

**Ward:** Bury East - East Ward

Item 01

**Location:** PIMHOLE ROAD BURY

**Proposal:** CONSTRUCTION OF INDUSTRIAL ESTATE ROAD WITH ASSOCIATED FENCING; NEW BUILDINGS, BUILDING RE-LOCATIONS & REGULARISATION OF LAND FOR USE AS CAR BREAKERS

**Application Ref:** 43715

**App Type:** Reg 3 Council's Own Development

**Statutory Expiry Date:** 25 January 2005

**Recommendation:** Approve with Conditions

### **Description**

The application site is a large area used by many car breakers operators. The site is accessed from Pimhole Road, which is a metalled highway and then changes into a dirt track road running through the centre of the breakers yards from its junction with Hurst Street.

The breakers yards in the main are fenced by 4m high solid fencing of varying materials, with all but one operator gaining access to their yards from the existing dirt track access road.

To the south of the site, the breakers yards backs onto the East Lancashire Railway. Open land is beyond that. Existing substantial former factories are located to the west of the site, fronting onto James Street. A blank gable wall to the southern most factory bounds the breakers yard and a servicing area to the northern most factory bounds the application site.

To the north and west of the site are residential dwellings.

The application is seeking planning permission for the construction of an industrial estate road with new fencing and gates; new container buildings for storage and changes of use of land to form breakers yard to regularise long standing use and occupation.

### **Relevant Planning History**

The application site has been subject to many historical planning applications for certificates of lawful use, new buildings and workshops and engineering infilling works to a central portion of the application site.

### **Publicity**

Site and press notices have been carried out together with direct mail letters to surrounding properties.

No responses have been received.

### **Consultations**

Borough Engineer:

Traffic - Any significant response will be reported.

Drainage - No objections.

Environmental Health - Any significant response will be reported.

Greater Manchester Ecology Unit - No objections.

Transco - No objections in principle. Attach informatives concerning the need to liaise with them prior to works commencing.

Greater Manchester Police Architectural Liaison - No objections.

Environment Agency - No objections in principle subject to conditions relating to the prevention of further ground contamination.

United Utilities - No objections in principle.

### **Unitary Development Plan and Policies**

EC6	New Business, Industrial and Commercial Development
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN7/2	Noise Pollution
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
HT6/3	Cycle Routes
H5/1	Area Improvement

### **Issues and Analysis**

Despite the extent of the application boundary, the proposed works are localised by comparison to specific areas within the application site.

Unitary Development Plan Policy H5/1 - Area Improvement, states that the Council will continue to support the improvement of the housing stock and its environment. Policy H5/1/1 - Pimhole is a specifically identified area for improvement and regeneration.

New Road - The existing dirt track access road would be replaced by a new metalled road following a similar alignment and levels. The road would be a surfaced wearing course with 2.0m wide footpaths on either side. Lighting columns are also proposed throughout the length of the new road. An improved visibility splay is also proposed at the junction with the new road and the Pimhole Road junction, which would improve safety for both pedestrian and vehicles in the vicinity of the site.

Fencing and Gating - New fencing and gating is proposed within the site, which would be 3.0m high double palisade fencing in a green colour. This type of fencing is already found to the School Street and rear of James Street elevations of the breakers yards. Appropriate visibility splays would be incorporated to maintain highway safety at the entrances to each of the yards. The new fencing would also rationalise out the boundaries that currently exist within the site to provide clearer and formalised site boundaries to each yard. Visually, the new fencing would be a marked improvement on the external appearance of the yards.

Cycle Route and Footpaths - The site abuts the existing cycling 'quiet route' at the northerly end of the site next to Hurst Street. Currently, Hurst Street is blocked off from Pimhole Road. This would remain so after the development. However, details need to be clarified to ensure that a pinch point is not created as a result of the new pedestrian guard rail to be installed at the junction. This detail can readily be dealt with through a planning condition to ensure that no adverse impact is created.

There is an existing public footpath that crosses the central part of the site in a west-east alignment. The proposals would not affect this route.

Changes of Use of Land - This application seeks to formalise areas of land that are within the application site that have been used by car breakers for a number of years but have had no express permission for the use. These areas are found at the southerly part of the site

and would have no undue impact beyond the application site.

**New Buildings and Structures** - The application seeks permission only for some limited buildings within the application site, which would be container type structures. The structures would be 6.2m(L) x 2.8m(W) x 2.59m(H) in size. Other new structures are indicated on the plan, that would be subject to separate planning applications. Two other portacabin structures would be relocated within one yard but this would be to ensure that clear access is achievable within the site. Given the size and scales of the buildings, it is considered that they would not be readily visible outside the planning application site and would serve to tidy up their immediate environment by providing additional but enclosed storage.

**Residential Amenity and Regeneration Initiatives** - The nature of the application is to enable the yards to function in a less intrusive way, to improve external perceptions of the operators and the yards generally and to minimise the externalities of vehicles using the current unmade roadway. The formalisation of the roadway and other works would ensure that people living in the vicinity of the site do not suffer from noise from vehicular traffic and to reduce dirt and dust caused by vehicle movements.

The development proposals represent a visible and tangible commitment to the Pimhole Renewal Area in promoting and securing regeneration initiatives. The works would improve general and specific conditions for those near to and within the area and improve the operation and perception of the yards whilst securing environmental improvement for residents living near to the site.

### **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 development would result in an improved perception and operation of the site to improve residential amenity and highway safety of those in and around the site. The proposals would comply with Bury Unitary Development Plan Policies and 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 HS333/070 and accompanying information received 30 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. Prior to the commencement of development, details relating to the siting and desing of the new pedestrian guard rail to be installed at the junction of Hurst Street shall be submitted to and approved by the local planning authority. The approved details only shall be implemented.  
Reason - To ensure the continued and safe use of the cycling quiet route in the

vicinity of the main entrance into the application site.

4. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from the public highway and hardstanding areas shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason - To prevent pollution of Barn Brook.

5. All materials used for landscaping/infilling shall be non-leachate forming.

Reason - To prevent water pollution.

6. The visibility splays, pedestrian visibility splays and forward visibility envelope indicated on the approved plans shall be implemented and subsequently maintained free of obstruction greater than 0.6 metres in height.

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

For further information on the application please contact **Dave Marno** on **0161 253 5291**

**Ward:** Bury East - Moorside

Item 02

**Location:** CHESHAM WOODS CHESHAM ROAD BURY

**Proposal:** ERECTION OF 1.2M HIGH STEEL HERITAGE FENCING TO CHESHAM ROAD

**Application Ref:** 43755

**App Type:** Reg 3 Council's Own Development

**Statutory Expiry Date:** 27 January 2005

**Recommendation:** Approve with Conditions

### **Description**

The application is for the erection of a 1.2 high fence along the southern side of Chesham Park, opposite to residential properties on Chesham Road, Bury. The fence would stretch from the junction of Chesham Road with Oram Street to the woodland along the south-eastern side of Chesham Park. It is intended to prevent access to the open land by motorcyclists and travellers.

It is proposed that the fence would be constructed in steel with horizontal circular steel bars mounted between steel posts at approximately 1 metre centres. It would be painted green and would have a number of gates, including a horse stile, at different points to facilitate access to Chesham Park.

### **Relevant Planning History**

No relevant planning history

### **Publicity**

An objection has been received from the resident of 120 Chesham Road. She says that the open landscape is beautiful in its present condition. She does not think that the fence will deter motorbikes. The problem has reduced in recent months because of the response of the security service and the police. The issue of maintenance funding for the fence should be addressed. Other work in the park is complimented

Two letters supporting the proposal have been received from the residents of 104 and 170 Chesham Road. The residents believe that the proposed fencing would help keep out the motor cyclists, quad bikers and travellers. One of the residents suggested that the proposed kissing gate should be relocated to a point opposite Danesmoor Drive and the plan has been revised to show this.

A letter supporting the proposal has also been received from Friends of Chesham Nature Reserve, Bury. They point out that whilst they are sympathetic to the proposal, however, they would not support running the fence in line with the trees. They fear that this could result in damage to the trees and spoil of the views presently enjoyed by the residents. They suggest that the fence should be positioned close to the rest of Walker's Field, further away from the tree roots.

### **Consultations**

Borough Engineer - Any adverse comments will be reported.

### **Unitary Development Plan and Policies**

- RT1/2 Improvement of Recreation Facilities
- RT3/1 Protection of Existing Recreation Prov in the Countryside
- RT3/2 Additional Provision for Recreation in the Countryside
- RT3/3 Access to the Countryside
- OL1/5 Mineral Extraction and Other Dev in the Green Belt

### **Issues and Analysis**

In the absence of any fencing this part of Chesham Park has unrestricted access and is therefore subject to misuse by motor cyclists and others, to the detriment of the residents' amenity. It is considered that the proposed fencing would not only help stop unrestricted access but would also help facilitate access to the park by different users through defined points.

Although there are several mature trees along the alignment of the proposed fencing and the fencing has been located to avoid damage. The appearance of the fence would be appropriate to its semi rural location.

### **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 fence would help to prevent unauthorised access to the land. Its appearance is appropriate to the location and would not harm the openness of the Green Belt nor the amenities of nearby residents. 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 20 December 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. 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.

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

**Ward:** Bury West - Church

Item 03

**Location:** LAND AT DEARDENS STREET AND PROCTOR STREET, BURY

**Proposal:** RESERVED MATTERS - RESIDENTIAL DEVELOPMENT, 19 TOWN HOUSES

**Application Ref:** 43584

**App Type:** Reserved matters

**Statutory Expiry Date:** 24 January 2005

**Recommendation:** Minded to Approve

**Minded to approve subject to the making of a s.106 Agreement requiring provision of a commuted sum towards recreational space in the area. Refusal delegated to the Borough Planning and Economic Development Officer if the Agreement is not concluded within a reasonable time scale.**

**Description**

The site includes land with existing commercial premises situated behind shops on the south side of Bolton Road. It includes Wellington Garage, a car bodywork repair workshop on the westerly side on Deardens Street and a small vacant workshop plus lock up garages on the easterly Proctor Street side. As well as the shops on Bolton Road the surroundings include garden terraced houses on the opposite side of Proctor Street and newly built three storey flats on the opposite side of Deardens Street. There is open land to the south of the site.

Outline planning permission for residential development was granted on 15th January 2004 (ref.41679/03). All details were reserved for subsequent approval and this application is for reserved matters approval for all details except for landscaping. A small area used for car parking on the opposite side of Deardens Street included within the outline consent has not been included within the application.

The proposed scheme is for 19 town houses set in three blocks. There would be two blocks of 7 units each one set facing Proctor Street and the other to face Deardens Street. The slightly larger units on Proctor Street would each have an integral garage and single space drive with those on Deardens Street having a single space drive only. The third block with 5 units would be set at right angles to the longer blocks and would be at the westerly end of the site. Access to this block would be via a private road off Proctor Street. These units would have a single garage each and one parking space for each unit on the opposite side of the private road.

All of the houses would have three storeys of accommodation with the uppermost storey set within the roofspaces. Dormer windows would be a feature of the design.

The site covers 0.37 hectares which would give a housing density of about 51 dwellings per hectare.

The application includes a report on a survey for bats.

### **Relevant Planning History**

41679/03 - Outline planning permission for residential development granted on 15th January 2004.

### **Publicity**

Individual notifications have been sent to 61 properties in Bolton Road, Proctor Street, Deardens Street and Deardens Fold. The application was also advertised on site as a major development. An objection has been received from 11 Proctor Street and the objector raises the following issues:

- The development would have a major effect on outlook and quality of life.
- An open aspect would be lost and there would be loss of privacy due to overlooking by the houses.
- There would be loss of light.
- The road is already overrun with non resident parking with little room to accommodate the demands of the development.
- Property prices would be hard hit.
- The effects of noise and environmental impact of the development would have to be borne by existing residents.
- The area is unsuitable for this high density development.
- Effect of inconvenience and dirt associated with the construction site.
- The views of residents should be put before those of developers.

The layout has been amended to improve separation from nearby dwellings, including Proctor Street. Neighbouring occupiers have been notified about the changes and any responses will be reported.

### **Consultations**

Borough Engineer - Highways: No objection response anticipated. Drainage: No objections.

Environmental Health - A contaminated land condition should be attached to any grant of permission.

Operational Services - Insufficient details provided concerning refuse collection aspects.

GMP Architectural Liaison - Concerns expressed about a rear access ginnel which is intimidating and provides access to burglars. On street parking against the gable end at plot 14 would generate conflict and strongly impact on residents life style. Plot 16 lounge end wall lies on the public realm where goal posts are likely to be painted.

### **Unitary Development Plan and Policies**

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

### **Issues and Analysis**

Principle - The principle of a residential development being acceptable on the site has been settled by means of the outline planning permission and consideration is being given to all details except for landscaping.

Design and Layout - The houses would be of a somewhat unusual design incorporating both traditional and more modern features. However, in appearance they would be well proportioned and attractive and their overall scale would be reasonably comparable with that of surrounding development that includes two storey terraced houses and three storey



flats. Separation between the dwellings and the houses in Proctor Street would be close to normal layout standards. Separation from the new flats in Deardens Street would be a couple of metres less than normal standards but this is due to the closeness of the flats Deardens Street rather than through any fault with the proposal which incorporates a relatively deep frontage of 7m. Garden plots would be acceptable in size and car parking provision at 31 spaces for the 19 dwellings would be close to the maximum level of provision within current guidance for car parking standards standard. It is considered that the development would include acceptable standards of layout and it would thus comply with Policy H2/2.

Residential Amenity - Concerns about loss of amenity have been expressed by the occupier of 11 Proctor Street. The main frontage to frontage separation between his house and the proposed unit opposite would be 20m. The dormer on the proposed house would be 21.3m away. It is considered that these distances would be sufficient to maintain reasonable levels of outlook, light and privacy for both sets of dwellings. With two parking spaces being provided per unit concerns raised by the resident about lack of parking could not be supported. Similarly, given the locality close to a main bus route, the character of the local area and the space standards within the development it would be hard to support the objector's concern about excessive density. His concerns about disturbance due to the building process and the effect on local property values are not proper planning considerations. In terms of its impact on residential amenity and the surroundings in general it is considered that the development would fulfill the requirements of Policy H2/1. The development would, in fact, make a positive contribution to its surroundings.

Bats - The submitted report indicates that no evidence was found that the existing buildings are being used by bats but that there are potential roosting places. It concludes with the opinion that the development will not affect the conservation status of bats in their natural range. Recommendations are set out regarding the work needed to mitigate any impact on bats.

Recreational Provision - The outline consent requires compliance with Policy RT2/2 concerning recreational provision for the prospective residents and the number of dwellings being proposed is above the threshold above which the requirements of the policy are triggered. There is no recreational area provided within the layout but compliance with the policy would be secured by a commuted sum payment to the Council towards recreational provision within the locality. This would be secured via a s106 Agreement.

Land Contamination - This is an issue given the industrial past of the site including and the line of a former canal feeder across the land. The outline consent includes a condition requiring a suitable investigation and remediation work, if necessary, to be carried out prior to development commencing.

Design for Safety and Security - The details have been revised in response to GMP Architectural Liaison concerns with supporting comments provided by the agents. They state that the ginnel would be important for allowing rear access but have revised this detail to show one end blocked to allow only a single access point. To secure the rear area there would be a self closing door with a number code lock to the ginnel entrance, a street lighting system with passive infra red trigger and locks to at all back gates. Plot 14 has been amended to give protection by a side garden. Plot 16 is not next to the public realm and the comment may be referring to plot 14 which is protected on the revision by a side garden from ball games. A copy of the revised details has been forwarded to GMP and any response will be reported.

Refuse Collection - Notwithstanding the comments of Operational Services the details clearly show that the houses apart from plots 8 and 15 would have a bin shelter next to the

front entrance door. Plots 8 and 15 are end plots which would facilitate wheely bin storage within the rear garden. In all cases residents should be able to wheel their bins without difficulty out to the highway edge on collection day.

Artwork - The outline consent requires compliance with Policy EN1/6 - Public Art. However, this policy is not applied in the case of residential developments of less than 15 dwellings.

### **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 involves an acceptable standard of layout, design and means of access. The relationship with neighbouring properties would also be acceptable. There are no other material considerations that outweigh this finding.

**Recommendation:** Minded to Approve

### **Conditions/ Reasons**

1. 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.
2. The development shall be carried out fully in accordance with the recommendations contained within paragraphs 9.1 to 9.6 of the submitted Bat Survey report dated 11th November 2004 by Angela Graham.  
Reason. In order to ensure that no harm is caused to a Protected Species.
3. No development shall take place unless and until details have been submitted of the means of all means of enclosure and the finished floor levels of the buildings and these details have been approved by the Local Planning Authority.
4. This decision relates to drawings numbered 3886/L/1 Rev A, 4018/P/4 Rev B, 3886/P/5 Rev B, 3886/P/1 Rev B, 3886/P/2 Rev B and 3886/P/3 Rev A 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.

For further information on the application please contact **Jan Brejwo** on **0161 253 5324**

**Ward:** Bury West - Elton

Item 04

**Location:** OLIVES PAPER MILL TOTTINGTON ROAD BURY

**Proposal:** RESIDENTIAL DEVELOPMENT - 116 UNITS TOGETHER WITH PROVISION OF PUBLIC OPEN SPACE

**Application Ref:** 42722

**App Type:** Full

**Statutory Expiry Date:** 28 July 2004

**Recommendation:** Minded to Approve

### **Description**

The application site lies to the north-east of Tottington Road adjacent to the Kirklees Brook. The site is set within a valley and is occupied by a paper mill which has been on site since the 1850's and prior to this was occupied by Woolfold Bleach Works by the 1840's.

The site is set on a slope meaning the levels vary greatly. The areas occupied by buildings and yards are plateaus and flatter land within the site, the largest of which is by the brook where the main paper mill building stands. The site is served by a winding main access road which serves the various ancillary buildings such as the boiler house and office buildings which leads down to the main buildings and storage yard. The steep banks and undeveloped parts of the site are covered by mature mainly deciduous trees.

The main site is set below the surrounding development which runs along the ridge of Tottington Road and Olive Bank. On the opposite side of the brook lies land which is owned by Champale and is currently unoccupied and covered by semi-mature scrub, shrubs and trees. The former Tottington Railway runs through the Champale site but goes on to run through land owned by the applicant.

The applicant owns other land edged blue on the site plan which is open land that runs up the Kirklees Valley. This area starts at to the north-west of the mill building at the back of the storage yard and bottom of the lodges. The land snakes north-westwards up the valley and has no buildings on it which has been left to nature but for the man-made lodges.

The main application site lies within the existing urban area and is covered by policy EC2/2 for the retention of land in employment use. The site also lies adjacent to the Kirklees Brook which is a designated Wildlife Link and Corridor. At the north-western edge of the site lies a Site of Biological Importance but this is outside of the proposed development.

### **Relevant Planning History**

The application site has been used as a paper mill since around 1850 although it started life as a bleach works. The use as a paper mill has continued until today although within the last 20 years the mill has been in liquidation twice and was last rescued by the current owner.

Due to increasing international competition and rising energy costs producing paper at the mill has become uneconomic. The applicant has confirmed that mill is currently running

down and is set to close in early 2005.

There have been no previous planning applications for the redevelopment of the site for residential development.

### **Proposal**

The proposal is to demolish the existing paper mill and associated buildings in order to redevelop the site for residential use. The scheme proposes 116 units comprising a mixture of 4 blocks totalling 44 apartments, terrace, semi-detached and detached houses totalling 72.

The main access road into the site would be moved 5 metres to the north of the existing entrance which forms a spine road serving the development. The majority of the houses front on to the spine road with one cul-de-sac fronted by houses and feature court-yard development where a number of houses face into the central car park. The 4 blocks of apartments are serviced from separate access roads.

The development would ultimately be linked to the Kirklees trail and cycle path on the opposite side of the Kirklees Brook and would also provide a token number of parking spaces to allow fisherman access to the existing lodges at the north-western edge of the site edged red.

### **Publicity**

A press advert was placed and site notice posted as well as extensive neighbour notification letters sent to properties along Tottington Road, Hall Street, Bleakley Street, Collinge Street, Olive Bank, Foxfield Close and Darlington Close.

22 Letters have been received from local residents mostly living on Tottington Road objecting to the proposed development on the following grounds:

- The proposed development would lead to an increase in traffic along Tottington Road which would be harmful to highway safety
- It is already difficult for pedestrians to cross the road in this locality which would be worsened by the increase in traffic
- The increase in traffic would affect children attending Elton Primary School on Alston Street.
- The increase in traffic would lead to an increase in pollution
- Increase in noise from the passing traffic
- There would a loss of on-street parking
- Developing the site would lead to the loss of a green space in Bury
- Impact of the development on wildlife in the area
- The development would result in the loss of a visual break in the street-scene along Tottington Road
- Loss of residents' parking which is on land at the front of the application site on Tottington Road.
- Noise and disturbance during construction
- Loss of openness once the site is redeveloped
- Pressure on local water supply and sewers
- Encroachment on to a rights of way
- Concern over the stability of the site and foundations being undermined
- Lack of nearby shops
- Potential for criminal activity on the site

- Could the site not be left to grass over?
- Need for appropriate highway improvements and traffic calming measures
- Large number of housing development being permitted along Tottington Road and resulting increase in traffic

A meeting was held by the Case Officer and Councillor Creswell to listen to local residents' views at which the following points were raised:

1. Parking – where do we park and double yellow lines? Loss of the parking area at the front of the site and how does this relate to policy HT2/6.
2. Couldn't the frontage area be used for parking as now.
3. Adults and children crossing the road?
4. Loss of nature park across the road.
5. This many houses is a shocking way to treat people.
6. Rise in pollution.
7. Loss of residential amenity by headlights shining into front room.
8. traffic starts at 5 in the morning so increase in traffic.
9. A lot of building in the local area.
10. Would like to see it stay.
11. More consideration given to local residents ie parking and open land.
12. Would like to see the developer compromise – parking, instead of building directly into front of road could use it for parking and open space.
13. Concern over traffic coming down Tottington Road could be doubling?
14. If it's one space per house on new development why not for the old?
15. What if you're disabled and can't use public transport?
16. What are the distances from the back gardens of existing properties to the proposed?
17. Takes a long time to wait to cross the road.
18. Concern about subsidence and vermin from demolition of mill.
19. What guarantee is there that the land that is intended to be transferred from Activecraft to the Council will remain undeveloped.
20. Why can't the development include play areas for the development itself?
21. Low water pressure in the area which this development would exacerbate.
22. Ditto the sewer system.
23. Main sewer runs to rear of houses on Tottington Rd which emergency access runs across.
24. What kind of retaining wall between ginnel and emergency access.
25. What are the funny curvy bits on the plan adjacent to 198 Tottington Rd.
26. Due to lack of facilities will the emergency become the new play area for skateboarders.
27. What about the boundaries of the gardens backing on to Tottington Road.
28. Parking restrictions in relation to bus stop.
29. Crossing the road a problem.
30. What about the traffic backing up on Tottington Road turning right into site.
31. Building on common land at corner of site on plots 106-108.
32. What type of retention to keep slope from falling down.
33. Security to back of houses along Tottington Road.
34. Who maintains the green areas?
35. How many houses are going to be built in total along the road and how much worse will the traffic be?.

A number of these issues were raised at the Bury West Area Board

- Any proposals must ensure that access for emergency vehicles is in place.

- Concern over the increase in traffic on Tottington Road and resulting dangers
- Existing problem of parking in the surrounding area, due to double yellow lines, would be exacerbated due to the loss of the current parking provision at the Mill
- Issues surrounding water pressure in the area
- An assurance was sought that further development on the site would not take place in future years. It was explained that following completion of the proposed development, the other land within the site would transfer to the Council for recreation
- Concern was expressed over possible contaminants in the ground. It was explained that a Phase 1 survey had been carried out and that a full site investigation would be completed before building would commence.
- Questions were asked concerning the duration of the building work and possible disruption caused by construction vehicles.
- A local resident expressed concern that the construction work may result in movement being caused to adjacent properties. An assurance was given from the developers that they would survey neighbouring houses in close proximity to the development.
- Councillor Bigg commented that the site was within part of a wildlife corridor and sought assurances that surveys would be carried out on protected species. Comments were also made about the existence of foxes and badgers in the area.
- Councillor Walker requested that the Planning Department consider the effect of the development on the traffic problems at Bury Bridge.
- A local resident expressed concern about the problem of vermin in the area
- A request was made for alternative car parking spaces to be provided. The Chair, Councillor Creswell, undertook to meet with the traffic department to look at the parking and traffic problems on Tottington Road.

A 706-signature petition has been submitted objecting to the proposed redevelopment of Olive's Paper Mill for residential development on social, environmental and safety grounds.

### **Consultations**

Borough Engineer – Drainage – no objection. Highways – the scheme is acceptable subject to confirmation of details, in particular regarding the emergency access. Final comments will be reported on the Supplementary Agenda.

Borough Environmental Services Officer – hydraulic/jack piling or continuous auger piling shall be the method of construction uses whilst a contaminated land site survey shall be conducted.

Head of Parks and Countryside – the proposal is considered acceptable any further comments will be reported on the Supplementary Agenda.

Operational Services – have responded verbally that the proposed development would be accessible for dustbin collection.

Environment Agency – the agency do not wish to object to this scheme but recommend a condition.

GMPTE – would have preferred to see a pedestrian link between the site and Tottington Road via Collinge Street to enable easier access to bus services. The pedestrian environment should be design to be as safe and convenient as possible.

GM Police – the number of footpaths into the site should be minimised to prevent conduits

for crime, access should be restricted to the path to the rear gardens backing on to the Kirklees Brook and their boundaries made secure, lack of natural surveillance on to car parks from blocks A & B, no secure boundaries are shown on the drawings which should be required by condition, a strong symbolic threshold is recommended at the entrance to the site and the flats would rely heavily on an entrance control system.

GM Fire Service – insufficient information regarding the gradient of the access, how will the road be secured and what surface will be used?

GM Archaeological Unit – request Archaeological mitigation measures to be undertaken including a survey and possible further investigative works to be secured by condition.

GM Ecology Unit – no comments received.

Lancashire Wildlife Trust – recommend a bat survey prior to the demolition of the buildings.

Transco – do not object to the proposed scheme.

United Utilities – did not object to the original scheme subject to conditions although no response has been received to the revised scheme.

### **Unitary Development Plan and Policies**

EC2/2	Employment Land and Premises
OL5/2	Development in River Valleys
EN6/4	Wildlife Links and Corridors
EN6/1	Sites of Nature Conservation Interest SSSI's NNR's
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
H4/1	Affordable Housing
EN1/6	Public Art
EN1/5	Crime Prevention
EN1/2	Townscape and Built Design
RT3/2	Additional Provision for Recreation in the Countryside

### **Issues and Analysis**

#### *Principle*

The principle of the development involves the issues of the loss of employment land, the siting of housing in this location and whether the local road network can accommodate the level of traffic to be generated.

The site forms part of the Kirklees Valley and is therefore steeply sloping which reduces the developable area. The existing buildings and machinery are bespoke to the paper making process and partially derelict. The access road within the site involves steep road gradients. Whilst it is surrounded by residential development and adjacent to the Kirklees Brook.

In land use terms alone, the site is considered suitable for continued employment use given its relatively isolated location within a valley setting, thus offering little conflict with surrounding uses. Nevertheless, the Council accepts that the redevelopment of the site for employment is not a financially viable option. As such, the Council are prepared to accept an appropriate one-off payment in-lieu of redeveloping the site for employment uses. This one-off payment will be invested in the creation of employment opportunities in the local area and secured via a Section 106 legal agreement.

The site constitutes brownfield land within the urban area, close to existing infrastructure, would avoid the release of peripheral and greenfield sites and would be suitable in land use terms to the surrounding area and therefore agrees with PPG3 and policy H1/2 – Further Housing Development subject to all appropriate UDP policies being satisfied.

The proposed scheme as outlined in the Transport Assessment would not put unreasonable pressure on the surrounding highway network and would be acceptable subject to an altered entrance to the site.

The proposed development is considered to be acceptable in principle subject to the satisfactorily meeting the requirements of the Section 106 agreement specified above.

#### *Form*

The proposed residential development in the main, would be set down and away from surrounding development due to the steeply sloping land. The proposed development would be either 2 storey-high dwelling houses or 3 storey blocks of flats which would split-level due to the site levels. The courtyard houses would be on the lowest part of the site and would be a mix of 2 and 3 storeys. The proposal would be appropriate to the surrounding area in terms of its impact on residential amenity, density and character of the surrounding area and proximity to neighbouring properties. The materials to be used will be agreed by condition. The one part of the site which interfaces with the existing urban environment and street-scene is along Tottington Road. The proposed terrace of houses either side of the access road into the site would be appropriate in terms of height and roof type, design and massing.

The scheme is considered acceptable in terms of its form.

#### *Layout*

The development would be focussed around a main spine road with the majority of dwellings fronting on. There would be 4 blocks of flats accessed by private access roads and there would be a cul-de-sac leading to the Kirklees Brook with a small car park for anglers using the nearby lodges. The main spine road culminates in a courtyard at the north-west end of the site. It is considered that this overall layout would create a varied and interesting development contributing to a quality urban environment.

The scheme would provide adequate parking as well as access for vehicles, pedestrians and cyclists which will ultimately provide a cycle-link through to the Kirklees Trail. The density would be acceptable at around 45 dwellings per hectare and there would be adequate space around and between dwellings. The landscaping and boundary treatment scheme is still under negotiation although this will be covered by condition which will include tree protection measures. The scheme would make adequate provision for bin stores.

The scheme provides a good level of natural surveillance to most public areas and secure boundaries to the site should be required by condition. A meeting with the GM Police Architectural Liaison Officer on the 10<sup>th</sup> January 2005 seeks to finalise security measures in the built fabric of the scheme. Any matters arising will be reported to Committee via the Supplementary Planning Agenda.

Flood Risk – the Environment Agency have withdrawn their objection to the scheme and now no longer object to the scheme but request a condition regarding internal floor levels to be agreed prior to the commencement of development on site.

*Recreation Provision, Affordable Housing, Public Art and Transfer of Land*



The applicant has submitted a draft Section 106 legal agreement which broadly complies with the Council's policies on Recreation Provision, Affordable Housing and Public Art. In lieu of Recreation Provision on site the applicant has offered to pay for improvements to the Kirklees Cycle Track. In addition the applicant also proposes to transfer land higher up the valley into the Council's ownership, discussed below, which would also contribute to recreation provision and would be adjacent to the application site. The applicant is willing to make 25% of the dwellings available on an affordable basis whilst the Public Art provision will be provided either as smaller pieces of artwork within the site such as providing a bridge over the Kirklees Brook or as a commuted sum payment towards providing art work along the Kirklees Trail.

As part of the scheme the applicant also proposes to transfer large areas of land further up the valley into the Council's ownership to be used for recreational purposes. The land in the applicant's ownership to be transferred to the Council, forms the missing link in the Kirklees Trail. Currently, this land has no inherent recreational value in its current state which means the applicant will make a payment to the Council in order to render it usable. The legal agreement will also include a commuted sum payment towards maintenance costs.

The applicant will be meeting with officers on 11<sup>th</sup> January 2005 to finalise the contents of the legal agreement. The outcome and final details of the agreement will be reported on the Supplementary Committee Agenda.

#### *Wildlife*

The applicant has submitted a survey which states that the presence of bats on the site was unlikely although another survey should be conducted prior to demolition. No badgers have been seen, reported or surveyed on site other than by one local resident. The main part of the site to be re-developed is already occupied by the mill and ancillary building. However, the most environmentally sensitive parts of the whole site are the areas to be transferred to the Council which lie to the north-west of the mill, where no development is proposed and therefore the scheme will not impact.

#### *Response to Objections*

The objections raised which have not been addressed in the main report have been responded to below.

The Borough Engineer in view of the submitted plans and Transport Assessment considers that the proposed development would not materially increase the congestion along Tottington Road above the levels that the existing use could generate. The scheme would not represent a hazard to highway safety and would not justify the provision of a pelican crossing. In terms of air pollution no adverse comments have been received from Environmental Health whilst it is considered there would not be a material increase in noise pollution above the existing traffic levels.

The loss of parking is considered to have been addressed by the applicant. Local residents objected to the loss of parking on a rough piece of land at the entrance to the site. The residents do not own the land and are considered not to have any legal right to park on the land. In response to the adverse reaction of the residents the applicant intends to provide 12 replacement parking spaces behind houses fronting Tottington Road.

Rights of way is a private matter between the objector and the applicant, water pressure is the responsibility of United Utilities whilst noise and disturbance during construction comes under the remit of Environmental Health. The presence of vermin on the site and their control is considered not to be a material planning consideration for this application.

The applicant proposes a series of retaining walls to support the sloping land one of which is represented by curvy lines adjacent to the emergency access whilst another wall is proposed within the rear gardens of plots 11-21.

The objections and comments raised 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 acceptable in principle and in terms of its form and layout. It would not harm wildlife interest within the site and would make adequate provision for parking and Environment Agency maintenance requirements. The scheme would make a sufficient contribution towards recreation provision, affordable housing and public art.

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 ..... 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. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date of the development first being occupied. The landscape scheme shall thereafter be maintained for as long the development remain in existence. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and 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.
5. 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 and the wider 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 minimise

the risk to human health, ecological systems and property and 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 protect human health, ecological systems and property and to prevent pollution of the water environment.

6. Prior to the commencement of demolition or development on the site, the applicant shall submit to and agree with the Local Planning Authority a written scheme of investigation to secure and implement a programme of archeological work. All work shall be carried out in strict accordance with the written scheme agreed to the satisfaction of the Local Planning Authority.

Reason. To make an archeological record of buildings and features above and below ground of archaeological interest for archive and research purposes and to comply with legislative requirements.

7. Prior to the commencement of development on site the applicant shall submit to and to be approved by the Local Planning Authority, a scheme detailing boundary treatment within and along the borders of the site. The boundary treatment shall be constructed in accordance with the approved scheme and thereafter maintained.

Reason: In the interests of visual amenity and security.

8. No development approved by this permission shall be commenced until details of the existing and proposed floor and ground levels have been submitted to and approved by the Local Planning Authority. The scheme shall be constructed in strict accordance with the approved details.

Reason: To ensure that the development is subject to the minimum flood risk of flooding.

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

**Ward:** Bury West - Elton

Item 05

**Location:** LAND ADJACENT TO 1, OLIVE BANK, BURY

**Proposal:** DETACHED GARAGE

**Application Ref:** 43646

**App Type:** Full

**Statutory Expiry Date:** 21 January 2005

**Recommendation:** Approve with Conditions

### **Description**

The site is a piece of rough ground adjacent the side garden of 1 Olive Bank. The pavement of Olive Bank, a cast iron post/rail fence with a grassed area behind and the un-adopted end of Mill Road are along the other three boundaries. There is no true vehicular access across this land from Mill Road to Olive Bank due to the raised pavement area, although there is some evidence showing that this is happening. There is vehicular access through from Mill Road to Back Olive Bank although this is over a section of un-made road. The surrounding properties are a combination of residential and commercial uses and have a mixture of external finishes, buff and red brick, pebble dashing and half or complete rendering.

The proposal is for a detached concrete garage partially surrounded by a 2.1m high close boarded panel and concrete post fence on a piece of land where the owner is unknown. The applicant has completed the relevant Certificate for this application, placed an advertisement in the Bury Times and has carried out extensive investigation into its ownership. The proposal has been amended to show a reduction in the length of the garage to allow a 5m parking space to satisfy Highway requirements.

### **Relevant Planning History**

No relevant planning history

### **Publicity**

12 surrounding properties have been notified. One letter of representation has been received objecting for the following reasons:

- They are the owners of the land in the proposed development
- They have always kept a route from Tottington Road to Olive Bank for public, emergency and general services.
- The applicant has already encroached onto this area by way of a shed and fence/gate.
- The application form is inaccurate as they believe the applicant already carries out vehicle repairs on the area and this would increase if the application was accepted.
- Any future development of land owned by Filippini & Grey and Trippier Industrial Supplies would be prejudiced if access to Olive Bank would be blocked.

The applicant has also advertised the proposal in the Bury Times on Friday 26th November 2004 as part of the application process.

### **Consultations**

Borough Engineer: Has no objection to the proposal, subject to it being conditioned for the garage to have a roller shutter door fitted. Also, at present there is no detailed evidence of a public right of way across the site currently held by the Authority but a note is to be added to the decision notice regarding the possibility of a future claim.

GM Police: Have concerns regarding the security of the site due to the open access to the site hidden by the proposed 2.1m high close-boarded fence.

### **Unitary Development Plan and Policies**

C055 Tottington, Bury  
EN1/2 Townscape and Built Design  
H2/3 Extensions and Alterations

### **Issues and Analysis**

The main considerations of this application are the acceptability of the proposed use in this location, the details of the application with regard to design, highways safety and site security and the impact on the residential amenity of the occupiers of the surrounding properties. The issue of the ownership of the land is not a material planning consideration, although it is noted that the applicant has carried out extensive research trying to find details of ownership of the land.

The use of the land for placing a garage on for storing a domestic vehicle in is considered acceptable and compatible with the surrounding uses. It is proposed that a condition is attached to the permission to control the use of the garage to maintain its use as a domestic vehicle storage and not any other use.

The design and materials of the proposal is a typical pre-cast concrete garage with a galvanised steel roof. Given the layout and uses of the surrounding properties and the number of different styles of external finishes it is considered that the design and materials of the proposed garage it is not out of keeping with the surrounding properties.

With regard to highway safety the amended plans now show a 5m deep parking area in front of the proposed garage, this satisfies the needs of the Borough Engineer subject to a condition being attached requiring a roller shutter type garage door being fitted. A 2m wide pedestrian access way is being left between the proposed fence and the existing cast iron post and rail fence to maintain pedestrian access across the site from Mill Road to Olive Bank. Also, a note is to be added to the decision notice regarding the possibility of a future claim for a public right of way, acquired by usage, across the site.

The concerns of GM Police regarding site security has also been addressed in the amended plans. A note that has been added stating the site is covered by the applicant's CCTV system which monitors any activity in or beyond the close boarded fence area.

There is approx. 13m from both the side elevation of the residential properties on Back Olive Bank and from the rear elevation of the residential properties on Olive Bank to the proposed garage. Therefore, it is considered that due to the position of the proposal in relation to the surrounding properties there is little if any impact on the residential amenity of the occupiers.

it is not considered that any future development on the surrounding land would be prejudiced by the proposal.

### **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 not be harmful to the visual and residential amenities of the surrounding area nor would the scheme 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 5067/1A received 20th December 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 garage hereby approved shall be used for no other purpose than as a domestic garage.  
Reason. To safeguard the residential amenity of the surrounding properties.
4. The garage shall be fitted with a roller shutter door or a similar approved type which does not project outwards at any time during or after operation to the written satisfaction of the Local Planning Authority and shall thereafter be maintained.  
Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety.

For further information on the application please contact **Janet Ingham** on **0161 253 5325**

**Ward:** Bury West - Elton

Item 06

**Location:** LAND ADJACENT TO 2 CROMER ROAD BURY

**Proposal:** CHANGE OF USE OF LAND TO GARDEN

**Application Ref:** 43783

**App Type:** Full

**Statutory Expiry Date:** 04 February 2005

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a grassed area owned and maintained by the Council at the junction of Cromer Road and Sheringham Drive.

The proposal involves the extension of the garden area (27m x 6m) which would result in part of the extended garden boundary being within 2m of the highway.

The applicant lives in the adjacent dwelling, Cromer House, and proposes to add part of the land to his garden. The area closest to the road will remain under Council control to ensure that there will be adequate visibility at the junction.

### **Relevant Planning History**

None.

### **Publicity**

Three letters raising objection to the proposal have been received from the residents of no. 6 and 25 Cromer Road and 324 Brandlesholme Road, Bury. The comments made are:

1. The residents of no. 6 point out that any type of perimeter fence would restrict visibility from his drive and make right turns at the junction more difficult.
2. The residents of no. 25 are point out that when the estate was built, green verges were left undeveloped for the benefit of the residents. They therefore claim that the proposed development would be totally out of keeping with the original planned development. Furthermore, they point out that the estate was originally developed as open plan estate and the proposal would contravene the open aspects of the estate.
3. The residents of 324 Brandlesholme Road are concerned that the application site would be used for the testing and practice riding of motor cycles which would generate noise, particularly during weekends and evenings.

### **Consultations**

Borough Engineer - No objection

### **Unitary Development Plan and Policies**

H2/3 Extensions and Alterations

### **Issues and Analysis**

Although the visibility of the vehicles coming out of driveways from no. 4 and 6 Cromer Road would be more restricted than at present the Borough Engineer is satisfied that this would not adversely affect the visibility of the vehicles using Cromer Road.

With regard to the comments made concerning the open plan estate, it should be pointed out that there are no conditions imposed in the original planning permission which restrict the enclosures to the front gardens in the estate. Although most of the front gardens are enclosed with hedgerows or trees, however, there are some properties in close proximity of the application site where the front/side gardens are enclosed with timber fencing.

The application does not include proposals for the boundary treatment and in order to maintain adequate controls it is proposed to remove permitted development rights for the erection of fences or formation of an access to the highway, and impose a condition requiring the submission of a boundary treatment scheme.

### **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 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 drawings numbered TM3246 received on 10 December 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 development hereby approved shall not commence unless and until a scheme indicating details of the boundary treatment for the extended garden area is submitted to and approved in writing by the Local Planning Authority.  
Reason To secure the satisfactory development of the site and in the interests of visual amenity.
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 (erection of a means of enclosure) and B (formation of access to the highway) of Part 2 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.

Reason. To ensure that the appearance and use of the land is controlled in terms of the visual amenity of the locality.



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

**Ward:** Prestwich - St Mary's

Item 07

**Location:** VENWOOD ROAD PLAY AREA OFF, VENWOOD ROAD, PRESTWICH

**Proposal:** INSTALLATION OF MULTI-USE GAMES AREA

**Application Ref:** 43731

**App Type:** Reg 3 Council's Own Development

**Statutory Expiry Date:** 21 January 2005

**Recommendation:** Approve with Conditions

### **Description**

The application site is an existing play area/playground located to the rear of a number of residential properties within a wider residential area. The site is currently fenced off by 2.4m high fencing with restricted gated access from two points located at Venwood Road and Butterstile Lane.

The site level in itself, but is elevated to properties on Venwood Road by between one and two metres. It is level with properties fronting onto Butterstile Lane and significantly lower to properties fronting Hillcrest Road to the north. A large, heavily treed embankment is located between the play area and the properties on Hillcrest Road.

The application is seeking to create a formalised multi-use games area, roughly centrally located within the site. The proposals comprise a formalised tarmac hard surface, with 2 metre high mesh fencing around the games area, which increases in height to 3.9 metres at the 'goal ends' of the games area.

### **Relevant Planning History**

There is no relevant planning history affecting the site.

### **Publicity**

Site notices were erected next to the site and direct letters sent to surrounding properties. One letter of objection has been received from 15 Hillcrest Road. They consider that there is no need for such a facility as there is already one within walking distance to this site, although not specified where this is. They are also concerned with potential disturbance from the games area and problems that have been experienced by the misbehaviour of teenagers and children loitering in the area. They fear that the development would encourage the misuse of the area.

### **Consultations**

Environmental Health - No objections.

Drainage - No objections.

The Sports Council - No response received.

### **Unitary Development Plan and Policies**

RT1/2 Improvement of Recreation Facilities

RT3/5 Noisy Sport

### **Issues and Analysis**

**Principle** - The site is lawfully a recreational playground within an urban area in land use terms. This application seeks to develop a formalised recreational facility within an existing recreational area for general public use. Policy RT1/2 - Improvement of Recreational Facilities confirms that the Council will give favourable consideration to proposals for the appropriate improvement of existing recreational land and facilities in the Borough. The proposed development would be an improvement of an existing facility. As such the principle of the development is considered to be acceptable.

**Residential Amenity** - Planning Policy RT3/5 - Noisy Sports states that development proposals involving the use of land or buildings for recreational purposes which generate noise or nuisance will not be permitted where the use would have an unacceptable detrimental effect on the environment of the site and surrounding area or endanger people or property; or an unacceptable impact upon amenity particularly in residential areas; would give rise to increased traffic flows to the detriment of the surrounding area and where there is inadequate parking available.

In the consideration of these points, National Playing Field standards and The Sports Council guidance for the development of multi games use areas considers that these facilities, especially floodlit ones, should not be located within 30m of adjoining residences. The scheme does not propose any floodlighting and in terms of its physical siting, it would exceed the minimum distances from main habitable room windows of residential properties on all sides of the site. The objector's property would be some 50m away from the games area and as such, the impact upon this property would be minimal and far in excess of accepted guidance. The site is an existing facility where ball games could already take place without any levels of control and as such, the formalisation of such a facility would focus activities to an appropriate distance from existing surrounding residential properties in compliance with the aims of the policy.

The nature of the facility is to serve local needs within the immediate locality, which is a heavily built up residential area. As such, the development is unlikely to create any additional traffic flows or concentrations to the detriment of surrounding properties.

There are two entrance points into the site and the nature of the enclosure fencing encourages natural passive surveillance due to its permeable design. Existing fencing to the site would also ensure that the rear boundaries of surrounding residential properties would not be compromised and thus, the development would not endanger users or surrounding residential properties.

Other concerns raised by the objection letter centres upon misuse of the area, which is not normally a planning consideration as other methods including policing and access can control these matters. Additionally, the site is currently entirely enclosed by a 2.4 metre high weld mesh fence, in addition to existing residential fences, which when properly maintained can prevent direct access to the rears of properties surrounding the site.

The proposals would comply with adopted local planning policy and national standards.

### **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:-

It is considered that the development would comply with local planning policy and national guidelines for this type of development and that the development would not have any undue impact upon the residential amenities of surrounding properties. Given the above, 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 and information received on 26th 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. Notwithstanding the provisions of the approved plans, detailed specifications of the fencing proposed and the proposed colouration of the fencing and hard surface shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The approved details only shall be implemented.  
Reason - To secure the satisfactory development of the site and in the interests of the visual and residential amenities of the area.

For further information on the application please contact **Dave Marno** on **0161 253 5291**

**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 08

**Location:** PADDOCK OFF, LEACHES ROAD, SHUTTLEWORTH, RAMSBOTTOM

**Proposal:** DETACHED SINGLE STOREY STABLE BLOCK & TACK

**Application Ref:** 43717

**App Type:** Full

**Statutory Expiry Date:** 20 January 2005

**Recommendation:** Approve with Conditions

### **Description**

The site is within an area of grazing land to the west of Leaches Road which gives access to Sheephey Farm where farm buildings have been converted into dwellings. The land slopes away towards the River Irwell. To the north, a stable has been built by the present occupiers of Sheephey Farm. To the south, land is used for the storage of items in connection with the applicant's landscape and agricultural contracting business. This use is unauthorised.

It is proposed to erect a stable in natural stone with a slate roof. It would accommodate two stables and a tack room and would be similar to the stable on adjacent land in its size and appearance.

### **Relevant Planning History**

None on the application site.

The farm buildings to the north have been converted into dwellings in accordance with planning permission.

An Enforcement Notice has been served in respect of the unauthorised use on land to the south, requiring the cessation of the use. The Notice has been appealed and there is a Public Inquiry on 19 January.

### **Publicity**

Neighbours have been notified and objections received from Sheephey Farmhouse and 5 Sheep Hey. Points raised include the following:-

- Reference is made to the enforcement notice and conditions on previous planning approvals. It is claimed that the applicant fails to comply with conditions and that his activities are detrimental to the environment.
- It is suggested that the application should not be considered until other contentious matters have been resolved.
- It is pointed out that the applicant already has a large building elsewhere on the holding that could accommodate two horses.
- There is already a gate into the field and it is feared that the new gate would allow vehicular access restricting access to Sheephey residents and leading to mud on the road.
- There is objection to the bunded area for horse manure close to the road.
- It is feared that there will be a delay in completing the building leading to another eyesore being created.
- It is also feared that, if the appeal is lost, the applicant will use the erection of the stable as an excuse for bringing plant and machinery onto the site.

- It is requested that, if planning permission is granted, conditions are imposed strictly controlling the development.

### **Consultations**

Borough Engineer - Any adverse comments will be reported.

Borough Environmental Services Officer - If the premises are to be used as a horse riding establishment they will require to be licensed.

### **Unitary Development Plan and Policies**

OL1/2 New Buildings in the Green Belt  
OL4/7 Development Involving Horses  
OL5/2 Development in River Valleys  
EN6/4 Wildlife Links and Corridors  
EN9/1 Special Landscape Areas

### **Issues and Analysis**

The concerns about other contentious issues associated with this applicant are not material to the consideration of this proposal which should be decided on its own merits.

The UDP policies accept stables in the Green Belt where they would not have an adverse effect on the appearance of rural areas. The site for the stables would be exposed to view particularly from the west but the proposed building is small in scale and would be built in natural materials appropriate to the area.

The size of the building and the method of construction would not encourage conversion to a dwelling.

The stables are for private use and it is recommended that an appropriate condition is imposed to prevent commercial usage of the facilities.

### **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 will not harm the openness of the Green Belt. It will not adversely affect the character of the area nor the amenity of nearby residents and 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 the drawings received on 25 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 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.
5. The proposed stables and surrounding land within the boundary of the planning application shall be occupied by horses belonging to the applicant's family and shall not be used for any commercial activity.  
Reason To protect the visual amenities of the area and the residential amenities of nearby occupiers.

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

**Ward:** Ramsbottom & Tottington - Tottington

Item 09

**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

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

### **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**

**Ward:** Ramsbottom & Tottington - Tottington

Item 10

**Location:** LAND AT BURY ROAD, SUNNYWOOD LANE, TOTTINGTON

**Proposal:** RESIDENTIAL DEVELOPMENT - 24 NO. DWELLINGS

**Application Ref:** 43509

**App Type:** Full

**Statutory Expiry Date:** 20 January 2005

**Recommendation:** Minded to Approve

**Minded to approve subject to S.106 Agreement requiring commuted sum for provision of recreation space in the area. Refusal delegated to Borough Planning and Economic Development Officer if the agreement is not concluded.**

#### **Description**

The site was previously occupied by a garage used for car repairs and the sale of cars and petrol. A large level area at the rear was used for caravan storage. The buildings have now been demolished and the site is vacant. To the east, the land drops steeply with dense tree growth on the slope. To the north are modern detached houses on Calderwood Close. To the south are bungalows on Sunnywood Lane and Bury Road. To the north west is the end gable of a terrace of house which have long rear gardens.

The proposed development is essentially the same as a scheme which already has outline planning permission. The current application is for full planning permission. As before, the plans show a cul de sac into the site with 18 two and three storey semi detached and terraced houses. A block of 6 apartments would front Bury Road. They would be two storey in height plus a bed deck within the roof space. The flats and the three storey houses would include small balconies at first floor level. The new cul de sac would not be adopted by the Council and would have a gated entrance.

The application is accompanied by an arboricultural survey identifying which tree are to be removed. A contamination study is being considered by the Borough Environmental Services Officer.

#### **Relevant Planning History**

41207/03 - Application to demolish the buildings and to erect a small supermarket with the retention of the petrol sales was withdrawn. There were many objections from residents.

42448/04 - Outline application for 24 dwellings including siting and means of access. Conditionally approved on 30 June 2004.

#### **Publicity**

The application has been advertised as a major development and neighbours, including previous objectors, notified. Three objections have been received from the residents of 8, 10 and 14 Calderwood Close. It is pointed out that the site is higher than their houses They are concerned that the houses would be three storey rather than two storey, leading to overlooking, loss of privacy and loss of light, particularly in winter. It is requested that existing trees and bushes are retained.

### **Consultations**

Borough Engineer - No objection on drainage grounds. Any highways comments will be reported.

Borough Environmental Services Officer. - Recommends that contamination study and remediation measures are agreed before permission is granted. It is pointed out that there is Japanese Knotweed within the site.

### **Unitary Development Plan and Policies**

H1/1	Housing Land Allocations
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
EN8	Woodland and Trees
OL5/2	Development in River Valleys
EN6/4	Wildlife Links and Corridors

### **Issues and Analysis**

The bulk of the land is allocated for residential development in the UDP and the site is within the urban area and close to amenities. Outline planning permission has already been granted for a very similar layout.

The separation distance between the new properties and existing houses is considered to be adequate and houses were approved in the same position in the previous outline application. The new houses would be elevated above Calderwood Close and the nearest house on Calderwood Close is number 10 which is side on to the application site. The minimum separation distance is 30 metres and conditions are recommended concerning existing trees and the stability of the slope. A condition is also recommended to control future extensions to the new houses.

The applicant's agent has confirmed that the issues of contamination, slope stability and Japanese knotweed are being addressed. It is confirmed that the road would not be adopted and that entrance to the site is by electronic gates.

The size, design and siting of the houses is considered to be acceptable. It is recommended that the Committee is minded to approve the application subject to a S.106 Agreement to provide commuted sum for recreational provision in the area with delegated powers to the Borough Planning and Economic Development Officer to refuse the application if the agreement is not completed.

### **Summary of reasons for Recommendation**

Permission should be granted having regard to the listed policies and proposals and the reason(s) for granting permissions can be summarised as follows:- The majority of the site is allocated for residential development in the Bury Unitary Development Plan and the remainder is previously developed land. The layout and design 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 2367: 04A, 14B, 23, 24A, 25, 26A, 27A, 28A, 29A, 30A, 31, 32A, 33, 34, 35, 36 received 25 NOV 2004 and 6 JAN 2005 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. 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.
5. Prior to the commencement of development investigations must be carried out to assess the stability of the site. Details of the survey, together with precautions and remedial measures, shall be submitted to and agreed in writing by the Local Planning Authority and, if agreed, shall be implemented during the course of development.  
Reason. To alleviate any risk to residents.
6. 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.
7. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.  
Reason. To reduce the risk of increased flooding
8. 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.

9. The development hereby approved shall not be commenced unless and until a white lining scheme on Bury Road in the proximity of the site access has been submitted to and approved by the Local Planning Authority and subsequently implemented prior to first occupation.  
Reason To ensure good highway design in the interests of road safety.
10. The development hereby approved shall not be first occupied unless and until the redundant accesses onto Bury Road indicated on the approved plans 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.
11. The highway improvements to form the visibility splays indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is first occupied and subsequently maintained free of obstruction above the height of 0.6m  
Reason. To ensure good highway design and to ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
12. A minimum hardstanding of 5.5m measured between the highway boundary and any proposed garage doors shall be provided and thereafter maintained.  
Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety.
13. 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.

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

**Ward:** Whitefield & Unsworth - Pilkington Park

Item 11

**Location:** 818 MANCHESTER ROAD, BURY, BL9 8DU

**Proposal:** CONVERSION OF TERRACED DWELLING INTO 2 SELF CONTAINED FLATS; NEW PITCHED ROOF TO EXISTING SINGLE STOREY OUTRIGGER AND ELEVATIONAL ALTERATIONS.

**Application Ref:** 43648

**App Type:** Full

**Statutory Expiry Date:** 17 January 2005

**Recommendation:** Approve with Conditions

### **Description**

The property is a large end Victorian terraced dwelling fronting onto Manchester Road. To the side of the property is an unmade street, which is traffic controlled at its junction with Manchester Road. To the rear of the house is a two storey rear outrigger with a single storey outrigger attached to that. The rear yard is enclosed on two sides by 1.8m high brick walls with the yard covered by a car port.

The application is seeking to change the building into two self contained flats and to erect a new pitched roof to the existing flat roofed rear extension. One flat would be accessed through the main front door and the second through the existing rear door.

### **Publicity**

Three letters of objection have been received from 812, 816 and 822 Manchester Road. Points raised include:

- Insufficient parking in the vicinity.
- The relationships of the proposed internal layout with the neighbouring property would create noise problems to the adjoining property.
- Concerns about the potential changes the external appearance of the property, which may have an impact upon the values of properties nearby.

The properties were constructed as family dwellings not apartments.

### **Relevant Planning History**

There is no relevant planning history affecting the property.

### **Consultations**

Environmental Health - A noise attenuation scheme for walls/floors is included within the plans. EH have no objections.

### **Unitary Development Plan and Policies**

PPG3    PPG3 - Housing  
H1/2    Further Housing Development  
H2/4    Conversions

### **Issues and Analysis**

*Principle* - UDP Policy H2/4 - Conversions, states that conversions of buildings to two or

more residential properties will be considered subject to the following considerations:

- The effect upon amenity in terms of noise, visual intrusion, the position of entrances, car parking, extensions and fire escapes;
- The general character of the area and the concentration of such uses;
- The amenity of occupants;
- The effect of any external changes and the appearance of the building on the street scene.

*Amenity and External Appearance* - The property is large and with liberal room sizes and the building would readily split internally to form an additional flat. No significant work to the external fabric of the building is proposed save minor bricking up of 2 existing windows in the side gable. This proposed work would not significantly alter the appearance of the building. Existing doorways would form the entrances into the flats and no new entrances would be required to implement the development. The scheme has provided information concerning the nature of sound insulation to be installed to protect and prevent noise transmission through the walls and floors. The nature of proposed protection as submitted is considered to be acceptable and no objections have been raised by the Environmental Health on the proposals, although a condition should be attached to ensure compliance with the detail.

*Amenity Space and Refuse Collection* - The property contains only a limited area of private amenity space comprising a yard at the rear and small front garden. This situation is no different to other premises in the rest of the row. The rear yard would be jointly used for parking and as such, there would be very little usable private amenity space to the proposed flats. Notwithstanding this, there would still be some space in addition to the parking and also space for the storage of refuse.

*Roof Extension* - The new roof to the single storey rear extension would be a minor addition to the property. This element is barely visible from beyond the site itself. This element of the development would be visible from a kitchen window of the adjoining property. However, the design of the development is such that the highest part of the roof would be where the roof articulates to the main two storey outrigger and as such, it is considered that this element of the development would have no detrimental impact upon the adjoining neighbour's amenity.

*Parking* - The plot provides 1 parking space within the curtilage. Other residents in the terraces park in the rear access way and the unmade Kirkman Street. It is considered that there is sufficient parking within the plot and the rear access way is wide enough to accommodate parked and passing vehicles simultaneously. A planning condition can be attached to ensure that the single space is always available. Some additional parking is also available in the side street next to the property. Additionally, the site faces onto a quality bus corridor and given these circumstances, the creation of an additional dwelling should not place too significant a demand upon the current parking situation.

*Character and Concentration of Uses* - The area is characterised by a predominance of single dwellings and there does not appear to be an over concentration of flats within the area. As such, the conversion of this property would contribute to the mix of available accommodation in the area, in accordance with the aims of Planning Policy Guidance Note 3 - Housing.

The principle and details of the scheme are considered to be acceptable and accord with adopted policy.

### **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 and details of the scheme are considered to be acceptable and accord with National and Local planning policy and 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 1, 2, 3, 4, 5, 6, 7 and 8 received 22 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 details relating to wall and ceiling insulation as indicated on drawing number 8 shall be carried out and implemented to the satisfaction of the local planning authority prior to the building hereby approved being occupied.  
Reason - To ensure the protection of the residential amenities of the existing adjoining dwelling and the amenity of the future occupants of the development.
4. The parking indicated on the approved plans shall be made available for use prior to the building hereby approved being occupied and shall remain available for use in perpetuity.  
Reason - To ensure that the development provides some levels of car parking in the interests of amenity.
5. Details relating to the provision and siting of bin storage for the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved details only shall be implemented.  
Reason - To ensure that appropriate and adequate facilities for the storage of refuse are provided within the site in the interests of amenity and public health.

For further information on the application please contact **Dave Marno** on **0161 253 5291**

**Ward:** Whitefield & Unsworth - Pilkington Park

Item 12

**Location:** 247-249 BURY NEW ROAD, WHITEFIELD, M45 8QP

**Proposal:** CHANGE OF USE & REFURBISHMENT OF PART GROUND FLOOR FROM DRY CLEANERS (CLASS A1) TO HOT FOOD TAKEAWAY (CLASS A3)

**Application Ref:** 43744

**App Type:** Full

**Statutory Expiry Date:** 25 January 2005

**Recommendation:** Approve with Conditions

### **Description**

The premises is a double fronted vacant shop within a row of other commercial properties fronting Bury New Road. The premises have no forecourt and a limited yard area to the rear. The general area is predominantly commercial but there is a block of residential flats to the north of the site. To the immediate rear of the site is The Garrick Theatre and access to the rear of all of the properties in this row is obtained via an access road from Devon Avenue and Silver Street to the north. The upper floors currently are in ancillary use to the ground floors.

The application is seeking planning permission to change the use of the ground floor of 247 and part of the ground floor of 249 from a former dry cleaners (Class A1) to a hot food takeaway (Class A3) use. The upper floors will be ancillary to the ground floor use and the remaining part of 249 would be subject to a separate planning application.

### **Relevant Planning History**

There is no relevant planning history affecting the property.

### **Publicity**

Two letters of objection have been received, one from 4 Silver Court and one from 243 Bury New Road. Points raised include:

- The generation of litter and uneaten food from the premises, which would attract rats to the area;
- The introduction of a Class A3 food outlet would lower the tone of the area.

### **Consultations**

Borough Engineer - Traffic - No objections.

Environmental Health - No objections in principle. A condition is suggested to require the submission of further details of the means of extracting and dispersal of fumes through a ventilation specification.

### **Unitary Development Plan and Policies**

S2/6 Food and Drink

S1/3 Shopping in District Centres

### **Issues and Analysis**

**Principle** - The site is located within a predominantly commercial area and is also within the

Whitefield District Centre. Policy S2/6 - Food and Drink, provides a means of assessing proposals for hot food uses, where issues of amenity, parking and servicing, concentration of such uses and the environmental impact of flues must be considered. The use would not be sited hard up to sensitive residential uses and this would be the only Class A3 use within this particular row. As such, the proposal is considered to be acceptable in terms of the principle of the development.

**Parking** - The use provides for 2 parking spaces to the rear of the premises. However, for passing trade, there is currently available parking opposite the premises and also within close proximity to the site. Also, the district centre does have parking available to this site and other users in the area. As such, it is considered that the proposals are acceptable.

**Hours** - The application indicates that the proposed hours would be operable from 12 noon to 11.00pm. Given the location of the proposed use, it is considered that these proposed hours are acceptable.

**Ventilation Flue** - The proposals indicate that a flue would be installed to the rear of the premises. Its design and appearance would be conservative in its scale and would not be readily visible from public areas. No specific details have been submitted in terms of the mechanical ventilation to be used, however, these details can be adequately dealt with through an appropriate planning condition.

**Refuse** - There is space to the rear of the premises to accommodate refuse storage bins to service the properties. Vehicular access is currently able to deal with other commercial waste from adjoining occupiers. It is considered that this would be adequate for the proposed use.

**Plans** - The remaining part of 249 indicates a proposed office, however, there are no submitted details of this submitted with the application. As such, it is considered that a planning condition be imposed to stipulate that any grant of planning permission under the terms of this application does not convey an approval for any office use, for the avoidance of doubt.

It is considered that the proposal accords with adopted policies of the Unitary Development Plan and 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 premises is within a District Centre and the development would have no undue impact upon surrounding neighbouring properties. The proposals would comply with adopted policy and 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. The sound insulation of the party walls and ceilings shall be improved in

accordance with the method outlined in the Building Research Establishment Digest 293 (or similar method), the details of which shall be submitted to and approved by the Local Planning Authority and implemented prior to the occupation of the premises.

Reason. To reduce nuisance from noise to the occupiers of the adjoining uses.

3. The shop / restaurant shall not be open outside 1200 hrs to 2300 hrs daily.

Reason. To reflect the hours applied for as part of the planning application and to protect the residential amenities of nearby residential properties.

4. Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before the use commences; any works approved shall be implemented to the written satisfaction of the Local Planning Authority before the use commences.

Reason. In the interests of amenity of nearby occupants.

5. This decision relates to drawings numbered 04/444.01 and 04/444.08 and this condition should be read in conjunction with condition 6 of this planning permission 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.

6. This planning permission does not convey an approval for any office use indicated on plan number 04/444.08 or signage and separate application for Planning Permission and Advertisement Consent should be submitted for these matters.

Reason - For the avoidance of doubt.

For further information on the application please contact **Dave Marno** on **0161 253 5291**

**Ward:** Whitefield & Unsworth - Unsworth

Item 13

**Location:** LAND ADJACENT EXISTING STABLES HOLLINS BROW BURY

**Proposal:** RESIDENTIAL DEVELOPMENT - 1 NO. DETACHED DWELLING

**Application Ref:** 43601

**App Type:** Full

**Statutory Expiry Date:** 14 January 2005

**Recommendation:** Refuse

### **Description**

The site is a small pocket of land situated just off White Brow in Hollins and located outside the main built urban area and next to a stables and ménage. The site is level at its uppermost, before a steep slope part way into the site, which leads down to the ménage and continues across a field to the River Roch beyond.

Access is currently gained directly from Hollins Brow and immediately to the north of the stables access is an access road that serves three existing residential properties. To the northerly side of the main access road is the boundary wall of White Brow House with a row of 4m high Leylandii behind it. There is a detached stables building to the south of the site.

The application is a resubmission of a previously refused scheme (ref: 42480) and is for full planning permission to build a detached house to be located to the north of the existing stables. The new detached dwelling would be split level in design to sit into the valley side. The application shows that the development would utilise the southernmost access out of the two currently in situ into the site and would involve blocking up the existing access.

The applicant owns the adjoining stables and ménage area.

### **Relevant Planning History**

31435/95 - New residential development. Refused on 3/2/96 as contrary to UDP policies concerning open land protection, river valleys and wildlife/ecological issues, contrary to Structure Plan policies protecting river valley open land and open land not within the Green Belt and containing insufficient information concerning land stability.

31436/95 - New residential development. Refused on 13/2/96 for the same reasons as 31435/95.

34905 - New Stable block - Approved on 24/2/99

37626 - Menage - Approved on 10/7/01

42480 - One dwelling. Refused on 11/6/04 as involving previously developed land and inappropriate development within an identified River Valley and leading to vehicular/pedestrian conflict.

### **Publicity**

Direct letters sent to neighbouring properties. No objections have been received.

### **Consultations**

Borough Engineer – Highways : Discussions have taken place with the agent with a view to

securing the closure of the northernmost access and to widen the southerly access. This would provide a better arrangement in traffic terms for the residents to access/egress Hollins Brow. Drainage - No objections.

Environmental Health – No objections subject to conditions relating to the need to carry out a land contamination assessment prior to commencement.

Environment Agency – No response received.

### **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
EN6/4	Wildlife Links and Corridors
OL5/2	Development in River Valleys
OL1/2	New Buildings in the Green Belt
SPD2	Development Control Policy Guidance Note 2: Wildlife
PPG3	PPG3 - Housing

### **Issues and Analysis**

**Principle** - The site is not within the Green Belt but is located within a designated river valley where policy OL5/2 states that new buildings or changes of use of land will not be permitted. Exceptions set down in the policy include where the development would not lead to a division of the open parts of the valley or where at least one of the following circumstances would apply:

- the development represents limited infilling;
- an extension to, or a renewal of existing industry and employment is of an overriding factor;
- the development is required in association with outdoor recreation or appropriate tourist facility;
- the development is limited and will form part of, and be essential to the maintenance of the provision and improvement of public services and utilities;
- it involves development that would be appropriate in the Green Belt.

The development cannot be considered to be limited infilling as there is a substantial open gap along this section of Hollins Brow between White Brow House and the stables building. Even after the construction of the house, substantial gaps would remain. In view of this, the development would fail against this criterion.

The proposals are not an extension to or a renewal of existing industry and where employment is of an overriding factor.

The development is not required in association with outdoor recreation or tourism as the justification behind this exception criterion is aimed toward general public provision and not to private usage. The approval of the stables (34905) confirms that the stables would not be required for a commercial enterprise but that the stables were for the enjoyment of the applicant's family.

The development is neither limited in terms of scale nor would it be required for any public service needs

The final point within the exceptions is whether this would be a type of development that

would be appropriate within Green Belt (policies OL1/2 and OL1/5). This would permit developments associated with agriculture, forestry, essential outdoor sport and recreation facilities where the openness of Green Belt would not be harmed, limited extensions and alterations or replacement of existing dwellings or limited infilling. However, the development of a new house is not considered to be essential to fulfil the criterion for outdoor sport or recreation as the stables are only for private use by the applicant's family and the development would not preserve the openness of the area.

Given the above matters, the development would conflict with adopted policies OL5/2 and the criteria contained within OL1/2 of the Bury Unitary Development Plan.

**Greenfield Development:** The siting of the dwelling would be in an area where no previous built development has taken place. The agent argues that the new dwelling would form part of the existing 'working site' including the stables and menage, which were granted planning permission in 1999 and 2002 respectively and that the land forms part of a community group of development. However, the development as described above is not limited infilling and is contrary to Policy OL5/2.

PPG3 - Housing sets out a sequential approach to new housing, whereby developments located within the urban area and that are in highly sustainable locations are supported. RPG13 - Regional Planning Guidance for the North West, adopts the sequential approach to the location of new housing and further sets out maximum levels of new residential development on previously undeveloped (Greenfield) sites. This target has been exceeded by the Borough. Given the river valley designation and its physical separation from the urban area, the development would be in conflict with regional guidance and should be resisted, with the objective being to ensure that development is concentrated within existing urban areas and upon brownfield sites.

**Special Circumstances:** The applicants have provided a statement in support of their proposal. Reference is made to previous equestrian related development. Criteria b(iii) of UDP policy OL5/2 states that development in association with outdoor recreation is acceptable. However, this policy does not support nor relate to new residential development.

Planning Policy Guidance Note 2 - Green Belts and Planning Policy Statement 7 - Sustainable Development in Rural Areas makes reference to proposals for permanent dwellings in the Green Belt and Countryside, for which there is a strict list of criteria to comply with. Such proposals must be related to agricultural or forestry uses. This application does not relate to either of these uses and the proposal, therefore, conflicts with national planning guidance.

**Land Stability:** The site has had a known history of land slippage and given the topography of the site, there is a need to prove that the development can proceed given the potential instability. No information has been received to determine the ability to construct a building of this scale on the site and as such, it is questionable whether the development could be constructed. Planning Policy Guidance Note 14 confirms that "if the application clearly fails to meet other planning criteria then the application may be refused. Clearly the applicant should not be put to the unnecessary expense of a specialist investigation if other considerations would result in refusal of permission."

**Siting & Appearance:** The proposed development would be sited in a position that would be readily visible from within the river valley area. The split level design would exacerbate the appearance within this sensitive location of the river valley, as the rear elevation would have a stark two storey appearance. Some site landscaping is indicated to the rear and side of the new dwelling. However, it is considered that the planting would not be sufficient to

screen the property effectively due to the nature of the site and topography.

**Access:** The development proposes to utilise the southerly access onto Hollins Brow, with the former access blocked off. Improved visibility would be provided and the new location of the access would assist traffic concerns near to the roundabout with Hollins Lane and Pilsworth Road. The Borough Engineer has no objections to this work being carried out in accordance with agreed details.

**Land Stability** - The site has been subject to land slippage in the past and no information has been presented with the application to enable this aspect to be assessed.

### **Summary of reasons for Recommendation**

The development would conflict with policies relating to new residential development within river valleys of the Bury Unitary Development Plan and national and regional planning guidance PPG3 - Housing, PPG 14 - Development on Unstable Land and RPG13 for the North West.

**Recommendation:** Refuse

### **Conditions/ Reasons**

1. The land is a previously undeveloped site and, as sufficient sites have been identified within the Metropolitan Borough to meet RPG13 (Regional Planning Guidance for the North West) requirements, the release of this site for residential development would be contrary to RPG13 and PPG3 - Housing.
2. The proposals involve an inappropriate form of development within an identified River Valley in terms of the principle of the development, its siting and external appearance as as such, the proposals would conflict with the following policies of the Bury Unitary Development Plan:  
  
H1/2 – Further Housing Development  
H2/1 – The Form of New Residential Development  
H2/2 – The Layout of New Residential Development  
OL1/2 – New Buildings in the Greenbelt  
OL5/2 – Development in River Valleys
3. The application contains insufficient information to enable a proper assessment to be made of the stability of the land for the proposed development in terms of its stability. The proposals would therefore conflict with Planning Policy Guidance Note 14 - Development on Unstable Land.

For further information on the application please contact **Dave Marno** on **0161 253 5291**



**Ward:** Whitefield & Unsworth - Unsworth

Item 14

**Location:** 260 PARR LANE, UNSWORTH, BURY, BL9 8JS

**Proposal:** OUTLINE RESIDENTIAL DEVELOPMENT - 6 NO APARTMENTS  
(RESUBMISSION)

**Application Ref:** 43674

**App Type:** Outline Planning Permission

**Statutory Expiry Date:** 31 January 2005

**Recommendation:** Approve with Conditions

### **Description**

The application site comprises a large plot of land to the west of Parr Lane, adjoining Victoria Mews in Unsworth.

The site is lower in level compared with Parr Lane and currently there is a single detached dwelling, in a poor state of repair, sited on the plot. The site contains many shrubs and trees, some of which are subject to a Tree Preservation Order. A small stream crosses the site.

The application is seeking outline planning permission for the erection of a building that would accommodate 6 residential apartments, with associated landscaping and car parking.

In addition to the principle of the development, the matters under consideration within the application are the siting and means of access. The proposed building would be located in a similar position to the existing house currently located within the site, albeit with a larger footprint. Access would be taken from the existing access point into the site, which is directly off Parr Lane next to Victoria Mews.

### **Relevant Planning History**

Two previous planning applications have been submitted on this site.

42220 Outline planning permission was sought for 9 apartments and car parking. This proposal was refused in May 2004. The reasons for refusal centred upon development on previously undeveloped land and the scale of the development, which would have a detrimental impact upon visual amenities, insufficient information concerning ecology and the intensification of the existing access.

42895 - Outline planning permission for siting and means of access for 6 apartments. This application was withdrawn due to concerns centring on the proximity of the proposed building to the preserved trees.

### **Publicity**

Immediate neighbours have been notified, including addresses within Victoria Mews, Bramhall Close and Parr Lane. Four letters of objection have been received from 16, 30, 41 Victoria Mews and 230 Parr Lane.

Points of concern are:

- The car park proposed next to Victoria Mews would create noise and pollution to nearby

- existing residents;
- The proposal would result in the loss of trees, woodland and the loss of wildlife;
  - More development requires more car parking in the area;
  - The potential impact upon privacy and natural light;
  - There is insufficient room for the development;
  - There is no need for apartments in the area and such developments create an imbalance of properties available in the area;
  - Development of this site would create an unbalanced townscape when viewed in conjunction with Victoria Mews;
  - On street parking would impede visibility at the junction of the site.
  - The extent of the Tree Preservation Order is not extensive enough.

### **Consultations**

Borough Engineer - No objections in principle subject to conditions relating to visibility splays, car parking and access arrangements.

Environmental Health - No objections in principle subject to conditions relating to the need for land contamination investigations and appropriate methodologies being incorporated to remediate the site.

### **Unitary Development Plan and Policies**

C098	Victoria Mill, Parr Lane, Unsworth, Bury
H1	Housing Land Provision
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN8/1	Tree Preservation Orders

### **Issues and Analysis**

**Principle** - The first application was refused on the grounds that the development included previously undeveloped land. This concern centred upon the car parking area proposed towards the rear of the site. The current application has provided information that indicates that there had been previous buildings in this area comprising garages. With this in mind and considering that the footprint of the new building would occupy the same area as the existing house, this issue is now resolved. The proposals seek to provide residential accommodation on land currently used for housing within a wider residential area. Given the above, the proposal would comply with policy H1/2 - Further Housing Development and as such the principle of the development for residential purposes is considered to be acceptable.

**Siting** - The footprint of the building has been reduced from the previously refused scheme and withdrawn scheme to ensure that the structure could be erected without any impact upon protected trees during and after development. Conditions can be imposed on any planning permission to ensure that excavation is carried out to ensure that no works impact upon protected trees

**Density** - The current scheme has reduced the number of apartments from 9 to 6 from the previous refused scheme. An illustrative elevational plan shows the apartments in a contemporary, two storey high building. Given the reduction of apartments, the requirement for parking has also been reduced and thus requires less land to be developed. It is considered that the nature and scale of the development indicated within the application could be acceptably accommodated within the site, whilst providing good levels of amenity space for the scheme and therefore would comply with policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and EN1/2 -

Townscape and Built Design.

**Trees** - The site is subject to a Tree Preservation Order and the extent of the Order covers all the best trees within the site. A tree survey has been carried out, which confirms that the protected trees would remain. Conditions should be attached to any planning permission to ensure that tree protection measures are implemented prior to commencement of development and that details relating to the access to be created for construction traffic also be approved prior to the implementation of the scheme.

**Access** - The proposals seek to utilise the existing access point into and out from the site. Forward visibility splays are achievable for the scale of development proposed and is considered to be acceptable. This is confirmed by the Borough Engineer.

**Ecology** - An ecological survey and separate bat survey has been carried out for the site. The bat survey has identified that the area does support feeding habitat for bats, however, no roosting bats have been found either in the area generally or within the existing house. It is acknowledged that there is potential for bats to roost within the roof structure and as such, the report has made specific recommendations to assess areas for bats should the scheme be implemented.

A ground species and bird ecological report has been carried out for the site. The report acknowledges that there is ecological value within the site, however, the value of the site rests with potential for bats and birds. Specific recommendations are suggested by the report including the retention of trees, as described above, which together with the adjacent woodland area, would ensure that local wildlife is adequately supported.

**Residential Amenity** - The siting of the proposed building would maintain adequate separation distances to existing buildings and privacy distances would also be easily achieved. No windows in existing neighbouring properties would be unduly affected and the retention of trees within the site would assist to maintain privacy.

**Accommodation Type** - The proposals illustratively indicate that a building of the footprint shown, could accommodate 2 two bedroomed units and four 1 bedroomed on two floors. The scheme would provide an alternative type of accommodation in the area thus providing a range of accommodation to suit different housing demands.

**Car Parking** - The scheme indicates that the siting of the car parking would be located to the rear of the site and would not have any undue impact upon trees subject to protection. Nine car parking spaces are shown, which would provide a level of 150%. This is considered to comply with national guidance for car parking standards.

**Design and External Appearance** - These matters are not being considered at this stage, but would be subject to a separate application at the reserved matters stage.

### **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;-  
*(insert a standard paragraph or the summary in the delegated or committee report)*  
There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

**Conditions/ Reasons**

1. Applications for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:-
  - a) the expiration of five years from the date of this permission; or
  - b) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason. Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.
2. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; design and external appearance of the building(s) and the landscaping of the site.

Reason. To ensure the satisfactory development of the site and because this application is in outline only.
3. This decision relates to drawings numbered M2104-10 B 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.
4. Prior to the demolition of the building(s) permitted by this approval, a further survey shall be conducted, and the survey results established as to whether the buildings are utilised by bats or owls. 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.
5. The car parking indicated on the approved plans 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.
6. Details of the boundary treatments to be utilised within the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved details only shall be implemented.

Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area.
7. 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.

8. The application for approval of reserved matters shall include appropriate details to render the development fully accessible to the disabled.  
Reason. To ensure that the development is fully accessible to disabled persons.
9. Details of the existing ground levels, proposed ground levels and the level of proposed floor slabs shall be submitted to and approved in writing by the Local Planning Authority before any development commences on site. Details which receive the written approval of the Local Planning Authority shall be implemented in full.  
Reason: To secure the satisfactory development of the site and the assimilation of the new building(s) into the locality.
10. Notwithstanding the provisions and comments of the D Peake Tree Report, no trees subject to a Tree Preservation Order, shall be felled, lopped or topped before, during or after 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.
11. 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.
12. 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.
13. Notwithstanding the provisions concerning the method of excavation submitted with the application, a detailed methodology relating to the excavation of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Excavation work shall only be carried out in accordance with the approved details.  
Reason - To ensure that trees subject to the Preservation Order are not harmed or affected in the interests of the visual amenities of the area.
14. Details relating to bin storage for the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved details only shall be implemented.  
Reason - In the interests of public health, amenity and sustainability for the recycling of waste.
15. Details relating to the arrangements of access for construction traffic for the development shall be submitted to and approved in writing prior to the

commencement of development. The approved details only shall be implemented.  
Reason - To ensure that there is no damage to trees subject to the Tree Preservation Order caused by the creation of an access to the development site and throughout the implementation of the development by construction traffic.

For further information on the application please contact **Dave Marno** on **0161 253 5291**

