

Location: FORMER ST PAULS CHURCH & CHURCHYARD, ST PAULS STREET, BURY

Proposal: CONVERSION OF FORMER CHURCH BUILDING INTO 22 RESIDENTIAL APARTMENTS INCLUDING EXTENSION; NEW PERIMETER FENCING & WIDENING OF ACCESS TO PROVIDE VEHICULAR ACCESS TO NEW CARPARK; NEW FOOTPATH & LIGHTING IN EXISTING LANDSCAPED CHURCHYARD

Application Ref: 43630

App Type: Full

Statutory Expiry Date: 16 February 2005

Recommendation: Minded to Approve

Minded to approve subject to S.106 agreement concerning landscaping and other works to the former graveyard and its future maintenance and also subject to reference to Government Office North West. Refusal delegated to Borough Planning and Economic Development Officer if the agreement is not concluded

Description

The building is a church which is a Grade 2 Listed Building. It is built in the gothic style and was completed in 1842. It has been disused since 1995 because of the prohibitive cost of repairs needed to the building. Internal monuments and other significant features were removed at this time. There have been subsequent problems with vandalism and theft. A report in 2000 concluded that the masonry and foundations were basically sound but that defects in the roof had led to extensive water damage and decay. The building has continued to deteriorate and was seriously damaged by an arson attack in 2004. A recent survey confirmed that partial demolition of upper parts of the building was needed but exterior walls and the tower were structurally stable.

The church stands at the centre of a large graveyard. Most of the gravestones were removed and the area grassed over in the 1970s. The graveyard is enclosed by a stone wall with pedestrian access from St Paul's Street to the west and Parsonage Street to the east. The surrounding area is predominantly residential.

It is proposed to construct 22 flats within the walls of the building with accommodation provided over 4 floors, 2 within the existing volume of the nave and 2 replacing the existing clerestorey above which would be demolished. The extension would be in 2 tiers with the window pattern reflecting the nave windows below. It would be clad in pre-patinated sheet zinc with a natural slate roof. There would be little external alteration to the walls which would be retained.

A new car park for 22 cars plus an overflow parking area will be created between the building and St Paul's Street with a new vehicular access. The car park and amenity space for residents surrounding the building would be enclosed by 1.8 metre high railings. The remaining land would be landscaped together with a new footpath and lighting and transferred to the Local Authority with a capital sum of approximately £98,000 for future maintenance.

The application is supported by a condition and repair statement and a planning statement which includes the history of the building, photographs, demolition method and a justification and design statement. The condition of the building is too dangerous to allow a bat survey

to take place.

Relevant Planning History

None recorded.

There is a current application (43631) for Listed Building Consent.

Publicity

Community consultation was carried out in the form of drop-in consultation session at the New Kershaw Centre which had been widely advertised. 13 written responses were received all supporting the conversion and some making additional suggestions.

The applications have been advertised and surrounding properties notified. One message of support has been received from a resident of Sanderson Street. A copy of a letter to the diocesan registrar expresses concern about possible disturbance to ashes in the garden of remembrance to the south of the church building and which it is proposed to reinstate.

Consultations

Borough Engineer - No objection on highway or drainage grounds

Senior Cleansing Manager - No objection to refuse collection arrangements.

English Heritage - Do not wish to make representations.

Ancient Monuments Society - Any comments will be reported.

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
EN2/3 Listed Buildings
RT2/2 Recreation Provision in New Housing Development

Issues and Analysis

The site is within the urban area where residential development is acceptable in principle.

There have been attempts to find a new use for the building since its use as a church ceased but its condition has deteriorated to a stage where its retention is in serious doubt. The building still has architectural merit with a tower that is a local landmark. It is part of the area's history, has strong community links and is important in the regeneration of East Ward.

The scheme now proposed will ensure that the Listed Building is saved and brought into use. The external walls will be preserved. The upper floor extension is light weight and non intrusive and will not detract from the original structure.

The scheme proposes a gated access for vehicles with a separate adjacent gate for pedestrians. The applicant's agent has been requested to remove the gates and an appropriate condition is recommended.

The scheme makes adequate provision for parking and offers a satisfactory solution for improving and maintaining the land surrounding the church. Subject to legal agreement, the developer would pay for the Council to maintain this area in the future. This would meet the requirement under UDP Policy RT2/2 for recreation provision.

If Members are minded to approve the proposal, it is also necessary to notify government Office of the application for Listed Building Consent as it involves partial demolition of a Grade 2 Listed Building.

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 ensure the preservation of a Listed Building. The works proposed are sympathetic to the existing structure. The proposals would not adversely affect the amenity of nearby residents and would not lead to 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 SVA 107 AS(0)00, 01, 02, 03, AC(0)01, 10, AC(3)01, AL(0)00, 01, 02, 03, 04, AL(9)01 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. Full details of landscaping and associated works including details of hard and soft landscaping, access and gates/fences /walls, parking areas, pedestrian paths and floodlighting 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 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. No gates shall be erected on the access to the development.
Reason. To prevent the establishment of a closed community and to protect the character of the area.

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

Ward: Bury East - East Ward

Item 02

Location: FORMER ST PAULS CHURCH & CHURCHYARD, ST PAULS STREET, BURY

Proposal: LISTED BUILDING CONSENT - CONVERSION OF FORMER CHURCH BUILDING INTO 22 RESIDENTIAL APARTMENTS INCLUDING THE REPAIR & REBUILDING OF EXISTING BUILDING & ROOF EXTENSION

Application Ref: 43631

App Type: Listed Building Consent

Statutory Expiry Date: 13 January 2005

Recommendation: Minded to Approve

Minded to approve subject to reference to Government Office North West because the proposal includes partial demolition of a Grade 2 Listed Building.

Description

This application is for Listed Building Consent. There is also an application for planning permission (43630) on this agenda with a full report.

Publicity

The application has been advertised as affecting a Listed Building and neighbours notified. See 43630 for details of response.

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
EN2/3 Listed Buildings
RT2/2 Recreation Provision in New Housing Development

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 ensure the preservation of a Listed Building. The works proposed are sympathetic to the existing structure. The proposals would not adversely affect the amenity of nearby residents and would not lead to 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 SVA 107 AS(0)00, 01, 02, 03,

AC(0)01, 10, AC(3)01, AL(0)00, 01, 02, 03, 04, AL(9)01 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.

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

Location: ENTRANCE TO J2 BUSINESS PARK BRIDGE HALL LANE BURY

Proposal: FREE STANDING NON-ILLUMINATED ENTRANCE SIGN AND TENANTS SIGN

Application Ref: 43710

App Type: Advertisement

Statutory Expiry Date: 08 February 2005

Recommendation: Approve with Conditions

Description

The application site is split into two parts, the first part of the site lies between a steel gated entrance to the former Bridge Hall Dyeworks and Bridge Hall Lane, Bury. This first part of the site is occupied by an unauthorised 5 metre high steel frame intended to support advertisements. The second part of the application site is close to the north-western corner of Unit 10 within a planting bed adjacent to an electricity substation which has been amended from the north-eastern corner of Unit 10 as originally submitted.

Relevant Planning History

Application 42763 sought to regularise the 5 metre high steel frame at the entrance to the Business Park but was refused as it would harm amenity.

Proposal

The current application proposes Sign A at 3.5 metres high with a 1 metre high metal board with the J2 logo inscribed. The applicant has amended this sign from the originally submitted plan to omit the second metal board below the top one and the introduction of a planting bed at the foot of the sign.

The proposed Sign B would be sited in an existing landscape strip at the north-western corner of Unit 10. The sign would measure 5 metres high and display the name and unit number of each tenant. Again the applicant has reduced the height of the sign by 0.5 metres from the originally submitted plan.

Publicity

5 adjoining occupiers consulted - 2 letters received from residents at No's 19 & 21 Bridge Hall Fold objecting to the scheme on the following grounds:

- * Sign B would be placed in a dangerous position as lorries would stop on the slope to read the sign.
- * Sign A will still be an eye-sore.
- * Sign A - there seems to be no purpose for the lower metal panel.
- * Sign B - it would be too high and visually intrusive.

Consultations

Borough Engineer - no comments received.

Unitary Development Plan and Policies

Issues and Analysis

The main considerations of the application are its impact on amenity and highway safety.

The proposed advertisements have been reduced in height and surface area. In the case of Sign A it would also be softened by additional planting. However, Sign B would be set down from the level of Bridge Hall Lane by around 0.5 metres and has been reduced in height by 0.5 metres which has reduced the visual impact of it. The signs are considered acceptable in the context of the Business Park as they would not harm the visual amenity of the surrounding area and as such overcome the objections received.

The proposed signs would not harm highway safety.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. 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.

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

Location: LAND ADJ. 4 MILE LANE BURY BL8 2DS

Proposal: RESIDENTIAL DEVELOPMENT - TWO STOREY DETACHED THREE BEDROOM DWELLING (RESUBMISSION)

Application Ref: 43850

App Type: Full

Statutory Expiry Date: 15 February 2005

Recommendation: Approve with Conditions

Description

The application site lies to the east of Mile Lane, Bury and forms the side garden to No. 4. The site measures 12 metres wide by 33 metres deep and is enclosed on 3 sides by mature coniferous planting reaching 5 metres high. No. 4 Mile Lane is a two storey detached dwelling house whilst No.2 is detached bungalow. There are two properties to the east on Turton Close, which are respectively a bungalow and the side elevation of a detached two storey dwelling house. No. 2 Mile Lane has two side windows facing the site which are covered by a car port. The general form of the area is a mixture of bungalows and two storey houses mostly constructed in Accrington brick with hipped clay tile roofs.

Relevant Planning History

Application 43593 was refused on the grounds that it would be a prominent and intrusive feature in the street-scene.

Application 42893 was withdrawn before a decision to refuse the application was made. The main issues were the impact of the house on visual and residential amenity.

Outline consent with all matters reserved for the erection of a detached dwelling was granted under application 41375/03.

Proposal

The application seeks full planning permission for the erection of a two storey detached dwelling house. The dwelling would be set back from the road by 5.8 metres. The dwelling itself would be constructed in brick with a tile roof although the two storey forward projection would be characterised by windows from the ground to the ceiling. There would be an integral garage. The balcony previously proposed under application reference 42893 has been deleted. The current application has reduced the front 2 storey projecting part of the house by 1.3 metres. The proposed house would be set 0.8 metres from the boundary with the bungalow at No. 2 Mile Lane with the proposed house set 0.9 metres above No. 2 Mile Lane. The height of the dwelling house would be 4.73 metres to eaves level although it would have a hipped roof on the side closest to No. 2 Mile Lane.

Publicity

22 adjoining occupiers consulted – 2 letters of objection received from one received from a resident at 566 Bolton Road and the other letter does not give an address which object to the proposal on the following grounds:

- The proposal is exactly the same as the previous application.
- The application fails to take into account the requirements of UDP policy such as

roof height and type, its impact on the surrounding area and the kind of materials to be used.

- A bungalow would be more in keeping with the surrounding area.
- The dwelling would be dominant and intrusive
- The objectors both take issue with the description of one bedroom appearing to be described as a study.

Consultations

Borough Engineer - Drainage – no objections but highlight the sewer running under the site. Highways – any comments will be reported via the supplementary.

Borough Environmental Services Officer – a contaminated land site survey should be required by condition.

United Utilities – no response received although on the two previous applications the response received gave no adverse reaction.

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

Issues and Analysis

The main considerations of the application are the acceptability of the principle, form and layout of the proposed development.

The principle of the development on this site would meet the criteria of UDP policy which seeks to direct development towards brownfield sites in sustainable urban locations with existing infrastructure as well as outline consent for a detached dwelling having been granted previously.

The form of the proposed development is considered to be acceptable as it would reflect the roof type of the house at No. 4 Mile Lane. The development would not incur a material loss of light, privacy or outlook to neighbouring properties achieved by adequate separation distances and windows which could be conditioned to be obscure glaze. The rear projection on the house would not contravene the 45 degree rule in relation to No.s 2 & 4 Mile Lane. No balcony is proposed as part of this application. The proximity to the adjoining properties is considered acceptable whilst the materials will be conditioned to match the surrounding properties. The design of the house although including a large element of glazing is considered acceptable as well as the shape and massing of the building providing that the materials are in keeping with the surrounding properties.

The layout of the scheme includes adequate parking provision, access arrangements, space about and between the dwellings and security measures. A landscaping scheme will be required by condition.

In response to the representations received, the scheme is not exactly the same as before as the forward projection has been reduced by 1.3 metres in depth which is considered to materially reduce the dwelling's impact on the street-scene. The correct UDP policy has been addressed by this application and is considered to conform with it. Although there is a bungalow on one side of the site there is a house on the other with other houses in the immediate area therefore it is not considered essential that the site be occupied by a bungalow nor would the building be a dominant or an intrusive feature. The issue surrounding the description of a study/bedroom in this instance does not directly relate to whether the principle, form and layout of the scheme are acceptable as a 3 or 4 bedroom house exactly the same size as that proposed would be considered acceptable on this 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 proposal is acceptable in principle, form and layout.

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 21 DEC 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 materials to be used in the external elevations shall match the bricks and tiles on the property at No. 4 Mile Lane and a sample of them 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 proposed windows located on the south-eastern facing elevations shall be fitted and maintained with obscure glazing in perpetuity.
Reason. To protect the privacy of adjoining occupiers.
5. The garage hereby approved shall be used only as a domestic garage and shall not be converted to additional living accommodation.
Reason. To ensure adequate car parking provision is retained in the interest of highway safety.
6. The development hereby approved shall not be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the written satisfaction of the Local Planning Authority.
Reason. To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health.

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

Location: LAND AT BEALEY INDUSTRIAL ESTATE, DUMERS LANE, RADCLIFFE, M26 2BD

Proposal: CHANGE OF USE TO GENERAL CONTRACTORS YARD

Application Ref: 43826

App Type: Full

Statutory Expiry Date: 10 February 2005

Recommendation: Approve with Conditions

Description

The application site is part of the Bealey's industrial Estate located off Dumers Lane, Radcliffe. The site itself is bounded by a mixture of different fencing types and of varying heights. There are residential properties to the south and to the west, although Bealey's Goit separates the site from the residential properties along the westerly boundary, which comprises a landscaped bund with a palisade fence on top..

The site is generally level topographically with extensive hard surfacing throughout.

The application is seeking to change the use of the site from unused land to open storage and general contractor's yard. The use would comprise the laying out of bays to store sand, soil and stone, vehicle parking, pallet storage of blocks, all used in connection with hard landscaping and driveway works. The proposals also include the improvement of existing boundary treatments by the erection of acoustic fencing on a landscaped mound along boundaries that are shared with residential properties.

Relevant Planning History

39116 - Temporary permission to erect a portacabin – Approved June 2002

39539 - New Office block and palisade fencing – Approved – September

Various other approvals and refusals have been issued. However, these refer to other parts of the industrial estate.

Publicity

Letter notifications have been sent out. Six letters of objection have been received from 24, 26, 30, 32 and 34 Park Avenue to the south of the site and 5 Wild Street to the west of the application site. Points raised include –

- The site has been problematic with previous users.
- There may be possible health risks from the storage of skips on the site;
- Concern is raised about the hours of operation.
- The plans are vague and difficult to understand;
- The plans indicate that HGV parking would be too close to the surrounding housing
- The use would generate noise, dust and disturbance;
- Concerns are raised about the possibility of putrescible waste being brought into the site;
- The hours of operation are excessive;
- Dumers Lane is already busy in terms of traffic. The use would generate more traffic and cause damage to the road surfacing;

Vibrations are already experienced by residents from heavy vehicles visiting the industrial estate.

Consultations

Borough Engineer – Traffic – No objections.

Environmental Health – No objections in principle. Conditions are suggested to control hours of servicing and to ensure that only inert materials are brought into the site.

The Environment Agency - No response

Unitary Development Plan and Policies

Issues and Analysis

Use – The site is within an area allocated within the UDP as an employment generating area. Policy EC2/1, considers that Class B1 (Business), B2 (Industry) and B8 (Storage and Distribution) uses are considered to be acceptable within these allocated areas. This use would fall within Class B8 and is therefore considered to be acceptable in land use terms when assessed against the policies of the UDP.

Residential Amenity and Compatibility – Commercial development is assessed through UDP Policy EC4/1 – Small Businesses, which generally encourages the development of businesses providing that the use proposed is compatible with the surrounding area. Policy EC3/1 – Measures to Improve Industrial Areas states that the Council will be especially concerned with improving older industrial areas and premises but will seek positive improvements in terms of appearance of older buildings, access improvements to the visual appearance of sites *et al.*

The site shares common boundaries with residential properties and therefore the relationship of the site to its neighbours is important. The development proposes to improve the existing westerly boundary fence on top of the bund to the groyt from a palisade to a noise attenuating close boarded fence. To the southerly boundary, it is proposed to create a landscaped bund with a noise attenuating fence on top, similar to the westerly boundary. This work would improve the relationship between the site and its neighbours and protect amenity. Additionally, since originally submitted, the scheme has been amended to address a number of concerns. This includes

- A reduction in the hours of operation with no Sunday working;
- A change of hours to ensure that there would be no loading or deliveries before 8am;
- A re-arrangement of the uses within the site to ensure that there would be no noisy activities near to the residential boundaries. The areas closest to residents would involve pallet stored goods stored to a maximum height of 1.5m.

Residents have been re-consulted about the amendments and the changes can be controlled by planning conditions, which can be enforced. It is now considered that these amendments would render the use and its operation acceptable and would comply with the policies of the UDP.

Access – The site would utilise the existing access into the site. The entrance and egress point is located on the inside of a bend where intervisibility is at its optimal. Movements within the site are appropriate and the layout of the access point is considered to be acceptable. The Borough Engineer has no objections to the proposals in terms of traffic and highway safety matters.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed 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. 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 N173-002 revision 2 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 of the storage bays 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, associated acoustic fencing and bunding hereby approved shall be implemented to the written satisfaction of the Local Planning Authority prior to the commencement of the use of the site hereby approved. 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 and residential amenities.
5. No work or other activity shall take place on the site on Sundays or Bank Holidays and all work and other activity on other days shall be confined to the following hours:-
0800 hrs to 1900 hrs, Monday to Fridays;
0800 hrs to 1330 hrs Saturdays.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation.
6. In addition to the provisions of condition 5 of this planning permission, vehicles associated with the delivery of goods to contracted sites are permitted to depart from the site between the hours of 0700hrs to 1900hrs Mondays to Fridays inclusive and 0700hrs to 1330hrs on Saturdays. No other deliveries to the site, loading, unloading or servicing shall take place outside these permitted hours or the specified days.
Reason - To safeguard the amenities of the nearby residential accommodation that bounds the application site.
7. The area marked 'storage' within the application site shall be used for no other purposes other than the storage of palletted materials. The maximum height of the palletted material shall not exceed 1.5m high from the ground floor level to the highest part of the materials when stacked.
Reason - To safeguard the visual and residential amenities of the nearby residential accommodation bounding the site.
8. The area marked 'operational area' on the approved plan shall be used as the operational area only, involving the loading and unloading of loose soil, stones and sand; servicing and vehicle parking. Non of these uses shall extend outside the demarked area indicated on the approved plan.
Reason - To safeguard the residential amenities of the occupants of residential accommodation bounding the site.

9. Only inert material shall be brought onto the site for further processing and recycling. The details of all processing and recycling operations shall be submitted to and approved in writing by the Local Planning Authority and the approved methods only shall be implemented. No mechanical plant shall be used in this process.
Reason - To secure the amenities of the nearby residential accommodation.
10. There shall be no crushing of brick or stone materials on the site.
Reason - To protect the residential amenities of the nearby residential accommodation.
11. Details relating to the methodology for the suppression of dust emissions from the site shall be submitted to and approved in writing by the Local Planning Authority. The approved methodology only shall be implemented.
Reason - To secure the satisfactory development of the site and to protect the residential amenities of the nearby residential accommodation.
12. Noise levels from the proposed activity shall not increase the prevailing ambient noise levels as measured at the boundary of the site.
Reason - To protect the residential amenities of the nearby residential accommodation.

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

Location: 11-15 NEW ROAD, RADCLIFFE, M26 9LS

Proposal: CHANGE OF USE FROM CLASS A1 SHOP TO CLASS A3 HOT FOOD & DRINK (NO. 11); INTERNAL ALTERATIONS (NOS. 11-15) INCLUDING NEW REAR ACCESS (NOS. 11-13)

Application Ref: 43861

App Type: Full

Statutory Expiry Date: 16 February 2005

Recommendation: Approve with Conditions

Description

The property comprising Nos.11-15 New Road is currently a hardware store with living accommodation and offices above. The site is within the Radcliffe Town Centre boundary. The immediate neighbour at No.9 is a dry cleaners shop that does not appear to have living accommodation above. Further along the row of commercial properties is an ironing services business, an office and a dress shop. Land to the rear of the premises drops down to a public car park with access from Irwell Street. The corner of the rear garden of No.10 Irwell Street adjoins the site at the rear. The property is screened to the rear by mature trees along the boundary with the graveyard immediately to the east and No.10 Irwell Street. Directly across New Road, on the corner of Stand Lane there are apartments under construction.

The proposal is made up of the following elements:

- The change of use of one of the three existing A1 retail units (No.11) to A3 Hot food and drink. Proposed hours of business are indicated as 11am - 7pm. Nos. 13 and 15 would continue in Class A1 shopping use.
- Internal alterations to all three units.
- Creation of two doorways to rear and timber decking across the rear elevation at nos.11 and 13.

Relevant Planning History

43581 - Change of Use from A1 Shop to A3 Hot Food and Drink (No.11); Internal Alterations including new rear access (Nos.11-15) - **Refused 6/12/04.**

Publicity

Immediate neighbours and those in the vicinity notified. One letter of objection and a petition with 13 names (from Irwell St and Bridge Close) have been received. Objections, relating to the Class A3 element within the scheme, are summarised below:

- The A3 use would encourage youths to congregate in the area.
- There is already a high concentration of A3 hot food and drink establishments in the locality (18 within 1/8 of a mile).
- The mess and smell occurring in the vicinity of such outlets.
- Additional traffic generated.
- Use of the rear access by customers.
- The scheme is contrary to the Council's Radcliffe Renewal policy

Consultations

Borough Engineer - No comment to date.

Environmental Health - No objections in principle.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design
S2 Control of New Retail and Non-Retail Development
S2/6 Food and Drink
Area Stand Lane/Milltown Street
RD4

Issues and Analysis

Principle - The main issue relating to the application revolves around the change of use of No.11 from an A1 shop to A3 Food and Drink.

Policy S2/6 - Food and Drink states that the following factors should be taken into consideration when assessing such schemes:

- a) Amenity of nearby residents by reason of noise, smell, litter and opening hours.
- b) Parking and services.
- c) Storage and refuse.
- d) Impact of flues.

It should be noted that the previous application, included the change of use from one A1 shop unit to A3 use, with opening hours up to 11pm, was refused on the grounds that it would be seriously detrimental to the residential amenities of neighbouring residents, by reason of the noise, smell, disturbance and general activity associated with the proposed use.

With regard to the concerns about the concentration of food and drink establishments, whilst there may be various types of A3 uses within the town centre, there are no A3 uses within the commercial block in which the property is part.

It is not considered that the change of use from a shop to a food and drink establishment in this particular location, given the proposed opening hours, would necessarily be contrary to renewal policies for Radcliffe, as being suggested in the objection or area policy RD4.

Residential Amenity - This only difference between this application and the previously refused scheme is the revised opening hours which are now indicated to be 11am - 7pm daily.

With regard to the impact on the amenity of nearby residents, it is considered that given the proposed limited opening hours (11am - 7pm) and existing boundary planting, disturbance to the occupiers of properties to the rear on Irwell Street at a distance of approximately 20m would be minimum. An appropriate condition ensuring adequate insulation to the premises and any flues would protect the amenity of residents above the unit. The nearest residential properties to the front are approximately 25-30m away and being constructed on the corner of New Road and Stand Lane and should not be adversely affected. With regard to concerns relating to youths congregating around the business in the evening, it is considered that the restricted opening hours would mitigate against this.

Car Parking/Servicing - Parking and servicing facilities would not change from the existing situation. The Borough Engineer does not foresee any concerns relating to highway safety given the existing parking restrictions immediately in front of the property and the public car park to the rear. Most of the common yard at the rear would remain with access available from Irwell Street thus providing a facility for refuse and other storage needs.

Rear Access - The additional doorway at the rear with timber decking would ensure separate access to nos. 11 and 13. This would be a relatively minor feature but a condition should be attached to ensure no use by customers of the rear access to the Class A3 unit from this side given the presence nearby of residential accommodation.

It is recommended that the application be approved.

Summary of reasons for Recommendation

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

The proposal is considered to comply with policies listed and would not have a materially detrimental impact on the character of the locality or amenity of surrounding residents.

There are no highway objections to the proposal. 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 458/1, 458/2, 458/3, 458/4, received 22nd 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 A3 Food and Drink business shall not be open outside 0800 hrs to 1900 hrs daily.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation.
4. Before the Class A3 use hereby approved commences, the premises and all associated flues, shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.
Reason. To safeguard the amenities of the occupiers of the building and occupiers of nearby properties.
5. Customer access to the A1 shop and A3 Food and Drink businesses shall be restricted to the main front entrances on New Road.
Reason. To protect the amenity of neighbouring properties.

For further information on the application please contact **Tom Beirne** on **0161 253 5361**

Location: 335 AINSWORTH ROAD, RADCLIFFE, M26 4HA

Proposal: SINGLE STOREY EXTENSION AT REAR

Application Ref: 43841

App Type: Full

Statutory Expiry Date: 14 February 2005

Recommendation: Approve with Conditions

Description

The property is an end terraced cafe/hot food take-away with living accommodation above. The immediate neighbour at No.333 is a chip shop which appears also to have living accommodation above. Immediately to the north, adjacent to the boundary is the gable of the dwelling house at No.337. Across Ainsworth Road are residential properties and to the rear is St Andrews Primary School.

The application proposes to extend the kitchen at the rear of the café/ hot food take away. The extension would come out 3.2m to run across the rear elevation, flush with the existing flat roof single storey outrigger at the rear of the property.

Relevant Planning History

37552/01 - Change of Use from Shop (A1) to Food and Drink (A3) and Shop Front/Roller Shutters **Approved 18/5/01**

43911 - Variation of Condition No3 on Planning Permission 37552/01 to Allow Sunday Opening - **Refused 31/1/05**

Publicity

Immediate neighbours. One letter of concern has been received from a person claiming to own part of the applicant's site in addition to land to the rear of 329-331 Ainsworth Road. Whilst not objecting to the principle of the development the collection of bins and increased traffic due to business expansion are concerns.

Consultations

None required.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EC4/1 Small Businesses

S2/6 Food and Drink

Issues and Analysis

The proposed extension is relatively small and does not extend out beyond the existing single storey outrigger which it is designed to match in appearance. The gable immediately to the north on the side of No.337 has no windows and therefore the occupier of that property would not be materially affected.

Regarding the issue land ownership, the applicant has completed a Certificate A indicating he owns the application site. Any dispute of ownership is therefore a civil matter and not a relevant planning issue. With regard to concerns raised about bin collections and traffic, given the main seating/ service area is not increasing, it is not considered that these issues would be materially affected by the proposed kitchen extension.

It is considered that the extension complies with the relevant policies listed above.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed and the reason for granting permissions can be summarised as follows:-
The extension is relatively small and considered to be in keeping with the existing building. The amenity of neighbouring properties is not materially affected. The proposal is considered to comply with relevant policies listed. 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 4860/1 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 external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development.

For further information on the application please contact **Tom Beirne** on **0161 253 5361**

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 08

Location: LAND OPP. HARE & HOUNDS HOTEL BOLTON ROAD WEST
RAMSBOTTOM BURY

Proposal: INSTALLATION OF 15 METRE HIGH FLEXICELL COLUMN, 3 ANTENNAS, 2
EQUIPMENT CABINETS AND ASSOCIATED DEVELOPMENT

Application Ref: 43837

App Type: Telecom Determination (56 Days)

Statutory Expiry Date: 11 February 2005

Recommendation: Approve with Conditions

Description

The application site forms part of the footway along Bolton Road West, Holcombe Brook and is separated from the main road by a grass verge. The street scene is characterised by the area of open space to the east and has a number of lampposts along this stretch of road as well as bus shelters either side of the road.

The site lies within the Urban Area although is designated as River Valley and part of the Wildlife Link and Corridor. The site does not lie within either the Pot Green or Holcombe Conservation Area.

Relevant Planning History

There have been no previous applications for telecommunications equipment on this site.

Proposal

The proposal is for the erection of a monopole in the style of a lamppost which would be 15 metres high including the antenna together with two equipment cabins that would each be 1.5 metres high by 1.5 metres wide by 0.35 metres deep.

In response to a request from the Borough Engineer the applicant has submitted plans which have revised the location of the mast and equipment cabins from the front to the rear of the footway along Bolton Road West.

Publicity

All properties within 100 metres of the original position of the proposed mast have been consulted as well as the Headteacher and Board of School Governors at Woodhey High School.

9 letters of objection received, 3 from residents on Woodhey Road, 1 from a resident of Holcombe Old Road, 2 from Royal Gardens, 2 letters from residents of Pot Green and 1 from a resident on Summerseat Lane objecting to the proposed mast on the following grounds:

- * impact on health
- * that the Council should take a pre-cautionary approach in dealing with such proposals
- * harm to visual amenity
- * would intrude into the openness of the adjoining space
- * visual clutter as the pole would be close to a recently erected Bury Metro sign
- * the Council has a commercial bias
- * no need as coverage by the existing network is adequate

- * loss of an historic view
- * a number of people ask why they were not consulted

1 letter received from the Headteacher of Woodhey High School who highlights the precautionary approach recommended by the Stewart report and asks that the Council will take this into account in reaching a decision. The letter also highlights that exclusion zones have been set up around such masts in order to protect people from possible harm and highlights that children walk past the mast everyday. The Headteacher also points out the incongruity of the mast in the open and natural landscape surrounding it.

1 e-mail received from Councillor Gunther who objects to the proposal most strongly on behalf of her constituents as the location is considered inappropriate for such a development in terms of character.

1 e-mail received from Councillor Theckston who objects to the proposal "on the grounds that it is not a suitable location for such an installation".

Consultations

Borough Engineer - requested the applicant relocate the mast to the back of the footway to avoid obstruction and to maintain consistency throughout the Borough for such installations.

Borough Environmental Services Officer - the mast should operate within the ICNIRP guidelines.

Unitary Development Plan and Policies

OL5/2 Development in River Valleys

EN6/4 Wildlife Links and Corridors

EN1/10 Telecommunications

Issues and Analysis

The main considerations of the application are the operating requirements of the system operators, the siting and design of the mast and visual and physical impact especially within River Valleys and Conservation Areas and impact on health.

The proposed mast is required to augment the network coverage for Holcombe Brook and the Hazelhurst area of Ramsbottom. The mast would be part of the third generation network which owing to the higher frequency of transmission means that the signal does not travel so far. The result is that more masts are required. The applicant has sought to mast share but claims there are no suitable nearby structures. The applicant has signed a declaration stating that the equipment will operate within the ICNIRP guidelines therefore the issue of public health has been addressed under planning legislation.

The siting of the mast would be offset by the existence of other urban street furniture such as lampposts and a Council sign. The mast is considered not to have a material effect on the Wildlife Link and Corridor.

In response to the representations received, the issue surrounding health has been addressed by the completion of an ICNIRP certificate. The Council has a written consultation procedure regarding Telecommunications installations which recommends that all properties within a 100-metre radius and any schools within 200 metres be notified. This application has carried out consultations in accordance with the procedure.

It is noteworthy that the perception of health issues can be a material planning consideration. However, in the case of this application there are no buildings within 35 metres of the site whilst the closest dwellings are 57 metres distant, it is difficult to justify such perceptions when the mast is so far removed from nearby residences.

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 is needed by the Telecommunications Operator, would operate within the ICNIRP guidelines on emissions and would not harm the visual amenity of the surrounding area.

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 19 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 colour of paint to be used on the external surfaces of the mast and equipment cabins 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. Within 28 days of the development hereby approved ceasing to be used for the transmission of microwave energy, the mast and equipment cabins shall be removed from the site.

Reason: To avoid unsightly and derelict equipment on the site in the interest of visual amenity and highway safety.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 09

Location: 210 DUNDEE LANE, RAMSBOTTOM, BL0 9HF

Proposal: DEMOLITION OF EXISTING HOUSE AND ERECTION OF A NEW
DWELLING

Application Ref: 43860

App Type: Full

Statutory Expiry Date: 16 February 2005

Recommendation: Approve with Conditions

Description

The site is a large plot of land that slopes steeply downwards from Dundee Lane to the east. It currently has a large detached dormer house on it that has two outstanding planning permissions to extend the property (See *Relevant Planning History* section below for details). Along the north, west and southerly boundaries are mature deciduous and fir trees, the boundary to the east has an open aspect overlooking Ramsbottom. To the north of the site is a detached two storey dwelling approx. 20m away. To the west (opposite) is a row of slightly elevated semi-detached houses approx. 20m way and to the south is a bungalow approx. 6m from the present building.

The proposal is to demolish the existing property and erect a new dwelling. The plans originally submitted showed a house two storey at the front onto Dundee Lane but three storeys at the rear and set 2m further back from Dundee Lane with a ridge height of approx. 1.6m higher than the existing. The footprint size is the same as the existing house and extensions previously approved under planning permission 42857 although wider in depth on the boundary with 208 Dundee Lane.

Revised plans have been submitted reducing the height of the dwelling on the boundary with 208 Dundee Lane by 0.6m and altering the design so that the size of the gable end is reduced. The height of the ridge to the main body of the house is still approx. 1.6m higher but this is approx. 1.2m lower at the eastern end of the site than the height of the extension previously approved in 42857.

Relevant Planning History

41784 - Three storey cross wing extension at north of existing bungalow, to include new double garage and basement gymnasium (replacing existing double garage) and single storey sun lounge with balcony over, to rear elevation - Approved Conditionally 14th April 2004

42857 - Porch and kitchen extensions facing Dundee Lane, north side single storey lean-to. Rear extensions to east elevation to create covered sun lounge with sun terrace over (This feature is identical to that granted in 41784) - Approved Conditionally 23rd August 2004

Publicity

14 surrounding properties were have been notified. Two letters of representation has been received from the occupiers of 209 and 217 Dundee Lane objecting to the proposal on the following grounds:

- The elevation facing Dundee Lane currently has the appearance of a bungalow whilst the proposal is now two storey with feature windows at first floor level causing

- overlooking.
- Height of proposed building exceeds the original even though the building is being moved back
- The gable end of the proposed garage will block existing views across the valley
- Loss of open aspect of property
- Loss of view across the valley
- The proposal seems even bigger and more obtrusive
- Proximity of proposal to 208 Dundee Lane

Revised plan consultation letters have been sent out to the 14 properties any further comments will be reported.

Consultations

Borough Engineer – Drainage – No objections

Borough Engineer – Highways – No objections

Unitary Development Plan and Policies

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

Issues and Analysis

The site is an existing residential site within the urban area and there are no objections in principle to the demolition of the existing dwelling and the erection of another. The existing house has permission for a large extension on the eastern side of the site, 42857, that was approved by Planning Committee following a site visit in August 2004. Therefore the main consideration of this application is whether re-building the dwelling has a greater impact on highway safety, visual and residential amenity than the existing with the approved extensions.

Highway Safety: The proposal reinstates an existing entrance making two access points into the site. This enhances the existing acceptable situation.

Visual Amenity: The materials to be used, random stone with dressed stone copings, heads, cills and jamb and natural blue slate are the same as in the previously approved extension and are acceptable in this location. The style of the proposed dwelling is acceptable in an area that has many types and designs of dwellings in various finishes and materials.

Residential Amenity: The whole of the proposed dwelling is set 2m further back from Dundee Lane and is being constructed from approx. 150mm lower than the existing property due to the slope of the site. This makes a separation distance from the dwellings opposite of over 21m to the main body of the house and over 14m to the side of the garage element. There is no change to the separation distance between the dwelling and 280 Dundee Lane to the east. The proposal whilst 1.6m higher in the main body than the existing, is 1.2 m lower than the extension previously approved. The objectors, 217 Dundee Lane and 209 Dundee Lane, are either facing the part of the proposal that has already got planning permission but is now lower in height or the part adjacent to 208 Dundee Lane that has been revised from the original submission (revised plan letters have since been sent out, any further representations will be reported).

The main element of difference in this proposal over the existing property and extensions approved is the effect of the proposal on 208 Dundee Lane, which has a dining room window on the east elevation. The amendments to the original submitted proposal i.e. lowering the ground level by 600mm and the change in design (incorporating dormers in the roof), reduces the size of the gable and therefore the effect of the proposal on the occupiers of 208 Dundee Lane to an acceptable level, given the existing screening along the boundaries of both properties. The two windows on the gable are to en-suite bathrooms and will be obscure glazed.

In conclusion the proposed new dwelling will have a slightly lesser impact than the approved extension for the occupiers facing the easterly end of the site due to the reduction in height and the change at the westerly end is considered acceptable due to the proposed position, height and design of the scheme.

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 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 03/085/1, 74222A, 74223A and 74224A 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 foundations for the proposed boundary infill wall shall not extend under the adjacent highway at any point.
Reason. To maintain the integrity of the adopted highway.
5. 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 **Janet Ingham** on **0161 253 5325**

Location: 138 BURY OLD ROAD, WHITEFIELD, M45 6AT

Proposal: ERECTION OF DORMER TO ROOF

Application Ref: 43707

App Type: Full

Statutory Expiry Date: 18 January 2005

Recommendation: Approve with Conditions

Description

The site comprises an Accountants premises in a Neighbourhood Shopping Centre on Bury Old Road, Besses of th' Barn in Whitefield.

The premises is half of a semi-detached property with a hipped roof.

The proposal involves building a dormer on the south eastern roof pitch to allow the loft space of the existing accountants premises to be used for additional office space by providing space for a stair well. The dormer will have no windows. However, it is proposed that the new office would be lit by two new velux style windows in the north east and south west pitches and the stairwell, under the dormer, will be lit by two more velux style windows.

Relevant Planning History

A previous application for a larger dormer on the roof was withdrawn by the applicant as it conflicted with the design guidance of the Council (43465) This application is as a result of that application and the design has been modified so that it accords with the general guidance of the Council.

Publicity

One letter of objection has been received from 1 Dartmouth Road on the following basis:

- loss of residential amenity due to overlooking of the property and garden
- loss of property value

Consultations

Environmental Services - No comments received.

Unitary Development Plan and Policies

S1/5 Neighbourhood Centres and Local Shops
EC4 Small and Growing Businesses
EN1/1 Visual Amenity
EN1/2 Townscape and Built Design

Issues and Analysis

Dormer - The dormer is on the south east elevation and is set below the existing ridge and in from the outer wall. As such it appears as a small addition to the roof and this, together with the fact that it is set back well from the highway, mean that it would have a minimal impact on the street scene. It will be constructed from brick and tile and other than the two velux style windows in the roof, will have no other windows.

Residential amenity - The dormer has no windows so it will not impact on residential amenity. The new velux windows in the roof are set on the same elevation as the existing office windows on both the front and rear of the property. The velux style windows proposed on the north east elevation (rear) are to be obscure glazed and as such should not impact on the residential amenity of No. 1 Dartmouth Road.

Objection - Given the fact that the only windows looking toward the objectors property are obscure glazed and set some 15m distant, it is not anticipated that the proposal will be of detriment the residential amenity of the property or the garden area. The loss of property value is not a material planning consideration.

Summary of reasons for Recommendation

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

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

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to the drawings received on 23rd 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 proposed velux roof windows located on the north eastern roof elevation of the roof and dormer shall be fitted and maintained with obscure glazing in perpetuity.
Reason. To protect the privacy of adjoining occupiers.

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

Location: 5 DEMPSEY DRIVE, UNSWORTH, BURY, BL9 8PE

Proposal: TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION

Application Ref: 43849

App Type: Full

Statutory Expiry Date: 15 February 2005

Recommendation: Approve with Conditions

Site visit requested by Councillor Matthews.

Description

The site comprises a semi-detached dwelling located at the head of a cul-de-sac. The other dwellings in the close are detached bungalows. To the rear there are semi-detached houses.

The proposal is for a 3.5m wide two storey side extension for the full depth of the house, and single storey 1.1m deep rear extension. The side extension would be 3.5m in width extending towards the boundary with no.3 Dempsey Drive, the adjacent detached bungalow, leaving a gap of approximately 5m, with about 2m being within the curtilage of the applicant. The extension would wrap partly across the rear of the existing property at ground floor level leaving a gap of approx 6m to the common boundary with the adjoining property, No 6 Dempsey Drive. There would be an obscure glazed bathroom window on the front elevation and no windows on the side gable of the extension. Access would be via a side door. The existing garage would be demolished. A driveway of 5.5m would be maintained.

Relevant Planning History

No previous relevant decisions.

Publicity

Notification letters have been sent out to surrounding properties - 5 letters of objection have been received as a result of this publicity. Points of concern raised by the neighbours include:

- Loss of privacy and loss of light to the lounge at No3
- Overdevelopment of the site
- Detrimental to the street scene due to its size
- Loss of privacy at 23 Alexander Drive due to roof lights
- Possibility of commercial use of the playroom as a creche, resulting in parking problems
- It would result in loss of shrubs despite the applicant stating in the application that no trees or shrubs would be removed

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

Issues and Analysis

UDP Policy H2/3 is concerned with domestic extensions and further detailed guidance is set out within SPG 6 - Alterations and Extensions to Residential Properties. Issues concerning size, design, appearance, character of the surrounding properties, impact upon residential

amenity and aspect distances are matters that must be considered.

Residential amenity, Aspect and Distances - The occupiers of no.3, the adjacent bungalow, are concerned that the proposal would be too large and too close to their boundary and that the window on the front elevation would be intrusive, thereby affecting their privacy. Given that the window would be an obscure glazed bathroom window, together with its distance and position at right angles in relation to the frontage of no.3, it is not considered that the development would not have a materially detrimental affect on this neighbouring property in terms of loss of privacy.

The proposals would extend the property an extra 1m beyond the line of the existing garage towards no.3, resulting in a distance of approximately 8m from the proposed blank gable wall to a window to a habitable room on an extension at no.3. In terms of maintaining an acceptable level of aspect the SPG requires that extensions should maintain a separation distance of 13m between a principle window to a habitable room and a two storey blank wall. In the case of the affected window at no.3 the room involved has, on the opposite, south facing patio door windows that are larger than the affected window and are the main source of light to the room. Thus, the window facing the extension is not a principal window to the room.

No. 3 also has a conservatory at the side attached to their extension. The outlook from the conservatory towards no.5 would be partly diminished by the side extension but given the extent of glazing the impact would not be severe.

The size and position of the proposed rear extension in relation to No 6 and the properties on Alexander Drive, are not considered to have a materially detrimental impact, in terms of privacy and aspects. The proposed roof lights on the rear elevation are at a sufficient distance away from the rear dwellings (25m) to be deemed acceptable and, being situated on the existing roof, they do not require the granting of planning permission.

Trees and Shrubs - Objections have been raised that the development would result in the removal of trees and shrubs. However, in the application it is stated that this would not occur. Much of the planting is within the garden to no.3 or on the boundary itself. The impact, if any, on garden shrubs is not a material planning consideration. The trees are leylandii conifers or minor specimens and the impact on them cannot be given significant weight.

Commercial Use -Local residents are concerned that the proposed playroom illustrated on the plans would be used as a creche, thereby creating parking and access difficulties on a relatively small cul-de-sac. Given that the applicant has not applied for a change of use, this is a matter which cannot be taken into account. However, there is no indication that a commercial creche facility is intended and the area set aside for a creche is relatively small and typical of a normal domestic facility rather than a commercial one. Should a change of use occur or be intended the matter would need to be dealt with through a separate application.

Visual amenity - Objections have been raised regarding the visual impact on the streetscene. The close is predominantly characterised by bungalows. However, the pair of semi detached house are a significant element at the head of the close. The external appearance, design and scale of the proposal is compatible with that of the house and the position, with a good set back from the highway at the head of the close, is not considered to be intrusive within the street scene nor that it would cause significant visual harm to the surrounding area.

Concerning the size, scale and external appearance of the proposed extension and impact on the amenity of neighbouring dwellings it is considered the proposal accords with policy H2/3 Extensions and Alterations and the associated SPG.

Summary of reasons for Recommendation

NO55

This application was determined having regard to Policy H2/3 "Alterations and Extensions" of the Bury Unitary Development Plan and Development Control Policy Guidance Note 6 "Alterations and Extensions". Planning permission should be granted because the proposals accord with the policy and guidance in that the 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 planning 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 external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development.
3. This decision relates to drawings numbered PL01 and PL02 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. The proposed windows located on the front elevation at first floor level and cross hatched on the approved plans and shall be fitted and maintained with obscure glazing in perpetuity.
Reason. To protect the privacy of adjoining occupiers.

For further information on the application please contact **Jennie Crawshaw** on **0161 253 5320**

Location: LAND ADJACENT 60-68 HARDMANS ROAD WHITEFIELD

Proposal: RESIDENTIAL DEVELOPMENT - 15 NO. APARTMENTS WITH 16 NO. PARKING BAYS

Application Ref: 43875

App Type: Full

Statutory Expiry Date: 17 February 2005

Recommendation: Minded to Approve

Description

The application site comprises a collection of run-down older cottage type two storey buildings and their curtilages fronting onto Hardmans Road near to the junction of Bury Old Road. To the south and opposite the site are traditional two storey semi-detached houses with no in curtilage parking arrangements. To the east of the site is a row of bungalows and to the south east of the site is a contractors yard. To the north of the site is an area of public open space, which is owned by the Council

The site is level and contains limited levels of vegetation.

The application is seeking full planning permission for the demolition of the existing buildings on site and the erection of 15 apartments together with parking facilities. The new build would be a contemporarily designed apartment block comprising 12 two bedroomed apartments and 3 one bed roomed apartments. The car parking indicates 16 parking spaces, with 2 allocated for disabled usage. Amenity space is also included within the scheme.

Relevant Planning History

43319 - 16 Apartments and car parking - withdrawn - 22/11/04.

Publicity

The application has been publicised by a Press Advert on 6/1/05 and letters have been sent to nearby surrounding properties. One letter of objection has been received from 97 Bury Old Road. They consider that the proposed building would still be inappropriate for the surrounding area and access from Hardmans Road would be difficult due to double parking.

Consultations

Borough Engineer - Traffic - Revised plans have been submitted to respond to the requirements of the Borough Engineer. Any significant response to the amendments shall be reported to the Committee.

Environmental Health - Contaminated Land - No objections in principle subject to conditions requiring a land contamination assessment being carried out.

Air Quality - No objection.

Pollution Control - No objections but request a condition be attached to ensure acoustic glazing to the elevation facing the Bury Old Road.

Greater Manchester Police Architectural Liaison – Comments have been made concerning the need to improve the northerly boundary of the site and to improve the security in terms of the direct access off Hardmans Road.

Unitary Development Plan and Policies

Issues and Analysis

Principle - In terms of Regional Planning Guidance Note 13 and Policy H1/2 - Further Housing Development, the site has been previously developed and has been used for residential purposes. As such the principle of residential development is acceptable.

Form, Design and Layout - The scheme proposes a contemporary apartment block 3 storeys high with a roof top extension and would incorporate traditional brick references and modern cedar boarding within the composition of the elevation. The scheme has its main frontage onto Hardmans Road, with modern brise soleils introduced to emphasise the definition of the 'plots' within the building and to ensure that there would be no overlooking concerns to impact upon privacy. Some 15 apartments are proposed and the site would be accessed to the side of the block into a car park. The building would be set back from the footway along Hardmans Road and contains modelling and changes in the roofscape to ensure appropriate articulation to surrounding properties.

Aspect Distances – UDP Policies H2/1 – The Form of New Residential Development and H2/2 – The Layout of New Residential Development provides a list of factors when assessing residential development including the layout, design, impact upon residential amenity, proximity, car parking provision, density, provision of open space, security matters and access to be considered. The proposals would create a three storey building with roof top extension to be sited centrally across the frontage of the site. There would be a separation distance of 19m between main elevations of the new building across from properties fronting Hardmans Road, however, this distance is greater than is currently found on the site where the existing buildings are located hard up to the back edge of the footway. Additionally, the design of the building has been such that the main windows in the new building would be splayed away from the houses opposite with brise soleil barriers sited in front of the windows to prevent any potential overlooking concerns. This is considered to be an acceptable solution to maintain privacy distances and to prevent direct overlooking.

To the south of the site, there is a bungalow with main aspect windows in its southerly elevation. The scheme has taken this relationship into consideration by ensuring that the building steps down to two storeys where it approaches this boundary and also by ensuring that there are no windows in this elevation to cause overlooking, overshadowing or privacy concerns. As such, the aspect and privacy matters comply with adopted UDP policies.

It is considered that the development would accord with UDP Policies H2/1 – The Form of New Residential Development and H2/2 – The Layout of New Residential Development in terms of privacy and aspect distances.

Security – The comments of the police have been incorporated into the scheme by improving the northerly boundary and westerly. A robust 900mm brick wall with railings above to provide an overall boundary screen of 2.1m. The entrance into the car park would be from Hardmans Road. This entranceway would be overlooked by main room windows. This would promote security of the site and reduce opportunist crime.

Design – The proposed building would be of a contemporary design with predominantly brick elevations. There are large glazed slots within the principle elevation with cedar boarding to the southerly portion of one elevation. Given the composition of the elevations, the design has picked up traditional references from surrounding buildings and incorporated them into the design.

Car Parking Provision – The scheme would provide 100% car parking with an additional visitor space. One space would also be for disabled provision. The site is within a highly sustainable location being within sight of the Besses Metrolink station and it also fronts onto a main bus route. As such, the level of car parking provision is considered to be acceptable for this location.

Recreational Provision – The scheme contains two areas of amenity space including some areas at ground floor level and also a roof top garden. The rooftop garden would be partially enclosed by glazed frosted screen, which would maintain privacy to the south of the site. Given that the scheme would be providing residential accommodation in excess of 10 dwellings, UDP Policy RT2/2 would require a commuted sum to be paid for improvement to recreational facilities within close proximity to the site. To secure this, a s.106 legal agreement would be secured which would provide for the payment of £5495.40.

Access - The accessway into the site has been amended since originally submitted to accord with the requirements of the Borough Engineer. Visibility splays have been provided and pedestrian and vehicular intervisibility is also achievable. There are no fundamental objections to the proposed access into the site and, as such, it is considered that the development would accord with UDP Policies H2/1 – The Form of New Residential Development and H2/2 – The Layout of New Residential Development when considering access issues.

Disabled Access - UDP Policy HT5/1 - Access for Those with Special Needs encourages the provision for satisfactory access for those with mobility constraints. The development proposals have incorporated disabled parking space and has also provided for vertical circulation within the building by the use of a lift.

Open Space - One of the elevations of the new build would overlook the area of open space located at the junction of Hardmans Road and Bury Old Road. This land is owned by the Council. Following consultation with the Borough Estates Officer and Head of Parks and Gardens, it is intended that this land would not be considered as potential development land as it provides an important open space contribution to this heavily trafficked and urbanised area. As such, there would be no concerns about the sterilisation of this site for future development by the acceptance of the current planning proposals.

Ecology - The existing buildings on the site have been surveyed to determine their potential to accommodate and understand their value to protected species. Given the time of year, no conclusive results could be obtained without further and limited taking down and removal of part of the roof structure. The report confirms that only one building currently on site (#68) has potential to be used by bats, although if used at all, it would only be by individual bats. Careful demolition is advocated by the report and that this should take place outside the hibernation period. Specific alternatives for roosting should be incorporated into the design of any new build. These matters can be controlled by a planning condition thus ensuring compliance with the provisions of PPG9 - Nature Conservation.

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 comprise the redevelopment of an existing brownfield site and the development would assimilate satisfactorily into this location without undue impact upon residential and visual amenity and that 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 04/422.10, 04/422.11, 04/422.12, 04/422.13 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 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.
5. The disability parking bay(s) shown on the approved plan shall be laid out and made available for use prior to the building(s) hereby approved being occupied, to the written satisfaction of the Local Planning Authority, and thereafter maintained.
Reason. To ensure that the development is fully accessible to disabled persons.
6. A visibility splay measuring 2.4 metres by 33 metres shall be provided at the junction of the development site with Hardmans Road to the written satisfaction of the Local Planning Authority before the development is brought into use and shall subsequently be maintained free of obstruction above the height of 0.6m
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
7. 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.
8. The residential accommodation hereby approved shall include acoustic glazing and acoustically treated ventilation in accordance with an acoustic attenuation scheme to be submitted to and approved in writing by the local planning authority before the development commences. The acoustic attenuation scheme hereby approved shall be implemented in full before use of the residential premises first commences.
Reason. To protect the amenity of the occupants of the premises once the development hereby approved is occupied.
9. Prior to the demolition of the building(s) permitted by this approval, an updated 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 into the design of the new building unless otherwise agreed.

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

10. 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.

11. The details of the boundary treatments for the development shall be submitted to and approved in writing by the Local Planning Authority. 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.

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

Location: WHITEFIELD GOLF CLUB, HIGHER LANE, WHITEFIELD, M45 7EZ

Proposal: OUTLINE - DEMOLITION OF EXISTING CLUBHOUSE & STORES & CONSTRUCTION OF REPLACEMENT GOLF CLUBHOUSE, CAR PARKING & NEW ACCESS TO HIGHER LANE, TOGETHER WITH ERECTION OF 24 NO. APARTMENTS

Application Ref: 43773

App Type: Outline Planning Permission

Statutory Expiry Date: 10 February 2005

Recommendation: Minded to Approve

Description

The application site includes 0.83 ha area of land, which is currently used as a car park together with the golf clubhouse and tennis courts. The site has a frontage onto Higher Lane including an in and out arrangement to the car park.

The surroundings of the site includes the golf course itself, a pair of older houses to the east, one of which, The Broxups, is a Grade II listed building. The Eagle & Child Public House and its associated bowling green to the rear of the pub are located to the north of the application site. There are semi-detached and detached houses directly opposite the access to the car park across Higher Lane, with this area being predominantly residential in land use terms.

The application has been submitted in outline for the demolition of the existing clubhouse; creation of a new clubhouse, car parking where the former tennis courts are located and 24 residential apartments within four blocks ranging between 2 and a half storeys up to four storeys in height. The applicants have stated in support of their proposals that they propose to construct a new clubhouse due to the need for substantial structural works required to be carried out on the building, which the club is unable to afford, and does not comply with disabled access requirements and the course itself requires funding to improve significant drainage problems. Therefore the applicants are seeking planning permission for residential development as an enabling development to fund the development of the clubhouse and drainage works to the golf course.

Matters under consideration with this application include:

Clubhouse: includes the siting, design, external appearance and access;

Residential: includes the siting, design and the means of access.

The proposals would incorporate a newly created access road from Higher Lane, close to the entrance of the Broxups. The immediate internal area of the site would then be split into two, with the residential blocks located to the northwesterly side of the site and the new two storey clubhouse with a footprint of 415sqm would be located to the easterly side of the site. The new roadway would then continue on past the clubhouse leading to the former tennis courts, which would become the main car park for the clubhouse.

The application also seeks to relocate the existing tennis court facility to the nearby Phillips High School. This would be secured through a s.106 legal agreement. The proposals would include the repair of the existing court and the extension of the existing hard standing at the school to provide in total new three tennis courts. No other works are to be associated with this element of the development such as fencing or lighting. The formation of the tennis

courts facility at the school would require a separate planning permission. Provisions for this would be included within a s.106 agreement.

Relevant Planning History

40775 - Outline application for the demolition of clubhouse and removal of tennis courts, erection of replacement clubhouse; new car parking and the erection of 23 apartments - withdrawn 13/01/04.

42148 - Outline application for the demolition of clubhouse and removal of tennis courts, erection of replacement clubhouse; new car parking and the erection of 24 apartments - withdrawn 14/10/04.

Publicity

The application has been publicised through press notices on 31/12/04 and site notices on 21/12/04 displayed for a three week period. Letters have also been sent to nearby properties surrounding the development area. This publicity has resulted in 6 letters of objection from The Broxups 71 and 73 Higher Lane, 32, 38 and 69 Higher Lane, 32 Wilton Street and an email letter from Councillor D Boden offering general support and also some observations about the scheme.

The objections centre upon:

- Overlooking from the new residential apartments fronting onto Higher Lane;
- The proposals would not be in keeping with the nearby Listed Building;
- Excessive noise and disturbance from the clubhouse, its facilities, servicing and traffic upon residents;
- Increased traffic from the development onto Higher Lane and potential danger to pedestrians and other road users;
- Allowing development onto the Green Belt would set a precedent and the commercial concerns of the club are not important enough to warrant the building on such land;
- Similar developments in the area are not fully occupied some 2-3 years after they were completed proving that there is no need for this type of housing and associated prices within this area;
- Residents on nearby Park Lane would be further affected by traffic congestion caused by the proposals to construct tennis courts where the public would be attracted to use the facility;
- The site lacks good security measures. Additional development on this site would encourage further vandalism and problematic security issues;
- The residential development does not contain sufficient parking spaces for visitors; The site currently does not cope with existing car parking demand, which puts existing residents to inconvenience;
- The height and width of development fronting onto Higher Lane is excessive;
- The facilities would provide little benefit to the public as the club is a private institution with membership fees that make it well out of the reach of most of the residents.
- There has been insufficient time for third parties to comment on the proposals.
- There is nothing wrong with the existing clubhouse and the scheme is totally unnecessary.
- The development would remove the open views and aspect of the Green Belt.
- The development would exacerbate security problems - not improve them for the surrounding residents of the site.
- The plans incorrectly indicate the address numbers of 67 and 69 Higher Lane 71 and 73 The Broxups. The numbers should be transposed.
- The apartments are too high along Higher Lane as proposed.

Consultations

Borough Engineer - Traffic - It is anticipated that there would be no objections to the proposals. However, any significant comments will be reported.

Drainage - No objections in principle.

Environmental Health:

Pollution Control - The facades of the residential element overlooking Higher Lane should incorporate acoustic double glazing to the windows.

Air Quality - The development is not likely to increase levels of pollutants significantly.

Contaminated Land - Request that a contaminated land condition is placed on any grant of permission.

Greater Manchester Police Architectural Liaison - A number of points have been made concerning the security of the site in particular the areas around the residential blocks.

Greater Manchester Archaeological Unit - Any significant comments will be reported.

Unitary Development Plan and Policies

RT1/1	Protection of Recreation Provision in the Urban Area
RT2/2	Recreation Provision in New Housing Development
OL1/2	New Buildings in the Green Belt
OL3/1	Protection of Urban Open Space
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
EN1/6	Public Art
EN2/3	Listed Buildings
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
SPD1	Development Control Policy Guidance Note 1: Rec Prov
SPD4	Development Control Policy Guidance Note 4: Art
SPD3	Development Control Policy Guidance Note 3: Crime
PPG3	PPG3 - Housing
PPG2	PPG2 - Green Belts

Issues and Analysis

Principle - There are a number of key policy allocations affecting the site that require full consideration to determine the acceptability of the principle of the development including Green Belt and Protected Recreational Space.

Clubhouse: Green Belt: In policy terms, OL1/2 - New Buildings in the Green Belt states that new buildings in the Green Belt are considered to be inappropriate unless they are associated with certain uses including essential facilities for outdoor sport and recreation and providing that the openness of the Green Belt is not affected. The scheme differs from previous schemes in that the new clubhouse has been relocated to ensure that the majority of the building would be outside the Green Belt. The proposed siting now indicates that approximately two thirds of the footprint would be outside the Green Belt with the changing rooms (essential facilities) would be within the Green Belt. Additionally the scheme has been revised since originally submitted to reduce the height of the new building to give a maximum of 7m in height to the ridge.

Paragraph 3.13 of PPG2 and Policy OL1/2 - New Buildings within the Green Belt states that where development occurs, it should contribute to the achievement of the objectives of the Green Belt. Uses which accord with these objectives will have a positive role in fulfilling the purpose of Green Belts. The proposals will maintain the landscape, enable access to it and provide golf and tennis facilities, and, therefore, they would assist in meeting of the objectives of the Green Belt.

The proposal, as amended, would not cause significant harm to the openness of the Green Belt in terms of visual amenity and would therefore accord with paragraphs 3.2 and 3.15 of PPG2. Overall, openness will be maintained as the proposed clubhouse will straddle the

Green Belt boundary. It will cover a very small element of Green Belt land.

The proposed clubhouse car park will be constructed on the site of the existing tennis courts. It will be constructed from grasscrete with structural landscaping. This is acceptable development in the Green Belt as the site presently holds a built feature; the tennis courts with associated fencing, artificial surface, lighting and perimeter conifer hedge (circa 5m high). As such, its impact on the openness of the Green Belt will not be significant. The proposal will develop less than 1% of the total Course area, replacing an area that has already been developed for commercial sport.

Given the amendments, it is considered that this element of the development would comply with the Green Belt policies of the UDP and PPG2 - Green Belt.

Protected Recreational Provision - The existing clubhouse and associated car parking together with the remaining golf course is allocated as protected recreational space within the UDP. Policy RT1/1 prevents the loss of such areas except where alternative provision is to be made of an equivalent scale and with community benefit.

The application is seeking to develop the existing club house site, car park and tennis courts as part of the proposals. The golf course itself would remain unaffected. The existing clubhouse and car park sites are proposed for residential development. In consideration of the protected recreation allocation, the enabling development of the residential scheme is considered to be a special circumstance for this proposal to maintain the clubs presence, use and maintenance of the golf course.

The development of the existing tennis facility and its relocation to the nearby Phillips High School would ensure an improved public facility in terms of access and would be of equal size and scale. This element would comprise the laying out of the new courts in an area of existing hard standing. In order to secure this, this aspect of the proposals would form part of the s.106 Agreement that has been drafted and would require its implementation within 2 months of commencement of the club house development. Draft Heads of Terms have been submitted between the developer and the school to fulfil this requirement. The alternative provision at the school would have wider community benefits for the school, its pupils and with its location near to the community that it would serve. As such, the alternative provision would be consistent with the UDP policy.

Residential Development Considerations - Policy H1/2 - Further Housing Development - seeks to direct housing towards the urban area and to protect the release of peripheral open land. Amenity, surrounding land uses and the local environment are other considerations of the policy. This site is a brownfield site currently developed with a clubhouse and car park. Other policies including H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development are intended to ensure that any new residential development would be of an appropriate height, scale, form and layout; would have suitable access, landscaping, density and would preserve the amenity of existing nearby development. In terms of the residential elements, the siting, design (height scale and massing) and the means of access are under consideration. The external appearance of the flats, however, would be reserved for a subsequent application for approval of reserved matters.

The scheme indicates five residential blocks, with three sited close to Higher Lane, one block set partway into the site next to the boundary with the pub and the fifth block next to the golf course itself. The heights of the frontage buildings would be two and a half storeys high, which in terms of massing are cogniscent with the pub. In terms of aspect distances, there would be some 25m separation between new and existing development. This would comply with the distances required by the Council. Internally, separation distances between block A and B are less critical as there would be no principle windows conflicting with each other.

The highest blocks (A and B) would be four storeys in height and would be located

significantly further back into the site with block A being to the rear of the site, overlooking the golf course. There would be no impact upon residential amenity in terms of scale and massing given the separation distances involved. The height and massing of the roof of block A has been amended since originally submitted to improve the relationship between the development and the open golf course to the rear. This change would also ensure an appropriate relationship to the Green Belt.

Proximity to Listed Buildings and Impact upon Residential Amenity - The development would be located opposite to an established row of residential properties and also in reasonably close proximity to Grade II listed building. The established housing fronting onto Higher Lane would be opposite the new housing within the development. Overlooking and aspect distances have been discussed above and as such the development would comply with standards sought by the Council for such matters. In terms of the listed building, the proposed clubhouse would be located to the north of The Broxups. The scheme has been revised to reduce the height and massing of this element when considered to the listed building. Given the separation distances between the new clubhouse and the listed building of some 11m, it is considered that the development and siting of the clubhouse is considered to have no appreciable impact upon the listed structure and its setting. In terms of residential amenity, the clubhouse would have its servicing to the rear in between Broxups and the clubhouse. The scheme makes provision for an acoustic fence to the boundary with the listed building together with an earth mound. Both these features together would preserve the amenities of the occupants of the listed structure.

Car Parking and Access - The scheme would provide 63 parking spaces for the golf club and 33 spaces for the residential element. It is considered that with an improved layout of the parking on the former tennis courts, the car parking levels proposed are appropriate. In terms of the residential element, 33 spaces would provide a level of 138% provision, which would accord with National Planning Guidance contained within PPG3 - Housing. This document seeks a maximum of level of 150% parking provision, where housing sites are located within sustainable areas where public transport provision levels are good. This site fronts onto a main public transport route where buses are frequent.

Affordable Housing - The scheme seeks to provide 24 residential units. The policy and accompanying Supplementary Planning Guidance only comes into effect where development s of 25 units or above is proposed. As such there is no requirement to meet this policy.

Recreational Provision in New Developments - In accordance with policy RT2/2, the scheme would provide less than 50 dwellings and as such, the development can still achieve recreational provision by way of a commuted sum for off site provision. In this instance, the development would be required to pay £8426.28 to comply with the policy. This would be ensured through the completion of a s.106 legal agreement.

Public Art - As the scheme would provide development levels in excess of 2500sqm overall, there is a requirement to provide for Public Art in accordance with UDP Policy EN1/6 and Development Control Policy Note 4 - Per Cent for Public Art. The developer has agreed to pay a £10,000 contribution towards public artwork. In addition to this, the developer wishes also to include some form of art within the application site itself. It is intended that the proposed artwork would be golf related. In view of both of these elements together, it is considered to be acceptable and would comply with the requirements of the policy. The commuted sum would need to be secured by a s.106 legal agreement and would be drafted to require this payment. Details relating to onsite artwork can be secured through a planning condition.

Crime and Design - Comments have been provided by the Greater Manchester Architectural Liaison Unit. Concerns centred upon the lack of delineation and controlled space between the golf club and the residential. Revised plans indicate that this would be resolved by the creation of a boundary wall around the residential element. However, the walling would include a railing detail to promote permeability and there would be a change

in the road surface on entry into the residential part to define a change in character and land use. The rear elevations of blocks B to E and the side windows of block A would provide passive surveillance and would ensure good levels of security. The scheme does not involve a 'gated community' and thus assists in integrating the scheme into the wider community.

Ecology - The scheme does not propose any works in the vicinity of the pond within the golf course site. The existing clubhouse has been surveyed to determine the likelihood of and potential to house bats. No evidence was found of roosting nor use of the building as a colony habitat. It was concluded that the existing building did not offer any levels of significance to bats. However, recommendations were provided to carry out inspections during the demolition of the building when the roof has been removed, to carry out demolition outside the hibernation season and that new roost facilities should be incorporated into any new development within the site. Other recommendations are that a further bat survey should be carried out between late Spring and Summer.

Drainage - A further aim of the golf club is to improve patronage through carrying out drainage works to part of the golf course itself. This element of work would involve repair and improvement to the course drains. As this is an important part of the aims of the golf club it is proposed that this aspect of works would be secured through a s.106 legal agreement to ensure that this work is implemented.

Conclusion - In view of the above and the amendments that have been secured, the development as proposed would provide an improved scheme that reflects the sensitivities of the site and its surroundings. The development would comply with adopted local and national policy objectives and it would through the proposed design and layout integrate appropriately into the area without undue impact upon visual and residential amenity.

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: Minded to Approve

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;

For the Clubhouse: the landscaping of the site;

For the residential development: the external appearance 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 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. No development, building work or demolition shall take place within the development site unless and until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.
Reason. To make a record of buildings and features of archaeological interest and to comply with legislative requirements.
5. Prior to the demolition of the building(s) permitted by this approval, a 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.
6. The car parking indicated on the approved plans [insert plan number(s)] shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being occupied.
Reason. To ensure adequate off street car parking provision in the interests of road safety.
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 disability parking bay(s) shown on the approved plan [*insert plan number(s)*] shall be laid out and made available for use prior to the building(s) hereby approved being occupied, to the written satisfaction of the Local Planning Authority, and thereafter maintained.
Reason. To ensure that the development is fully accessible to disabled persons.
9. Details relating to the finished floor levels of 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.
10. Prior to the commencement of the development, details of the acoustic fencing and mounding shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented.
Reason. In the interests of visual amenity.
11. The clubhouse shall not be open outside 0800 hrs to 2330 hrs daily.
Reason. To safeguard the amenities of the occupiers of nearby residential

accommodation.

12. The landscaping scheme approved as reserved matters shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. 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.
13. 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.
14. Before the development hereby approved commences, the clubhouse building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the local planning authority. The approved details only shall be implemented.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation.
15. 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.
16. Any exhaust fans/flues and any noise associated with any proposed plant shall not exceed NR (Noise Rating) curve 25, as measured in the bedrooms of adjacent properties with the windows of these properties open in a normal manner for ventilation purposes.
Reason - To protect the amenities of nearby residential accommodation bounding and facing the site.
17. Deliveries to the club house by way of the service road shall not take place between the hours of 1900 hrs and 0800 hrs Mondays to Saturdays inclusive. with no deliveries on Sundays.
Reason - To protect the residential amenities of the nearby residential accommodation.
18. Details relating to the provision of artwork to be provided within the application site shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented prior to the occupation of the clubhouse.
Reason - To secure the satisfactory contribution and implementation of public art in the interests of the amenities of the area.

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

Location: POLYFLOR LTD RADCLIFFE NEW ROAD WHITEFIELD

Proposal: DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF NEW WAREHOUSE (AMENDED SCHEME FOLLOWING PREVIOUS APPROVAL 42295)

Application Ref: 43847

App Type: Full

Statutory Expiry Date: 15 February 2005

Recommendation: Approve with Conditions

Description

The application is a resubmission after permission was given by Planning Committee in May for the demolition of the existing single storey warehouse and construction of a new warehouse. The existing warehouse is 9m at its highest point. The new building would be 16m at its highest point.

The difference between the new scheme and that previously approved is highlighted in the drawings attached to this report. The main changes involve alterations to the north elevation, in particular the omission of the single storey loading bay area and corner areas either side.

Relevant Planning History

42295/04 Demolition of Warehouse and Construction of New Warehouse
Approved 12/5/05

Publicity

Site notice, press advert and immediate neighbours. One letter expressing concern over the appearance of the warehouse and rising noise levels on the site and pollution has been received from the occupier of 76 Radcliffe New Road.

One supporting letter stating that Polyflor have always been a good neighbour has been received from 106 Radcliffe New Road.

Consultations

Borough Engineer - No objections.
Environmental Health - No comments to date.
Environment Agency - No comment to date.

Unitary Development Plan and Policies

Issues and Analysis

Principle. The principle of industrial development on the site is accepted.

Siting and External Appearance. The siting of the new building on the existing footprint is considered to be acceptable within the large well established industrial site.

The building is set amongst the existing buildings and is well away from the nearest residential properties to the north, across the Metro and to the west. Although the new building is significantly higher than the existing building it is no higher than that already approved previously. The alterations to the proposed warehouse are considered to comply

with the policies listed above.

Summary of reasons for Recommendation

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

The new warehouse is considered to comply with the policies listed. The siting and design of the building is acceptable and would not adversely affect the amenity of the surrounding residential properties. It would not adversely impact on highway safety to other environmental issues. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 05/T2; 06/T2; 07/T2; 08/T2 and received 21st 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. 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 until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the written satisfaction of the Local Planning Authority.
Reason. To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health.

For further information on the application please contact **Tom Beirne** on **0161 253 5361**

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

This application was deferred for a site visit at the last meeting of the Planning Committee on 18th January 2005.

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: Land surrounding 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**

