

DELEGATED REPORT

Report by Helen Pressley	Date of report: 07/04/2025	Ref: 71654/FUL
Registration: 26/02/2025	LDFC: 28/03/2025	Expiry Date: 23/04/2025
Site Visit: 29/03/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Variation of condition no. 2 following approval of planning permission 70979 - Amendment to car park surface material

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 within the hospital compound is located to the south of 396 - 422 Rochdale Old Road and to the east of the properties on Bamford Close and Smethurst Hall Road. The site previously comprised 2 blocks of 2 storey residential accommodation. These blocks were used as nurses accommodation in association with the hospital use and were given prior approval for demolition in 2023. Existing car parks are located to the north and south of the site.

Planning permission has been granted for a temporary car park for 5 years within the site, to provide 97no. parking spaces for staff at the site. The car park would be accessed from a new access to the south of an existing staff car park. Users of the car park would arrive via the main site access and depart via the one-way system to the exit-only access with the B6222 immediately north of the site.

The current application seeks to vary condition no. 2 following approval of planning permission 70979 to amendment to car park surface material from MOT to Ultraporous Binder Course.

Relevant Planning History

02840/E - Consideration of 3 no. options for the installation of a car park deck within Fairfield Hospital Grounds - Enquiry completed 13/09/2023

35406 - Redevelopment - Approve with conditions 07/07/1999

37893 - New offices and car park - 31/08/2001

44321 - Demolition of existing nursery and erection of new 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 fired energy plant - Approve with Conditions 04/09/2009

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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

66815 - Erection of a facility for cold water booster tanks containing 2no. 125m3 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

71698 - 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 - Pending

Publicity

Letter sent to neighbouring properties 07/03/2025. No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - Do not wish to restrict the grant of planning permission.

Drainage Section - No response

Conservation Officer - No objections

United Utilities (Water and waste) - No response

Pre-start Conditions - Not relevant

Development Plan and Policies

CF1/1	Location of New Community Facilities
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
H3/2	Existing Incompatible Uses

JP-P6	Health
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-S2	Carbon and Energy
JP-S5	Clean Air
EN8/2	Woodland and Tree Planting
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G7	Trees and Woodland
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.

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.

The application seeks to amend the previously approved MOT material for the surfacing of the car park, to a porous binder course. The applicant states within the covering letter that this is due to concerns in relation to maintenance of the surface of the car park.

The proposed material would be porous, however the applicant considers that it provides enhanced stability for pedestrians when compared to the previously approved MOT surfacing. The applicant states that the durability of the proposed materials aligns with the temporary five year lifespan of the proposed car park and the removal requirements would be comparable for those of the previously approved MOT material. The temporary condition would be replicated on the new consent.

Given the nature of the material approved and confirmation that the material can be removed following the temporary 5 year period it is considered that the proposed material is acceptable.

The proposed amendments to the materials for the carpark would not amend the overall layout of the proposal. As such the assessments made under application 70979 stand in relation to all other aspects.

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.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 Permission is hereby granted for a limited period only, namely for a period expiring on the 27th September 2029, and the works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued at the end of the said period and the land reinstated to its former condition.
Reason. In view of the temporary nature of the development and in order to retain control over its continued use having regard to the particular nature of the site and surroundings pursuant to The National Planning Policy Framework.
- 2 This decision relates to drawings numbered B101 and B105 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 Development Plan listed.

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- 3 The development shall be carried out in accordance with the landscaping scheme submitted to and approved by the Local Planning Authority under condition 3 of application and 70979.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to EN1/2 - Townscape and Built Design, EN8/2 - Woodland and Tree Planting and JP-G7 - Trees and Woodland of the adopted Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 07/04/2025			