

DELEGATED REPORT

Report by Helen Leach	Date of report: 22/01/2026	Ref: 72622/NON
Registration: 02/12/2025	LDfC: 30/12/2025	Expiry Date: 30/12/2025
Site Visit: 12/12/2025	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MADW

Proposal: Non-material amendment following grant of planning permission 70284 (reserved matters approval for 400 dwellings, relocation of cricket pitch and including all details required to discharge conditions from application 67597):

Amendment to increase the width of the road connecting Cock Clod Street, Church Street East & Cross Lane from 5.5m to 6.5m. This in turn requires the amendment of the landscaping, SW Proposals / FFL and the internal road layout drawings listed for condition 11, 23, 25, 28, 31 & 32.

Location: Former East Lancs Paper Mill & Tower Farm, Church Street East, Cross Lane, Cock Clod Street and Brook Street, Radcliffe, M26 2PG

Description

The site is an extensive vacant brownfield site of 22.72 hectares, having been cleared over 14 years ago. The site was formerly occupied by a large paper manufacturing factory and associated lodges (only one lodge remains in situ, with the others having been backfilled). Radcliffe Cricket Club Ground is positioned in the centre of the site and is accessed from Croft Lane.

Outline and reserved matters consents have been granted for the erection of 400 dwellings, which would include a mix of maisonettes, semi-detached, detached and apartments. 100 of these units would be affordable dwellings. The development includes relocation of the cricket pitch, including a new pavilion and all associated development.

The applicant seeks a non material amendment to amend the width of the road connecting Cock Clod Street, Church Street East and Cross Lane from 5.5 metres to 6.5 metres. This in turn requires the amendment of the landscaping, surface water proposals, finished floor levels and the internal road layout drawings listed for conditions 11, 23, 25, 28, 31 and 32.

Relevant Planning History

62969 - Outline application for up to 400 residential dwellings including details of vehicular access (all other matters reserved) and associated works including relocation of cricket pitch, including a pavilion, provision of open space and sports facilities and demolition of existing building and structures at East Lancs Paper Mill. Church Street East, Radcliffe. Approved with conditions - 18 December 2018.

67423 - Variation of condition 39 following approval of planning permission 62969- relocate the vehicular access shown on the approved plan A090070-193-P002 Revision P03, two metres to the East as listed within Condition 39 at site of former East Lancs Paper Mill, Church Street East, Radcliffe. Approved with conditions - 8 October 2021

67597 - s73 Application - Variation to conditions 2 for consistency and to allow phasing; 3 removing indicative masterplan from list of approved plans; 8 and 42 for consistency; 9, 23, 33 and 39 to amend the trigger point for submitting information; 11 to allow site clearance

and preparation to take place prior to commencement of development; 15, 18 and 37 to amend the trigger point for submitting information and consistency; 16, 27, 28 and 34 for flexibility and to amend the trigger point as to when information is submitted; 17 and 30 to increase flexibility and 26 to allow for phasing, following approval of planning permission 62969 at East Lancs Paper Mill, Church Street East, Radcliffe. Approved with conditions - 22 March 2022.

70407 - Application for reserved matters approval (appearance, landscaping, layout and scale) for the erection of 400 dwellings, relocation of cricket pitch, including a pavilion, practice nets and scoreboard and including all details required to discharge the following conditions from application 67597; 9 (Acoustic Attenuation); 11 (Surface Water Drainage Proposals); 13 (WSI for Archaeology); 14 (Bat Roost Assessment); 15 (Bat Survey for New Cricket Club Site); 16 (Otter Assessment); 18 (Bird Survey for New Cricket Club Site); 19 (RAMS for Badger Habitat); 21 (Water Framework Directive Assessment); 22 (No Negative Impacts on River Irwell Ecology); 23 (Landscape & Habitat Creation Details); 24 (Affordable Housing Scheme); 25 (Recreation Scheme); 27 (Phasing Plan); 28 (Internal Road Pattern Details); 29 (Scheme of Levels, Drainage & Modelling to support Approved FRA); 31 (FFL's of Dwellings); 32 (River Irwell Buffer Zone Details); 37 (Replacement Cricket Club Facilities); 39 (Highway Details); 40 (Scoot at Water Street); 41 (Parking Strategy); 44 (Travel Plan) at former East Lancs Paper Mill & Tower Farm, Church Street East, Cross Lane, Cock Clod Street & Brook Street, Radcliffe. Approved with conditions - 13 May 2025.

Publicity

None required.

Statutory/Non-Statutory Consultations

Traffic Section - No objection. See section below

Pre-start Conditions - Not relevant.

Development Plan and Policies

EC2/1	Employment Generating Areas
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
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN1/7	Throughroutes and Gateways
EN2/3	Listed Buildings
EN3/1	Impact of Development on Archaeological Sites
EN3/2	Development Affecting Archaeological Sites
EN6/3	Features of Ecological Value
EN7/2	Noise Pollution
EN7/3	Water Pollution
EN7/5	Waste Water Management
OL5/2	Development in River Valleys
OL7/1	East Lancashire Paper Mill Water Catchment Area
RT1/1	Protection of Recreation Provision in the Urban Area
RT2/1	Provision of New Recreation Sites
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
HT6/1	Pedestrian and Cyclist Movement
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD11	Parking Standards in Bury
SPD14	Employment Land and Premises
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD1	Open Space, Sport and Recreation Provision

OL1/5	Mineral Extraction and Other Development in the Green Belt
EN6/4	Wildlife Links and Corridors
EN8/2	Woodland and Tree Planting
OL5/3	Riverside and Canalside Development in Urban Areas
OL1/2	New Buildings in the Green Belt
JP-S4	Flood Risk and the Water Environment
JP-G9	The Green Belt
JP-P1	Sustainable Places
JP-P2	Heritage
JP-P6	Health
JP-P7	Sport and Recreation
JP-C1	Our Integrated Network
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
NPPF	National Planning Policy Framework

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.

Design and layout - The proposed development would involve increasing the width of the main access road through the site from 5.5 metres to 6.5 metres. This would involve the reduction of the landscaping strip adjacent to the access road. The two landscaping strips on either side of the road would be 2 metres and 3 metres wide and as such, would still contribute positively to the character of the area. Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies H2/1, H2/2 and EN1/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - The proposed development would not affect the siting of the proposed dwellings and as such, would not impact upon residential amenity. Therefore, the proposed development would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

Highways issues

The proposed development would involve increasing the width of the access road to 6.5 metres to ensure that the site is eligible for adoption. The applicant has provided revised plans to ensure that any trees would not be located in the visibility splays at the junctions.

The applicant has confirmed that they will provide further details of the details required for adoption as part of the Section 278 and Section 38 processes.

The Traffic Section

The HA's position confirms that they are comfortable that the list of bullet points provided previously in the form of the recommendation to the RM application, will be addressed as part of the detailed design of, and future discussions relating to, the separate S278 and S38 Agreements.

However, there are still concerns if the Grey to Green/SUDs/verge areas are proposed to be excluded from the areas to be adopted as highway. To ensure that highway issues such as maintaining adequate levels of visibility at junctions (as shown on the plans submitted) and at individual driveways/shared accesses, access through these areas to maintain the kerbs/edgings, etc. and all associated highway works and regular maintenance that may be necessary in the future, these areas should form part of the adopted highway.

We would not object, of course, to the areas identified being maintained by the same management company/organisation that will be responsible for the much more extensive areas of Public Open Space (or whatever is ultimately proposed by Morris Homes) – the highway agreement process will need to ensure that this issue is adequately covered in the relevant agreement(s). Whilst these issues are much more involved and extensive than the usual adoption agreement, this is already done on occasion as part of much smaller developments where accessways with grassed service strips that form part of the front gardens of plots are adopted under Section 38 of the Highways Act 1980, on the understanding that each owner maintains part of the adopted highway/service strip as part of the regular maintenance of each property's front garden. We (the Highway Authority) do, however, retain control of these service strips as they are incorporated within limits of the estate roads being adopted.

Therefore, the proposed development would not be detrimental to highway safety and

would comply with Policies H2/1, H2/2 and EN1/2 of the Bury Unitary Development Plan.

Recommendation: Approve

Conditions and Reasons:

- 1 The proposed amendments would not impact adversely upon the appearance of the site or the residential amenity of the nearby properties. As such, the proposed development would not be unduly prominent in the locality. The proposed amendments would not have a detrimental impact upon ecology or highway safety and would still be in accordance with the overall principles in terms of the approved application 70284 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>
HL 22/1/26		DM 22/1/26	