does not override the site's status and role within the wider green infrastructure network.

Exception (b) is where the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality, in a location which offers comparable or improved accessibility for the community it serves.

The applicant has submitted a masterplan indicating that improvements would be made to the remaining area of open space to offset the loss arising from the proposed housing development. However, the land identified for enhancement lies outside the red-line application boundary and is therefore immaterial in determining the acceptability of this application.

Notwithstanding, even if such improvements were capable of being delivered, they would not satisfy the specific requirements of exception (b) of NPPF Policy HC7, which expressly requires the loss of existing open space to be replaced by equivalent or better provision in terms of both quantity and quality. Enhancements to retained open space would not provide a quantitative replacement for the area proposed to be lost.

Consequently, the proposal does not satisfy any of the exceptions set out in both NPPF Policy HC7 or Policy LP-OS1 of the emerging Local Plan.

In addition to its role as valuable open space for the local community, development of the site would also result in the permanent loss of part of an identified green infrastructure corridor and would diminish the extent and continuity of that network. No compelling evidence has been provided to demonstrate that the development would maintain or enhance the functionality, connectivity or overall value of the network, nor that any benefits arising from the proposal would outweigh this harm.

Accordingly, the Council considers that the identified quantitative surplus of amenity green space does not outweigh the specific planning harm arising from the loss of this established area of open space and its recognised role within the green infrastructure network.

Amount of development

The joint Places for Everyone Plan was adopted with effect from 21 March 2024 and sets the up-to-date housing requirement for Bury against which the deliverable supply of housing land must be assessed. PfE Policy JP-H1 sets the following stepped targets for Bury:

- 246 homes per year from 2022-2025;
- 452 homes per year from 2025-2030; then
- 520 homes per year from 2030-2039.

The buffer applicable to the five-year supply assessment is based on NPPF Annex D paragraph 9. In Bury's case, a 5% buffer is required in accordance with paragraph 9c.

A 20% buffer is no longer required because:

- the latest Housing Delivery Test result exceeds 85% (NPPF Annex D paragraph 9b: 2025 result = 114%); and
- the collective PfE requirement for all 9 PfE districts exceeds 80% of the LHN for those 9 districts (NPPF Annex D paragraph 9c: 10,305 PfE target against LHN of 12,470 = 83%).

The Council has carried out an assessment of the housing land supply to determine whether sites meet the deliverability tests in the NPPF and can contribute to the five-year supply of housing land. Based on the 2025 5-year supply, a supply of 2,231 homes has been identified for the period from 2025-2030. This is set against a requirement for 2,270 homes (including a 5% buffer and having taken account of past over delivery). This gave a 5-year supply of 4.9 years, which is a very marginal shortfall based on last years

assessment.

However, the Council is currently in the process of updating its SHLAA with a March 2026 date and will need to take account of a number of new housing sites have come forward and the progress that has been made on several large sites over the past 12 months or so.

The Applicant's Planning Supporting Statement

The Planning Supporting Statement is considered to substantially understate the level of conflict with the development plan and overstate the weight that should be attached to a number of claimed benefits.

The application relies heavily on housing land supply arguments and proposed environmental enhancements, but many of those enhancements fall outside the Permission in Principle (PiP) application and therefore have limited weight in the current decision-making process.

The document correctly acknowledges the site's current and emerging designations as protected recreation and strategic green infrastructure. However, the Statement tends to treat these designations as relatively limited constraints rather than fundamental policy considerations, arguing that the site currently has only "limited recreational value" because it lacks formal facilities, seating, play equipment and structured landscaping.

This argument is questionable. Open space value is not assessed solely by the presence of infrastructure but can perform important functions through:

- visual amenity;
- informal recreation;
- ecological connectivity;
- green infrastructure provision;
- health and wellbeing benefits;
- urban cooling and climate resilience.

In practice, many recreation sites deliberately remain informal. The absence of equipment does not mean the land lacks recreational or community value.

On several occasions, the Statement refers to the proposed benefits arising from the proposal, including:

- children's play facilities;
- pond creation;
- biodiversity improvements;
- landscaping;
- lighting;
- enhanced footpaths;
- seating areas.

However, the application is for Permission in Principle only and the document confirms that these works are not part of the PiP application and that they are illustrative only with details to be addressed later through Technical Details Consent.

Many of the benefits used to justify the loss of protected open space are not actually secured by the application currently under consideration and, as a result, they are not guaranteed. Consequently, these claimed enhancements are immaterial to the determination of this application.

The Statement also relies heavily on Bury's housing land supply position. Whilst this is clearly a material consideration, the document arguably overplays the significance of the proposal's contribution when nine dwellings would provide only a modest contribution to

housing supply. Therefore, whilst housing supply benefits exist, they are relatively limited in scale.

Conclusions and Planning Balance

Whilst the NPPF seeks to support the delivery of a substantial increase in the supply of homes, it also establishes a clear objective to protect existing recreational open space and safeguard the integrity, functionality and connectivity of the green infrastructure network. In considering the planning balance, NPPF policy S4 states that development proposals within settlements should generally be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the Framework's decision-making policies.

Importantly, in applying Policy S4, one of the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include situations where the development proposal would have a substantial adverse impact in relation to the application of the policies in the Framework for existing recreational land and facilities.

In this case, the proposal would result in the loss of protected and valuable open space that continues to serve the community for which it was originally provided and would also erode part of an identified green infrastructure network. These adverse effects are considered substantial and engage the specific policy protections afforded to recreational land and green infrastructure. Consequently, the existence of housing need or housing land supply considerations does not automatically outweigh the identified harm.

For these reasons, the proposal is considered to be fundamentally contrary to the NPPF, and adopted and emerging development plan policies relating to the protection of open space and green infrastructure, and the principle of residential development on the site is therefore unacceptable.

In particular, the proposal conflicts with the following:

- NPPF Policies S4 (Principle of Development within Settlements), CC1 (Planning for climate change) and HC7 (Development affecting existing recreational land and facilities);
- Places for Everyone Policies JP-G2 (Green Infrastructure Network), JP-G6 (Urban Green Space) and JP-P7 (Sport and Recreation);
- UDP Policy RT1/1 (Protected Recreation in the Urban Area); and
- Emerging Local Plan Policies LP-OS1 (Protected open space, sport and recreation) and LP-GI1 (Green Infrastructure).

For all the above reasons it is therefore strongly recommended that the application be refused.

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

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirements within the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed Permission in Principle development of up to nine dwellings would result in the loss of an area of amenity green space and protected recreational land that serves the surrounding community and provides important recreational, visual amenity, health and wellbeing benefits. The applicant has not demonstrated that the land is surplus to requirements, and no equivalent or better replacement open space has been secured. The proposed enhancements referred to in the supporting information fall outside the application site and would not provide an equivalent replacement. The proposal would therefore result in the unjustified loss of protected open space and recreational land. The proposal is therefore contrary to Policy HC7 (Development affecting existing recreational land and facilities) of the National Planning Policy Framework (2026), Policies JP-G6 (Urban Green Space) and JP-P7 (Sport and Recreation) of the Places for Everyone Joint Development Plan (2024), saved Policy RT1/1 of the Bury Unitary Development Plan and, as an advanced emerging material consideration, Policy LP-OS1 (Protected Open Space, Sport and Recreation) of the Publication Bury Local Plan (2026).

- 2 The application site forms part of an identified green infrastructure network and contributes to its continuity, function and environmental value. The proposed development would result in the loss of part of this network and would fail to protect or maintain its contribution to biodiversity, recreation, visual amenity and wellbeing. The proposal would therefore harm the Borough's green infrastructure network. The proposal is therefore contrary to Policy JP-G2 (Green Infrastructure Network) of the Places for Everyone Joint Development Plan (2024) and Policy LP-GI1 (Green Infrastructure) of the Publication Bury Local Plan (2026). The proposal is also contrary to the objectives of Policy S4 (Principle of Development within Settlements) of the National Planning Policy Framework (2026), as the adverse impacts of the development would significantly and demonstrably outweigh its benefits.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	10/09/2026		