

**DELEGATED REPORT**

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|---------------------------------|-----------------------------------|-----------------------------------------------------------------|
| <b>Report by</b> Helen Pressley | <b>Date of report:</b> 30/01/2026 | <b>Ref:</b> 72724/NON                                           |
| <b>Registration:</b> 12/01/2026 | <b>LDFC:</b>                      | <b>Expiry Date:</b> 09/02/2026                                  |
| <b>Site Visit:</b>              | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A                                          |
| <b>Objections:</b>              | <b>Con Area:</b>                  | <b>Adv Type:</b> N/A                                            |
| <b>Reason for Delay:</b><br>N/A |                                   | <b>EIA:</b><br><b>Dec Level:</b> DEL<br><b>Stat Class:</b> MADW |

**Proposal:** Non-material amendment following grant of planning permission 70484 (Demolition of existing hotel building and erection of a block of 52 no. retirement living apartments including communal facilities, landscaping and car parking provision); reduction in size and massing of apartment block; reduction in the number of balconies proposed.

**Location:** Site of Former Fairways Lodge Hotel, George Street, Prestwich, M25 9WS

**Description**

Planning permission has been granted for the demolition of existing hotel building and erection of a block of 52 no. retirement living apartments and associated internal resident's lounge, guest suite, managers office and reception. There would be a mixture of 1no. bed and 2no. bed apartments with 30 x 1no. beds, and 22 x 2no, beds proposed. The proposal would consist of a three storey "L" shaped property with parking located to the north of the site accessed from George Street and shared amenity space for the residents largely provided to the south and east of the proposed building.

Non-material amendment following grant of planning permission 70484 - reduction in size and massing of apartment block; reduction in the number of balconies proposed.

**Relevant Planning History**

70484 - Demolition of existing hotel building and erection of a block of 52 no. retirement living apartments including communal facilities, landscaping and car parking provision - Approve with Conditions 17/01/2025

**Publicity**

N/A

**Statutory/Non-Statutory Consultations**

N/A

**Pre-start Conditions - N/A**

**Development Plan and Policies**

|       |                                                      |
|-------|------------------------------------------------------|
| EC2/1 | Employment Generating Areas                          |
| EN1/2 | Townscape and Built Design                           |
| EN6/3 | Features of Ecological Value                         |
| EN7/3 | Water Pollution                                      |
| EN7/5 | Waste Water Management                               |
| EN8/2 | Woodland and Tree Planting                           |
| H1/2  | Further Housing Development                          |
| H2/1  | The Form of New Residential Development              |
| H2/2  | The Layout of New Residential Development            |
| H4/1  | Affordable Housing                                   |
| RT1/1 | Protection of Recreation Provision in the Urban Area |

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|       |                                                             |
|-------|-------------------------------------------------------------|
| RT2/2 | Recreation Provision in New Housing Development             |
| RT3/3 | Access to the Countryside                                   |
| RT3/4 | Recreational Routes                                         |
| HT2/4 | Car Parking and New Development                             |
| JP-C1 | Our Integrated Network                                      |
| JP-C2 | Digital Connectivity                                        |
| JP-C3 | Our Public Transport                                        |
| JP-C5 | Streets For All                                             |
| JP-C6 | Walking and Cycling                                         |
| JP-C8 | Transport Requirements of New Development                   |
| JP-H3 | Type, Size and Design of New Housing                        |
| JP-H4 | Density of New Housing                                      |
| JP-S2 | Carbon and Energy                                           |
| JP-S4 | Flood Risk and the Water Environment                        |
| JP-S5 | Clean Air                                                   |
| JP-P1 | Sustainable Places                                          |
| JP-P6 | Health                                                      |
| JP-G7 | Trees and Woodland                                          |
| JP-G8 | A Net Enhancement of Biodiversity and Geodiversity          |
| JP-G1 | Landscape Character                                         |
| NPPF  | National Planning Policy Framework                          |
| SPD1  | Open Space, Sport and Recreation Provision                  |
| SPD5  | DC Policy Guidance Note 5: Affordable Housing               |
| SPD6  | Supplementary Planning Document 6: Alterations & Extensions |
| SPD11 | Parking Standards in Bury                                   |
| SPD14 | Employment Land and Premises                                |

### **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.

### **Visual Amenity**

The proposal seeks to reduce the overall footprint and massing of the proposed building, but would retain the positioning of the building within the site. The proposal would retain it's "L" shape. The stepping down in ridge heights on the George Street elevation would also be maintained, as would the three storey massing of the main part of the building. It is considered that the amendments to the design would lead to a simplified profile particularly when viewed from the rear rather than varying roof heights and styles. The proposed materials, and focal point entrance to the front would be retained.

The number of units proposed would also be retained. The internal arrangement of flats would be altered, however the mixture of 1 and 2 bed units would be as approved.

The proposal also seeks to reduce the amount of external balconies proposed, replacing some of the balconies with Juliet Balconies. Whilst this would reduce the areas of private amenity space the external amenity space associated with the flats would be retained and the use of juliet balconies would still allow outlook for future occupiers.

### **Residential Amenity**

As set out above the proposal would reduce the overall footprint of the building. The reduction in the amount of balconies would reduce the amount of elevated amenity space associated with the proposal.

The amendment of the footprint of the building, would bring 13.2 metres of the east facing elevation of the building 900mm closer to the side boundary. This is an area of the building however where the applicant is seeking to remove previously approved balconies. As such this amendment would not have a materially alter the assessments previously made in relation to overlooking.

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 70484 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 70484 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                  | 30/01/2026  | DM                      | 30/01/2026  |