

TITLE	: RECENT PLANNING APPEALS		
TO / ON	: Planning Control Committee	02 September 2003	
FROM	: Borough Planning & Economic Development Officer		
STATUS	: FOR PUBLICATION		

1.0 TYPE OF DECISION

1.1 What type of decision is to be taken:-

EXECUTIVE DECISION		COUNCIL DECISION	
Key	Non Key	Yes	

1.2 If a key decision, has it been included in the Forward Plan

Inclusion in Forward Plan	(Yes or No)	Date of Plan	
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2.0 SUMMARY

The report summarises the outcome of some recent appeals, and lists appeals still awaiting a result.

3.0 OPTIONS AND RECOMMENDED OPTIONS (with reasons)

The Committee is recommended to note the appeal decisions described below.

4.0 THIS REPORT HAS THE FOLLOWING IMPLICATIONS

Corporate Aims

Improving transport and the environment

Policy Framework

Unitary Development Plan.

**Statement by
Monitoring Officer**

**Statement by
Director of Finance
&
E-Government**

**Human Resource
IT/Land and
Property
Implications**

N/A

**Wards/Area Boards
affected**

All

**Scrutiny Panel's
Interest**

N/A

Consultations

None required.

Call-in

Briefings

Executive Members/ Chair		Chief Executive	
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5.0 **APPEAL DECISIONS**

5.1 **Amtron House, Gordon Street, Ramsbottom (38793)**

Appeal allowed – outline residential (flats).

Town Centre policy encourages residential. In this particular case, the town centre policy should prevail over employment protection policy. Inspector says that this should not be seen as a precedent for other employment areas.

5.2 **Fabricad Design Ltd, 258 Bolton Road West, Ramsbottom (38869)**

Appeal dismissed – Listed Building consent for telecommunications equipment.

Equipment to be hidden by fibreglass shroud extending the height of the chimney on the Listed Building. Inspector said it detracted from the building. Health risks and TV interference not relevant.

5.3 **Brownfield Boarding Kennels, Knowsley Road, Ainsworth (38994)**

Appeal allowed – erection of stables and tackrooms.

New stables in Green Belt accessed by very narrow track between Listed Buildings. Inspector concluded that proposal would not affect safe use of track by pedestrians or damage the listed buildings.

5.4 **523 Tottington Road, Bury (DC/8/488)**

Appeal allowed – enforcement notice against a conservatory.

Controversial conservatory recommended for approval. Appellant claimed it was permitted development. Inspector concluded it was not permitted development, and that planning permission was needed. The Inspector decided to grant planning permission because the conservatory had a limited impact on the neighbour and was not overdevelopment.

5.5 **1 Verna Street, Ramsbottom (38840)**

Appeal Dismissed – first floor extension on gable.

Modern style extension on gable of house in Conservation Area. Appeal turned down – incongruous element detracting from character of the conservation area.

5.6 **Castle and Lee Workshop, Callender Street, Ramsbottom (38083)**

Appeal Allowed – 9 flats.

Block of flats on steep restricted site next to Conservation Area. Recommended for approval. Inspector concluded it was not out of scale with surroundings, and had an acceptable relationship with surrounding property; 5 parking spaces enough in town centre; close to Public Open Space and other facilities.

5.7 **Davenport Mews Stables, Arthur Lane, Ainsworth (38111)**

Appeal Allowed – conversion of stables/coachhouse to dwelling.

Controversial site previously visited by Committee. Inspector concluded that it would be appropriate development in the Green Belt.

5.8 **Starling Water Tower, Cockey Moor Road, Ainsworth (37603)**

Appeal Allowed – Telecommunications equipment on tower.

Refused against officer recommendation. Fewer antennae proposed than existing situation. Inspector concluded very special circumstances in Green Belt; no harm to appearance of tower, the locality or the Green Belt. Health risk judged to be not relevant.

5.9 **Nailers Green, Brandlesholme Road, Greenmount (40094)**

Appeal Allowed – 26 apartments.

Recommended for approval. Committee site visit. Later a smaller application was approved.

Inspector concluded that the original scheme was not out of character with area; privacy/outlook and daylight/sunlight satisfactory for neighbours.

5.10 **Land at Manchester Old Road, Bury (40020)**

Appeal allowed – 6 flats.

Proposed 3-storey block of flats, with top floor flats in the roof space. Surrounding area mainly two-storey. The proposed building is not much higher than its 2-storey neighbours.

5.11 **20 Crosfield Avenue, Summerseat (39770)**

Appeal dismissed – Two-storey site extension

The side extension was only slightly set back, giving rise to a terracing effect. The Inspector agreed that the setback was insufficient.

5.12 **825 Manchester Road, Bury (39536)**

Appeal dismissed – erection of 10 flats.

Proposed 4-storey block of flats with top floor in the roof space. Set in an area of mainly 2-storey buildings. Proposal would be over-dominant and incongruous.

5.13 **429 Bury New Road, Prestwich (388351)**

Appeal dismissed – change of use from A1 shop to A3 Takeaway.

Inspector felt the main issue was the impact upon a block of flats 12m to the rear, due to noise and smell. The takeaway's kitchen would be too close to the flats.

5.14 **9 Old Hall Road, Whitefield (39427)**

Appeal dismissed – 2 storey side extension.

A corner property where the proposed extension would occupy most of the side garden and come to within 1m of the boundary with Grasmere Avenue. Inspector said it would be at odds with the layout of the area, and unduly prominent.

5.15 **219 Sunnybank Road, Unsworth (38609)**

Appeal dismissed – 1st floor side extension and 2 storey rear extension.

Applicant had serious medical condition and needed additional facilities at home. Inspector concluded that the side extension would be 1m away from neighbour's bathroom window, and would take away too much light. The stagger in the line of dwellings means that the appeal property already projects rearwards by 2m in relation to the neighbours. The proposed rear extension would increase this to 4.5m, which is unacceptable.

5.16 **7 Grosvenor Avenue, Whitefield (39196)**

Appeal dismissed – loft conversion and roof alterations.

The redesigned roof would disrupt the symmetry of this semi-detached house, and jar with the appearance of other roofs in the Avenue.

5.17 **The Old Vicarge, Hollins Lane, Bury**

Appeal dismissed – construction of a house.

Permission given in the past for 10 houses with some landscaped open space for residents. Proposal was to build an extra house on the site of the open space. Scheme turned down because of effect on trees, damaging to the street scene and loss of privacy.

6.0 CURRENT APPEALS IN THE PIPELINE

Address	Description
Land off Hollins Lane, Howards Hill, Bury	Residential development – 19 dwellings
Chapel Street, Tottington	Restoration of former National School; demolition of Victoria Hall; erection of new community facilities. (Revised Scheme).
Chapel Street, Tottington	Listed Building Consent – restoration of former National School; demolition of Victorian Hall; erection of new community facilities (Revised Scheme)
44 Bell Lane, Bury	Change of use from Public House to private members' health salon.
Bolton Road, Hawkshaw	Change of use of private swimming pool to swimming school with extension to provide changing facilities (resubmission).
Nailers Green, Brandlesholme Road	Demolition of public house and erection of 26 apartments.
12 Colville Drive, Bury	Change of use from Butchers a shop to hot foot take-away.
125 Turton Road, Tottington	Provision of vehicular access and construction of hardstanding to provide car parking.
Land adjacent 30 Woodward Road, Prestwich	Change of use from open space to form garden extension together with erection of fence.
Land adjacent 2 Tanners Street, Ramsbottom	Residential development – 8 apartments (Resubmission).
92 Sixth Avenue, Bury	Two storey and single storey rear extension.
29 Cromer Road, Bury	Two storey extension at front.
931 Walmersley Road, Bury	Two storey extension at side (Revised Details)
Bridge Trading Estate, Bolton Road, Bury	1 No, 48 sheet ultravision display unit.
533 Manchester Road, Bury	1 x double sided internally illuminated free standing advertising display unit.

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