



Mark Jones PLANNING CONSULTANCY

Planning Application Ref: 71464

25th August 2026

Bury Council
Planning Department

Dear Planning,

Condition Discharge Application – Condition 9
Erection of 14 garages – 2 identical blocks of 7 units each
Land to rear of Westminster Avenue, Radcliffe, Manchester, M26 3WD

On 22nd October 2025 part retrospective planning permission was granted for the above development, subject to 13 planning conditions.

Condition 9 – access improvements is as follows:

“Notwithstanding the details indicated on the approved plans, no further development shall commence unless and until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

1. Scheme of carriageway resurfacing works on the proposed site access between the junction with Westminster Avenue and the proposed gate position, and all associated remedial/accommodation works;

2. Measures to prevent the discharge of surface water from the site and site access onto the adjacent adopted highway.

The highway works subsequently approved shall be implemented to an agreed programme before the development hereby approved is brought into use.”

An appeal against the condition was submitted as it was felt that the existing access arrangements were acceptable as the site had historically been used as a garage court. However, a Planning Inspector disagreed. The following paragraphs are taken from the Inspector’s decision notice:

“8. Although the appellant asserts that the access is unchanged and in a reasonable condition, I observed during my site visit that the surface is in a poor state of repair at the access point, and in the vicinity of the crossover. This has resulted in a pitted and uneven surface. As such, the ability of pedestrians to navigate easily and safely has been diminished and connectivity has been eroded. This is particularly the case for the visually impaired or

less-abled bodied. Moreover, its deleterious condition contrasts harmfully with the smoother surface and higher visual quality of the adjacent footpath and amenity grassland.

13. To delete the disputed condition would mean that the surface of the site access could remain in a poor condition without incentive to repair it. Its condition may decline further when the site is actively used. There is also nothing before me to indicate that surface water will not discharge onto the public highway. The condition is therefore necessary, reasonable and relevant to the development, and accords with Policies JP-P1, JP-C5, JP-C6 and JP-C8 of Places for Everyone, and Policy EN1/5 of the Bury Unitary Development Plan."

SCP has been commissioned to prepare a scheme for the resurfacing and drainage of the access road into the garage site – see 260756-SCP-HGN-ZZ-DR-C-0100-001-001. They are also instructed to engage with the Council to move forward with a Section 278 should the scheme be found to be acceptable.

Implementation – programme of works

The highway works as shown on Drawing No. 260756-SCP-HGN-ZZ-DR-C-0100-001-001 will be implemented prior to the occupation of any of the garages.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Jones', with a stylized flourish at the end.

Mark Jones BA Hons BTP DMS MRTPI
Planning Consultant - M Jones Planning Consultancy