

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 10/06/2025	Ref: 71966/NON
Registration: 23/05/2025	LDFC:	Expiry Date: 20/06/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIOT

Proposal: Non-material amendment following grant of planning permission 66815 to replace decorative trees with wildflower meadow; 2no. Armco barriers; new flat paving to main entrance; Steps with brick wall coping and balustrade above and revised curblines

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

Description

The application relates to Fairfield hospital and consent which was granted for the erection of a facility for cold water booster tanks.

Each water tank would have a 125 m3 capacity with associated plant equipment and would be accommodated within a new building on a roundabout island within the hospital site. The building would be 7m high with a footprint of 150 sqm and would be square in form. The building would have a linear clad profile in natural earthy and muted colours which would be broken up by shadow gaps to add definition to the profile of the building and access would be via a double door.

The area around the building would be partly tarmaced and partly grassed with with a dedicated parking space for maintenance vehicles located directly to the north so as not to interfere with patient and visitor drop offs

5 no trees would be removed to facilitate the location of the facility and mitigation measures to plant 6 no replacement trees is proposed in an area of land to the west of the site and within the hospital grounds.

A variation of condition application was subsequently approved to amend the location of the replacement tree planting which would still provide 6 trees in 3 separate areas of the hospital grounds.

This application seeks a non-material amendment to replace decorative trees with wildflower meadow; 2no. Armco barriers; new flat paving to main entrance; Steps with brick wall coping and balustrade above, revised curblines and remove the maintenance parking space.

Relevant Planning History

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
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

Publicity

N/a

Statutory/Non-Statutory Consultations

N/a

Pre-start Conditions - Not relevant

Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
CF1/1	Location of New Community Facilities
EN5/1	New Development and Flood Risk
HT2/4	Car Parking and New Development
EN6/3	Features of Ecological Value
JP-C8	Transport Requirements of New Development
JP-P6	Health

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.

Assessment

Landscaping

The trees which were to be planted on the site were decorative only and the applicant has confirmed that the landscaping and replacement planting approved under planning reference 70779 would be provided to fulfill the planning condition.

As such the proposed wildflower meadow is considered an acceptable alternative.

External works

The proposed barriers, brick wall coping and kerb lines would provide a protected barrier to protect pedestrians and the building and are considered acceptable as a NMA.

Regarding the parking space, the applicant states that this was intended as a temporary measure for the contractor during construction and would not be required permanently, as based upon likely personnel and frequency of work expected, the existing designated contractor's parking area to the east would be adequate to serve as maintenance parking for vehicles.

The CTMP has been amended to state this would be the servicing arrangement and operatives would access and park in the designated contractors area in line with the Trust's designated parking arrangement.

As such, the proposed amendments are considered non-material to the approved scheme ref 66815.

Recommendation: Approve

Conditions and Reasons:

The proposed landscaping and external works would not affect the character of the originally approved scheme and there would be no adverse impacts on visual amenity or highway safety issues.

The development would still be in accordance with the principles of planing permission reference 66815 and the policies against which it was approved.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	10/6/25		