

NOTICE OF PLANNING PERMISSION

Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

To:

Miss Rebecca Boston
AshtonHale
Suite 9
Level 3
Abc Buildings
21-23 Quay St, Manchester
M3 4AE

On Behalf Of:

Tim Sharrock
On Padel Group Ltd
T1 Golf Sports Village
Warrington
WA5 2UW

PART 1 - Particulars of Application

Application Number: 73059

Date of Registration: 21/04/2026

Proposal:

Erection of 5 no. covered padel courts (Class F2(c)) with ancillary food and beverage facility with seating area and associated lighting, landscaping and infrastructure

Location:

Unsworth Cricket And Tennis Club Ltd, Pole Lane, Bury, BL9 8QL

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered 260020-EDGE-XX-XX-DR-C-2001/P01, AS893-01A, 02/B 03B, 04B, 05/B, and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.
- 3 Prior to commencement of above ground works, in line with approved drawings AS893-04 Proposed G. A. Plans and AS893-05 REV B Proposed G. A. Elevations, the detailed finish and colour of all steel framework, mesh fencing and canopy shall be submitted to and agreed in writing agreed with the Local Planning Authority.
Reason. In the interests of visual amenity pursuant to Joint Development Plan (Places for Everyone) JP-P1 and UDP Policy EN1/1 Visual Amenity.

- 4 The padel facility hereby permitted shall not be open for use outside the following times: 0700 to 2200 hours daily.
Reason. In the interests of residential amenity pursuant to UDP Policies EN7 Pollution Control, EN7/2 Noise Pollution.
- 5 Prior to the use commencing, a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
1. a non-technical summary;
 2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 4. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 5. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.
- has been submitted to, and approved in writing by, the local planning authority.
Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.
- 6 The proposed lighting strategy, as set out in the Environmental Lighting Impact Assessment Report Ref:SHD2356-SHD-HLG-UNSW-RP-EO-Lighting Assessment Report - R1, submitted with the Planning application shall be implemented in full.
Reason. In order to mitigate light pollution pursuant to UDP Policy EN7 Pollution Control.
- 7 The development hereby approved shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.
If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:
- I. Risk Assessment (GQRA or DQRA);
 - II. Remediation Strategy & Verification Plan;
- If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.
Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with National Planning Policy Framework.
- 8 Any soil or soil forming materials to be brought to site for use in soft landscaping, filling and level raising shall be tested for contamination and suitability for use.
- a) Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by

appropriate risk assessment) and source material information shall be submitted to the Local Planning Authority for approval prior to any soil or soil forming materials being brought onto site.

b) The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc.) submitted to Local Planning Authority for approval prior to the development being brought into use.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the National Planning Policy Framework.

- 9 The Precautionary Working Methods Statement (PWMS) principles as set out in Chapter 5 of the Preliminary Ecological Report shall be implemented to safeguard potential common amphibians, badgers and other small mammals such as hedgehogs and any other wildlife which may be present.

Reason. In the interests of nature conservation and protection pursuant to the NPPF, Joint Development Plan (Places for Everyone) and UDP Policy EN6 Conservation of the Natural Environment.

- 10 All retained trees shall be safeguarded through the implementation of the Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) as submitted.

Reason. In order to protect trees in accordance with UDP Policy EN6/3 Features of Ecological Value.

- 11 No removal of or works to any trees/shrubs/vegetation shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and ensured that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Reason. In order to protect nesting birds pursuant to UDP Policy EN6 Conservation of the Natural Environment.

- 12 Prior to commencement of above ground works, details of surface water drainage proposals shall be submitted to and approved by the Local Planning Authority. The scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or subsequent revisions of it. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Design details should comply with guidance contained in the Greater Manchester's Sustainable Drainage Design Guide, March 25. Details of proposed maintenance arrangements should also be provided.

Reason: To promote sustainable development pursuant to the NPPF, Joint Development Plan (Places for Everyone and UDP Policies listed).

- 13 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:

- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials;

- Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations

The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 14 The existing car park and overspill area, identified in the Transport Statement (April 2026), shall be made available for use and thereafter maintained, free of obstruction, at all times.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 15 Prior to the use hereby approved commencing, the 3 Sheffield cycle stands, accommodating 6 cycles, and indicated on the approved plan, shall be provided for users of the padel courts.

Reason. To provide suitable cycle parking pursuant to Joint Development Plan - Places for Everyone Policy JP-P1.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

NPPF	National Planning Policy Framework
PFE	Places for Everyone
JP-G9	The Green Belt
JP-P1	Sustainable Places
JP-P7	Sport and Recreation
CF1/1	CF1/1 - Location of New Community Facilities
EN1/1	EN1/1 - Visual Amenity
EN7/2	EN7/2 - Noise Pollution
HT2/4	HT2/4 - Car Parking and New Development
OL1/2	OL1/2 - New Buildings in the Green Belt
RT1/2	RT1/2 - Improvement of Recreation Facilities
RT2	RT2 - New Provision for Recreation in the Urban Area
EN6/3	EN6/3 - Features of Ecological Value
EN6	EN6 - Conservation of the Natural Environment

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Applicant Plan Numbers:

Dwgs. 260020-EDGE-XX-XX-DR-C-2001/P01,
AS893-02/B 03B, 04B, 05/B,

NOTES TO APPLICANT

1. ***The local planning authority considers that approval of a BIODIVERSITY GAIN PLAN WILL BE REQUIRED BEFORE DEVELOPMENT COMMENCES***

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority,
- and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Bury Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

The permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).]

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any

subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

2. The site is to be drained on a separate system of drainage with surface water and foul sewage being combined at the last manhole before connection to public sewer.
3. Surface water discharge to be limited to existing flow from site less a minimum 35% reduction in run-off to allow for climate change to prevent surcharge of public sewerage system downstream of the proposed development Chapter 10 of the National Planning Policy Framework - Meeting the Challenge of Climate Change, Flooding and Coastal Change and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk and its associated SPD 16 Design and Layout of New Development in Bury. Climate change allowance should be increased to 70% for sites which fall within Flood Zone 3
4. Application forms for permission to connect to the public sewer should be obtained by telephoning United Utilities PLC on 08456 020406 or on line at www.unitedutilities.com
5. Applications for sewer requisitions should be obtained by telephoning United Utilities

PLC at either Dawson House (01925 235871) or Hathersage Road (0161 609 7513)

6. The applicant should ensure that any proposed paved areas (in excess of 5m²) are constructed of permeable or porous materials.

Signed:

A handwritten signature in black ink, appearing to read 'Paul Hather', written in a cursive style.

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On behalf of the Council

Date of Decision: 15/07/2026