

**DELEGATED REPORT**

|                                 |                                   |                                |
|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Helen Pressley | <b>Date of report:</b> 15/05/2025 | <b>Ref:</b> 71698/FUL          |
| <b>Registration:</b> 21/03/2025 | <b>LDfC:</b> 22/04/2025           | <b>Expiry Date:</b> 16/05/2025 |
| <b>Site Visit:</b> 29/03/2025   | <b>Site Notice:</b> 29/03/2025    | <b>Press Date:</b> N/A         |
| <b>Objections:</b> 0            | <b>Con Area:</b> N/A              | <b>Adv Type:</b> PI            |
| <b>Reason for Delay:</b><br>N/A |                                   | <b>EIA:</b> NA                 |
|                                 |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> MIOT        |

**Proposal:** Alterations to existing building to accommodate 2 no. internal generators and 2 no. fuel tanks with surrounding fence, including new exhaust flues 1m above roof height

**Location:** Fairfield General Hospital, Rochdale Old Road, Bury, BL9 7TD

**Description**

The application relates to Fairfield General Hospital, Rochdale Road. The hospital site is bound largely by residential properties, with the River Roch and Broad Oak Wood to the South and Rochdale Old Road to the North. The main access to the site is from Rochdale Old Road, via Rough Hill Lane. This leads to Jericho Road that enables access to the wider site. A one way system is operated around the site.

The application site is an existing building located within the grounds of the hospital to the north of the A&E exit road and a car park and to the south of Rochdale old Road.

Planning permission is sought for alterations to existing building to accommodate 2 no. internal generators and 2 no. fuel tanks with surrounding fence, including new exhaust flues 1m above roof height.

**Relevant Planning History**

44321 - Demolition of existing nursery and erection of prefabricated modular building to form nursery - Approve with Conditions 19/05/2005

46815 - Construction of external fenced compound and installation of stand-by generator with 24 hour fuel tank - Approve with Conditions 27/09/2006

51546 - Erection of smoke particulate emissions control filtration unit for the coal fire energy plant - Approve with Conditions 04/09/2009

54442 - Two single storey extensions at ground floor level; internal remodelling to the existing Accident and Emergency Department. - Approve with Conditions 25/10/2011

62511 - Construction of a car park and associated access, footpaths, boundary treatments, lighting columns and landscaping. - Approve with Conditions 06/06/2018

65385 - Link bridge at first floor level to connect Wards 24 and 25 to the main hospital street corridor - Approve with Conditions 30/06/2020

65466 - Extension at level 03 built on the existing flat roof to the South. - Approve with Conditions 24/06/2020

66197 - Installation of a VIE Compound containing a liquid oxygen vessel and two ambient vaporisers in order to supply medical oxygen to the hospital, perimeter security fencing and works to site and access - Approve with Conditions 12/02/2021

## **DELEGATED REPORT**

66815 - Erection of a facility for cold water booster tanks containing 2no. 125m<sup>3</sup> water tanks, booster units and associated external works. - Approve with Conditions 21/09/2021  
69513 - Erection of a new single storey ED modular unit extension - Approve with Conditions 07/12/2023

69880 - Prior approval for proposed demolition of existing two storey residential accommodation blocks, nos. 54, 55, 56 and 57 - Prior Approval Required and Granted 04/08/2023

70502 - Installation of a generator compound containing 2 no. generators and 2 no. fuel tanks with surrounding fence - Approve with Conditions 20/05/2024

70779 - Variation of condition no. 2 (approved plans) following approval of planning permission 66815: Replace 'Site Location Plan' and 'Design and Access Statement' to amend the proposed replacement tree planting locations - Approve with Conditions 11/07/2024

70979 - Installation of temporary car park - Approve with Conditions 27/09/2024

71654 - Variation of condition no. 2 following approval of planning permission 70979 - Amendment to car park surface material - Approve with Conditions 09/04/2025

### **Publicity**

Letters sent to neighbouring properties 24th March 2025.

Site notice posted 29th March 2025.

1 objection received in relation to:

- Floodlights attached to a building. Deflector should be added.

### **Statutory/Non-Statutory Consultations**

**Conservation Officer** - No objection.

**Environmental Health - Pollution Control** - Confirm no comment.

**Public Rights of Way Officer** - No response

**Greater Manchester Ecology Unit** - No ecological issues appear to be associated with this site. Potential issues with bats and nesting birds can be dealt with via informative.

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

### **Development Plan and Policies**

|       |                                                    |
|-------|----------------------------------------------------|
| CF1/1 | Location of New Community Facilities               |
| EN1/2 | Townscape and Built Design                         |
| EN6/3 | Features of Ecological Value                       |
| EN7/2 | Noise Pollution                                    |
| HT2/4 | Car Parking and New Development                    |
| JP-P1 | Sustainable Places                                 |
| JP-P6 | Health                                             |
| JP-C5 | Streets For All                                    |
| JP-C6 | Walking and Cycling                                |
| JP-S2 | Carbon and Energy                                  |
| JP-S5 | Clean Air                                          |
| JP-G8 | A Net Enhancement of Biodiversity and Geodiversity |
| 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.

## **Principle**

UDP Policy CF1/1 generally looks favourably on proposals for additional or improved community facilities where these do not conflict with amenity or the local environment. PfE Policy JP-P6 confirms that improvements to health facilities will be supported, responding to the changing needs and demands of both existing and new residents including through

enabling the continued enhancement and successful operation of our hospitals.

The submitted planning statement confirms that the proposal would serve primarily as a backup generator to the hospital. The existing external generator would be removed and replaced with fuel tanks.

It is therefore considered that the proposal would provide support for health care facilities for the benefit of the local community and as such the proposal would support the policy considerations for improvements to health care facilities and would therefore comply with UDP Policy CF1/1 and PfE JP-P6.

### **Layout and Design**

UDP Policy EN1/2 seek to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area. PfE Policy JP-P1 aims to promote a series of beautiful, healthy and varied places.

As a health service body, the Trust benefits from Permitted Development rights contained within Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).

The applicant has confirmed which works they consider to fall under PD rights within their Planning Statement and considered that the new fuel tanks, mesh fencing, louvre panels and exhaust flues would require permission.

Overall the changes to the host building to accommodate the development would not amend the character of the wider hospital site. The proposed weld mesh fencing would be extended to accommodate the 2no. fuel tanks which would be sited in a similar position to the existing external generator. New flues would be visible on the easterly side but would not exceed 1m above the highest part of the roof and as such would not be overly dominant. The proposed new Louvre panels would be located on existing elevations, providing ventilation as required and would not be overly obtrusive. It is proposed that these would be finished in "NHS blue".

It is therefore considered that the proposal would comply with the policy considerations set out above.

### **Amenity**

UDP Policy EN1/2 - Townscape and Built Design seeks to ensure that the proposals for development are considered in relation to their relationship to the surrounding area, and the use of lighting. This is further supported by UDP Policy EN7/2 - Noise Pollution that restricts development that would lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users.

The proposed generators would be housed in a sound attenuated enclosure designed to reduce sound levels. Air inlet and extract attenuators within the bulkhead walls and exhaust silencers within the flue are proposed to achieve 80DbA at 1 metre. The generators are proposed as backups and will not be operational other than in the event of a power failure from the grid, of which, it would be unlikely to run at 100% capacity. They will be tested once a month under a low capacity and will only be tested at 100% capacity once per year for 90 minutes during the day-time for testing.

The site would be located approximately 50metres from the nearest residential receptor and no objections have been raised to the proposal from the environmental health team. Given the considerations set out above it is considered that the proposal would be acceptable in terms of residential amenity.

### **Access and Parking**

Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a

significant positive contribution to the quality of place and support high levels of walking, cycling and public transport. In terms of parking standards Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 provides parking standards for developments.

No works are proposed to the existing access, or internal road layout. The proposal would not lead to an increase in traffic or users at the existing site.

The proposed enabling works include the enlargement of a slab at the eastern corner of the site boundary which would lead to a loss of 1no. parking space. As a compensatory measure provision has been made for 3no. new parking spaces to the north of the proposed site as indicated on drawing 164224-DAY-ZZ-XX-DR-A-040103-Proposed Site Plan-P02..

It is therefore considered that the proposal complies with the policy considerations set out above.

### **Carbon, Energy and Air Quality**

Policy JP-S2 sets out the steps required to achieve net zero carbon emissions. Policy JP-S5 supports improvement in air quality.

The Planning Statement states that an Air Quality technical note would be submitted in due course however this has not been submitted within the application determination period. The applicant however has confirmed the following:

- The generator is intended for emergency use only and will not operate continuously, thereby minimising overall energy demand.
- The generator will be specified to meet the hospital's emergency power needs with optimal fuel efficiency and minimal emissions.
- A modern, high-efficiency diesel engine will be used to comply with the latest emission standards.
- Where feasible, load management strategies will be employed to optimise generator operation and reduce unnecessary fuel consumption.

On balance, it is not considered that the addition of emergency generators and intermittent testing would cause adverse air quality impacts, and the aim of meeting of a carbon neutral Greater Manchester no later than 2038.

### **Ecology and Biodiversity Net Gain**

PfE Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by Policy EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 187 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment.

#### **Bats**

A valid bat assessment has been provided. No evidence of bats was found and the building assessed as having negligible potential, despite access being possible. The building was not accessible until autumn 2024.

#### **Nesting Birds**

No evidence of birds having nested on the building was recorded. The building has however since last year become accessible to species such as feral pigeon owing to a board having dropped from one of the openings.

#### **Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)**

While every grant of planning permission in England is deemed to have been granted

subject to the biodiversity gain condition, commencement and transitional arrangements, as well as exemptions, mean that certain permissions are not subject to biodiversity net gain.

In this instance, given the nature of the development which largely comprises of reconfiguration and alterations to an existing building the deminimis exemption would apply.

As enhancement GMEU recommend provision of one bat box on the southern or western elevation.

**Response to representations**

The lighting referenced is attached to a building that does not make up part of this planning application. The representation has also been made to Environmental Health who would deal with light pollution.

**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.

**Recommendation:** Approve with Conditions

**Conditions and Reasons:**

- 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 DAY ZZ XX DR A 040108 Rev P01, DAY ZZ XX DR A 040111 Rev P02, DAY ZZ XX DR A 040112 Rev P01, DAY ZZ 00 DR A 040104 Rev P01, DAY ZZ 00 DR A 040109 Rev P01, DAY ZZ 01 DR A 040110 Rev P02, DAY ZZ MZ DR A 040105 Rev P01, DAY ZZ MZ DR A 040115 Rev P01, DAY ZZ 00 DR A 040114 Rev P01, DAY ZZ 01 DR A 040116 Rev P01, DAY ZZ RF DR A 040106 Rev P01, DAY ZZ RF DR A 040113 Rev P02, DAY ZZ XX DR A 040102 Rev P02, DAY ZZ XX DR A 040103 Rev P02, DAY ZZ XX DR A 040107 Rev P01, DAY XX XX DR A 040101 Rev P01 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 The new louvre to be used on the external elevations shall be coloured "NHS Blue" RAL 5017.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design
- 4 Prior to occupation of the development hereby approved the applicant shall install 1no. bat box on the southern or western elevation.  
Reason. To secure the satisfactory development of the site and ensure enhancements and net gains for biodiversity pursuant to policies JP-G8: A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

## **DELEGATED REPORT**

- 5 The car parking indicated on the approved plan DAY ZZ XX DR A 040103 Rev P02 shall be surfaced, demarcated and made available for use prior to the extension hereby approved being brought into use.

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.

|                     |             |                         |             |
|---------------------|-------------|-------------------------|-------------|
| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
| HP                  | 15/05/2025  |                         |             |