

Your Ref:
Our Ref: 34250/30097/05474339-1/38775315-4

Dean Clapworthy
Bury Council
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Pamela Chesterman
Partner
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27 December 2023

Dear Sirs

**APPLICATIONS 70213 AND 70214
PROPERTY: THE LORD RAGLAN**

We write in relation to the above applications relating to an application for planning permission for 'partial demolition of listed building The Lord Raglan a disused public house and conversion into 5 apartments and creation of 3 terraced houses on existing car park' (the **Planning Application**) and associated listed building consent (the **Listed Building Consent**).

The contents of your emails dated 15 and 16 November 2023 are noted, inviting the submission of further documents in order to support the application for Planning Application and Listed Building Consent relating to the Property. Further documents were submitted in response to those emails under cover of two email sent by my colleague Chloe Moran (Chloe.Moran@irwinmitchell.com) on 6 December 2023 at 12:00 and 12:04.

Since then, you have spoken with our Benjamin Holland in order to seek to remedy officers consideration of invalidation. For the sake of completeness, we note below in summary your concerns with the currently submitted documents under the Planning Application and Listed Building Consent:

- 1 The documents that have been submitted throughout the preparation of the Planning Application (i.e. those connected with an earlier refusal) are, in part, unrelated to the contents of the Planning Application;
- 2 Your Dean Clapworthy expressed concern in a telephone call on 11 December 2023 that the submitted documents did not demonstrate vehicular and pedestrian access to the proposed development site;
- 3 There are in Mr. Clapworthy's view, anomalies in the documents submitted, but it has been explained that due to the 'vast number' officers are not prepared to provide us with a full list of perceived anomalies; and

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Official Legal Partner

- 4 The fee paid for the Planning Application is wrong and falls short of the fee required to validate the Planning Application.

For clarity and completeness, it is our view, and we hope it will assist the Council that we re-submit all documents that are to be considered in the validation of the Planning Application. We have now had an opportunity to review all documentation and believe the attached documents should allow the Council to validate the Planning Application.

We appreciate the original submission was made online via the Planning Portal. Therefore, we respectfully request that the Council deals with the contents of this letter and the documents enclosed, submitted via email in effect superseding those documents previously submitted via the Planning Portal. For completeness, we suggest this means that the Council;

- 1 Disregard **all** documents and statements submitted to date to the Council in relation to the Planning Application; whether the submission be via e-mail or the Planning Portal, **SAVE FOR** the original application forms themselves;
- 2 Amend the description of the Planning Application proposal to read “the conversion of Listed Building The Lord Raglan a disused public house into 5 apartments and creation of 3 terraced houses on existing car park” having confirmed that there is **no demolition** proposed as part of the current application; and
- 3 Validate and consider the Planning Application in line with this letter, and all documents enclosed and listed below for validation.

As such, please find attached/enclosed:

- Location Plan
- Site/Block Plan
- Flood Map for Planning (no flood risk necessary because the area is not flood zone)
- Proposed GA Elevations
- Perspective view from North
- Landscape Plan
- Design and Access Statement DA18037, 22 Oct 2023
- Transport Statement
- OS Map
- GMP Response 18 March 2022
- Fire Plan
- CIL Completed Form
- Planning Statement
- Addendum Planning Statement
- Heritage Statement
- Addendum Heritage Statement

In addition to the above, for the purposes of addressing other potentially ‘relevant’ documents and issues identified both specifically by you, and generally in the Council’s Local Validation list, please see below:

- GMP response; the mitigation measures agreed, following last applications discussions, include our Client’s acceptance of ‘best measures’ i.e. sprinklers and on that basis, accepting that the GMP have a delayed response time, our Client accepts the best measures application to this proposal and will accept a condition requiring compliance with the suggestion made by GMP noting that this proposal still includes the highest level of receptor and the best measures of mitigation;
- Ecologist report; the roof is intact and there are no open entrances or materials in need of repair that might have caused any habitat or species to enter the property. The property has been

used/entered by the Client since his acquisition on regular occasions and he confirms that there is no evidence of any species in, on or around the premises. There is nothing in terms of recorded data (either from our Client, the previous owners or the Council) or proposed that might furthermore cause any disturbance to any species using the site noting that there is no foraging opportunities on the site, nor any immediately adjacent to the site;

- Parking statement; Our Client's transport consultants have advised that the Transport Statement includes a section on parking justification, which deals with access, servicing etc, which was added to the Transport Statement on the earlier version as a consequence of Highways officers' comments. So in their view the Transport Statement does two roles and should be read as the 'Parking Statement' for these purposes.
- Pedestrian and vehicular access to site: Our Client is not intending to amend the access to the site from the pre-existing use as a car park. The site benefits from an access from the public highway that can be seen in the Design and Access Statement and the Landscape Plan submitted and enclosed with this letter.

Relating to your final concern, our Client is aware of the shortfall in fee paid for determination of the Planning Application. This is as a direct result of national government having increased fees and those fees coming into effect 6 December 2023. Our Client previously paid the Application Fee via a link from the Planning Portal, so he was expecting the same. However, he has been advised to call the line provided by your Technical Officer and will make payment of the additional amount confirmed in the subsequent exchange of emails shortly. For completeness, it is not a case that the Application was unsupported by a proper fee so could not be validated for that reason, but we accept that in order to validate it now i.e. after 6 December an increased fee applies.

If you have any queries as to the contents of this letter or any of the submitted documents, please call me to discuss to ensure we can progress the matter expediently hereon out.

Yours faithfully

Irwin Mitchell LLP

Encl.