

NOTICE OF PLANNING PERMISSION

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

To:

Mr Mike Hughes
S&L Planning Consultants
Rational House
32 Winckley Square
Preston
PR1 3JJ

On Behalf Of:

Mr J Brearley
Parkhills Car Centre
Manchester Road
Bury
BL9 9AZ

PART 1 - Particulars of Application

Application Number: 72645

Date of Registration: 15/12/2025

Proposal:

Change of use of land from auto service centre (Use Class B2) to a mixed use auto service centre and car sales centre (Use Class B2/Sui Generis)

Location:

Parkhills Service & MOT Centre, Edward Street, Radcliffe, Manchester, M26 1JU

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 -

Revised existing site plan 25-175-E01 rev B
Revised location plan 25-175-LP01 rev E
Revised existing block plan 25-175-BP01 rev E

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 Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted to the Local Planning Authority to a scope and specification to be agreed with the Highway Authority on a topographical based survey of the site and adjacent highways:

1. Formation of the reinstated footway on the northerly side of Edward Street abutting the site, in a position and alignment to be agreed, incorporating the demarcation of the limits of the adopted highway, provision of dropped pedestrian crossing points at the junctions/access points to be formed/regularised and all associated accommodation works to tie into existing footway limits.
2. Measures to prevent the discharge of surface water from the proposed accesses/car park onto the adjacent adopted highway.
3. Signage and/or road marking details for the allocated car parking within the curtilage of the site.
4. All associated highway and highway drainage remedial works.

The details subsequently approved shall be implemented to an agreed programme and fully completed prior to the development hereby approved being brought into use.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure adequate off street car parking arrangements for disabled users and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to policies JP-C5, JP-C8, JP-S4 and the principles of the NPPF.

- 4 The turning facilities within the curtilage of the site indicated on the approved plans shall be provided before the access/car park is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to policies EN1/2 and JP-C8.

- 5 The car parking indicated on the approved plans shall incorporate inward opening gates, be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies HT2/4, JP-C5 and JP-C8.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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
EC2/1	EC2/1 - Employment Generating Areas
EC4/1	EC4/1 - Small Businesses
EN1/2	EN1/2 - Townscape and Built Design
EN7/2	EN7/2 - Noise Pollution
HT2/4	HT2/4 - Car Parking and New Development
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling

JP-C8 Transport Requirements of New Development
JP-J2 Employment Sites and Premises
JP-P1 Sustainable Places
JP-S1 Sustainable Development
JP-S2 Carbon and Energy
JP-S4 Flood Risk and the Water Environment
JP-S5 Clean Air
SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury

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:

Revised existing site plan 25-175-E01 rev B
Revised location plan 25-175-LP01 rev E
Revised existing block plan 25-175-BP01 rev E

NOTES TO APPLICANT

2. SP ENW response

We can confirm that there is SP Electricity North West Ltd (SP ENWL) infrastructure located on land associated with the above application.

The applicant should be advised that great care should be taken at all times to protect electrical apparatus and any personnel working in its vicinity. Anyone working in proximity to any of our apparatus (whether above or underground) should be referred to two relevant documents produced by the Health and Safety Executive (available from The Stationery Office Publications Centre and The Stationery Office Bookshops), and advised to follow the guidance given.

The documents are as follows:-

HS(G)47 - Avoiding danger from underground services

GS6 - Avoidance of danger from overhead electric lines

SP ENWL offer a fully supported mapping service, providing up to date information about the location and status of our apparatus. Further information can be found at <https://www.enwl.co.uk/advice-and-support/line-search-before-you-dig>, alternatively you can call us on 0800 195 4141.

It is advisable that the developer and/or their contractors make contact with SP ENWL as soon as reasonably practicable to discuss the location of our assets and their proposals, to ensure there is no unnecessary delay to any works they wish to carry out.

1. In accordance with S93G of the Town and Country Planning Act 1990 (As amended by Section 111 Levelling Up & Regeneration Act 2023) there is a legal requirement for you to inform the Council of the date when you intend to commence the development on site via submission of a Commencement Notice. This notice is mandatory for all developments and came into effect on 31 March 2024. You can find more information and download a copy of the Commencement Notice under the Before Starting Work section on our website at <https://www.bury.gov.uk/planning-building-control/planning-permission/planning-appli>

cation-process

3. ***The local planning authority considers that approval of a BIODIVERSITY GAIN PLAN WILL NOT 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 development of land in England is deemed to have been granted subject to the condition (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 not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

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:
 - iv) the application for planning permission was made before 2 April 2024;
 - v) planning permission is granted which has effect before 2 April 2024; or

vi) 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:

iii) 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

iv) 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).

4.6 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.

4.7 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).

4.8 Self and Custom Build Development, meaning development which:

iv) consists of no more than 9 dwellings;

v) is carried out on a site which has an area no larger than 0.5 hectares; and

vi) 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.

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 would apply if the permission were subject to the biodiversity gain condition.

In summary: Biodiversity gain plans would be 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).]

4. The applicant's attention is drawn to the need to consult the Department for Place regarding the specification for, technical approval and implementation of the required highway works. The cost of the works will be the responsibility of the applicant.

Signed:



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On behalf of the Council

Date of Decision: 17/06/2026