

DELEGATED REPORT

Report by Helen Pressley	Date of report: 23/07/2025	Ref: 72053/CONDIS
Registration: 12/06/2025	LDFC:	Expiry Date: 07/08/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level:
		Stat Class: NREQ

Proposal: Application to discharge condition 3 (materials) on planning permission 70805

Location: Land off Fletcher Fold Road, Bury, BL9 9RX

Description

Planning permission has been granted, subject to conditions, for the for the erection of 43 dwellings for the people over 55 years of age with associated car parking and landscaping. The dwellings comprise of 4 x 2no. bedroom bungalows and a three storey apartment building providing a total of 39 apartments (33no. one bedroom apartments and 6 no. two bedroom apartments) with a communal room at ground floor.

Communal landscaped gardens are proposed to the rear of the apartment blocks with parking located centrally within the built development, access from Fletcher Fold Road. Self contained gardens are proposed for the bungalows, with parking provided to the front or the side of each of these units.

This application relates to the discharge of condition 3 (materials) on planning permission 70805.

Relevant Planning History

02946/E - The proposed development is for the erection of 43 dwellings for the people over 55 years of age with associated car parking and landscaping. The dwelling comprise 4 x two bedroom bungalows and a three storey apartment building providing a total of 39 apartments (27 one bedroom apartments and 12 two bedroom apartments) with a communal room at ground floor. - Enquiry completed 19/02/2024

62832 - Prior notification of proposed demolition of single storey former primary and special school - Prior Approval Required and Granted 14/06/2018

66306 - Demolition and site enabling works - Approve with Conditions 22/02/2021

70805 - Erection of 4 no. bungalows and a block of 39 no. apartments for the over 55s including communal facilities, landscaping and car parking provision - Approve with Conditions 17/12/2024

71764 - Application to discharge condition 13 (drainage scheme) & condition 25 (highways works) on planning permission 70805 - Pending

71668 - Application to discharge conditions 8 (biodiversity net gain plan) and 9 (habitat management) on planning permission 70805 - Approve 15/05/2025

71708 - Application to discharge conditions on planning permission 70805: condition 4 (protected trees), 19 (public footpath protection) and 20 (public footpath diversion) - Approve 05/06/2025

Publicity

N/A

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Development Plan and Policies

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.

Condition 3

Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design

A materials schedule has been submitted with the application that proposes the following materials:

Apartments

- Facing Brick Type 1 - Woodside Mixture (LBT Brick & Facades) Red Multi, Wirecut brick
- Facing Brick Type 2 - Village Russet Red (LBT Brick & Facades) Red Multi, Stock Brick
- Facing Brick Type 3 - Bourneville Buff Blend, Wirecut, Wienerberger.
- Roof - Slate effect tiles, Russell Grampian, Anthracite
- Rainwater goods - UPVC, Black
- Fascia - Black UPVC fascia capping and trims, woodgrain, RAL 9005.
- Soffit - Black UPVC fascia capping and trims, woodgrain, RAL 9005.
- Window frames - UPVC bevelled profile - RAL 9005 Black (white on the inside)
- Door frames - UPVC bevelled profile - RAL 9005 Black (white on the inside)
- Communal lounge, entrance, stairs, scooter store and plant room doors and windows - Aluminium, RAL 9005 Black (white on the inside)
- Balcony structure - Powder coated metal, Ral 9005 Black
- Apartment glass infill panel - Pilkington Decorative Glass Range: Pilkington Optifloat Opal (Privacy Level 5)
- Scooter store glass infill panel - Opaque black glass
- Balcony Deck - Aluminium, Alideck, RAL 7006 Beige Grey
- Balcony balustrade - Delta Vista V5111U Channel and tubular glass infill system, with laminated glass with PPC solid colour HiBex external handrail, colour black. BB6 slotted handrail.

Bungalows

- Facing Brick - Woodside Mixture (LBT Brick & Facades) Red Multi, Wirecut brick
- Roof - Slate effect tiles, Russell Grampian, Anthracite or slate grey
- Rainwater goods - UPVC, Black
- Fascia - Black UPVC fascia capping and trims, woodgrain (RAL 9005).
- White UPVC fascia capping and trims, woodgrain, (RAL 9010 Pure White)
- Patio door and window frames - UPVC bevelled profile, Ral 9005 Black (white on the inside)
- Entrance doors and frames - composite door, RAL9005 Black (white on the inside)

Bin Store

- Facing Brick - Woodside Mixture (LBT Brick & Facades) Red Multi, Wirecut brick
- Roof - Slate effect tiles, Russell Grampian, Anthracite or slate grey
- Rainwater goods - UPVC, Black
- Fascia - Black UPVC fascia capping and trims, woodgrain (RAL 9005).
- White UPVC fascia capping and trims, woodgrain, (RAL 9010 Pure White)
- Entrance door - Aluminium with matching louvre, RAL 9005 Black

An amendment has been made during the course of the application, to amend Brick type 3

from Mellor Buff Multi to Bourneville. The approved brick has been included within the materials schedule above.

The LPA has no objections to the proposed materials and as such the condition can be discharged.

Recommendation: Approve

Conditions and Reasons:

- 1 The conditions of application 70805 listed below are approved:
Condition 3 - materials

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	23/07/2025	DM	23/07/2025