

Ward: Bury East - East Ward

Item 01

Location: 11-13 SILVER STREET, BURY, BL9 0EU

Proposal: CHANGE OF USE FROM SHOP TO A3 CAFE/WINE BAR AND ALTERATION TO FRONT ELEVATION

Application Ref: 43352

App Type: Full

Statutory Expiry Date: 07 December 2004

Recommendation: Approve with Conditions

Description

The application property 11-13 Silver Street, Bury, is a three storey Victorian-period building situated within the Bury Town Centre Conservation Area. Whilst the first and second floors of the building are currently being used as offices, the ground floor unit, a former furniture shop (Class A1) has been vacant for some time.

The proposal involves change of use of the ground floor shop (Class A1) to cafe/wine bar (Class A3) and alterations affecting the front elevation of the building. In order to create a Victorian style cafe bar in keeping with the character of the Victoria Building, the proposed alterations to the front elevation include the provision of a stone plinth at the back of the pavement, new and restored Victorian pilasters, new timber painted fascia with awnings containing cafe/bar logo to Silver Street etc. When closed, the property would be protected by a roller shutter screen designed with open mesh to minimise the impact on the frontage. The roller shutter box would be fixed out of the view behind the fascia.

As a consequence of the proposed alterations to the frontage, an open air dining area will be created behind the stone plinth. Behind this, there will be a timber glazed screen forming the frontage to the main cafe/bar. It is proposed that the cafe/wine bar will open from approximately 7.30am to serve breakfast leading onto normal licensed opening hours where food and drinks would be served until midnight on Monday to Wednesday and Sunday and 2am on Thursday to Saturday.

Relevant Planning History

Planning application ref. 31668/95 for change of use from Class A1 (retail) to Class A2 (financial and professional services) was refused on 13th February 1996 on the grounds that the development would result in an over-concentration of non-retail uses in the secondary shopping frontage which would be detrimental to the retail character of the area and contrary to Policy S2/3 of the Bury UDP.

Publicity

The application was advertised in a local newspaper and notices placed on the site. In addition, all the relevant businesses/occupiers of the properties notified.

Three letters raising objection to the proposal have been received from the occupiers of 3 Silver Street and residents of 8 Inman Street and 19 Purbeck Drive, Bury. The points made are:

1. There are already more than enough licensed premises in Bury Town Centre which have made it "No Go" area at night for many people.
2. Six out of fifteen pubs located in the Town Centre, are situated at Silver Street.

3. We do not need yet more licensed premises and the attendant problems they bring with excess drinking.

4. It seems that wherever a Town Centre premises becomes empty, there is another application for a licensed premises.

5. Silver Street already houses many licensed premises and it would be unfair to all of the other local licensed premises to take on even more competition, which would hinder the performance of their business.

6. The policing in Silver Street is difficult, this would again be hindered by a further licensed premises being open, especially one as large as 11 - 13 Silver Street.

Consultations

Borough Engineer - No objection subject to conditions

Env. Health - No objection subject to conditions

GM Police - No comments

Unitary Development Plan and Policies

C079 Woodfields, Bury
EN2/1 Character of Conservation Areas
EN2/2 Conservation Area Control
S2/3 Secondary Shopping Areas and Frontages
S2/6 Food and Drink
Area Bolton Street/Market Place
BY3

Issues and Analysis

The application property is located in Bury Town Centre within a "Secondary Shopping Frontage" area which is subjected to Policy S2/3 of the UDP. Policy S2/3 seeks to maintain retailing (Class A1) as the dominant use at ground floor level and aims to prevent the proliferation of non-retail uses which would be detrimental to retailing in Bury. Proposals for change of use or redevelopment within the Secondary Shopping Areas and Frontages, according to Policy S2/3, will be assessed on their merits and by taking into account factors such as the design and appearance of the proposed frontage, maintenance or provision of a display window, access for the mobility impaired etc. Where a proposal would lead to more than 40% of the shopping frontage being in non-retail use, consideration for additional factors such as the location and prominence of the proposal within the frontage; the number, distribution and proximity of non- retail premises, nature and character of the use proposed, will be made.

The application shop premises (Class A1) has been vacant for approximately 3 years. The Silver Street shopping frontage is located within the Bolton Street/Market Street cultural/tourism zone as identified in the Bury UDP, which aims to promote the area for cultural, financial and leisure facilities. The shopping frontage is regarded as peripheral in terms of town centre retailing and has been declining in terms of its function as a retail area. Whilst taking into account the non-retail use of ground floor of the existing properties within the Silver Street shopping frontage (Class A2 & A3 use being 69%), it is clear that at present, retailing (Class A1) is no more a predominant use within the frontage. If the proposal is accepted, this would further reduce the retail use of this secondary shopping frontage to 11%.

It is accepted that there are already six licensed premises available at Silver Street and that the proposal, if accepted, would further concentrate Class A3 use in the street. Since Silver Street is no more a viable location for a retail use and that it has been declining in retail use for a long time, it is essential that alternative uses such as Class A3 uses which are necessary for the vitality of Silver Street and the town centre, are introduced and accepted.

The proposal entails alterations to the frontage, elements of which would help improve the physical appearance of the building and enhance the character of the conservation area. It is considered that the proposed new Victorian pilasters, new timber painted fascia with awning and logo to Silver Street would improve upon the current appearance of the frontage. Although there are some concerns over the use of the roller shutters, their design is the most acceptable currently available. In terms of its location, design, appearance and character, the proposed development is therefore acceptable.

With regard to the policing of Silver Street and nuisance likely to be caused by the proposed use, it should be pointed out that Greater Manchester Police has raised no objection to the proposal.

Summary of reasons for Recommendation

NO51

Permission should be granted having regard to the policies and proposals listed above and the reason(s) for granting permissions can be summarised as follows;-

It is considered that the proposed development would help enhance the appearance of the application premises and character of the area and would not cause demonstrable harm to interests of acknowledged importance.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five 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 numbered VB/2A, VB/3A, Plan 01 received on 13 October 2004 and VB/1D (revised) received on 23 November 2004 and the development shall not be carried out except in accordance with the approved drawings and specifications and the new pilasters shall be true and complete copies of the existing pilasters in every detail.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
3. The detail and material for the external stone faced plinth shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development.
4. The bottle bins and storage areas shown on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use and maintained as such for as long as the use hereby approved remains in existence.
Reason. To ensure adequate off-highway facilities for waste bottle storage.
5. Any foundations required for the proposed boundary wall alterations shall not extend under the adjacent adopted highways at any point.
Reason. To maintain the integrity of the adopted highway.
6. The development hereby approved shall not be brought into use unless and until a detailed scheme showing flues and ventilation openings has been submitted to and approved by the Local Planning Authority and completed entirely in accordance with the approved scheme.

Reason. To protect the amenities of occupiers of nearby properties.

7. Noise from the proposed activity/development hereby permitted shall not increase the prevailing ambient noise levels as measured at the boundary of the site. The ambient noise levels shall be determined by survey, by the applicant, to the satisfaction of the Local Planning Authority and a copy of the survey report shall be provided to the Local Planning Authority before any development takes place.
Reason. To ensure that the level of noise emanating from the premises is not excessive and is not detrimental to the amenity and character of the area.

For further information on the application please contact **M. Sadiq** on **0161 253 5285**

Ward: Bury East - East Ward

Item 02

Location: BURY CENTRAL LIBRARY SILVER STREET BURY BL9 0DF

Proposal: ERECTION OF BANNER SIGN

Application Ref: 43669

App Type: Listed Building Consent

Statutory Expiry Date: 14 January 2005

Recommendation: Delegated decision to Borough Planning and Economic Development Officer.

Description

There is also an application (43675) on this agenda for advertisement consent.

The public library is an impressive stone building within Bury Town Centre Conservation Area.

Listed Building Consent is sought to display a banner sign on the public library. It would measure 1 metre by 5 metres and would be tied to pillars above the main library entrance on Silver Street. The banner would contain Council information, using letters about 300mm high on a white background.

Relevant Planning History

Advertisement consent (29235/93) and listed building consent (29234/93) for 2 banners over the museum entrance on Moss Street was granted in January 1994.

The museum is currently being renovated in accordance with listed building consent (40602/03) approved in May 2003.

Publicity

The application has been advertised on site and in the Bury Times and neighbours have been notified. Any representations received will be reported.

Consultations

None

Unitary Development Plan and Policies

EN2/2 Conservation Area Control

EN2/3 Listed Buildings

EN1/1 Visual Amenity

EN1/9 Advertisements

Issues and Analysis

The banner is required for only a limited period of time. It will not affect the structure or long term appearance of the Listed Building. Its appearance would be acceptable for the limited period required.

The period for response to the press advertisement expires on 17 December and Members are requested to delegate the decision to the Borough Planning and Economic Development Officer in discussion with the Chair of the Committee if representations are received before that date.

Summary of reasons for Recommendation

Recommendation: Delegated decision to Borough Planning and Economic Development Officer.

Conditions/ Reasons

1. Any banner shall be displayed for a period not exceeding 90 days.
Reason A permanent display would affect the appearance of the Listed Building

For further information on the application please contact **John Hodgkinson** on **0161 253 5323**

Ward: Bury East - East Ward

Item 03

Location: LESTER HOUSE, 21 BROAD STREET, BURY, BL9 0DA

Proposal: ERECTION OF BANNER SIGN

Application Ref: 43672

App Type: Advertisement

Statutory Expiry Date: 14 January 2005

Recommendation: Delegated decision to Borough Planning and Economic Development Officer.

Description

Lester House is a 5 storey 1960s building in Bury Town Centre Conservation Area at the junction of Broad Street and Market Street. There are shops on the ground floor with offices above. The upper floors are occupied by the Council.

Consent is sought to display a banner sign between the first and second floor windows on the Market Street elevation. It would measure 1 metre by 5 metres. It would contain Council information, using letters about 300mm high on a white background. Consent is sought for one to three months.

Relevant Planning History

There are no relevant planning applications.

Publicity

The application has been advertised on site and in the Bury Times and neighbours have been notified. Any representations will be reported.

Consultations

Borough Engineer - Any adverse comments will be reported.

Unitary Development Plan and Policies

EN1/9 Advertisements
EN2/2 Conservation Area Control
EN1/1 Visual Amenity

Issues and Analysis

The banner is required for only a limited period of time. Its appearance would be acceptable for the limited period required.

The period for response to the press advertisement expires on 17 December and Members are requested to delegate the decision to the Borough Planning and Economic Development Officer in discussion with the Chair of the Committee if representations are received before that date.

Summary of reasons for Recommendation

Recommendation: Delegated decision to Borough Planning and Economic Development Officer.

Conditions/ Reasons

1. The banner shall be displayed for a period not exceeding 90 days.

Reason A permanent display would affect the character and appearance of the Bury Town Centre Conservation Area.

For further information on the application please contact **John Hodgkinson** on **0161 253 5323**

Ward: Bury East - East Ward

Item 04

Location: BURY CENTRAL LIBRARY SILVER STREET BURY BL9 0DF

Proposal: ERECTION OF BANNER SIGN

Application Ref: 43675

App Type: Advertisement

Statutory Expiry Date: 14 January 2005

Recommendation: Delegated decision to Borough Planning and Economic Development Officer.

Description

There is also an application (43669) on this agenda for listed building consent.

The public library and museum is an impressive stone building within Bury Town Centre Conservation Area

Consent is sought to display a banner sign on the public library. It would measure 1 metre by 5 metres and would be tied to pillars above the main library entrance on Silver Street. The banner would contain Council information, using letters about 300mm high on a white background. Consent is sought for one to three months.

Relevant Planning History

Advertisement consent (29235/93) and listed building consent (29234/93) for 2 banners over the museum entrance on Moss Street was granted in January 1994.

The museum is currently being renovated in accordance with listed building consent (40602/03) approved in May 2003.

Publicity

The application has been advertised on site and in the Bury Times and neighbours have been notified. Any representations received will be reported.

Consultations

None

Unitary Development Plan and Policies

EN2/2 Conservation Area Control
EN1/1 Visual Amenity
EN1/9 Advertisements
EN2/3 Listed Buildings

Issues and Analysis

The banner is required for only a limited period of time. It will not affect the structure or long term appearance of the listed building. Its appearance would be acceptable for the limited period required.

The period for response to the press advertisement expires on 17 December and Members are requested to delegate the decision to the Borough Planning and Development Officer in discussion with the chair of the Committee if representations are received before that date.

Summary of reasons for Recommendation

Recommendation: Delegated decision to Borough Planning and Economic Development Officer.

Conditions/ Reasons

1. Any banner shall be displayed for a period not exceeding 90 days.
Reason A permanent display would affect the appearance of the Listed Building.

For further information on the application please contact **John Hodgkinson** on **0161 253 5323**

Ward: Bury East - East Ward

Item 05

Location: TOWN HALL, KNOWSLEY STREET, BURY, BL9 0SW

Proposal: ERECTION OF BANNER SIGN

Application Ref: 43676

App Type: Advertisement

Statutory Expiry Date: 14 January 2005

Recommendation: Approve with Conditions

Description

It is proposed to display a banner sign over the Knowsley Street entrance to the town hall between first and second floor windows. It would measure 1 metre by 5 metres and would contain Council information, using letters about 300mm high on a white background. Consent is sought for one to three months.

Relevant Planning History

None

Publicity

The Town Hall is neither within a Conservation Area nor is it a Listed Building nor are there neighbouring properties to notify therefore publicity for the proposal is not required.

Consultations

Borough Engineer - Any adverse comments will be reported

Unitary Development Plan and Policies

EN1/1 Visual Amenity

EN1/9 Advertisements

Issues and Analysis

The banner is required for only a limited period of time and its appearance is considered acceptable for a limited period.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed above and the reason(s) for granting permissions can be summarised as follows;- The proposed temporary sign will not adversely affect the appearance of the building or the character of the area. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. Any banner should be displayed for a period not exceeding 90 days.
Reason A permanent display would affect the appearance of the building.

For further information on the application please contact **John Hodkinson** on **0161 253 5323**

Ward: Bury East - East Ward

Item 06

Location: FIRST FLOOR, CASTLE BUILDINGS, MARKET PLACE, BURY, BL9 0LD

Proposal: ERECTION OF BANNER SIGN

Application Ref: 43678

App Type: Advertisement

Statutory Expiry Date: 14 January 2005

Recommendation: Delegated decision to Borough Planning and Economic Development Officer.

Description

Castle Buildings is a four storey stone fronted building within Bury Town Centre Conservation Area. The main elevation faces Market Place. There is a public house on the ground floor and offices above.

Consent is sought to display a banner sign between the first and second floor windows on the Market Place elevation. It would measure 1 metre by 5 metres. It would contain Council information, using letters about 300mm high on a white background. Consent is sought for one to three months.

Relevant Planning History

The property was rebuilt with retention of the front facade in accordance with applications 30707/95 and 30708/95.

Publicity

The application has been advertised on site and in the Bury Times and neighbours have been notified. Any representations will be reported.

Consultations

Borough Engineer - Any adverse comments will be reported.

Unitary Development Plan and Policies

EN1/9 Advertisements

EN2/2 Conservation Area Control

EN1/1 Visual Amenity

Issues and Analysis

The banner is required for only a limited period of time. Its appearance would be acceptable for the limited period required.

The period for response to the press advertisement expires on 17 December and Members are requested to delegate the decision to the Borough Planning and Economic Development Officer in discussion with the Chair of the Committee if representations are received before that date.

Summary of reasons for Recommendation

Recommendation: Delegated decision to Borough Planning and Economic Development Officer.

Conditions/ Reasons

1. The banner shall be displayed for a period not exceeding 90 days.
Reason A permanent display would affect the character and appearance of the Bury Town Centre Conservation Area.

For further information on the application please contact **John Hodgkinson** on **0161 253 5323**

Ward: Bury East - Moorside

Item 07

Location: AGE CONCERN JUBILEE CENTRE, MOSLEY AVENUE, BURY, BL9 6NG

Proposal: SINGLE STOREY FRONT AND SIDE EXTENSIONS TO PROVIDE
ADDITIONAL RECREATIONAL FACILITIES, CAFE AREA AND OFFICE

Application Ref: 43490

App Type: Full

Statutory Expiry Date: 05 December 2004

Recommendation: Refuse

A site visit to be made on the advice of the Borough Planning and Economic Development Officer

Description

The Jubilee Centre is a community building operated by Age Concern. It is situated in the north west corner of Clarence Park at the junction of Mosley Avenue and Milner Avenue. The facilities include a cafe overlooking the Lido.

It is proposed to extend the building on two sides, to the south east towards the Lido and to the south west. One tree would need to be removed but the trees next to the two roads would not be affected. The plans include a new vehicular access to Mosley Avenue and a possible drop off and turning area.

The application is accompanied by a statement from the applicant's planning consultant describing the proposal, setting out the planning history, explaining why the extension is needed and assessing relevant planning policy. The statement acknowledges the recent refusal of planning permission (see below). The existing building has approximately 430 square metres of floorspace and it is proposed to add 353 square metres which would allow a wider range of facilities including music room, library, health and fitness classes and a separate and enlarged fitness cafe. The extension would project 5.5 metres towards the Lido and have a width of 8.6 metres on the south west elevation. Design and materials would match the existing building.

The previous application was refused on the grounds of inappropriate development in the Green Belt with no "very special circumstances" to override the policy objection. It is claimed that site is associated with indoor and outdoor recreational pursuits and that the extension is subordinate to the existing building and therefore complies with the spirit of UDP Green Belt Policy. It is further claimed that the extension will neither harm the openness of the Green Belt nor set a precedent for other development.

The applicant suggests that proposal is an investment in the park and serves to diversify the range of outdoor and indoor recreational facilities and is seen as complying with UDP Policy RT1/2. Only the one tree would be removed and it is claimed that the scheme would retain the residential amenity of occupiers of dwellings on Milner Avenue and Mosely Avenue.

Relevant Planning History

There was previously a hexagonal building on the site that was demolished

26487/91 - Single storey extension and change of use of changing rooms to cafe/meeting place approved 31 October 1991.

28302/93 - Refurbishment and extension of pavilion for use as day centre approved 22 April 1993.

28931/94 - Rebuilding of pavilion as indoor and outdoor pursuit centre approved 2 June 1994.

33329/97 - Extensions to Jubilee Centre approved 28 July 1997.

40295/03 - Extension to cafe area and additional office accommodation refused on 21 March 2003 for three reasons

1. The submitted plans contain insufficient information on the effect of the development on mature trees of which an unacceptably large number would be lost contrary to Policy EN8 - Woodland and Trees of the Bury Unitary Development Plan.

2. The proposed development would be inappropriate development in the Green Belt for which no very special circumstances have been demonstrated. It would therefore be contrary to Policy OL1/2 - New Buildings in the Green Belt of the Bury Unitary Development Plan.

3. The proposed development would be seriously detrimental to the residential amenities of occupiers of adjacent dwellings contrary to Policy H3/2 - Existing Incompatible Uses of the Bury Unitary Development Plan.

Publicity

Objections have been received from the residents of 7, 9, 11, 13 and 15 Mosley Avenue, 69, 73, 77 and 79 Milner Avenue and 25 Talbot Grove. Two of the letters are accompanied by photographs. Points raised include the following:-

The location of the building is criticised. It is considered that the activities carried out do not have to be in a building in a park and in the Green Belt.

The activities are described as a commercial operation. The management is criticised for making assurances that have not been met and not respecting surrounding residents.

the existing building is thought to be large enough for the activities which take place.

There is particular concern about traffic and parking. Delivery vehicles and minibuses visit the centre. It is alleged that staff and able bodied visitors will not use the nearby car parks. Vehicles park partly on the pavement. The parking situation has improved since the closure of Bury General Hospital and it is feared that the extension will make things worse.

There are complaints about noise and disturbance including loud music. It is pointed out that the building has an alcohol and music licence and is used for functions not just for the elderly.

There are objections to the loss of open park land and play space in area where there are families with young children. there will be more children when the houses at the Bury General site are occupied.

The existing building is criticised as being an eyesore and the extension would lead to loss of outlook.

A tree would be lost.

A petition in support of the application contains 7 pages of signatures.

Consultations

Borough Engineer - Highways comments will be reported. No objection on drainage grounds although it is pointed out that a surface water culvert passes under the building and needs plotting. No construction should take place within 3 metres of the culvert without the consent of the Environment Agency.

Borough Environmental Services Officer - No comments.

Greater Manchester Police - Advise use of laminated glass and a robust access control system.

Unitary Development Plan and Policies

C009 Walmersley Brick Works, Lowes Road, Bury

OL1/2 New Buildings in the Green Belt

H3/2 Existing Incompatible Uses

Issues and Analysis

A previous application for a smaller extension (198 square metres rather than 353 square metres) was refused under delegated powers in March 2003. The position of the extension has been changed so that only one tree would be directly affected and reason one on the previous refusal is no longer relevant.

The other two reasons related to Green Belt and residential amenity and the main issues are whether the current proposal overcomes the basis of these reasons for refusal. The contribution of the facility to the community must also be considered. The statement by the applicant's planning consultant has been considered and in the planning officer's opinion does not amount to "very special circumstances" that would allow the development in the Green Belt.

The proposal needs to be assessed against UDP Policy OL1/2 which refers to essential facilities for outdoor sport and recreation which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Examples quoted include small changing rooms and other essential facilities. With the exception of the health/fitness room the majority of the remaining space would not complement uses for outdoor sport and recreation. The extension would account for an 82% increase in the floorspace of the building and it is recommended that the application should be refused as being contrary to Green Belt policy.

The applicant's statement does not address the issue of the effect of the extension on residential amenity. The increased activity from a larger building would be detrimental to the amenity of residents of nearby houses.

The ramps to the building's doors are not considered suitable for disabled access and revised plans have been requested from the applicant's agent.

Recommendation: Refuse

Conditions/ Reasons

1. The proposed development would be inappropriate development in the Green Belt for which no very special circumstances have been demonstrated. It would therefore be contrary to Policy OL1/2 - New Buildings in the Green Belt of the Bury Unitary Development Plan.
2. The proposed development would be seriously detrimental to the residential amenities of occupiers of adjacent dwellings contrary to Policy H3/2 - Existing Incompatible Uses of the Bury Unitary Development Plan.

For further information on the application please contact **John Hodgkinson** on **0161 253 5323**

Ward: Bury East - Redvales

Item 08

Location: LAND AT THE ROCK/ROCHDALE ROAD/YORK STREET BURY (KNOWN AS THE ROCK TRIANGLE)

Proposal: OUTLINE - MIXED USE DEVELOPMENT COMPRISING FOODSTORE, PETROL FILLING STATION, NON-FOOD RETAIL, FOOD & DRINK, LEISURE, BUSINESS, RESIDENTIAL, ASSOCIATED HIGHWAY WORKS, CAR PARKING & SERVICING FACILITIES

Application Ref: 41703

App Type: Outline Planning Permission

Statutory Expiry Date: 08 January 2004

Recommendation: Refuse

Description

The site is the area known as the "Rock Triangle" with the addition of a large area of land further to the east including the existing FirstBus garage that would be demolished. The site includes a large Council car park, the former Kwiksave store, the former Dixons premises, Vantage Vauxhall, Halfords, the Shell service station and other property on The Rock., Derby Street and Rochdale Road

The application from Morbaine Ltd and First PLC is an alternative to the scheme submitted by Thornfield which now has outline planning permission. The application now under consideration is also in outline with only means of access to be considered at this stage. However, there is a layout drawing that shows the position of buildings and a schedule of proposed uses and floorspace including retail, offices, residential, leisure, food and drink and a petrol filling station. The drawing copies a version of the Thornfield scheme for the eastern part of the site close to The Rock and shows the retention of Minden Medical Centre, LA Fitness gym and the United Reform Church. It introduces new elements to the rest of the site including restaurants and a petrol station fronting Rochdale Road and a 130,000 square foot foodstore on the site of the FirstBus garage.

The application was accompanied by a Retail Impact Study, a Transportation Assessment, a Traffic Emissions Assessment, an Environmental Assessment Desk Study and a Design Statement.

A meeting between planning officers and the applicant's representatives took place on 14 January 2004 when inadequacies in the submission were identified. Nothing further was heard from the applicant. In response to a letter in August suggesting that the application should be withdrawn the applicant indicated that further information would be provided after 1 September. No information has been provided.

Relevant Planning History

40730/03 - Application by Thornfield for mixed use development approved 14 July 2004 following reference to Government Office North West . Subject to 42 conditions and accompanied by legal agreement.

Publicity

The application has been advertised in the press, by site notices and letters to individual properties.

Thornfield responded to Morbaine's objection to their application. They pointed out that Morbaine had not notified them as landowner, that the Morbaine scheme was in direct conflict with the Rock Triangle Development Framework and they had not given any authority for a third party to copy or use their plans and documents.

Minden Medical Centre support the regeneration of the area but have concerns about the need for safe parking areas; access for doctors and other health professionals; disturbance during and after construction; and confidentiality for consulting rooms and the reception area.

Bury United Reformed Church are concerned about the stability of the structure of the church: noise and disturbance during construction; satisfactory access arrangements; security; loss of light; adequate parking etc.

Consultations

Borough Engineer - In the view of the Borough Engineer there are several areas of concern. The application was supported by a Transport Assessment and the Council has sought technical advice on traffic generation and traffic signals from the appropriate AGMA joint units. It is considered that insufficient information has been submitted to enable the impact of the development on the surrounding highway network and remote signalised junctions to be properly assessed. The Transport Assessment is considered to be deficient in a number of areas with important information either missing, inaccurate or not acceptable to the highway authority.

In addition, the layout of the proposed access arrangements are considered unacceptable in a number of key areas to the detriment of the safety of highway users. Refusal is recommended on highway grounds.

Borough Environmental Services Officer - Any adverse comments will be reported.

Greater Manchester Police - No problem in principle.

The Coal Authority - No objection.

GMPTE - A number of concerns are raised including the implications of additional traffic, the desirability of upgrading bus stops and a suggestion that a Travel Plan is needed.

Transco - No objection.

Because of the size of the scheme other Greater Manchester Authorities were consulted on the application and replies confirming no objection have been received from Salford, Oldham and Manchester.

Unitary Development Plan and Policies

PPG6	PPG 6 - Town Centres and Retail Developments
Area	The Rock/Moorgate
BY8	
Area	Rochdale Road/Lord Street/York Street
BY10	
S2/3	Secondary Shopping Areas and Frontages
S3/1	New Retail Dev Opportunities Within or Adj Town Centres
HT2/5	Public Car Parks
EN1/7	Throughroutes and Gateways
HT2/1	The Strategic Route Network
S1	Existing Shopping Centres
S1/1	Shopping in Bury Town Centre
S2	Control of New Retail and Non-Retail Development
S2/1	All New Retail Proposals: Assessment Criteria

Issues and Analysis

The application has been submitted without carrying out any pre submission consultation apart from one meeting with officers on 21 August 2003. The applicant has not sought public opinion, for example by making presentations to Area Boards or discussion with Town Centre Groups. A development framework/masterplan is not in place. There is no evidence of any agreement with landowners. There has been no consultation with Government Office North West or the Commission for Architecture and the Built Environment. The application is not capable of standing on its own because it relies on evidence provided by Thornfield as part of another application.

The plan accompanying the application is to very small scale and is not based on any site survey. The status of the plan is unclear because "siting" is not part of the application. The layout has not been assessed in detail but there are obvious deficiencies such as the lack of urban form and the large size of open areas including the car park.

The "Thornfield" part of the scheme is within Bury Town Centre Area BY8 as identified in the UDP. Within this area "the Council will encourage and promote proposals for retailing". Most of the area covered by the Thornfield application is either specifically allocated for shopping or as an opportunity site for redevelopment. The area further to the east where the current application proposes a food supermarket is within Area BY10 "where the Council will encourage and promote proposals for business (B1) and industrial (B2 and B8) uses". The supermarket is therefore not within the town centre core.

The application does not contain enough information for it to be adequately considered and refusal is recommended on this basis. Approval is sought at this stage for means of access but not for the siting of the buildings and it is assumed that the layout drawing is for illustrative purposes only. It is not possible to reach a favourable decision on a scheme of this magnitude without knowing what is to be built and where.

Whilst the application seeks to base itself on the proposals for the Rock Triangle site put forward by Thornfield Properties (now granted outline planning consent), it also seeks to extend this scheme by incorporating the adjoining First Bus Depot site, primarily to accommodate a large foodstore with associated surface level car parking. The expansion onto the Bus Depot site takes the scheme significantly beyond the town centre's main shopping area and the incorporation of a large foodstore gives rise to policy concerns as highlighted below which justify recommendation for refusal.

- The proposed development would extend retailing beyond the identified main shopping area of Bury town centre and would therefore conflict with UDP policies S1-Existing Shopping Centres, S1/1- Shopping in Bury Town Centre, S2 – Control of New Retail and Non-retail Development, S2/1 – All New Retail Proposals: Assessment Criteria and Area Policy BY10, together with Government policy guidance on retailing and town centres in PPG 6 and emerging PPS6.
- By extending retailing beyond the retail core of Bury town the development would also conflict with the findings of the Bury Retail Study 2003 which has been adopted by the Council as a material planning consideration in considering retail proposals in Bury. The study directs new retail development towards the retail core of Bury town centre and sets quantitative and qualitative levels to guide new retail schemes. The proposed development would exceed identified capacity for new retailing, particularly convenience retailing, and would have a detrimental impact on the qualitative improvements being sought for Bury town centre as a whole where priority is to be given to the retail core ahead of edge of centre and out of centre locations.
- The proposed development gives rise to conflicts with Bury's Town Centre

Vision and Development Strategy – Bury but Better (2003) which has been adopted by the Council as a material planning consideration. The development strategy stresses the importance of maintaining a compact town centre and strong retail core, together with provision for urban living.

If Members were minded to approve the application it would be necessary to refer it to Government Office North West as a departure from the Development Plan and because of the amount of retail floorspace proposed and as a departure from the approved Development Plan.

Recommendation: Refuse

Conditions/ Reasons

1. The application and submitted plans contain insufficient information to enable them to be properly assessed.
2. The proposed development extends retailing beyond the identified main shopping area of Bury Town Centre and therefore conflicts with Bury Unitary Development Plan policies S1 - Existing Shopping Centres; S1/1 - Shopping in Bury Town Centre; S2 - Control of New Retail and Non-retail Development; S2/1 - All New Retail Proposals: Assessment Criteria and Area Policy BY10, together with Government Policy Guidance in PPG6 and emerging PPS6.
3. The proposed development would extend retailing beyond the retail core of Bury Town Centre in conflict with the findings of the Bury Retail Study 2003 which has been adopted by the Council as a material planning consideration in considering retail proposals in Bury.
4. The proposed development conflicts with Bury's Town Centre Vision and Development Strategy - Bury but Better which has been adopted by the Council as a material planning consideration.
5. The access and servicing arrangements to the proposed development are sub standard, which would be detrimental to highway safety and maintaining the free flow of traffic on the adjacent classified roads.
6. The application and submitted plans contain insufficient information to enable the impact of the development on the surrounding highway network to be properly assessed.

For further information on the application please contact **John Hodkinson** on **0161 253 5323**

Location: LAND BETWEEN TOTTINGTON ROAD AND, CROSTONS ROAD, BURY

Proposal: RESIDENTIAL DEVELOPMENT-34 NO FLATS

Application Ref: 43232

App Type: Full

Statutory Expiry Date: 21 November 2004

Recommendation: Minded to Approve

That the Borough Planning and Economic Development Officer be delegated to approve the application on completion of a S.106 agreement requiring provision of public art and commuted sum for provision of recreation space in the area or if an agreement is not completed within a reasonable timescale, to refuse permission .

Site visit requested by Planning Control Committee at its meeting on 9 November 2004

Description

The application is a resubmission following the withdrawal of an application for 40 flats in March 2004.

The site has been operated by two separate businesses and is now vacant. There are considerable changes in level across the site.

The former Site Electrical Services Yard is mainly concrete surfaced. It contains buildings of various ages and materials including former houses used as offices. A two storey portakabin was erected without planning permission at the edge of the site closest to Crostons Road. All the buildings would be demolished. The yard has existing vehicular accesses to both Tottington Road and Hulme Street.

The other part of the site is a former joiner's yard containing semi derelict buildings and extending between Crostons Road and Tottington Road. This part of the site also includes hoarding sites on both Tottington Road and Crostons Road and a single storey building, 103 Crostons Road, containing a hairdressers.

There are terraced houses to the north of the site on the opposite side of Hulme Street. To the east is a short adopted street, a public house and car park and a terrace of houses. To the north west the canal feeder in open culvert borders the site. To the south are the blank gable walls of a building occupied by a fireplace company and a house.

It is proposed to demolish all the buildings within the site and to close existing accesses. A new vehicular access would be constructed to Tottington Road. There would be a total of 34 flats, with three storey blocks facing Tottington Road and a two and three storey block fronting Crostons Road. There would be 34 car parking spaces and a shared garden area next to Hulme Street.

The application is accompanied by a letter of support which details the changes from the previous scheme including the omission of block 7 which provides amenity space and brings the development away from the houses on Hulme Street. The access has been designed to include a right turning lane and site lines to the requirement of the Borough Engineer. Work is under way to draw up a S.106 agreement for recreational provision and public art. It is confirmed that a bat survey is being carried out.

Relevant Planning History

A previous application (41876/03) for 40 flats was withdrawn prior to decision by Planning Control Committee. It had been recommended for refusal because of lack of information, overdevelopment of the site and detrimental effect on the amenities of occupiers of adjacent property.

Publicity

The application has been advertised and neighbours notified. The residents of 133, 135 and 137 Tottington Road have each sent copies of the same letter.

They complain about the two storey portakabin that is still on site despite enforcement action.

They refer to the letter of objection to the previous application which included concerns about loss of privacy, parking, low water pressure and gradient at the rear of the property.

They think that the reasons for refusal concerning over development of the site and detriment to the amenities of adjacent property still stand.

Although one block of flats has been removed, no alterations have been made to the height, design or size of the other blocks which ought to logically determine refusal as before.

They claim ownership of the wall to the side and rear of the property which the applicant proposes to reduce in height and they state that their permission will not be granted.

The proprietor of the hairdressers at 103 Crostons Road objects on the grounds that services are provided to the local community, her livelihood will be lost and that the premises is a social gathering for locals in the area.

Councillor Cresswell objects to the application on the grounds that not enough thought has been given to the increased traffic that the development will bring to an already busy and congested road. She believes that the location is unsuitable due to the proximity close to a bend and a junction controlled by traffic signals. She requested a site visit by Planning Control Committee.

A letter has been received from the owner of the site addressed to Committee Members. He explains that the business has relocated to Radcliffe. The previous application on the site was withdrawn and the delay in obtaining planning permission is causing financial hardship. He suggests that the neighbourhood will benefit from redevelopment of the dilapidated existing buildings.

Consultations

Borough Engineer - No objection on highway grounds subject to seven recommended conditions. No objection on drainage grounds.

Borough Environmental Services Officer - Recommends noise investigation and landfill gas/contamination survey. The site is within an Air Quality Management Area but the development is not likely to significantly increase levels of pollutants.

Borough Operational Services Officer - No objection to refuse collection arrangements.

British Waterways - No objection subject to standard notes to protect the canal feeder.

Environment Agency - No objection subject to recommended conditions.

Unitary Development Plan and Policies

C005	Woolfold Paper Mills, Tottington Road
EC2/2	Employment Land and Premises
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
RT2/2	Recreation Provision in New Housing Development
EN1/6	Public Art

Issues and Analysis

Principle of Development - The site is an area of mixed uses and close to dwellings. The land is not specifically allocated in the UDP. Given the type and condition of the buildings, the location of the land, the surrounding uses and the difficulty of access for large vehicles It is not considered necessary to protect the land as an employment site.

Layout and Design - The previous application was recommended for refusal because of the close proximity of one of the blocks to houses on Hulme Street. This block has now been deleted and the end elevation of block 6 is over 25 metres from the front of the Hulme Street houses. Blocks 5 and 6 are three storey in height and at a higher level than the houses on Crostons Road but there would be a separation distance of at least 35 metres. It is not considered that residential amenity would be significantly affected. The developer is aware of the need to resolve the issue of ownership of the boundary wall with the Crostons Road residents.

The flats would be mostly three storey in an area of mainly two storey houses. The blocks fronting Tottington Road would be staggered to take account of changes in level and it is not considered that three storey development would be out of character with the area. The flats would be of traditional design with brick elevations.

Access and Parking - The four existing vehicular accesses would be closed and replaced by one new access which is acceptable to the Borough Engineer. It is proposed to include a right turning lane and detailed plans show the levels and sight lines that will be attained. The provision of one car space per dwelling is adequate for a site which is well served by public transport and within walking distance of the town centre.

Affordable Housing - The original application was submitted before the implementation of new guidance on affordable housing and the scheme complies with the guidance current at that time.

Recreation Space and Public Art - The scheme includes amenity space for residents. The developer has contacted the Council's solicitor to draw up a S.106 agreement. Authority is sought to refuse the application if the agreement is not completed within a reasonable period of time.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed above and the reason(s) for granting permissions can be summarised as follows;- The principle of residential development is in accordance with UDP Policies. The scheme is of an acceptable standard which would not adversely affect the character of the area nor the amenity of nearby residents and would not adversely impact on highway safety issues. There are no other material considerations that outweigh this finding.

Recommendation: Minded to Approve

Conditions/ Reasons

1. The development must be begun not later than five 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 numbered 8045/1/REV A, 2, 3, 2528 01E, 02E, 03E, 04C, 05D, 07E, 08B, 14883/001A 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.

3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.

Reason. In the interests of visual amenity and to ensure a satisfactory development.

4. Prior to the demolition of the building(s) permitted by this approval, a survey shall be conducted, and the survey results established, by a person, the identity of whom has been agreed in writing by the Local Planning Authority, to investigate whether the building(s) is / are utilised by bats. If bats are found a Licence will be required from the Department of the Environment, Food and Rural Affairs for the felling / demolition to occur.

Reason. In order to ensure that no harm is caused to a Protected Species.

5. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity.

6. The development hereby approved shall not be commenced unless and until detailed site investigations have been carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this investigation shall be agreed in writing with the Local Planning Authority prior to the commencement of the work. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before the development commences. The development shall then proceed in strict accordance with the measures approved.

Reason. To prevent pollution of the water environment.

7. The development hereby approved shall not be commenced unless and until the access and footway improvements on the Tottington Road boundary indicated on the approved plans have been implemented to at least basecourse level and subsequently completed prior to first occupation.

Reason. To ensure good highway design in the interests of road safety.

8. The development hereby approved shall not be first occupied unless and until the redundant vehicular accesses onto Crostons Road and Hulme Street have been reinstated to adjacent footway levels to the written satisfaction of the Local Planning Authority.

Reason. To ensure good highway design in the interests of road safety.

9. Notwithstanding the details indicated on the approved plans, a minimum footway width of 2.0 metres shall be maintained on the Tottington Road boundary and a minimum 0.5m rubbing strip shall be provided between Block 5 and the northerly kerbline of the proposed access road.

Reason. to ensure good highway design in the interests of road safety.

10. The turning facilities indicated on the approved plans shall be provided before the development is first occupied and subsequently maintained free of obstruction at

all times.

Reason To minimise the standing and turning movements of vehicles on the highway in the interests of highway safety.

11. The visibility splays/forward visibility envelopes indicated on the submitted plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.

12. The foundations for the proposed infill retaining walls on Hulme Street and Back Crostons Road shall not extend under the adjacent highway at any point.

Reason To ensure good highway design in the interests of highway safety and to maintain the integrity of the adopted highway.

13. The car parking indicated on the approved plans [insert plan number(s)] shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being occupied.

Reason. To ensure adequate off street car parking provision in the interests of road safety.

14. A suitable noise investigation shall be conducted, in accordance with PPG24- Planning and Noise to determine the possible requirement for acoustic insulation to the apartments.

Reason To protect the residential amenities of occupiers.

15. Before the development is commenced and during the course of construction period, temporary fencing shall be erected along the watercourse. Details of the type of fencing to be used shall be submitted to and approved by the Local Planning Authority before it is erected.

Reason To protect the neighbouring watercourse from debris and construction material.

For further information on the application please contact **John Hodkinson** on **0161 253 5323**

Location: 425 HOLCOMBE ROAD, GREENMOUNT, RAMSBOTTOM, BL8 4HB

Proposal: RESIDENTIAL DEVELOPMENT - 1 DETACHED DWELLING ON GARDEN SITE TO SOUTH OF 425 HOLCOMBE ROAD

Application Ref: 43597

App Type: Full

Statutory Expiry Date: 27 December 2004

Recommendation: Approve with Conditions

Description

The application is a resubmission with revised details following the refusal of a similar application (42854) by Planning Control Committee.

The site is part of the garden of a detached bungalow which is currently being extended. There is a substantial beech hedge on the front boundary with Holcombe Road and a conifer which is protected by a Tree Preservation Order. The garden is screened by trees and shrubs from the rear of the house to the south west, 5 Greenmount Close and the side of the house to the south, 419 Holcombe Road. Some of the shrubbery has been removed and a 2 metre high fence erected since the previous application was submitted.

The previous house included a basement, dark wood panelling to part of the ground floor and a shallow pitched zinc roof. The house now proposed is similar in concept but has been reduced in width by 0.5 metre and the height has been reduced by approximately 0.5 metre. The basement has been omitted, red brick would be used instead of cladding and the roof would be tiled, although the roof pitch would remain shallow. As before, the walls would be mainly white rendered and the house would be three storey in height with rooms partially in the roof space and sloping down to single storey at the rear. Also as before, there would be a terrace to the front at second floor level and the roof would be partially glazed. Solar panels are now also included.

The architect has agreed to delete a glazed panel in the side of the house closest to 419 Holcombe Road.

Relevant Planning History

- 41757/03 - Extensions to the existing bungalow were approved by Committee in April and are nearing completion.
- 42854 - The previous planning application for the house was recommended by the Planning Officer for approval but, following a Committee site visit, Members refused the application for the following reasons:-

"1. The proposed dwelling by reason of its height, size and nearness to the adjoining dwelling at 419 Holcombe Road would be detrimental to the amenities enjoyed by the dwelling contrary to Policy H2/1(b) of the Bury Unitary Development Plan.

2. The proposed dwelling by reason of its design, in terms of the materials used and the design of the roof would not be in keeping with the character of the area contrary to Policy H2/1(c) of the Bury Unitary Development Plan"

Publicity

Neighbours and previous objectors have been notified. Objections have been received from the residents of 419, 478 and 480 Holcombe Road.

Points raised include the following :-

- The height, size and nearness to the adjoining dwelling do not appear to have changed and, although the materials have been altered slightly, the design is still not in keeping with the area. The changes do not make any significant difference to the reasons for refusing the application.
- The residents of 419 find the location and size of the house virtually the same as previously and therefore detrimental to their amenities.
- It is thought that the protected pine tree will be damaged and that mature borders and hedges will be removed disrupting the appearance of the area and wildlife.
- The glass panel (to be deleted) will lead to loss of privacy to 419 particularly since shrubbery has been removed.
- Although the house now has a tiled roof the design is as previously and not in keeping with other properties. It is squeezed onto a small site to the detriment of other properties.
- An additional drive will exacerbate congestion during school term time.
- The proposal is for speculative purposes as the plot is currently for sale

Consultations

Borough Engineer - No objection on highways or drainage grounds.

Borough Environmental Services Officer - Recommends desktop study for contamination.

Unitary Development Plan and Policies

H1/2 Further Housing Development
 H2/1 The Form of New Residential Development
 H2/2 The Layout of New Residential Development
 H2/6 Garden and Backland Development
 EN8/1 Tree Preservation Orders

Issues and Analysis

The previous application for a similar house was recommended by the Planning Officer for approval but refused by Planning Control Committee following a site visit. The principle of a dwelling house being erected on the site is considered to be acceptable and the main issue, is whether the changes now proposed overcome the reasons for refusal.

The house would be 0.5 metre further away from number 419 and reduced in height and it is not considered that any effect on residential amenity would justify refusal of the application.

The shape of the house remains similar to that proposed before but it is now proposed to use traditional materials in the construction of the walls and roof. Holcombe Road has a wide variety of individually designed dwellings and the proposal is considered to be acceptable.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed above and the reason(s) for granting permissions can be summarised as follows;- The design of the house is of an acceptable standard and any effect on the amenity of residents would not justify refusal of the application. The development would not impact on highway safety issues. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five 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 numbered SVA104 AL(0)00D, AS(0)00, AL(0)01C, AL(0)02D 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.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development.
4. No trees, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before or during the construction period without the previous written consent of the Local Planning Authority.
Reason. To avoid the loss of trees which are of amenity value to the area.
5. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:1991 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area.
6. The development hereby approved shall not be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the written satisfaction of the Local Planning Authority.
Reason. To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health.

For further information on the application please contact **John Hodkinson** on **0161 253 5323**

Location: MOUNTHEATH INDUSTRIAL ESTATE OFF GEORGE STREET PRESTWICH

Proposal: REPLACEMENT OF EXISTING 15 METRE STEEL MONOPOLE WITH 20M MONOPOLE AND ANCILLARY DEVELOPMENT

Application Ref: 43634

App Type: Full

Statutory Expiry Date: 04 January 2005

Recommendation: Approve with Conditions

Description

The proposed site is at the rear of the Mountheath Industrial Estate set between the existing landscaped tree planting next to the golf course and industrial units.

The proposal is to remove the existing 15m monopole and replace it with a 20m monopole of similar construction.

Relevant Planning History

Prior Approval was granted in 2001 for the 15m monopole on the same site in 2001 (37551). Two other masts have previously been granted consent close to the site. These include a 20m mast granted consent in 2002 (39343) which has not been built and a 22.5m mast in 2003 (40114) which is adjacent to this site and has been developed.

Publicity

Notification letters have been sent to nearby properties in the industrial estate, Heathlands Residential Home and houses in Wensley Road and Heathlands Road, Salford. The publicity period is ongoing and no comments have been received at the time of writing. Any representations will be reported.

Consultations

Salford City Council - Comments awaited.

Environmental Health - No objections providing an ICNIRP has been supplied.

Unitary Development Plan and Policies

EN1/10 Telecommunications

EC2/1 Employment Generating Areas

Issues and Analysis

Health Concerns - The application has been supported by a ICNIRP CERTIFICATE and as such the proposal meets current best practice standards. It is thus deemed to be acceptable on these grounds.

Visual amenity - The existing 15m column is now screened by trees fronting the golf course adjacent. The increase in height of the column by 5m would allow the monopole to be seen over the top of the trees. Whilst this would impact on the visual amenity of the area, the context within which the structure would be seen, particularly the two other adjacent masts and the industrial estate, means that it would not have a materially detrimental impact on the visual amenity of the area.

Trees - The trees are an important visual feature within the area and it is not anticipated that the proposed replacement column would have any material impact on these in this instance.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed above and the reason(s) for granting permissions can be summarised as follows;-

Having studied the submitted documents, assessed the proposed development on site and taken into account any and all representations and consultation responses, it is considered that the proposed development is acceptable because it would not cause demonstrable harm to interests of acknowledged importance.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five 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 the drawings received on 10th November 2004 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.
3. The monopole hereby approved shall be removed from the site, and the site reinstated to the written satisfaction of the Local Planning Authority, within 3 months of the monopole no longer being required to support antenna for the reception or transmission of microwave radio energy.
Reason. In the interests of the visual amenity of the area.

For further information on the application please contact **John Cummins** on **0161 253 6089**

Location: BROWNHILL BOARDING KENNELS, KNOWSLEY ROAD, AINSWORTH, RADCLIFFE, BL2 5QA

Proposal: RETROSPECTIVE APPLICATION FOR MANEGE

Application Ref: 43604

App Type: Full

Statutory Expiry Date: 28 December 2004

Recommendation: Approve with Conditions

A site visit to be made on the advice of the Borough Planning and Economic Development Officer

Description

The manege or riding arena which is the subject of the application has already been constructed at the rear of existing stables at the property known as Brownhill Boarding Kennels. The overall dimensions are 20 metres by 50 metres. The kennels themselves no longer exist. The arena is to the west of an existing public footpath which runs next to a wood. It is screened from the west by sloping land but is visible from open country to the north. The arena is surfaced in rubber shavings and sand and surrounded by a timber fence.

Brownhill Kennels is accessed by a narrow unmade track shared with the adjacent property, Brownhill Farm. Where the track leaves Knowsley Road there is a pinch point between two Listed Buildings, The Old Stables and the Unitarian Chapel.

The applicant's agent has written and also encloses photographs to show the high standard of the work carried out. A revised plan shows where landscaping would take place. Bricks and rubbish left by previous owners has been removed. He states that the arena will not be fitted with floodlights. The arena will be used by owners and horses already on site and will reduce the amount of time that horses will use highways.

Relevant Planning History

A former occupier of the property ran a waste disposal business and there were problems with tipping and other unauthorised activities. The current owner has renovated the house and tidied the land.

Previous planning applications include:-

- 33275/97 - Application for all weather riding arena measuring 30 metres by 60 metres and including floodlighting refused in October 1997 for two reasons. The application had been recommended by the planning officer for approval. After visiting the site Members reused the application on the grounds that the arena would detract from the character and amenity of the Green Belt and that the importation of material to construct the arena would threaten the character and integrity of the two Listed Buildings.
- 35765/99 - Extensions to house approved in October 1999.
- 38944/02 - Erection of 10 stables and tack rooms refused 29 May 2002 on grounds of intensification of vehicular traffic affecting both pedestrian safety and the fabric of the Listed Buildings. A subsequent appeal was allowed in January 2003. The Inspector concluded that there would be an increase in vehicular traffic but did not consider that this would result in a significant increase in danger for pedestrians. He also believed that the increase in the risk of damage to the listed buildings would be so slight that it does not warrant the rejection of the development.
- 40451/03 - Conversion and extension of existing outbuilding to form a dwelling refused

in March 2003 because of conflict with Green Belt Policy

Publicity

When work started on site complaints were received from residents about wagons delivering materials to construct the arena. There was particular concern about possible damage to the listed buildings and the matter was the subject of an article in the Bury Times.

The complainants and other neighbours were notified when the planning application was received. One objection has been received from the occupiers of 1 Knowsley Road. Points raised include the following:-

- The manege is in a visually obtrusive position and views from the public footpath across open fields would be marred or lost.
- The development contributes to urban sprawl and is contrary to UDP Policy OL1/2.
- The submitted plan is alleged to be inaccurate.
- There would be a significant increase in traffic which would cause a loss of amenity to residents.
- The planning department is asked to use its powers to protect the Unitarian Chapel from damage by heavy vehicles.

The Trustees of the Chapel point out that the chapel has already suffered impact damage from vehicles and that they have been consulted after the work has taken place.

- They think that the applicant is holding the congregation in contempt and show no respect to the chapel which is nearing 300 years old.
- They conclude that business will continue to expand.
- They think that they would suffer a loss of amenity from vehicles visiting the stables, particularly on Sundays.
- Further impact damage is probable plus damage to foundations from vibration.
- Peace and tranquility during services will be invaded.
- English Heritage have commented previously about the p[potential for damage and disruption.
- Only a small number of buildings in Bury are listed Grade II*. It is requested that the application is refused as places a precious part of our denominational heritage and local community at risk.

The neighbour at Brownhill Farm has written confirming that he has no objection as he considers that the manege is unobtrusive both visually and environmentally. He asks that any lighting should be extinguished during sleeping hours.

Consultations

Borough Engineer - Any adverse comments will be reported.

Borough Environmental Services Officer - Any adverse comments will be reported.

Unitary Development Plan and Policies

OL1/5 Mineral Extraction and Other Dev in the Green Belt
OL4/7 Development Involving Horses
OL7/2 West Pennine Moors
EN1/1 Visual Amenity
EN2/3 Listed Buildings
EN9/1 Special Landscape Areas
HT6/2 Pedestrian/Vehicular Conflict

Issues and Analysis

The decision on the application should be based on the policies in the development plan and on material facts and should not be prejudiced either against or in favour by the fact that the development has already been substantially completed.

The site is in the Green Belt, the West Pennine Moors and a Special Landscape Area. UDP Policy OL4/7 states that the keeping of horses is acceptable where it would not have an adverse effect on the appearance of the rural areas. The arena has been constructed to a good standard and is already screened on three sides. Additional landscaping will be carried out. It is not intended to erect permanent lighting. The 1997 application proposed a larger arena with floodlighting and more excavation and tipping was intended. The siting and appearance of the arena, as now constructed, is not considered to harm the openness of the Green Belt.

It is intended that the arena would be used by horses that are already stabled at the yard and additional traffic is not envisaged. The Inspector on the previous appeal dismissed the Council's reasons for refusal based on additional traffic. Disruption caused by traffic during construction is not a readily defensible reason for refusing planning permission and this traffic has now ceased.

Summary of reasons for Recommendation

Permission should be granted having regard to the listed policies and proposals and the reason for granting permissions can be summarised as follows;- The manege is required for existing horses at the property. It does not harm the openness of the Green Belt nor detrimentally affect the amenities of immediate neighbours. It will not contribute to additional traffic visiting the premises.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered 133/1025-1a 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.
2. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity.
3. The manege shall only be used by horses stabled at Brownhill Kennels and not by other horses.
Reason To prevent the generation of additional vehicular traffic.
4. No permanent lighting shall be installed without the prior written consent of the Local Planning Authority.
Reason To preserve the visual amenities of the area.

For further information on the application please contact **John Hodkinson** on **0161 253 5323**

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 13

Location: HEALEY CONSTRUCTION LTD, KAY BROW YARD, KAY BROW,
RAMSBOTTOM

Proposal: INDUSTRIAL UNITS FOR OFFICE & STORAGE

Application Ref: 43344

App Type: Full

Statutory Expiry Date: 28 November 2004

Recommendation: Approve with Conditions

Description

The application site is located in a mixed commercial and residential area to the south of Kay Brow where part of the existing complex of buildings abuts. To the south and west of the site on Grants Lane, stand two storey dwelling houses. It is the rear of the properties which are closest to the site. Nos 1 - 7 Grants Lane are separated from the site by a rear access road whilst Nos 17 - 27 have a narrow pedestrian rear access between the rear gardens and the application site.

The site is occupied by a mixed of two storey stone buildings along the northern boundary of the site and more recent temporary structures to the east and west of the site.

Relevant Planning History

Under application 41539 planning permission was refused for a 6.7 metre high building on the southern boundary of the site. This was later allowed at appeal.

Proposal

The proposed development includes the building allowed at appeal as well as the erection of an enclosed commercial area 6.3 metres high which would continue from the appeal building. The enclosed "commercial area" would turn the corner of the site and follow its western boundary. The height of the building would increase where the building changes to ground floor parking with office space above linking to the existing stone buildings to the north of the site.

Publicity

20 adjoining occupiers notified - 6 letters received from 5 different addresses objecting to the proposal on the following:

- * the owner of land which is used as the access to the yard at present objects to the increased traffic that would cross their land
- * loss of light to residential property
- * increase in traffic
- * increase in noise and disturbance
- * overdevelopment of the site
- * loss of view
- * loss of privacy
- * juxtaposition of commercial and industrial uses with residential properties

Consultations

Borough Engineer - Drainage - no objections. Highways - comments awaited.

Borough Environmental Services Officer - no comments to make.

Environment Agency - no objections

Unitary Development Plan and Policies

C013 Irwell Street Metal Co Ltd
EC2/1 Employment Generating Areas
EC6/1 Assessing New Business, Ind and Commercial
H3 Incompatible Uses in Residential Areas

Issues and Analysis

The main considerations of this application are the acceptability of the use in principle in this location and the details of the application with regard to design, access and parking, landscaping and impact on adjoining properties.

Part of the scheme applied for already has planning permission granted by the Planning Inspectorate which is therefore considered acceptable in both principle and detail.

In relation to the remainder of the scheme, the principle of commercial and industrial development within classes B1, B2 & B8 is considered to be acceptable within the designated Employment Generating Zones. Although there are residential properties adjacent to the site, the enclosure of the site resulting from the proposal and some of the activities being enclosed should help to attenuate noise and therefore reduce noise and disturbance from the site.

The scheme would be of an appropriate scale, size, layout, height and materials and it would provide adequate access, parking and turning as well as improved boundary treatment and landscape planting to the rear of Nos. 1 - 7 Grants Lane. The application would not have a harmful effect on the residential properties at Nos. 1 - 7, as the buildings nearest would be separated by at least 13 metres and would project a maximum of 4 metres above ground level. In addition, the applicant has proposed to demolish the existing concrete retaining fence, raised banking and trees to be replaced by a brick dwarf wall and screen planting to obscure the development from the houses at Nos. 1 - 7 Grants Lane. The detail of the scheme is therefore considered acceptable.

The objections raises to the scheme are considered insufficient to outweigh the recommendation for approval.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed above and the reason(s) for granting permissions can be summarised as follows;

The proposed development would be an acceptable use in the Employment Generating Area and the scheme would not be detrimental to visual or residential amenity.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five 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 the drawings received on -4 OCT 2004 and 24 OCT 2004

and 29 NOV 2004 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.

3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.

Reason. In the interests of visual amenity and to ensure a satisfactory development.

4. A landscaping scheme including details of boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity.

For further information on the application please contact **Adrian Harding** on **0161 253 5322**

Location: LAND AT REAR OF 353-375, BURY ROAD, TOTTINGTON

Proposal: OUTLINE RESIDENTIAL DEVELOPMENT & DEMOLITION OF 3 HOUSES INCLUDING DETAILS OF MEANS OF ACCESS TO THE SITE - APPROX. 50 UNITS

Application Ref: 43323

App Type: Outline Planning Permission

Statutory Expiry Date: 05 January 2005

Recommendation: Refuse

Description

The application relates to land to the north east of Bury Road Tottington which is in three separate ownerships. Notice has been served by the applicant on the owners of "Beechwood House" and 343 Bury Road. Approximately one third of the site is unused grassland with an access to Bury Road. The same ownership includes "Beechwood Bungalow" which has large grounds. This is accessed via a private road from Bury Road which also serves "Beechwood House" a large mid nineteenth century house. Houses have previously been built within part of the grounds and these are not included within the application. There is also a bungalow, 353 Bury Road, with a large garden. The site has an area of 1.6 hectares.

There is a small valley outside the site to the north and east with mature trees on the boundary protected by a Tree Preservation Order (TP178). There is a 1970s residential development on Bowes Close to the east. There are properties of various styles and ages off the private access road and on Beechwood Court to the south east.

It is proposed to demolish all three properties within the site. Outline planning permission is sought for approximately 50 units (revised from 65) with access to be considered at this stage. A plan shows the access to be that which has already been created next to 353 Bury Road.

Relevant Planning History

There is a very complicated planning history and only the most relevant applications are referred to.

Houses have been built in the grounds of Beechwood House including 4 houses at Beechwood Court (31201/95 approved July 1995). A detached house has been built replacing an existing barn (37720/01 approved June 2001). A detached house (32324/96) was refused on access grounds and the subsequent appeal dismissed in September 1997.

353 Bury Road was previously in the ownership of the applicant. Work is in progress on large extensions approved in December 2003 (41462/03).

Beechwood Bungalow was previously associated with a chicken farm but the area occupied by chicken sheds has been grassed over. An outline application (15358/83) for residential development was refused in January 1984. Planning permission (40078/02) was granted in January 2003 to demolish the bungalow and a storage building and to erect a new detached house.

The largest part of the site is owned by the applicant. A planning application (35651/99) to

erect 15 dwellings was refused for the following reason:-

1. "The proposed development involves the loss of a greenfield site, and as such is contrary to Policy H1/2 of the Bury Unitary Development Plan and guidance in Planning Policy Guidance Note No. 3 regarding such issues".

The subsequent appeal was dismissed and the Inspector concluded that "development in the manner proposed would not, however, meet the government's policy of maximising the use of previously developed land. In this respect it would conflict with the aim promoting urban regeneration as set out in PPG3."

Planning permission (38578/01) was granted in January 2002 for a detached bungalow fronting Bury Road

Planning permission (38930/02) was granted in April 2002 to use the land at the rear as gardens.

There was a stone retaining wall to the road frontage which was supposed to be breached to provide a narrow access to the bungalow (38578/01). The applicant demolished the wall and rebuilt it to radii set well back from the road. A retrospective planning application (40955/03) was submitted and refused in July 2003. Following a hearing the subsequent appeal was allowed. The current application shows a vehicular access to the site retaining the stone walls as constructed.

An application (41939/04) to build a detached bungalow at the rear of 353 Bury Road was refused in March 2004. A subsequent similar application (42955) was refused in September 2004 and there is a current appeal awaiting the confirmation of a hearing date.

Publicity

The application has been advertised as a departure from the Unitary Development Plan and neighbours notified. Objections have been received from 14 addresses on Bury Road and Beechwood Court. Points raised include the following:-

- Tottington is thought to be over developed with houses and reference is made to other recent applications.
- There will be pressure on school places.
- Too many dwellings are proposed for the site.
- There is concern about existing traffic problems which will be added to.
- There is objection to the use of the existing private road by vehicles (although this is not intended). The occupier of Beechwood Lodge objects to any use of the access, including by pedestrians because it is within one metre of the lounge window. He says that he would be subject to noise and pollution and refers to previous road accidents.
- The construction of the access in advance of planning permission is criticised together with its current state including damage to the footway.
- The development would take away green land and the rural aspect would be lost.
- It would affect wildlife including animals, birds and bats and trees would be lost.
- There would be loss of outlook, privacy and view.
- There would be noise and light pollution and more litter.
- Three good properties would be demolished. This would include the historic Beechwood House said to be the home of the Lord of the Manor of Tottington.
- One resident encloses a copy of the applicant company's accounts and suggests that the company is not capable of carrying out the development.

Consultations

Borough Engineer - No objection on drainage grounds. Objection on highway grounds with recommended reasons for refusal.

Borough Environmental Services Officer - Recommends contamination investigation and suggests working practices during construction.

Environment Agency - Recommend condition requiring a surface water regulation system.

Unitary Development Plan and Policies

C121 Bury Road, Tottington (See also CL023)

H1	Housing Land Provision
H1/2	Further Housing Development
H2/6	Garden and Backland Development
EN1/6	Public Art
RT2/2	Recreation Provision in New Housing Development
EN8/1	Tree Preservation Orders
EN2	Conservation and Listed Buildings
H2/2	The Layout of New Residential Development
PPG3	PPG3 - Housing
PPG13	PPG13 - Transport

Issues and Analysis

The application must be considered in the light of the Inspector's decision on the appeal which covered approximately half the site. The Inspector considered that the main issue was whether the development would assist in the aims of urban generation set out in UDP Policy H1/2 and in PPG3. The Inspector found that the site was within the urban area and would meet the aims of Policy H1/2 in not involving the release of peripheral open land. However, he found that the site was, for the most part, previously undeveloped land. He went on to say that development would harm the potential for housing on previously developed sites and would run counter to advice in paragraph 53 of PPG3.

There have been no changes in housing land figures or national or local planning policies since the previous appeal decision to justify a decision contrary to the Inspector's decision.

Other land now included within the application includes gardens and backland which is subject to UDP Policy H2/6 which states that development will not be permitted unless such proposals can be shown not to affect the character and amenity of the area.

The Borough Engineer is not happy with the level of information which has been provided on the access arrangements and considers the access as shown on the submitted plan to be substandard.

Beechwood House is considered to be of listable quality. A request has been made for spot listing to English Heritage and its demolition should be resisted.

Due to their position it is unlikely that protected trees would be detrimentally affected by the development and a reason for refusal on these grounds is not justified.

The application is in outline and it is not appropriate at this stage to consider neighbours' objections about loss of privacy or outlook.

If planning permission was to be granted the issues of recreational provision, public art, affordable housing and the need for a bat survey would have to be addressed.

Recommendation: Refuse

Conditions/ Reasons

1. The proposed development would conflict with the aim of promoting urban generation as set out in the government's Planning Policy Guidance 3: Housing (PPG3).
2. The proposed development will result in the loss of private gardens and backland which would adversely affect the character and amenity of the area contrary to Policy H2/6 - Garden and Backland Development of the Bury Unitary Development Plan.

3. The proposed access would be sub-standard in terms of visibility at its junction with Bury Road which would be detrimental to road safety contrary to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
4. The application and submitted plans contain insufficient information to enable the proposed access arrangements to be properly assessed.
5. The proposed development would lead to the demolition of Beechwood House, a building of historic and architectural interest, contrary to Policy EN2 - Conservation and Listed Buildings of the Bury Unitary Development Plan.

For further information on the application please contact **John Hodgkinson** on **0161 253 5323**

Location: 611 WALSHAW ROAD, BURY, BL8 3AF

Proposal: RESIDENTIAL DEVELOPMENT - 3 DWELLINGS

Application Ref: 43494

App Type: Full

Statutory Expiry Date: 06 December 2004

Recommendation: Approve with Conditions

Description

The site is occupied by a large 1960s bungalow in neglected condition and constructed in natural stone and weatherboarding. It is situated close to the junction of Walshaw Road with High Street. There is vehicular access at the front to a drive and garage and also from an unmade back street at the rear of a terrace of houses, 579 to 605 Walshaw Road. The plot is separated from the gable of the end terraced house by a narrow footpath. Trees on the adjacent land to the west are protected by a Preservation Order. There is a modern detached house to the south, 1 The Cross, with utility room, office and bathroom windows in the side elevation.

It is proposed to demolish the bungalow and to erect a terrace of three houses. They would be similar in appearance to the adjacent terraced houses and would include a fourth bedroom in the roof space lit by roof lights. The protected trees would not be affected. Vehicular access would be from the back street. Each house would have one parking space and there would be turning space for cars to enter and leave in forward gear.

A letter from the applicant's solicitor confirms that that his client has a vehicular right of access along the back street and that he is prepared to level and tarmac the back street.

Relevant Planning History

42660/04 - Application from the same applicant for four houses withdrawn in May 2004. The houses were taller, close to the protected trees and did not provide a turning facility.

Publicity

Neighbours have been notified including all the occupiers of the adjacent terrace. Objections have been received from the occupiers of 583, 587, 589, 591, 601, 605, 607 and 609 Walshaw Road and 1 The Cross. There are four copies of the same letter. Points raised include:-

- The existing gates at the rear of the bungalow were only used twice per year to move a caravan.
- Access should be from the existing drive at the front.
- The back street at the rear of the terraced houses is unmade, unlit and unadopted.
- It is used for parking and access to parking spaces in rear yards.
- It is often obstructed by double parked vehicles and access for refuse collection is difficult.
- It is also used for children's play and additional traffic would be dangerous.
- The back street is not suitable for additional vehicles.
- The new houses are likely to have more than one car each. There is no space for additional vehicles to park in the back street.
- Parking at the front on Walshaw Road is dangerous close to a bend and junction and there is not room for more cars.
- It is suggested that Members and Officers should visit the site in the evening to see the

parking situation.

- The back street is not suitable for heavy vehicles and there would be noise and disruption during construction.
- The occupiers of 1 The Cross are also concerned about overlooking and loss of light as well as noise and fumes from parked cars.

Consultations

Borough Engineer - No objection on drainage grounds. No objections on highway grounds subject to recommended conditions.

Borough Environmental Services Officer - Recommend site investigation for contamination.

Operational Services - No comments with regard to refuse collection.

Unitary Development Plan and Policies

C119 Newhive Works, Walshaw
H1/2 Further Housing Development
H2/1 The Form of New Residential Development
H2/2 The Layout of New Residential Development

Issues and Analysis

The site is previously developed and within the urban area and there are no objections in principle to the demolition of the existing bungalow and redevelopment of the site.

The plot is capable of accommodating three houses albeit with limited garden areas and a condition is recommended taking away "permitted development" rights to build any extension without planning permission. The rear of the houses would be 14 metres away from the side of 1 The Cross which is an acceptable separation distance.

The existing bungalow has no architectural merit and the new houses are well designed to fit in with the existing terraced houses. The protected trees on the adjacent land are not affected.

The main issues are access and parking. One car space per dwelling is in accordance with government guidance and it is not reasonable to insist on more car parking spaces being provided. Despite the objections from neighbours the Borough Engineer finds the access to be acceptable provided that the turning facility is made available.

Summary of reasons for Recommendation

Permission should be granted having regard to the listed policies and proposals and the reasons for granting permissions can be summarised as follows;- The development will neither harm the character of the area nor the amenity of nearby residents. The parking and access arrangements will not be detrimental to highway safety. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five 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 numbered KBL/WR/002A 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.

3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.

Reason. In the interests of visual amenity and to ensure a satisfactory development.

4. Notwithstanding the terms of the General Development Order 1995, or as subsequently amended, no development shall be carried out within the terms of Classes A to H of Part 1 and Classes A and B of Part 2 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.

Reason. To ensure that future inappropriate alterations or extensions do not occur.

5. The development hereby approved shall not be first occupied unless and until the redundant footway crossing onto Walshaw Road has been reinstated to adjacent footway levels to the written satisfaction of the Local Planning Authority.

Reason. To ensure good highway design in the interests of road safety.

6. The parking and turning areas indicated on the approved plans shall be provided before the dwellings are first occupied and thereafter maintained.

Reason. To minimise the standing and turning movements of vehicles on the unadopted back street in the interests of highway safety.

7. The foundations for the proposed boundary wall shall not extend under the adjacent highway at any point.

Reason. To maintain the integrity of the adopted highway.

8. Prior to the demolition of the building permitted by this approval, a survey shall be conducted, and the survey results established as to whether the buildings are utilised by bats. A programme of mitigation shall be submitted to and approved in writing by the Local Planning authority. All mitigation measures shall be fully implemented prior to the commencement of the works and remain in situ on the site for an agreed period of time.

Reason. In order to ensure that no harm is caused to a Protected Species.

For further information on the application please contact **John Hodkinson** on **0161 253 5323**

