

Location: FAIRFIELD SERVICE STATION, ROCHDALE OLD ROAD, BURY, BL9 7RZ

Proposal: RESIDENTIAL DEVELOPMENT- THREE STOREY BLOCK OF NINE APARTMENTS

Application Ref: 44080

App Type: Full

Statutory Expiry Date: 11 April 2005

Recommendation: Approve with Conditions

Description

The application site lies to the north of Rochdale Old Road, Bury and was previously occupied by a service station which is currently occupied by a hand car wash. The site is flat although the land climbs steeply to the north up to Leamount Drive and is abutted by end terrace houses either side along the Rochdale Old Road frontage both of which have windows in the side elevations overlooking the site. To the south, on the opposite side of Rochdale Old Road and set down are flats at 1-21 Foster Court whilst to the north lies an area of grassed open space and to the north-west No.1 Leamount Drive.

Relevant Planning History

43376 - Residential Development - Demolition of the existing service station and erection of 12 apartments in 3 storey block - withdrawn. The application was withdrawn before it was refused on the grounds that adequate vehicular access could not be achieved into the site and that the block would have been detrimental to the residential amenities of the adjoining houses.

Proposal

The current application proposes the erection of a 3 storey block of 9 flats with an alternative access arrangement and the block being moved away from the adjoining dwelling at No. 337 Rochdale Old Road. There would be 12 parking spaces, a bin store adjacent to Rochdale Old Road whilst a separate and secure bicycle store is proposed at the rear of the site. The private amenity space for the block would be a strip along the northern and western side of the block. Heavy landscape planting is proposed to the Rochdale Old Road frontage and at selected points within the car park.

The applicant has submitted revised plans (31/03/05) altering the elevational treatment of the block, improved cycle and bin store details and increased landscaping.

Publicity

54 adjoining occupiers consulted - 6 letters received from residents at 1 & 8 Foster Court, 2, 8, 10 & 12 Leamount Drive objecting to the proposal on the following grounds:

- * loss of light (8 Foster Court & 2 Leamount Drive),
- * only a two storey or single storey high building would be acceptable in this location,
- * insufficient car parking,
- * loss of privacy (8 & 10 Leamount Drive),
- * increase in traffic congestion,
- * parking on the surrounding streets exacerbating parking problems at the hospital,

* the building would be out of keeping with its surroundings.

Consultations

Borough Engineer - Drainage - does not object but highlights the presence of a sewer running through the site. Highways - any adverse comments will be reported to Committee via the supplementary agenda.

Borough Environmental Services Officer - recommend that the application be refused on the grounds of insufficient information with regard to contaminated land.

GM Police - observe that the current scheme allows less natural surveillance of the car park which could be improved by inserting kitchen windows to overlook the car park. The scheme could be improved by providing security gating, parking dedicated to the residents only and that the spaces should be specifically allocated to each flat.

GM Fire and Rescue Service - the access to the site is considered acceptable.

Unitary Development Plan and Policies

PPG3	PPG3 - Housing
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design

Issues and Analysis

The main considerations of the application are the acceptability of the principal of the development, its form and layout.

The site lies within the urban area, would avoid the release of peripheral sites, would be close to existing infrastructure and public transport services and has no protection policies seeking which seek to retain the land in its existing use. As such the principle of developing the site for residential units is considered acceptable.

The form of the proposed development, with regard to height and roof style, impact on the surrounding area and relationship to adjoining properties, is considered acceptable.

The layout of the proposed block would include adequate car and cycle parking, vehicular and pedestrian access, space about the block, landscaping and access arrangements for the disabled which is also considered acceptable.

In response to the objections received, the proposed development would exceed the minimum separation distances between habitable rooms windows and blank flank walls in the block and habitable room windows at Foster Court, 27 metres, and Leamount Drive, 38 metres as well as the properties at 337 Rochdale Old Road, 14 metres and at 319 Rochdale Old Road, 13.6 metres. There is also a change in levels so that the block would be set down from the properties on Lea Mount Drive although the block would be set above the flats at Foster Court. The windows in No. 319 Rochdale Old Road at ground floor level are a hallway window and a secondary window to a habitable room. The proposal is therefore not considered to incur a loss of light, privacy or outlook.

The proposed development is considered to provide adequate parking, namely 1 space per flat, 3 visitor spaces and cycle parking which is considered to be in accordance with central government guidance set down in PPG3.

The applicant has submitted a street-scene plan along Rochdale Old Road showing the relationship between the proposed block and the existing dwellings. The height of the proposed building is considered to be acceptable and in keeping with the surrounding area.

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;

The proposal would be acceptable in principle and in terms of its 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 14 FEB 2005 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development.
4. The development hereby approved shall not be commenced 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 visibility splay indicated on the approved plans shall be implemented before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
6. The foundations for the proposed extension walls shall not extend under the adjacent adopted highway at any point.
Reason. To maintain the integrity of the adopted highway.
7. The car parking indicated on the approved plans shall be surfaced, demarcated, 1 space marked and allocated to each flat and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being occupied and thereafter maintained as such.
Reason. To ensure adequate off street car parking provision in the interests of road safety.

8. The proposed cycle and bins stores indicated on the approved plans shall be provided and made available for use prior to the building hereby approved first being occupied and thereafter maintained as such.
Reason. To ensure adequate off street car parking provision in the interests of road safety and adequate bin storage in the interests of hygiene and visual amenity.

9. 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**

Ward: Bury East

Item 02

Location: 32 MANCHESTER ROAD, BURY, BL9 0SX

Proposal: CONVERSION OF EXISTING DWELLING INTO 5 NO. FLATS

Application Ref: 44097

App Type: Full

Statutory Expiry Date: 03 May 2005

Recommendation: Approve with Conditions

Description

The property is a very large end terraced house with main elevations onto both Manchester Road and Belle Vue Terrace. It has a single storey extension at the rear. There is an existing vehicular access and parking space at the side. It is situated almost opposite to the access to the public car park on Belle Vue Terrace. There are waiting restrictions on Manchester Road and residents only parking on Belle Vue Terrace.

It is proposed to convert the building into five one bedroom flats including one in the roof space. External changes are limited to a new window replacing a round window and the removal of a small dormer and two new roof lights.

The original plans showed five parking spaces at right angles to Belle Vue Terrace with a wide footway crossing. Revised plans show a single access with four spaces and allowing vehicles to enter and leave the site in forward gear.

Relevant Planning History

26331/91 - change of use to day nursery refused in November 1991.

Publicity

Neighbours have been notified and objections received from the residents of 11 Belle Vue Terrace and 34 Manchester Road. There is concern about car parking issues and reference is made to a recent study of residents parking in the area. It is claimed that there are not enough spaces for permit holders. There is already a lot of traffic activity with the car park and children being dropped off for school and increased traffic would be unsafe. Increased noise, activity and disturbance could result from unsuitable tenants.

Consultations

Borough Engineer - No objection on highways grounds to the revised scheme.

Unitary Development Plan and Policies

H2/4 Conversions
Area Bridge Road/Buckley Wells
BY2

Issues and Analysis

The conversion of the building to flats is a suitable use for the property and the area in which it is situated. The property is within walking distance of town centre amenities and four parking spaces is considered to be adequate. The revised parking arrangement is acceptable to the Borough Engineer. Sound proofing to the internal walls and floors and party walls is a requirement of Building Regulations. It is not possible to control the nature of occupiers of the flats.

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;- The proposed development will not harm the character of the area nor the amenities of neighbouring residents and will not adversely impact on highway safety issues. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 470/1, 2A, 3, 4A, 5A, 6A, 7, 8, 9 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.

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

Location: PIMHOLE RENEWAL AREA BURY

Proposal: DEMOLITION OF 134 DWELLINGS & REPLACEMENT WITH NEW RESIDENTIAL DEVELOPMENT (OUTLINE APPLICATION)

Application Ref: 44108

App Type: Outline Planning Permission

Statutory Expiry Date: 15 April 2005

Recommendation: Approve with Conditions

Description

The Pimhole Renewal Area was declared by the Council's Executive Committee on 19 March 2003 following a Neighbourhood Renewal Assessment. This resulted in a 5 year implementation plan being published, which identified a number of blocks of properties, where further studies and future options would be considered. On 21 July 2004, Clearance Areas were declared comprising many 'unfit' dwellings and it was resolved that these properties should be acquired to carry forward a scheme of renewal within the Pimhole area.

The properties within the two sites are predominantly 2 storey terraced housing dating from the turn of the century. A number have cellars and some have rendered walls. The terraces front directly onto the pavement or have a small front garden. Private yards to the rear are served by a single back street between terrace rows. Many of the yards have been altered to allow vehicular access and some have been provided with garages. The majority of the properties are owner occupied but a significant number are privately rented.

The application comprises a number of blocks of terraced properties located fronting Ingham Street, Oxford Street and Wilson Street together with another separate block of terraced properties fronting onto Kershaw Street and Ormrod Street within the Pimhole Regeneration Area. The properties are in a poor state of repair, many with structural deficiencies, provide a poor standard of housing and poor levels of associated environment. Many of the properties are classed as unfit.

The application is seeking outline planning permission for the demolition of 134 properties and the principle of their replacement by new residential development. At this time, all details would be reserved for subsequent approval.

Relevant Planning History

There is no relevant planning history affecting the application sites.

Publicity

Site notices have been erected in the neighbourhood on 2 March 2005 and press notices have also been published on 4 March 2005. In addition to this, all residential properties within and near to the application site have been informed directly by letter. A comprehensive list of the addresses informed can be found within the application file.

A letter of objection has been received from 21 Ingham Street, which is in one of the blocks to be demolished to the southerly end of the renewal area. They state that they have a family, occupy one of the newer properties in the area and cannot see why their property is to be demolished. They say that finding a suitable property in the area is difficult due to cost

and are unable to afford a new property from the compensation being offered.

A letter has also been received from 34 Wilson Street, a property not directly affected by the proposals, stating that they object to the proposals for the demolition of 1-15 Wilson Street. They consider that these are different in build terms and are substantial properties. The general age of the properties was one of the reasons that the occupant chose to live in this area and any new build would change the character of the area. They consider that the history of the area should be considered and that the Council should consider the contribution and civic pride older properties make to the area thus contributing to the diversity of the Borough.

A petition with 71 signatures objecting to the application has been submitted. However the petition does not state the reasons for objecting.

Consultations

Borough Engineer

Drainage - No objections to the development.

Traffic - Any response shall be reported.

Greater Manchester Police Architectural Liaison - No objections in principle but recommends that further consultation takes place when more detailed layouts and proposals are formulated.

Environmental Health -

Contaminated Land - A contaminated land condition should be required by a planning condition to determine the whereabouts and nature of any contamination that may be found within the application site to ensure that appropriate remediation and mitigation is implemented.

Air Quality - The development is unlikely to increase levels of pollutants.

Unitary Development Plan and Policies

H4/1 Affordable Housing

RT2/2 Recreation Provision in New Housing Development

H5/1 Area Improvement

SPD1 Development Control Policy Guidance Note 1: Rec Prov

SPD5 Development Control Policy Guidance Note 5: Housing

Issues and Analysis

Principle - The land is currently used for residential purposes and the proposals are seeking to replace these properties with new residential development, with no specified number of replacement dwellings at this time. UDP policy H5/1/1 - Pimhole, Bury recognises that the area contains many unfit properties and poor surrounding environment. The policy confirms that the Council will focus new housing initiatives into this area and this can be achieved through renewal area designation.

In terms of principle, residential use is already well established on the sites and in the surrounding areas. Although there is no specific allocation for the land within the UDP the principle of residential development is considered to be acceptable.

Existing Housing, Environment and Consultation - The properties within the application area have been subject to specific assessment and many have been found to be unfit. The purpose of the application is to establish, in planning terms, the principle of new residential developments within the identified areas of poorer quality housing in advance of acquisition. Future reserved matters applications would then be submitted, showing higher quality and less dense housing. The new developments would help improve living conditions in the general area by with the redevelopment having tackled problems of house condition and environmental surroundings thus increasing the feeling of long term confidence in the area

as a place to live.

There has been a significant level of consultation outside the planning application driven by the Urban Renewal Section of the Council and a significant amount of community consultation and resident liaison has been undertaken, as part of the Urban Renewal Initiative, including public meetings, exhibitions of the information showing the proposals contained in the Pimhole Implementation Plan at the Jinnah Centre, direct letters following survey work and home visits commencing from the beginning of 2003.

Notices of Intention to include buildings in clearance areas were published in the Bury Times and Manchester Evening News on 30 April 2004. Letters were sent to all owners of those properties found to be unfit for habitation, and further letters were sent to owners of other remaining properties in the proposed clearance areas at the same time. The latter advised that the Council had served formal Notices of Intention, information on representations, the process of acquiring of their property including the Compulsory Purchase Order process.

Home visits were undertaken, mostly during March, April and June 2004, to provide more detailed information to residents/owners, and to obtain information from them on their re-housing requirements. A Pimhole Renewal Area Community Steering Group has been set up to provide information and allow consultation on all aspects of service delivery. Information has been available at Acorn House, and plans showing the clearance areas have been on display at the Town Hall.

Affordable Housing - There are no details at this stage as to the type or size of property proposed. However, it is considered that a planning condition should be imposed to require an element of affordable housing within any reserved matters application pursuant to policy H4/1 - Affordable Housing. This would address the concern raised by the objector and would also, as part of the wider regeneration initiative, enable a comprehensive approach to be taken to benefit the whole area involved within the proposals. In addition to this, Relocation Grants are also being offered through the Urban Renewal process, which are intended to help communities who are affected by clearance to buy new homes in their local area. The grant is intended to help bridge the gap between the value of a property in a clearance area and the cost of buying another property in the same local area. This can be a house, flat or bungalow, and can be a new or older property depending on what type of home is suitable for those affected and what they would prefer to buy.

Recreation Provision - There are no details at this stage regarding the type or size of property proposed. However, it is considered that a planning condition should be imposed to requiring compliance, in terms of the subsequent reserved matters applications, with policy RT2/2 concerning recreational provision for the prospective residents.

This application is a main step within the planning process towards securing a long term commitment to the Pimhole area, through a comprehensive approach to providing new and significantly improved housing in the area. Further applications will be submitted concerning density, layout, appearance and landscaping.

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;-

The development would be a main step in the process of securing an improved level and type of housing and general improvement of an area that is in need of a comprehensive approach to redevelopment. The development would comply with adopted Unitary Development Plan Policies and there are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

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

Reason. Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site(s).

Reason. To ensure the satisfactory development of the site and because this application is in outline only.

3. Prior to the demolition of the building(s) permitted by this approval, a survey shall be conducted, in accordance with the recommendations of the Bat Survey Report carried out by A Graham, to establish whether the buildings are utilised by bats or nesting birds. In the event that bats or nesting birds are found to be present 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 shall 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.

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 development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Any security measures to be implemented in compliance with this condition shall seek to achieve the 'Secure by Design' accreditation awarded by the Greater Manchester Police. Written details of those measures shall be provided to the Local Planning Authority, as part of the reserved matters application(s).

Reason - In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well-being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000; and to reflect the guidance contained in Circular 5/94 'Planning Out Crime'.

6. The development shall incorporate recreational provision in accordance with Policy

RT2/2 - Recreation Provision in New Housing Development of the Bury Unitary Development Plan and the associated supplementary guidance Development Control Policy Guidance Note 1.

Reason: To ensure that the recreational needs of the prospective residents would be met.

7. The development shall incorporate an element of affordable housing in accordance with Policy Ha/1 - Affordable Housing of the Bury Unitary Development Plan and the associated supplementary guidance Development Control Policy Guidance Note 5.

Reason: To ensure that the development would contribute towards satisfying the need for affordable housing.

8. This decision relates to drawings numbered 1617/SK7 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.

9. Full details of the approved access arrangements to the development and any effects upon the existing adopted highways in the vicinity of the sites shall be submitted as part of the reserved matters application stage.

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

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

Ward: Bury East

Item 04

Location: BROADOAK HIGH SCHOOL, HAZEL AVENUE, BURY, BL9 7QT

Proposal: SINGLE STOREY FRONT OFFICE, RECEPTION & ADULT LEARNING FACILITY

Application Ref: 44173

App Type: Full

Statutory Expiry Date: 03 May 2005

Recommendation: Approve with Conditions

Description

The application site, Broadoak High School, is located off Hazel Avenue, Bury. The school is located adjacent to the residential properties on Hazel Avenue and Greywood Avenue. The school is accessed from Hazel Avenue and has parking facilities provided both in front and at the side of the school building.

The proposal involves the construction of a single storey extension (approximately 4.5m x 20m) in the front covering the middle part of the main building. It is proposed that the extension would be used for the provision of offices, reception and adult learning centre. A large entrance door together with 5 windows are proposed at the front elevation. A small window is proposed at the southern elevation facing the southern wing of the school. A ramp is proposed to facilitate access by the disabled persons.

It is proposed that the extension would be built in red brick to match existing and grey membrane flat roof.

Relevant Planning History

No relevant planning history

Publicity

One letter raising objection to the proposal has been received from a resident of No. 9 Hazel Avenue. The comments made are:

1. My mother lives directly opposite to the school gates and suffers from problems concerning parking and litter. Her garden is used as a dustbin and materials including plastic bottles are thrown in it.

2. She is a disabled person and can not find a space to park near her house at certain times.

3 Even when the school car park is empty, people still chose to park their cars on the road.

Consultations

BADDAC - Very little information has been provided to create an acceptable access for the disabled persons. Additional information is needed in this respect.

Unitary Development Plan and Policies

CF1 Proposals for New and Improved Community Facilities

CF2 Education Land and Buildings

Issues and Analysis

The extension would be located at least 30m away from the rear elevation of the nearest dwelling house no. 36 Hazel Avenue. Although several windows are proposed at the front elevation of the extension, due to its location and separation distance, it is considered that the extension would not be detrimental to the amenities of the nearby residents.

The extension would have a flat roof and built in red brick to match the existing. In terms of its design and appearance, the extension is therefore acceptable.

The objection has been raised by the resident of No. 9 Hazel Avenue, which is located opposite the school building across the road. The school has 70 car parking spaces located within its premises. The objector's problems relating to parking difficulties on the road and the litter thrown in the garden may be caused by people visiting the school. However, there appears to little which could be done to control these problems.

Summary of reasons for Recommendation

NO 51

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

It is considered that the proposed development is acceptable because it would not cause demonstrable harm to interests of acknowledged importance.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 3.31.02 (A) received on 8 March 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. The development hereby approved shall not be commenced until a scheme showing details of the ramped access to the main entrance including gradient and handrails is submitted to and approved in writing by the Local Planning Authority.
Reason. To ensure that the development is fully accessible to disabled persons.

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

Ward: Bury East - Moorside

Item 05

Location: BURY GROUND, CASTLECROFT ROAD, BURY

Proposal: FORMATION OF ACCESS ROAD & BRIDGE FROM BURY GROUND TO PEEL WAY (RESUBMISSION)

Application Ref: 44190

App Type: Full

Statutory Expiry Date: 03 May 2005

Recommendation: Approve with Conditions

Description

The proposed road would serve a new business park development on Bury Ground if planning permission is granted for such a development.. A new access would be created at the junction with Peel Way and Bolton Street to be controlled by traffic signals. The new road would bridge Carlyle Street and slope down to a new roundabout at the eastern side of Hesketh's works. The hedge to Peel Way would be breached and some trees removed. An existing footpath would need a small diversion.

The application includes a landscaping scheme showing tree planting and is accompanied by a Traffic Statement.

Relevant Planning History

43885 - Previous application withdrawn pending submission of Traffic Statement.

Publicity

The application has been advertised as affecting a public footpath and neighbours have been notified. No representations have been received.

Consultations

Borough Engineer - No objection on drainage grounds although a large diameter public sewer passes through the site. The Traffic Statement is still being assessed and any highways comments will be reported.

Borough Environmental Services Officer - Points out that the site may be contaminated although it is unlikely that the construction will be affected. The site is within Bury MBC Air Quality Management Area. Also comment on working practices.

Greater Manchester Archaeological Unit - Refer to the industrial history of the wider development site and recommend an appropriate condition.

Unitary Development Plan and Policies

HT2/1 The Strategic Route Network
HT4 New Development
EN1/7 Throughroutes and Gateways
EN7/1 Atmospheric Pollution
EC1/3 Land Suitable for Business (B1)
RT4/3 Visitor Accommodation

Issues and Analysis

The new road is required to facilitate the development of Bury Ground as a business park. The application for the road in isolation is being made now because grant money is

available. The land is allocated in the UDP as an opportunity site (EC1/3/2 and RT4/3/2) suitable for business (B1) and office use and with potential for a hotel/conference facility. Consultants are assessing the site and it is likely that a planning application will be submitted within the next few months.

The design of the road and bridge is acceptable and a suitable landscaping scheme has been submitted. If the business park is developed it will generate a high volume of traffic and the recommendation for approval is subject to highways comments and an assessment of the Traffic Statement which are awaited.

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;- The proposed road and bridge will not harm the character of the area or have an unacceptable affect on traffic volume or 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 drawing numbered HS399/010C and the development shall not be carried out except in accordance with the drawing hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
3. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the road is first used. 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.
4. No development, building work or demolition shall take place unless and until a programme of archaeological works has been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out in accordance with the approved plans.
Reason. To make a record of buildings and features of archaeological interest and to comply with legislative requirements.

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

Location: MAYFLOWER HOSPITAL OFF BULLER STREET BURY BL8 2BS

Proposal: PROPOSED MEDIUM SECURE TWO STOREY RESIDENTIAL CARE UNIT (CLASS C2), USE OF EXISTING 10 BED UNIT AS ADMINISTRATION BLOCK, USE OF GATE LODGE OFFICES TO SECURITY CONTROL BUILDING; NEW CAR PARK AND FENCING.

Application Ref: 43854

App Type: Full

Statutory Expiry Date: 18 April 2005

Recommendation: Refuse

Description

The site was formerly known as the Florence Nightingale Hospital and comprises a number of hospital buildings, both well established and more recently constructed, set amongst trees which are the subject of a Tree Preservation Order. The site is accessed across a small road bridge from Buller Street.

The site is in close proximity to two sites of Biological Interest; Daisyfield to the east and Elton Reservoir to the south west.

The proposal has five main elements as follow;

- The new residential unit on the site would have a floor space of approximately 5000 square metres and comprise of a two storey brick built irregular complex with a pitched roof. The unit would include 78 bedrooms and associated living accommodation and general treatment rooms.
- Alterations to the existing ten bed unit to form a new administration block.
- The use of the existing gate lodge as a security building.
- Security fencing. Five metres high green metal mesh fencing around the new 78 bed residential unit.
- New access road from the entrance, the front of the new residential unit and along the southern boundary of the site to a new 62 space car park in the south east corner of the site.

Relevant Planning History

41536/03 - Single storey extension to existing wards Approved 2/3/05

40333/03 - 2No. 3 storey nursing home/ hospital blocks (C2), sports hall/ cafeteria/ amenity block, parking and servicing, games pitch and fencing.

39676/02 - Demolition of hospital buildings and extension to nursing home for class C use and erection of fencing.

39250/02 - Erection of enclosures for refuse bins, electricity substation and generator station, boundary fence.

Publicity

Immediate neighbours, site notice and press advert (Bury Times).

Two letters of objection from local residents. Concerns relate to the adverse impact on wildlife, increased traffic and security concerns.

Consultations

Borough Engineer - Recommends refusal on the grounds that the application contains insufficient information to enable the impact of the development on the adjacent highway network to be properly assessed.

Greater Manchester Ecology Unit - No objections.

Police - No objection in relation to design but have expressed concerns about security.

Environment Agency - No objections subject to adequate boundary fencing and buffer between the site and the adjacent SBI's.

Area Board - No response to date.

Social Services - No formal response to date.

Bury PCT - Concerns relating to the management of the hospital and the impact on local health care services.

Unitary Development Plan and Policies

EN6/2 Sites of Nature Conservation Interest LNR's

EN8 Woodland and Trees

EN8/1 Tree Preservation Orders

Issues and Analysis

Principle. The principle of a hospital (C2) use on the site is well established and is not at issue.

Layout and design. Although the design of the individual units is acceptable, the overall layout of the development is considered to be unacceptable due to the impact on the trees within the site which are subject to a TPO and the indirect impact on the ecology of the area, in particular the Daisyfield and Elton Reservoir Sites of Biological Importance (SBI).

The current application proposes a net addition of 68 bedrooms within the facility. This constitutes an increase of 14 bedrooms over the previous extant approvals not taken up on the site which could add a further 54 bedrooms to the hospital over the existing facilities.

Parking. The previous approved scheme (40333/03) included a total of 95 parking spaces in front of the main buildings. The current scheme includes a total of 110 parking spaces, 62 of which would be located at the end of an access road in the south east corner of the site.

Trees. The tree report commissioned by the applicants recommends the following;

- A large proportion of trees on the site are poor and not worthy of retention.
- Poor management of the woodland has led to its degeneration. Improved management would help regenerate the area.
- The main area of tree loss is adjacent to the car park. Impact can be mitigated by replacement planting and no dig techniques.
- There are only two trees on the site of high amenity value.

The report advises that, in addition to various works to trees on site, 78 trees within the site be felled. The 78 trees are said by the report to fall into the following categories.

- 4 are dead, diseased dangerous or dying.
- 68 have major defects (low amenity)

- 6 have minor defects (medium amenity)

The site is subject to a Tree Preservation Order and the loss of many established trees as a result of the proposed development would be detrimental to the character of the area. The proposal is therefore considered to be unacceptable and contrary to policies that protect trees and the amenity of the wider environment.

Traffic. The Borough Engineer considers that the impact of the development on the adjacent highway cannot be determined without further information.

Security. The management of the site security has been raised as possible concern by the Police and Bury PCT. This is not a material planning consideration but a matter for the NHS.

Recommendation: Refuse

Conditions/ Reasons

1. The site is subject to a Tree Preservation Order and the loss of many established trees as a result of the proposed development would be detrimental to the character of the area. The Proposal is therefore considered to be contrary to the following policies of the Unitary Development Plan EN6/2 - Sites of Nature Conservation Interest, EN8 - Woodland and Trees, EN8/1 - Tree Preservation Orders.
2. The application and submitted plans contain insufficient information to enable the impact of the development on the adjacent highway to be properly assessed.

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

Location: LAND AT 8 WESTBURY CLOSE BURY BL8 2LW

Proposal: OUTLINE - RESIDENTIAL DEVELOPMENT - ONE SINGLE STOREY
DETACHED DWELLING

Application Ref: 44181

App Type: Outline Planning Permission

Statutory Expiry Date: 27 April 2005

Recommendation: Approve with Conditions

Description

The application site comprising a large piece of open land (approximately .043 hectares) is located at the side of the abutting semi detached bungalow No. 8 Westbury Close, Bury. The land which increases in width towards the rear is located in an elevated position comparing with the adjoining bungalow and the road. Currently a large garage and greenhouse are located at the land.

The planning application is made in outline and seeks permission for the development of the site for a detached bungalow. Although a plan has been submitted for illustrative purposes, all matters are reserved for subsequent approval. It is proposed that a driveway space would be provided at the existing bungalow No. 8 Westbury Close.

Relevant Planning History

An outline planning permission for the construction of a detached bungalow affecting the application site was granted on 16 April 1996.

Publicity

Four letters raising objection to the proposal have been received from the residents of No. 8, 9, 10 and 24 Westbury Close. The comments made are:

1. The site is located at a bend and the proposed development would cause a major parking problem on the road.
2. There is no off road parking facility available at No. 8 Westbury Close. The residents of Westbury Close park their vehicles including a box trailer at the application site. If their vehicles are parked on the road, this would cause traffic problems for the residents of the area.
3. The vehicles parked on the bend are already causing traffic problems for the residents.
3. The natural flow of water runs through the drainage at No. 8 Westbury Close. The proposed bungalow would require a substantial drainage to avoid major flooding.
4. There are already too many driveways located in a short distance close to the site. These driveways are always busy. The proposed driveway would cause further traffic difficulties in the area.
5. Development of the land and construction of another property will not provide any additional roadway or roadside parking. The Close is very narrow and already busy with traffic, roadside parking is at a premium.

6. At the top of the Close is a home occupied by disabled people who have carers who also park their vehicles on the road and footpath.

Consultations

Borough Engineer - Any comments received will be reported to the Committee.

Environmental Health - Any comments received will be reported to the Committee.

United Utilities - No objection.

Unitary Development Plan and Policies

H2/6 Garden and Backland Development

H1/2 Further Housing Development

PPG3 PPG3 - Housing

Issues and Analysis

Principle - The application site forms part of the curtilage of the abutting bungalow No. 8 and is located within a residential area comprising bungalows and two storey dwelling houses. Outline planning permission for the development of the site for a bungalow was granted in 1996. By virtue of its location and planning history, the use of the site for a residential development is accepted.

Layout/residential amenity - Although a plan showing the location of the proposed bungalow has been submitted, however all matters are reserved for subsequent approval. The site is clearly large enough to accommodate a bungalow with adequate garden areas and separation distances from adjacent dwellings and without serious detriment to neighbours' amenities. Since a bedroom window is displayed at the westerly elevation of No. 8 Westbury Close, necessary considerations will have to be given at the design stage to safeguard the amenities of the residents of No. 8 Westbury Close.

Summary of reasons for Recommendation

NO55

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

It is considered that the proposed development is acceptable subject to satisfactory details concerning the siting, design and external appearance of the building, the means of access etc.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

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

Reason. Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the siting,

design and external appearance of the building(s), the means of access thereto and the landscaping of the site.

Reason. To ensure the satisfactory development of the site and because this application is in outline only.

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

Location: RIVERBANK GARDEN APARTMENTS, 50 TOTTINGTON ROAD, BURY

Proposal: ALTERATIONS TO CREATE 2 ADDITIONAL APARTMENTS

Application Ref: 44125

App Type: Full

Statutory Expiry Date: 19 April 2005

Recommendation: Approve with Conditions

Description

The application relates to a block of apartments that is nearing completion. The gable of the block faces Tottington Road. The vehicular access is from a short side street with an arched opening through the block leading to a parking area at a lower level. The site is roughly triangular in shape and bounded by the canal feeder to the east with terraced houses beyond.

It is proposed to sub divide two large ground floor flats to create four smaller flats increasing the total number of flats from 18 to 20. There would be no change to the exterior of the building. The car park would be reorganised to provide additional parking spaces .

The original approval was subject to a S.106 agreement for recreation provision and the developer is happy to pay the commuted sum for two additional flats.

Relevant Planning History

40174/02 - Erection of block of 17 apartments approved in November 2003.

41953/04 - Amendments to create additional apartment approved in April 2004.

Publicity

Surrounding neighbours have been notified and one objection received from the occupier of 71 Tottington Road who refers to existing parking problems in the area. He is concerned that two additional flats will make the situation worse with people from the flats parking on Tottington Road.

Consultations

Borough Engineer - Any adverse 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

RT2/2 Recreation Provision in New Housing Development

Issues and Analysis

The additional apartments will not result in any change to the exterior of the building. The change to the car parking layout provides an adequate number of parking spaces for the number of flats now proposed. The increase in numbers does not have any traffic implications. The alteration to the car park does lead to a reduction in the landscaped area next to the canal feeder but a landscape scheme demonstrates that an acceptable planting scheme will be carried out.

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;- The proposed additional apartments will not adversely affect the character of the area nor the amenities of neighbouring residents and will not adversely impact on highway safety issues. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered RGA/001 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 landscaping scheme hereby approved 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.
4. The car parking indicated on the approved plan 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.
5. The apartments subject of the approval shall not be occupied unless and until the developer has made provision for recreation in accordance with Policy RT2/2 - Recreation Provision in New Development of the adopted Bury Unitary Development Plan and Development Control Policy Guidance Note 1 - Recreation Provision in New Housing Development.
Reason. To ensure adequate recreation provision for residents of the area.

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

Location: SITE OF FORMER CLAREMONT OLD PEOPLES HOME, PARK VIEW ROAD, PRESTWICH, M25 1FA

Proposal: RESIDENTIAL DEVELOPMENT - CONSTRUCTION OF RESIDENTIAL BLOCK OF 36 APARTMENTS, 14 DUPLEX (TWO STOREY) APARTMENTS AND 2 ROOF MOUNTED PENTHOUSES

Application Ref: 43846

App Type: Full

Statutory Expiry Date: 07 April 2005

Recommendation: Minded to Approve

Minded to approve subject to a s.106 Agreement concerning the provision of recreational facilities in accordance with UDP Policy RT2/2. In the event that the Agreement is not concluded within a reasonable time refusal to be delegated to the Borough Planning and Economic Development Officer.

Description

The 0.65ha cleared site is situated at the junction of Bury New Road and Park View Road. It was formerly occupied by Claremont Elderly Persons Home that has been demolished. The site is characterised by a number of large mature trees and the site has a tree preservation order. The surroundings include St Mary's Park immediately to the north and residential development to the south across Park View Road and across Bury New Road to the west where the land is included in the St Mary's Park Conservation Area.

Planning permission has been granted to build a 6 storey residential block of 58 units (48 apartments and 10 penthouses) with a basement car park. (refs. 40304/03, 41409/03 and 42905/04). Work has not yet started other than the demolition of the buildings, tree clearance and site security enclosure. The developers have decided to carry out a significant change to the internal content of the block in that instead of the normal single level apartments on the third and fourth floors there would be duplex (two storey) apartments here. This would reduce the overall number of units by 6 down to 52 in total and these would consist of 36 apartments (single level), 14 duplex apartments and 2 penthouses. The application has been submitted in respect of the amended form of the development. The block would occupy the same footprint and have the same number of floors. Externally it would appear virtually as previously approved with elevational changes being of a minor nature. However, further design work has resulted in floor-to-floor distances being adjusted and this has increase the overall height of the building by about 1m to a total of 18.5m at the roof of the penthouses. Car parking provision would be virtually unchanged with one additional space on the external car park giving an overall total of 84 spaces.

As with the approved scheme, the building would be of a modern flat roofed style and characterised by rounded feature elements at each of the corners. Elevations would be mostly in a honey /buff facing brick with other sections in natural stone and with contrasting rendered relief areas. The mostly curtain glazed top penthouse floor would be recessed well behind the main elevations. As previously most of the car parking would be in the basement with 64 spaces at this level and 20 on the surface .

Those trees that were intended to be removed by the existing planning permission have already been felled. They would be replaced by new tree planting but with the vast majority

of existing trees to be retained. In terms of landscape details the scheme does not materially differ from the approved details and, as before, includes an extensive water feature with illuminated raised water channels and fountain pools as well as a public art sculptural railing on the deep Bury New Road frontage.

The application is accompanied by a noise assessment, a traffic impact report and a tree survey.

Relevant Planning History

40304/03 - Residential development (outline). Approved 26th March 2003.

41469/03 - 48 apartments and 8 penthouses (approval of matters reserved by 40304/03). Approved on 5th July 2004.

42400/04 - Addition of two roof mounted penthouses to approved apartment block. Withdrawn on 26th May 2005.

42905/04 - Addition of two roof mounted penthouses to approved apartment block. Approved on 17th January 2005.

Publicity

88 individual addresses in the surrounding area have been notified as well as a press advert and site notices displayed.

An objection has been received from the developer of a residential scheme being constructed at Hornby Lodge on the opposite side of Bury New Road. The developer is concerned about the lack of affordable homes in the proposal. He considers that the block would be overpowering both in size and scale and much larger than surrounding buildings and any similar residential scheme in Prestwich Village. He criticises the design describing it as banal and symmetrical with little modelling of interest and not relating well to its immediate context particularly the adjacent conservation area, in either design or materials. The siting of the building on the plot appears to be arbitrary and unrelated to the fabric of the surroundings.

Consultations

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

Environmental Health - Recommend conditions covering issues regarding contaminated land and soundproofing against external noise. Although the site is within an area predicted to exceed the National Air Quality Objectives the development is not likely to increase levels of pollutants significantly.

Unitary Development Plan and Policies

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
EN1/2	Townscape and Built Design
EN1/6	Public Art
EN1/7	Throughroutes and Gateways
EN8/1	Tree Preservation Orders
RT2/2	Recreation Provision in New Housing Development

Issues and Analysis

Principle - The site has planning permission for a block of apartments and penthouses of almost the same size and design and the principle of this type of development has been accepted.

Design and Scale - The external appearance of the block and the treatment to the outside areas is almost the same as with the existing consent. The scale was acceptable given the extensive size of the site and very good separation from surrounding property. The 1m increase in height with the revision would hardly register as a change when viewed from surrounding vantage points. The development is very well separated from the St Mary's

Park Conservation Area and would not materially affect its character. As previously, the proposal involves a substantial well designed and interesting building set well back within well landscaped grounds. It would provide an acceptable degree of contrast with the more traditional and lower scale surrounding residential development. When viewed from the surrounding area the block would be difficult to distinguish from the previously approved details.

Trees/Landscaping - The site is characterised by a significant number of mature trees. Trees have been removed as part of the site preparation work already carried out but these are those are allowed to be felled as part of the available planning permission. No additional trees are affected by the revised scheme. The same quality landscaping scheme has been submitted as with the approved details and including a large water feature.

Car Parking - The provision would exceed current maximum standard of 1.5 spaces per dwelling as set out in PPG3. However, most of the provision would be in the basement and the land given over to parking would be relatively small it is considered that the standard would not be breached.

Affordable Housing - Given that the proposal is an amendment to an existing consent the was submitted before the requirements of SPG5 were applied, it would be acceptable to deal with this application on the same basis as that consent ie. on the basis that the apartments should be treated as affordable provision and that Policy H4/1 would be complied with.

Access/Traffic Issues - The issues are the same as were with the current consent and it is anticipated that the recommendation of the Borough Engineer will be on a similar basis to that regarding the approved scheme ie. conditional approval.

Residential Amenity - Separation from existing residential development is considerable and, despite the height of the block, there would be no material loss of amenity to any dwellings in the surrounding area.

Recreational Provision - The size of the development is such that the developer is obliged to make provision for the recreational needs of the future residents in accordance with Policy RT2/2. As the scheme does not include an element of recreational space the requirements of the policy would, in lieu of this, need to be satisfied by the payment of a commuted sum of £19050.72 to the Council for the provision or enhancement of recreational facilities in the locality. This would need to be secured through a s106 Agreement.

Objection - The criticisms expressed by a nearby developer concerning the scale, appearance, siting and impact on the St Mary's Park Conservation Area are not accepted and the points raised are covered in the paragraphs above.

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;-

The scale and visual appearance of the development is acceptable in the context of the size of the site and its surroundings. The scheme retains mature and protected trees and includes satisfactory provision for access, car parking and landscaping. Externally, it does not vary significantly from a recently approved proposal and that consent has already established the principle of the type and scale of the development. 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. 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.
3. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date 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.
4. No trees subject to a Tree Preservation Order, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before, during or after the construction period without the previous written consent of the Local Planning Authority.
Reason. To avoid the loss of trees which are of amenity value to the area.
5. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:1991 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area.
6. The development hereby approved shall not be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the written satisfaction of the Local Planning Authority.
Reason. To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health.
7. 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.
8. No development shall take place unless and until a scheme to soundproof the dwellings against traffic noise has been submitted to and approved by the Local Planning Authority so as to achieve an internal level of L10 40dBA (18 hour) and such works that form the approved scheme shall be completed before the relevant dwellings are brought into use.
Reason. To ensure that the development is adequately soundproofed against

externally generated noise in the interests of the amenity of future occupiers of the development.

9. No development shall take place unless and until the details of the finished floor levels and means of enclosure within the development have been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.
Reason: In the interests of amenity and to ensure a satisfactory development.
10. No development shall take place unless and until a design scheme to provide an integral artwork feature has been submitted to and approved in writing by the Local Planning Authority. This artwork element shall be in accordance with Policy EN1/6 of the Bury Unitary Development Plan and the associated supplementary planning guidance Development Control Policy Guidance Note 4 - Per Cent for Public Art. The approved artwork feature shall be implemented to the satisfaction of the Local Planning Authority within a period of 6 months from the date on which the first residential unit becomes occupied.
Reason: In order to create a visual enhancement of the development and its surroundings and to create a feeling of well being.
11. This decision relates to drawings numbered FF/BNR/1, PL531.MO2r4, CW/4483-P1, N30265/02, FF/BNR/2 D, FF/BNR/3 A, FF/BNR/5 B, FF/BNR/12 B, FF/BNR/13 B, FF/BNR/PEN A, FF/BNR/7 E, FF/BNR/8 E and documents including Tree Survey Schedule by M J Ellinson, Cheshire Woodlands, transport and highways report by Savell, Bird & Axon and the PPG24 Noise Assessment by Environmental Advice Centre and the development shall not be carried out except in accordance with the drawings and particulars hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.

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

Location: 76 BURY NEW ROAD, PRESTWICH, M25 0JU

Proposal: DEMOLITION OF FORMER HALL; CONSTRUCTION OF NEW SYNAGOGUE, MIKVEH & EXTENSION TO EXISTING SYNAGOGUE

Application Ref: 44022

App Type: Full

Statutory Expiry Date: 11 April 2005

Recommendation: Approve with Conditions

Description

The site is situated prominently along the main throughroute to Manchester, within Sedgley Park. It currently includes a single storey former Sunday school building at the southerly end of the site and a former church building alongside the northerly boundary. To the front and rear of the site there are two trees subject to a Tree Preservation Order.

The site has two accesses, one from the Queens Road end and one further south next to 74 Bury New Road.

The location is at the northerly end of Sedgley Park District Centre and the surrounding area has a mixture of uses. There is an office block to the north and the police college to the east across Sedgley Park Road. Some residential development occurs immediately to the south with district centre commercial units beyond and a telephone exchange on the opposite side of Bury New Road.

The proposals are to demolish the former church building and to erect a freestanding synagogue incorporating a mikveh (ritual bath) and to extend the southerly building towards Bury New Road for use as the synagogue hall. 3 parking spaces would be provided on the Bury New Road frontage of the site, utilising the existing access into and out from the site and an improved pedestrian access would be created at the rear.

Relevant Planning History

30619 - Change of use of chapel to offices - Refused on grounds of unsuitable access and lack of sufficient information - 25/5/95

43165 - Part demolition of existing church and construction of new synagogue - withdrawn 22/10/04

Publicity

Letters were sent to surrounding properties fronting Bury New Road, Rochester Avenue, Sedgley Park Police Training College and Parkgates. As a result of this publicity, three letters of objection have been received from 2 Queens Drive, 23 and 25 Rochester Avenue, Points raised include -

- A ritual bathhouse with 24 hour access would be inappropriate for a residential area.
- The use would generate on street parking, which would worsen the already difficult parking problems experienced in the area.
- The hours of prayer stated on the forms do not reflect the observations of the objector, who has seen people entering and leaving the premises at both early and late times.
- There may be potential damage to property during demolition.
- There is no need for a further mikveh in the area.
- The scheme would result in the loss of conifers and thus impact upon wildlife.

Consultations

GM Police Architectural Liaison Officer - A secure fence is required around the site. Lockable gates should be provided to the vehicular entry points. All external glazing should be laminated glass. The entrance to the office is not readily visible to passive surveillance.

Borough Engineer

Traffic - No objections subject to the addition of a planning condition requiring the surfacing and demarcating of the car parking space prior to occupation.

Drainage - No objections.

Environmental Health

Contaminated Land - A site survey should be undertaken.

Unitary Development Plan and Policies

HT5/1 Access For Those with Special Needs

EN1/2 Townscape and Built Design

EN1/7 Throughroutes and Gateways

CF1/1 Location of New Community Facilities

EN8/1 Tree Preservation Orders

Issues and Analysis

Principle - The land has been used for religious purposes in the past and essentially, this proposals is seeking to provide a better facility for a similar use. It would be located within its main catchment area and would be readily accessible by most modes of transport. Further, the development would assist in enhancing and diversifying uses within the Sedgley Park District Centre. As such, it is considered that the principle of the development would be acceptable.

Extension to the Sunday School Building - This aspect of the development involves a minor extension to the front (Bury New Road elevation) of the southerly most building. It would incorporate a similar style and materials to the existing building and would be the same height and width of the existing building. The extent of the extension would involve an additional projection of 7.5m. It is considered that this element of the proposals is considered to be acceptable and that it would comply with Policy EN1/2 - Townscape and Built Design.

Trees - The site contains only two trees subject to a preservation order. The proposed footprint of the new building would not be located so close to these trees as to impact upon their structure and there would also be sufficient space to allow for room for further growth. As such, there would be no impact upon the protected trees. The scheme would involve the removal of some conifers along the Queens Drive frontage. However, there is no concern over the loss of these trees.

Design - UDP Policies EN1/2 - Townscape and Built Design and EN1/7 - Throughroutes and Gateways seek to ensure that developments achieve a high standard of design and are appropriate in terms of their relationship to their surrounding context. The scheme proposes a slightly larger building than the existing church on site. Architecturally, the form and function of the building would be clearly reflected in its design by incorporating a parapet roof and elongated fenestration and by providing appropriate massing on this prominent site. The materials proposed would include stone copings to the eaves and around the fenestration, through coloured rendered elevation and a modern single storey entranceway. It is considered that the design of the building would contribute positively to the street scene and to the centre at this prominent location.

Security - In response to the comments raised by the Police, the scheme now proposes a new access door into the synagogue hall from the parking area to the front of the site. This location would benefit from natural surveillance from passers-by on the main road. The site is currently fenced by a high mesh fence along the Queens Road frontage and also by a substantial hedge along Sedgley Park Road. The scheme does not propose to change any

boundary features, but does indicate newly formed pedestrian accesses into the site from Queens Road. No details of this have been submitted, but this can be adequately controlled through the addition of a planning condition.

Parking and Alternate Uses - The scheme would provide for only a very limited amount of car parking provision with spaces for 3 vehicles set in line along the main frontage of the site. These spaces would only cater for the needs of key members of the synagogue and would be similarly laid out to the existing parking arrangements. In comparison, with the provision of about 750 sq m of public floor area the current maximum standard of provision is 150 spaces. However, there is on street parking within the immediate vicinity and the site is located next to main bus routes and would be within easy walking distance of its catchment area. The highest demand upon the synagogue would be on the Sabbath when patrons would not use their vehicles. There would be effectively no parking facilities in association with the synagogue hall, but this reflects the current situation. It is considered that the proposed minimal level of car parking provision is considered to be acceptable for this use.

The view adopted in terms of parking, reflects a special circumstance for this specific use. However, it is possible that changes of use can occur without the need for further planning permission, unless a condition is imposed to prevent this. The concern is that a change of use could occur to, for example, a museum, library, creche or the provision of medical services where car parking demands would be expected to be higher. Given this potential situation, it is considered that a planning condition be imposed to prevent any change of use from the use under consideration here.

Residential Amenity - UDP Policy CF1/1 - Location of New Community Facilities sets out criteria against which new proposals for community use, including places of worship, will be considered. These include impact on residential amenity, traffic generation, the size and scale of the proposals and accessibility. The site is located next to residential properties and the main concern is the possibility of disturbance to residents from late activity at the synagogue hall which is close to houses. If permission is granted this should include a restriction on the hours of use of this building and also a condition restricting uses other than as a place of worship and associated hall.

Disabled Access - UDP Policy HT5/1 - Access for Those with Special Needs encourages the provision of equal access facilities in new developments. The scheme proposes a level access thresholds and disabled parking, with pathways to the entrances. A shallow ramp would be provided to the main entrance of the site thus allowing disabled movement throughout the site. Disabled WCs are also proposed within the building. Disabled access matters would also be considered under Part M of the Building Regulations, which requires all new build developments to provide equal access for all. This development would have to comply with this legislation in addition to the planning considerations. As such the development would comply with the UDP policy.

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:-

The development would contribute positively in all considerations to the Sedgley Park area and would further contribute to the vitality and viability of this District Centre. The proposal would comply with policies of the Unitary Development Plan and there are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered M2023 0.1, 02, 05, 06, 11B, 12A, 15A, 16A and 20, and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
3. Prior to the demolition of the building(s) permitted by this approval, a further survey shall be conducted, and the survey results established as to whether the buildings are utilised by bats. A programme of mitigation shall be carried out in accordance with the recommendations of the submitted bat report. It shall be fully implemented prior to the commencement of the works and the required measures shall remain in situ on the site in perpetuity.
Reason. In order to ensure that no harm is caused to a Protected Species and to enhance the biodiversity of the site.
4. 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 development hereby approved being occupied.
Reason. To ensure adequate off street car parking provision in the interests of road safety.
5. The development hereby approved shall not be commenced unless and until detailed site investigations have been carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this investigation shall be agreed in writing with the Local Planning Authority prior to the commencement of the work. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before the development commences. The development shall then proceed in strict accordance with the measures approved.
Reason. To prevent pollution of the water environment.
6. A minimum of 5 working days written notice shall be provided to the LPA of intended commencement of the development. The notification of commencement shall include a timetabled schedule of the intended tree protection measures and tree works. Any subsequent variation of the timetable shall be subject to further written notice.
Reason - To ensure that the development is carried out in accordance with the approved plans, to protect trees which are of amenity value on the site and pursuant to Policies EN8/1 – Tree Preservation Orders and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
7. No trees subject to a Tree Preservation Order, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before, during or after the construction period without the previous written consent of the Local Planning Authority.
Reason. To avoid the loss of trees which are of amenity value to the area.
8. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:1991 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the

scheme shall continue until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area.

9. A sample panel of render, demonstrating the colour and texture, not less than 1 sq.m in size, shall be erected on site for inspection, and approval in writing, by the Local Planning Authority prior to the commencement of the development. Samples of the roofing materials shall also be made available for inspection on site. Thereafter the development shall be constructed in the approved materials and manner of construction.
Reason. In the interests of visual amenity and to ensure a satisfactory development.
10. 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.
11. Prior to the commencement of development, a scheme to secure a reduction in the level of noise emanating from the property shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme and details only shall be implemented.
Reason - To safeguard the amenities of the occupiers of nearby residential accommodation.
12. The synagogue hall shall not be open outside the hours of 0700hrs to 2300hrs.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation.
13. The premises shall be used for a synagogue use only and for no other purposes, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or as subsequently amended.
Reason. Due to its position, development of this type would not normally be granted consent due to its detrimental effect on the residential amenities enjoyed by nearby residents.
14. Notwithstanding the provisions of the approved plans, details relating to the proposed boundary treatment and entrance gates 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 the security 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: LAND ADJ. 11 WALTER STREET PRESTWICH

Proposal: ERECTION OF ONE DETACHED PROPERTY

Application Ref: 43547

App Type: Full

Statutory Expiry Date: 22 March 2005

Recommendation: Approve with Conditions

Description

The site comprises an area of land some 10m wide by 23.5m deep fronting onto Walter Street in Prestwich. The site is currently occupied by a number of garages, some of which have access from Walter Street with the others having access from the service road off Walter Street on the eastern boundary of the site. The area is wholly residential in character with a mix of detached, semi-detached and terraced property around the site.

The proposed development would involve the demolition of the existing garages and the building of a two storey detached traditional styled residential property fronting onto Walter Street with a double garage being provided in the rear garden accessed from the service road on the eastern boundary of the site.

Relevant Planning History

An application for the erection of 2 semi-detached properties (42387) was refused in May 2004. The refusal was on the following grounds:

1. The proposed building conflicted with the Council's aspect standards in that the two storey end gable was set some 11m from the rear habitable room windows of 39 Harold Street.
2. The layout encroached onto the adopted highway &
3. The visibility at the junction of Walter Street and the service road was inadequate.

Publicity

Two letters of objection have been received. They are from the occupiers of 33 and 39 Harold Street.

The objections are on the following grounds:

1. Loss of garages that are used by nearby residents
2. Loss of sun light on the rear gardens of properties in Harold Street.
3. Building would create a claustrophobic street scene
4. Gable of the proposed building will be too close to the rear habitable room windows of 39 Harold Street.
5. Loss of outlook from 39 Harold Street
6. Inadequate highway layout at junction of Walter Street and the service road.
7. Loss of adopted footpath.
8. Over development of the site.

Consultations

Highways - No objections subject to conditions on the layout of a new footpath, visibility splays and no encroachment on the highway.

Drainage - No objections subject to standard informative's.

Environmental Health - No objections subject to standard conditions and informative's on contaminated land and best practice building.

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
PPG3 PPG3 - Housing

Issues and Analysis

Policy Considerations - The proposed redevelopment of the site for residential use is acceptable within the context of the Unitary Development Plan and Planning Policy Guidance Note 3. The site has to be viewed in the context of UDP Policies H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development.

Policy H1/2 makes it clear that development should be directed towards urban areas and this is the case in this instance.

Policy H2/1 looks at the form of new development and in this instance the design reflects the height of the adjacent properties and complies with the aspect standards of the Council.

Policy H2/2 looks at the car parking provision and access arrangements. In this instance the Highways engineers have examined the scheme and are happy with the access arrangements. The car parking provision of 2 spaces is above that recommended in PPG3 but is acceptable.

Design - the proposed detached property reflects the design of the other properties in the area and is of a suitable massing and scale for the site.

Residential amenity - the proposed building would comply with the aspect standards of the Council. In particular the building would be set some 13m from the rear habitable room windows of 39 Harold Street which is the distance established between two storey gable walls and habitable room windows. The new dwelling would be on the western side of the properties on Harold Street and as such the impact from over shadowing of the gardens will be minimal and will not be of detriment to their residential amenity.

Loss of garages - whilst the loss of the existing lock up garages would potentially result in some additional on street parking, the majority are vacant and the increase in on-street parking that may occur is outweighed by the requirements of PPG3 to make the best use of land within the urban area.

Objections - the loss of garages, the layout of the site and residential amenity objections have been covered above and not considered to be sufficient as to cause a detriment to the residential amenity of the residents of the area. The loss of outlook from the rear of 39 Harold Street is not considered to warrant refusal as the property will be set some 13m from the rear gable of the property which complies with the Council's aspect standards.

Summary of reasons for Recommendation

N051

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

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

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date

of this permission.

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2. This decision relates to the drawings received on 21st February 2005 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development.
4. The development hereby approved shall not be first occupied unless and until the redundant site access off Walter Street and garage accesses on the easterly site boundary have been replaced with a footway of adoptable standards within existing highway limits to the written satisfaction of the Local Planning Authority.
Reason. To ensure good highway design in the interests of road safety.
5. The pedestrian visibility splay achieved by the position of the proposed boundary wall/bin store on the easterly site boundary shall be provided before the dwelling hereby approved is first occupied 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 highway in the interests of road safety.
6. The boundary wall that extends from the front elevation of the proposed dwelling and along the Walter Street site boundary shall not exceed 900mm in height.
Reason. To ensure the intervisibility of the users of the site and the adjacent highway in the interests of road safety.
7. The foundations of the boundary walls shall not encroach under the adjacent highway at any point.
Reason. To ensure good highway design in the interests of road safety and to maintain the integrity of the adopted highway.
8. No development approved by this permission shall 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 and risk assessment should be undertaken 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 satisfaction of the Local Planning Authority.
Reason. To ensure a safe form of development that poses no unacceptable risk of pollution.

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

Location: 14 MOUNTSIDE CRESCENT, PRESTWICH, M25 3JF

Proposal: OUTLINE - RESIDENTIAL DEVELOPMENT 1 DETACHED BUNGALOW

Application Ref: 44144

App Type: Outline Planning Permission

Statutory Expiry Date: 21 April 2005

Recommendation: Approve with Conditions

Description

The outline application proposes to site a detached bungalow on land to the rear of properties on Mountside Crescent, Clough Drive and Sunny Drive. The proposed access point on the eastern boundary runs onto an unmade access track which in turn runs north and south into Mountside Crescent and Sunny Drive respectively.

The land is currently grassed over and forms part of the rear garden of No.14 Mountside Crescent. To the north/east the land slopes up significantly. To the south and east the land slopes down slightly. The boundary with surrounding properties comprises a mix of fencing and shrub planting. A significant feature of the site is a line of conifers in the south east section.

The bungalow would be positioned centrally within the plot and have a footprint of approximately 12m by 8.5m. A single garage would be attached on the south side.

Design, external appearance and landscaping are matters reserved for later approval.

Relevant Planning History

None.

Publicity

Immediate neighbours - Objections from the occupiers of 2, 4 and 6 Sunny Drive and 4 Clough Drive and 4 Mountside Crescent. Concerns relate to the following:

- Availability of access to the rear of surrounding properties.
- Noise.
- The boundary is incorrect.
- There may be a stream passing through the site which could cause flooding.
- Difficult access for emergency vehicles.
- Levels on the site will mean a bungalow will be much more intrusive.
- Drainage difficulties.

Consultations

Borough Engineer (Traffic) - No response to date.

Drainage - No objections.

Unitary Development Plan and Policies

- H1/2 Further Housing Development
- H2/1 The Form of New Residential Development
- H2/2 The Layout of New Residential Development
- H2/6 Garden and Backland Development
- EN1/2 Townscape and Built Design

Issues and Analysis

Principle. The site is clearly a backland plot and therefore the principle of residential development on the site should be assessed, inter alia against UDP policy H2/6 - Garden and Backland Development. This policy states that the Council will not permit proposals which result in the loss of garden or backland for infill development unless such proposals can be shown not to adversely affect the character and amenity of the area. Special regard should be given to;

- the concentration of such development in the surrounding area;
- the relative density of the proposal to that of the surrounding area;
- the impact on neighbouring properties and local environment;
- access arrangements.

Taking each of the above issues in turn, it is not considered that there are many such backland developments in the vicinity. The site is of a significant size and comparable with if not bigger than surrounding plots and therefore density is not considered to be an issue of concern.

The impact on surrounding properties is mitigated by the fact that the proposed unit would be a single storey bungalow rather than a two storey house and due to the distances from the rear elevations of those properties to the proposed bungalow. These have been indicated on the proposed site layout attached to this report and are considered to be acceptable and should not adversely affect amenity. Level differences between the site and houses to the north and north-east further mitigate the impact of the scheme. The position of the garage and turning area close to the entrance to the site should not cause undue disturbance or have an adverse impact on the residential amenity of surrounding properties.

The access is via an established, if unmade track to the rear of existing properties. Whilst not ideal, it is considered that given the existence of a number of garages, used and unused on the lane, the proposed access arrangements are acceptable.

Objections. The concerns of the objectors with regard to rights of access and boundaries are not so much a planning issue as a civil matter.

Records at the Environment Agency do not indicate a stream within the site. With regard to drainage issues raised there are no objections from the Borough Engineer.

It is not considered that the levels on the site would cause the bungalow to be significantly more intrusive than under normal circumstances. If approved a condition relating to the submission of floor levels at the reserved matters stage would be attached to the approval notice.

Residential Amenity. It is not considered that noise generated by activities from the proposed bungalow would seriously affect the amenity of surrounding residents given the distances between properties and layout of the site.

Reason 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 proposed bungalow would comply with the policies listed and would not have a significantly detrimental impact on the character of the area or amenity of surrounding residents. There are no issues that would reduce highway safety. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

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

Reason. Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.
2. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; design and external appearance of the building, 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 Drawing Nos. 302/01, 302/02 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. Details of the existing ground levels, proposed ground levels and the level of proposed floor slabs shall be submitted with the reserved matters application and approved in writing by the Local Planning Authority before any development commences on site. Details which receive the written approval of the Local Planning Authority shall be implemented in full.

Reason: To secure the satisfactory development of the site and the assimilation of the new building into the locality.
5. 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.
6. The landscaping scheme, including all boundary treatment, to form part of the Reserved Matters application shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building 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.
7. Notwithstanding the terms of the General Development Order 1995, or as subsequently amended, no development shall be carried out within the terms of Classes A to C of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.

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

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

Location: TOWER FARM LANDFILL SITE, SANDFORD STREET, RADCLIFFE

Proposal: IMPORTATION OF DRY INERT LANDFILL MATERIAL FROM THE CONSTRUCTION INDUSTRY TO FORM PLAYING FIELDS AND CHANGE OF USE OF LAND FOR RECREATIONAL PURPOSES

Application Ref: 43976

App Type: Full

Statutory Expiry Date: 18 March 2005

Recommendation: Refuse

Description

Background history

The application site, locally known as Radcliffe Ee's, is situated within a large meander in the flood plain of the River Irwell. The site is bounded by the former East Lancashire Paper Mill, existing residential development together with industrial, educational and open land uses such as Close Park to the north and east and River Irwell to the south and west. The site has a long history stretching back over several decades of sand and gravel working followed by tipping/ landfilling.

The latest planning permission (ref. 33590/97) was granted in 1998 for the restoration of the former landfill site together with change of use to a 9 hole golf course, relocation of cricket ground and associated changing and leisure facilities including a car parking area, located off Sandford Street, Radcliffe. To help secure environmental improvements, off site requirements and satisfactory completion of the permitted operations/restoration works within the period allowed in the planning permission, a Section 106 Agreement was completed by the developer.

Since the approved restoration works were not completed within the permitted time period (3 years for tipping operations and 9 months for restoration works including grass seeding and landscaping), in 2001, the developer submitted a further planning application ref. 38240/01 for the variation of Conditions 2 (time limit) and 10 (phased restoration) of the previous permission ref. 33590/97. It was proposed that the remaining restoration works which would require additional imported waste and soil cover materials, would be completed by the end of January 2004.

A survey carried out by the Greater Manchester Geological Unit in July 2003 indicated that the site had been considerably over tipped and a large quantity of surplus waste, over and above what was required to restore the entire site including the Goit area and cricket ground site, was deposited there.

On the basis of the findings of the survey and in order to safeguard the residential amenities of the area, Planning Control Committee at their meeting on 11 November 2003 refused planning permission in respect of the application. To secure cessation of the imported waste and satisfactory restoration of the site, the Committee also resolved to issue Stop and Enforcement Notices in respect of the unauthorised development. These Notices were served on the developer in February 2004. Meanwhile however, the developer lodged an appeal against the Enforcement Notice and the tipping activities were intensified on the site. As a consequence, parts of the site were graded and restored.

In view of the rapid progression of the restoration works on the site and in anticipation of earlier completion of the remaining works, it was considered that the Enforcement action had been effective and instrumental to secure completion of the development. On the basis of these considerations and legal advice, both the Stop Notice and Enforcement Notice were withdrawn in July 2004.

Early in November 2004, the developer informed officers that his company had engaged in a dialogue with the Council's Education Department for the provision of playing fields on the site in connection with a potential school site. In order to facilitate the provision of the anticipated playing fields, the developer indicated that levels of part of the site would have to be raised over and above the approved levels under the original 1998 planning permission ref. 33590/97. Furthermore, he informed officers that works required to raise levels of the site had already commenced. Officers advised the developer to apply retrospectively for planning permission.

Current planning application ref. 43976

The application, which was received on 21 January 2005, seeks planning permission for the formation of playing fields likely to be used in connection with a new school to be located on the adjacent land and change of use of the site for recreational purposes. Since the formation of playing field would result in further raising the levels of the site which would be in variance to the levels approved under planning permission ref. 33590/97, the application seeks to regularise the additional landfilling operations currently being carried out the site. It is proposed that the north-westerly part of the site abutting the goit would be raised to 77.5m (from the original approved levels varying between 65 m to 75m). It is proposed that the landfilling/restoration operations on the site would be completed by June 2005.

Following completion of the landfilling operations, it is proposed that the site would be used for the provision of school playing fields plus recreational facilities such as a quad bike track, all weather pitch and a club house for a local youth club, replacement cricket pitches and a bowling green for the former East Lancashire Paper Mill Site, a facility for a model aeroplane club, a paint ball games site and the creation of informal parkland. No details have been provided about the proposed recreational uses. According to the applicants, a further application would be submitted in this respect.

On completion of these works, it is proposed that the site would be landscaped with extensive native tree planting to complement existing planting on the site.

Relevant Planning History

Planning permission ref. 33590/97 for the restoration of the site and change of use to a 9 hole golf course was granted in 1998 for 3 years.

Planning application ref. 38240/01 for the variation of conditions of the previous permission ref. 33590/97, was refused permission on 11 November 2003.

Publicity

10 individual letters from the residents of the area and one letter from the Headteacher of Radcliffe Hall Primary School, raising objections/concerns to the proposal have been received. The points raised are:

1. Experiencing constant noise from the ever growing number of lorries visiting the site and street cleaning vehicles that drive up and down the street each day. Pot-holes are appearing in the street and when the lorries drive over them, they make a loud noise. People feel they have suffered enough over the years. If this application is approved, please consider re - routing the traffic.
2. Parts of the site are tipped too high. Remove the excessive tipped materials to fill in the lower parts of the site. The lorries queue up every morning in the street. They drop soil, bricks and concrete on the roads in the area.

3. Last year, Bury Council reported that the site was over tipped and operations would cease. The height of the site can be reduced and surplus waste materials evenly distributed over the site without the need to bring more infill.

4. The original three years permission has already been extended to six and half years and this application would extend it further. What kind of recreational activities can be provided on a mountain.

5. The proposed works would result in an increase in traffic flow which in turn would produce more noise and dirt pollution.

6. The developer, NSR, have tipped the site with no regard to the original plans. Bury Council has allowed NSR to overtip the site. As a consequence, the local residents have suffered and continue to suffer from the effects of noise, speeding wagons, lack of road sweeping etc.

7. In February 2004, Stop and Enforcement Notices were served. However, no cessation of of waste was secured.

8. NSR have all the waste on the site they need to raise the levels of the site to accommodate the intended playing fields in connection with a new school. From the application, it is obvious that NSR want to carry on this profitable works for as long as possible and that they have faced no real opposition from Bury Council.

9. Despite a restriction of 10 miles an hour, the tipper wagons speed in and out of the site. This results in noise pollution and causes danger to the nearby nursery and school. There are no wheel washing facilities and mud and debris is deposited on the road.

10. Objection raised to the proposed Model Aeroplane field and Paint Balling.

11. The area is the original centre of Radcliffe with a 12th Century Grade 2 listed church, the Radcliffe Tower and Tithebarn which are surely is under threat with the continuing heavy traffic and the possibility of landslides in very heavy rain.

12. The comments raised by the Headteacher of Radcliffe Hall School are:

1. That lorries times be restricted between 8.30 pm to 9 am and 3.45 and 3.20 pm.

2. That the road is kept free of dirt and grime as to minimise the amount of dust affecting houses, school and children.

3. That the guidelines are adhered to including the time scale for completion this time.

4. The proposed recreational use of the site would be ideal but it needs to be finished sooner rather than later.

Consultations

Environment Agency - No objection subject to conditions requiring submission of a topographical survey of existing ground levels to assess the effects of the development on flood defence/land drainage and planting scheme for River Irwell corridor.

United Utilities - No objection subject the site being drained on a separate system and foul drainage connected into the foul sewer.

Education & Culture Department -

1. Although discussions have taken place between the Local Education Authority and the applicants about the potential to develop school playing fields on part of the site, no

undertaking or commitment has been given to the owners of the site as to the exact requirements for playing fields or indeed the location of playing fields within the site.

2. The LEA has commissioned the risk assessment of the site to assess the composition and any potential contaminants within the site. Until data is available from the risk assessment, it is not possible for the LEA to confirm its requirements.

3. The LEA is concerned about the height of the playing fields and has previously indicated to the owners of the site that the 80 metre contour is too high. Due to the significant differential that would be created with the school which would adjoin the site at 65 metres, the LEA still remains concerned about the proposed height of the playing fields at 75.5 metres and 77.5 metres levels.

4. The LEA believes that the application is premature and that in the absence of the risk assessment data, the LEA is unable to confirm its support for the application at this time.

Environmental Health - recommends that the application be refused for the following reasons.

1. The application site has a long history of landfilling with controlled wastes including domestic, commercial, sludge and paper wastes. Due to the history of the site and proposed end uses including grassed playing fields, quad biking, model airfield etc, there is a significant potential for statutory Contaminated Land to be created, if not already in existence.

2. The application does not provide sufficient details to consider risk to the users of the proposed activities and wider environment from contamination. The application and supporting documents do not therefore provide sufficient information to enable a robust and comprehensive assessment of the proposals. In addition, little information with regard to site investigation, risk assessment and geotechnical feasibility, has been provided in the application.

Borough Engineer - Response awaited

Unitary Development Plan and Policies

MW3	Waste Disposal Facilities
MW3/1	Derelict or Degraded Land (Waste)
MW4	Environmental Considerations for Waste Disposal Sites
MW4/1	Assessing Waste Disposal Proposals
MW4/2	Development Control Conditions (Waste)
MW4/4	Transport Routes for Waste Disposal Sites
MW4/5	Land Contamination
MW4/6	Standards of Restoration (Waste)
OL1/2	New Buildings in the Green Belt
OL5	River Valleys
OL5/2	Development in River Valleys
EN6/4	Wildlife Links and Corridors
RT4/5	Special Tourism and Leisure Provision
RT3	Recreation in the Countryside
RT3/1	Protection of Existing Recreation Prov in the Countryside
RT3/2	Additional Provision for Recreation in the Countryside
PPG23	PPS 23 - Planning and Pollution Control

Issues and Analysis

Despite the commencement of the tipping operations at the above site in 1998 and importation of a considerable quantity of waste materials, no part of the site was satisfactorily restored until the issuing of Stop Notice and Enforcement Notice in February 2004. Prior to this, the waste materials were stockpiled on different parts of the site and majority of the tipped materials required spreading, regrading and levelling. Following the

service of the Notices, however, the landfilling activities were intensified and parts of the site were graded and levelled. In view of the progression of the restoration works on the site, it was anticipated that the restoration of the site would be completed soon. To date, approximately 60% of the site has either been restored or graded to final levels.

Although no formal undertaking was given by the LEA to the owners of the site with regard to either the requirements for the school playing fields or their location, tipping operations to raise levels of the western parts of the site ostensibly to accommodate the playing fields commenced in November 2004. According to the planning application, part of the site, approximately 300m x 120m, would be affected and its level would be raised between 1m to 6m over and above the approved levels under the original planning permission. This would result in the deposition of approximately 112,000 cubic metres of additional waste materials which, according to the applicants, form part of the originally approved volume and were required to raise levels of the north - easterly part of the site. According to the application, no tipping would occur on the north-easterly part of the site with a view to provide additional tipping on the playing fields site.

Planning Policy Statement 23 sets out requirements for developments on land that may be contaminated. The Policy requires the developer to provide sufficient information in the planning applications to satisfy the local planning authority that the potential for contamination and any existing or emergency risks have been properly addressed.

The application does not provide sufficient information to consider risk to the users of the proposed activities and wider environment from contamination. Until a risk assessment of the site is carried out and data is available, the application could not be supported. No information has been provided in the application with regard to the long term monitoring and control of leachate and landfill gas or enhancement of Radcliffe Tower Ancient monument.

It appears that the requirement for the provision of the school playing fields on the application site is uncertain and the application is premature. The LEA has expressed concerns about the proposed height of the playing fields. The deposition of waste materials to raise further levels of the site to provide school playing fields is therefore unnecessary and unauthorised. If allowed, these activities would result in the unnecessary importation of waste materials to the site and which would cause further environmental problems by way of disturbance, noise, pollution etc for the residents of the area. A survey carried out in July 2003 indicated that the site was over tipped and a large quantity of surplus waste was available to restore the site. It is therefore recommended that the application be refused planning permission and necessary enforcement proceedings be instigated to secure cessation of further importation of waste and completion of the restoration including landscaping works.

Recommendation: Refuse

Conditions/ Reasons

1. The site is already over tipped with a substantial quantity of surplus waste available for disposal and the proposal would result in the further intensification of tipping operations. This would result in an unsatisfactory form of development without adequate leachate and landfill gas control measures in place and would have an unacceptably detrimental effect on the local environment. The proposal, therefore, conflicts with the following policies of the Bury Unitary Development Plan and Government Guidance:

MW4 - Environmental Considerations for Waste Disposal Sites

MW4/1 - Assessing Waste Disposal Proposals

MW4/2 - Development Control Conditions (Waste)

MW4/5 - Land Contamination

MW4/6 - Standard of Restoration (Waste)
RT3/2 - Additional Provision for Recreation in the Countryside
RT3/2/8 - Radcliffe Ee's Area
EN9 - Landscape
EN6/4 - Wildlife Links and Corridors
PPS 23- Planning and Pollution

2. The proposal to prolong landfill operations further, including the associated vehicular movements, would have a seriously detrimental effect on the residential amenities of nearby dwellings due to the associated noise, fumes, dust, vibration and general nuisance. The development, therefore, conflicts with the following policies of the Bury Unitary Development Plan and Government Guidance:

MW4 - Environmental Considerations for Waste Disposal Sites
MW4/1 - Assessing Waste Disposal Proposals
EN7 - Pollution Control
EN7/2 - Noise Pollution
PPS23 - Planning and Pollution

3. The application and submitted plans contain insufficient information concerning risk assessment of the site to enable them to be properly assessed in respect of the proposed development. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan and Government Guidance:
MW4/1 - Assessing Waste Disposal Proposals
MW4/5 - Land Contamination
PPS 23 - Planning and Pollution

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

Location: LAND ADJOINING RADCLIFFE CEMETERY, CEMETERY ROAD, RADCLIFFE, M26 0EU

Proposal: EXTENSION TO CEMETERY, ERECTION OF CREMATORIUM & ASSOCIATED CAR PARK, LANDSCAPING & HIGHWAY WORKS TO CEMETERY ROAD

Application Ref: 44127

App Type: Full

Statutory Expiry Date: 21 April 2005

Recommendation: Minded to Approve

Minded to approve subject to referral of the application to the Secretary of State as a departure from the development plan.

Description

The site for the crematorium and cemetery extension consists of a square shaped open field of 2.7ha situated in the Green Belt immediately to the north east of Radcliffe Cemetery. There is open farmland on three sides with the other boundary being the back of the cemetery. Immediately to the north-west there is group of ponds contained within the Black Lane SBI. The application area also includes the cemetery itself and the north-easterly section of Cemetery Road through which there would be access to the development.

Outline planning permission was granted for a crematorium and cemetery extension on the site in 1997 and the associated reserved matters approval expired in October last year. This has necessitated the submission of the current application. With regard to the crematorium the proposals are not identical to the previously approved details but are a scaled down version. However, it was previously agreed that the reduced version could be treated as a variation to the approved scheme without the need to obtain a fresh planning permission but the passing of the time limit on the consent has now led to the formal submission of the reduced scheme for planning permission.

The application is full planning permission. As previously, the submitted details of the crematorium show a building complex that would occupy only a small proportion of the overall site. The surrounding extensive area would accommodate car parking (87 spaces), vehicle circulation areas but with the majority of the land being laid out as a garden of remembrance, general landscaping and nature conservation area.

The building complex would, as previously, be of a traditional single storey design with dominant pitched roofs. Ridge heights would vary between 4.9m and 7.9m. The brick flue would reach 10.5m above ground level.

Access to the development would be as, at present, to the Cemetery via Greenbank Road and the north-easterly section Cemetery Road. The other section of Cemetery Road south-west of Greenbank Road would remain closed to vehicular traffic before the junction with Greenbank Road and thus cemetery and crematorium traffic would not be able to gain access from this direction. The capacity of the top section of Cemetery Road would be improved by a 0.8m widening of the carriageway on the southeasterly side. A new 1.8m wide footway would be created on the opposite side where, at present, there is a grass verge. The access improvements to Cemetery Road forming part of the application are the same as those previously approved.

The cemetery extension would involve a narrow rectangle of land situated alongside the crematorium side and also directly behind the back boundary of the cemetery.

The application is accompanied by a report from an ecological consultant concerning mitigation for the presence of great crested newts and a transportation assessment

Relevant Planning History

30737/96 - Extension to cemetery and erection of crematorium. Approved on 13th March 1997.

35871/99 - Renewal of 31737/96. Withdrawn.

37286/00 - Crematorium and alterations to Cemetery Road. Refused on 17th September 2001 for reasons of conflict with Green Belt and the intensified use of surrounding inadequate roads being detrimental to highway safety and residential amenity.

38510/01 - Variation of time limit condition of outline planning permission 31737/96 to allow submission of reserved matters by 13 March 2002. Refused on 25th January 2002 for the reasons that increased traffic on Cemetery Road would be detrimental to residential amenity with significant residential development having taken place since the outline consent was granted and intensified use of surrounding inadequate roads would be detrimental to highway safety. Also, the increase in through traffic and its nature would interfere with the human rights of persons living in the residential development. An appeal was withdrawn.

38823/02 - Variation of time limit condition of outline planning permission 31737/96 to allow 6 months for the submission of reserved matters. Approved on 15th March 2002.

39621/02 - Approval of reserved matters for erection of crematorium. Approved on 23rd October 2002.

Publicity

589 individual notification letters have been sent to local occupiers and a site notice has been displayed. Letters of objection have been received from 21 addresses in Sycamore Drive, Meadowside Close, Meadowcroft, Greenbank Road, Greenhill Road (Bury), Bridgemere Close and Withins Lane. The main concerns raised include:

- Not a suitable development in a large residential area full of young children.
- Would result in a fall in house prices.
- Disruption to the cemetery due to building works would be disrespectful and upsetting to persons with family graves.
- Would cause immense disruption, noise and upset to local residents.
- The benefit would be a financial one for the applicant.
- The larger Bury Cemetery would be a better site.
- Cemetery Road would be unable to cope with the additional traffic and there would be an additional accident risk in the area.
- The crematorium poses a health and safety risk to local residents due to air pollution.
- Additional funeral corteges would cause additional inconvenience and disruption to local traffic.
- Trees in Cemetery Road could be destroyed or damaged.
- The crematorium in Bolton and others nearby mean that the need for crematorium in Bury is questionable.
- The Council should not have granted planning permission for housing development knowing that the application was in the pipeline.
- Loss of privacy to 2 Meadowside Close by pedestrians being brought right next to the boundary and local youths being encouraged to loiter next to the garden wall.
- Unwelcome loss of locally scarce green land.
- A similar proposal was refused by Conwy Council in accordance with officer advice due to its impact on the character and appearance of the area, affect on residential amenity and potential impact on traffic.
- There would be undue encroachment into the Green Belt.
- The traffic assessment is based on an out of date traffic survey and relies on cherry picked data.

- On street parking effectively narrows Greenbank Road and the traffic associated with the development would cause severe congestion due to slow moving funeral convoys.
- Disruption to the area and danger to children caused by construction traffic.
- The scheme would undo some of the benefits of the environmental improvements that the Council has carried out at the side of Greenbank Road

Consultations

Borough Engineer - Highways: Condition required to ensure that the approved highway works would be carried out prior to occupation. Drainage: Details of foul and surface water aspects to be approved prior to work commencing.

Environmental Health - They have received an assessment report of the likely impact of the cremation facility in relation to the Government's Local Air Quality objectives and they have concluded that the facility is unlikely to lead to any significant increases in relation to the Local Air Quality Objectives.

Transco - No objections.

Commonwealth Graves Commission - Response awaited.

United Utilities - No objections.

GMEU - Any planning permission should require the implementation of the submitted new mitigation package in full and under a Defra licence.

GMP Architectural Liaison - Recommend amendments to design details to render the development less vulnerable to criminal attack.

GM Archaeological Unit - Response awaited.

Unitary Development Plan and Policies

OL1/2	New Buildings in the Green Belt
EN1/6	Public Art
EN3/1	Impact of Development on Archaeological Sites
EN3/2	Development Affecting Archaeological Sites
EN6/1	Sites of Nature Conservation Interest SSSI's NNR's
EN7/1	Atmospheric Pollution
EN8	Woodland and Trees
OL4/2	Protection of Farm Holdings
HT4	New Development

Issues and Analysis

Principle - Whilst the cemetery extension is appropriate development in the Green Belt, this is not the case with the crematorium and, in accordance with the justification to Policy OL1/2, it needs to be demonstrated that there are "very special circumstances" to justify the granting of planning permission for such inappropriate development in terms of Green Belt policy. Furthermore, "very special circumstances" to justify inappropriate development will not exist unless the harm by reason of inappropriateness is clearly outweighed by other circumstances.

At the time of the original outline consent the site was also within the Green Belt and the applicant put forward a planning case to justify proposal. The "very special circumstances", in this instance, were the need for the crematorium facility and the lack of other suitable locations. The Borough lacks a crematorium with the majority of the deceased being cremated in neighbouring Boroughs. Although these facilities can cope with Bury's deceased the quality of service is lower than could be expected. Time at crematoria is limited with corteges queuing, waiting for the chapel to be vacated which affects the dignity of the occasion. There is little opportunity for a memorial at neighbouring cremation sites and the travel involved to neighbouring crematoria is very often difficult for elderly relatives.

In terms of alternative locations, the only site available for expansion next to an existing cemetery is this one in Radcliffe, with other cemeteries being surrounded by housing and unable to provide the necessary prescribed distance from residential accommodation or being in areas where open land or Green Belt policies apply, as here. The UDP does not allocate land for future cemetery use or for a crematorium. With other types of sites difficulties have been encountered as they are largely restricted to industrial or agricultural areas with the former offering unsuitable surroundings and the latter equally affected by Green Belt status.

The "very special circumstances" that helped to justify the grant of planning permission originally still exist. The development would involve buildings with a relatively low profile that, together with the associated car parking and roadways, would occupy a relatively small proportion of the site and the impact of which would be softened by landscaping. It is considered that the physical impact of the development on the openness of the Green Belt would not be such as to outweigh the issue of "very special circumstances".

Given the situation of this being inappropriate development within the Green Belt and also involving the Council's land if the Committee are minded that the application should be approved it would need to be referred to the Secretary of State as a departure from the development plan.

A cemetery is a type of development that is acceptable within the Green Belt and this would apply to the proposed cemetery extension.

Design and Appearance - The submitted details show a low profile building complex of a traditional brick built design and enhanced with landscaped surroundings. The development would be of a high quality design and fully appropriate to its special function.

Means of Access - The scheme involves the same details of means of access as the previous approval, including the widening of the carriageway on the affected section of Cemetery Road and the provision of a new footways on both sides. The proposals are supported by a transport assessment and the traffic data from late 2001, revised for the original opening year of 2002 and a 15 year design year (2017) is considered to be still sufficiently robust. The access scheme is, as before, acceptable to the Borough Engineer. It should be noted that the scheme does not involve the reopening of the junction of Cemetery Road on the south side of Greenbank Road and that funeral vehicles and visitors to the crematorium would follow the same route as those going to the cemetery.

Ecology - The circumstances with regard to the adjacent SBI and the presence of great crested newts, a protected species, within and around the ponds, has altered since the previous approvals but only in that the SBI has changed to incorporate a 50m buffer zone. This would, as a result, lead to the loss of a 5m strip within the SBI. This is not, in itself, considered to be an issue as reducing such a generous buffer zone would not have a significant impact. Also, a nature conservation area would be created along the north westerly section of the crematorium area nearest the SBI and is important for the boundary between this area and the active part of the site should be treated in an appropriate manner to protect the conservation habitat but also in a visually acceptable way and this should be the subject of a suitable condition.

The same ecological as forming part of the the previous consent also accompanies the application. This covers matters concerning the great crested newts and the predicted impact of the development on them and the methods for their conservation and habitat enhancement. Any planning permission should include a condition requiring the carrying out of the newt mitigation package contained in the report.

Residential Amenity - An issue raised by some residents is their concern due to additional funeral processions passing through a residential area, including the feeling of distress due to being constantly confronted by funeral traffic and the knowledge as to the nature of the

crematorium development being nearby. Whilst this is a planning consideration, it is not considered to have substantial weight compared, for instance, with the issue of need for the facility.

Air Pollution - An air quality screening assessment has already been received by Environmental Health who feel satisfied that the facility is unlikely to lead to any significant increases in relation to Local Air Quality Objectives. The cremation process is the subject of prescribed regulations involving close monitoring and control through a licensing system and these licensing controls over the emissions would be sufficient to deal with this aspect. It would not be necessary to duplicate these controls through planning conditions.

Trees - The widening and footway works along Cemetery Road would come close to existing trees. The application confirms that it is not intended to remove any trees and this is possible if reasonable care is taken to avoid or minimise damage to tree roots. Therefore, appropriate tree protection conditions should be attached to any consent.

Public Art - The scheme would be a significant development accessed by the general public and there is a need to ensure, in accordance with Policy EN1/6, that there is provision within the scheme of an element of public artwork. The nature of the development lends itself to the incorporation of a public art feature as an integral part of the scheme.

War Graves - There are three war graves within the cemetery close to its back boundary and thus near the proposed entrance point for the crematorium. These appear to be not affected but the Commonwealth War Graves Commission has been consulted and its response is awaited.

Disabled Access and Secure Design Aspects - Issues of detail raised by BADDAC and GIMP Architectural Liaison have been raised with the agent and the response will be reported.

Archaeology - In regard to the previous consent GMAU was concerned that some important architectural features have been discovered on adjacent land and a condition was imposed requiring compliance with PPG 16 Archeology and Planning and trial trenching to be carried out. The Unit has been consulted about this application and its response is awaited.

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;-

There are no other material considerations that outweigh this finding.

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

Although the crematorium would involve inappropriate development in the Green Belt, the need for the facility in the Borough and lack of suitable alternative sites are very special circumstances that serve to justify the development and these circumstances are not outweighed by the impact of the development on the openness of the Green Belt. Highway improvements would render the means of access acceptable and the proposal involves measures to mitigate the impact on ecological concerns. Air quality issues would be the subject of strict controls under separate legislation and the development does not raise concerns in regard to Local Air Quality Objectives. The development would not have a materially significant impact on the amenity of local residential properties. 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. 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.
3. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date 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.
4. No development shall take place unless and until details of foul and surface water drainage aspects have been submitted to and approved by the Local Planning Authority.
Reason: The application contains insufficient information regarding the disposal of foul and surface water from the proposed development to be properly assessed at this stage.
5. No trees 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.
6. All highway construction activity shall be strictly limited to the carriageway of Cemetery Road plus widening area and the proposed footway areas shown hatched and cross hatched on plan no. HS297/005 rev A.
Reason: To avoid the loss of trees that are of amenity value to the area.
7. All works to existing trees shall be carried out strictly in accordance with BS 3998 'Recommendations for Tree Work' and BS 5873 'Guide for Trees in Relation to Construction'.
Reason: To avoid the loss of trees that are of amenity value to the area.
8. All works around trees shall be carried out by hand digging. Roots greater than 25mm diameter shall be retained where possible and damage to bark shall be avoided at all times. Any exposed tree roots shall be kept moist and soil compaction shall be kept to a minimum. The backfilling of excavated areas around trees shall be completed within 24 hours of excavation.
Reason: To avoid the loss of trees that are of amenity value to the area.
9. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:1991 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area.
10. No development shall take place unless and until a design scheme to provide an integral artwork feature as a focal point of the garden of remembrance has been

submitted to and approved in writing by the Local Planning Authority. This artwork element shall be in accordance with Policy EN1/6 of the Bury Unitary Development Plan and the associated supplementary planning guidance Development Control Policy Guidance Note 4 - Per Cent for Public Art. The approved artwork feature shall be implemented to the satisfaction of the Local Planning Authority prior to the crematorium coming into operation.

Reason: In order to create a visual enhancement of the development.

11. The package of measures to mitigate the potential impact of the development on great crested newts shall be carried out fully in accordance with the details submitted within the report "Radcliffe Crematorium, Land Adjacent Radcliffe Cemetery, Cemetery Road, Radcliffe, Bury District, Grater Manchester. Assessment of Population Size and Habitat Usage by Great Crested Newts, Predicted Impacts Upon Great Crested Newts, Methods to Conserve and Enhance Great Crested Newts" by Dave Bentley BSc Wetland Ecologist, dated July 2001, other than the references in paragraphs 9.17 and 9.35 to construction crew handling amphibians. The identification and handling of Great Crested Newts shall only be carried out by an appropriately licenced amphibian ecologist.

Reason: In order to ensure that the impact of the development on Great Crested Newts, a protected species, is adequately mitigated.

12. No work or development shall take place until full details of the treatment of the boundary between the Nature Conservation Area and the Crematorium have been approved in writing by the Local Planning Authority. The boundary in question shall be treated in accordance with the approved details within 12 months of the commencement of the development works.

Reason: In order that the Nature Conservation Area of the site remains protected from the development.

13. The development hereby approved shall not be brought into use unless and until the highway works on approved plan reference HS297/005 Rev. A have been completed to the written satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety.

14. This decision relates to drawings numbered HS297/005 Rev A, 98805/1a, 1049:03 Rev B, 1049.01, 1049.02 and location plan received on 24th February 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.

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

Location: LAND OFF AINSWORTH ROAD/SNAPE STREET RADCLIFFE

Proposal: RESIDENTIAL DEVELOPMENT - 12 NO. SEMI-DETACHED HOUSES, 9 APARTMENTS, ACCESS & PARKING, PUMPING STATION, WILDLIFE LINK & IMPROVED ACCESS FOR PEDESTRIANS & CYCLISTS

Application Ref: 44105

App Type: Full

Statutory Expiry Date: 14 April 2005

Recommendation: Minded to Approve

This application is Minded to Approve subject to the completion of a s.106 Agreement for the provision of off site recreation provision and public art.

Description

The application site is a former railway line, which has been infilled in recent times. The site is surrounded by housing on both sides of the line, with many different forms of boundary treatments to the rear of neighbouring properties.

There is no direct access presently to the site from adjoining main roads.

The site is lower in level to Lever Street, Snape Street and Ainsworth Road, has been fly tipped and there are a number of poor quality self seeded trees within the site.

The application is seeking planning permission for the erection of 12 two storey semi detached houses and a three storey block of 9 apartments. Access to the site would be gained from Snape Street. The apartment block would be sited towards the Ainsworth Road/Lever Street part of the site, whilst the dwellings would adopt a linear form in a north westerly direction. The scheme would incorporate a footway/cycle path connecting the westerly cycle route into Ainsworth Road, opposite the junction of Greenbank Road with Ainsworth Road.

Relevant Planning History

14881/83 - Infilling with hardcore - Refused - 24/11/83

22044/88 - Landfilling and formation of access to housing development and removal of mining waste - Approved - 12/1/89

22451 - Access road - Approved - 25/5/89

Publicity

The development has been advertised in the local press and by site notices on 22 February 2005. Direct letters have been sent to neighbouring properties including Salisbury Road, Lever Street, Ainsworth Road and St Andrews School.

As a result of this publicity, 7 letters of objection have been received from 301, 303, 313B, 315B and 317B Ainsworth Road, 311 and 328 Lever Street. Points of concern include -

- The streets in the vicinity of the proposed access are heavily congested and with cars parked within these streets, particularly at peak school drop off and pick up times.
- There would be overlooking from the new apartments.
- A pumping station is proposed, which may be noisy.
- Concerns are raised over the new pedestrian footway near to the apartment block as it may cause disturbance from users and juveniles.

- The land next to the footway to the north of 317b should be planted and landscaped.
- The apartment block should be 2 storeys high and not 3 in line with surrounding properties.
- Lever Street should not be used for construction traffic.

Councillor T Chamberlain has concerns regarding the additional congestion that may arise from the development in the vicinity of St Andrews School and the extent of potential overlooking.

Consultations

Borough Engineer

Traffic - The access has been amended to reflect the requirements of the Borough Engineer. Any further comments shall be reported.

Drainage - No objections subject to conditions requiring details of surface water drainage being approved.

Environmental Health

Contaminated Land - No objections in principle subject to the submission of a remediation strategy.

Greater Manchester Police Architectural Liaison

No objections in principle subject to fencing being of appropriate heights, enhanced standards of glazing, dual access into the apartment block and the marking out of personalised car parking spaces for the flats.

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
EN1/2	Townscape and Built Design
RT2/2	Recreation Provision in New Housing Development
RT3/4	Recreational Routes
SPD1	Development Control Policy Guidance Note 1: Rec Prov
SPD4	Development Control Policy Guidance Note 4: Art
HT6/1	Pedestrian and Cyclist Movement

Issues and Analysis

Principle - The site has been tipped and, therefore developed in its past and would thus qualify as a brownfield site. Planning Policy Guidance Note 3 - Housing advocates a density for such sites to be between 30 and 50 dwellings per hectare. This proposal indicates 42 dwellings per hectare, which is within National guidance. The site is surrounded by housing and as such, it is considered that the redevelopment of the land for housing is an appropriate one.

Design, Layout and Access - UDP Policies EN1/2 - Townscape and Built Environment, H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development and H2/2 - Layout of New Residential Development require good standards of design, appropriate access arrangements, density, aspect distances, safety and security and context to be considered within all new residential schemes.

The layout of the site is driven by the available land within the scheme, which has resulted in a linear form. The scheme proposes semi detached dwellings extending along the former railway line, with an access road to the northerly boundary. The houses would be traditional in their form, would be 2 storeys in height, but would contain cedar boarded panelling within the main elevation. The composition would provide an interesting and modern element to the properties. This same theme would be reflect within the apartment block.

Although the apartment block would be three storeys in height, it would be surrounded by

traditional older properties the height of the apartment block would assimilate appropriately with the heights of the immediate buildings surrounding it. The levels of the apartment block would be slightly lower in level to the properties on Lever Street and Snape Street by 0.3m, which would also help to ease the building into the surrounding context.

The siting of the apartment block has been amended due to concerns raised by nearby residents and the Local Planning Authority in terms of overlooking. It would still front onto Snape Street but would not overlook any main aspects of existing properties, including those properties at the end of Lever Street. Separation distances from all the new properties within the development to existing properties would comply with Council aspirations.

The details relating to the landscaping of the site have not been submitted in detail at this stage. Despite this, the plans do indicate that new boundary fencing would be erected around and within the site and that the roadway and area adjacent to 317b Ainsworth Road would be landscaped. A planning condition can be imposed to secure these details.

The access in its proposed location would provide the most appropriate means of entry into the site, with optimal visibility to maintain good levels of highway safety. The scheme can readily incorporate traffic calming qualities within the layout, many of which would be naturally presented by the form and levels of the site in relation to the surrounding streets. The Borough Engineer has worked closely with the developer to reflect the concerns in terms of traffic movements and congestion in the area and it is considered that the scheme would meet good standards of design. It is also considered that the scheme would not add too significantly to traffic within the immediate area.

Cycle Way/Footpath - The site contains an allocated cycle route and walkway as identified within Policy RT3/3 – Access into the Countryside. This policy states that the Council will seek to improve and extend opportunities for all to gain access to the countryside, by creating opportunities for such provision within development opportunities. The proposed scheme incorporates the footway/cycle route and provides a connection to the Ainsworth Road/Greenbank Road junction, where the route continues. The route would use the main roadway and would benefit from passive surveillance from within the development. As such it is considered that the development would comply with the policy.

Recreational Provision – UDP Policy RT2/2 – Recreational Provision within New Residential Developments, sets out the means by which new residential schemes should provide for recreational space. In this proposal, the level of development is such that it is not specifically required to provide open space within the site itself. The policy allows for a commuted sum to be made to provide for nearby off site recreational provision. In this instance, the developer would enter into a s.106 legal agreement with the Council, to provide a commuted sum for the provision of off-site recreational provision. For 9 apartments the commuted sum would be £3297.24 and for the semi-detached properties £9410.04.

Per Cent for Art – UDP Policy EN1/6 – Public Art seeks to improve the level of public art within the Borough through contributions made through development proposals. The basis for the calculation rests upon the provision of a commuted sum or on site provision, the cost of which would be equal to 1% of the capital costs of the development. Within this scheme, the capital costs would be £1.3m, as such, the developer would be required to provide £13,000, which would be secured through a s.106 legal agreement with the Council, to provide a commuted sum for the provision artwork within the general area through Per Cent for Public Art.

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:-

The development would be a significant improvement upon a derelict site within this urban

area. The development would comply with adopted policies of the Bury U*nitary Development Plan and 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. 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.
3. 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.
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. A landscaping scheme, including all hardlandscaping materials to be used within the development, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity.
6. This decision relates to drawings numbered AL(0)01B, AL(0)02E, AL(0)03B, AL(0)05A, AS(0)01, AS(0)02, 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.
7. No development approved by this permission shall be commenced until details of the existing and proposed floor levels have been submitted and approved by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved details.
Reason- To ensure that the development properly reflects the levels indicated on

the submitted plans.

8. Prior to the commencement of development, details relating to the proposed boundary treatment for the site 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.
9. No development shall commence unless and until details relating to the treatment of surface water drainage and the sproposed pumping station including the design of the housing and specification of the pumps to be used have been submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented.
Reason - To secure the satisfactory drainage of the site.

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

Location: BREIGHTMET GOLF CLUB RED BRIDGE BOLTON BL2 5PA

Proposal: SITE FOR TWO 6096 X 2500 X 2900 HIGH STEEL STORAGE CONTAINERS & RE-SITE OF EXISTING CONTAINERS

Application Ref: 44159

App Type: Full

Statutory Expiry Date: 22 April 2005

Recommendation: Approve with Conditions

Description

The site is an existing compound used by the greenkeeper at Brightmet Golf Club. The course is partly in Bury and partly in Bolton where the clubhouse is situated. The compound is accessed by an unmade lane from Bury Old Road which also serves a small group of houses. There is a palisade fence to the boundary with the lane and leylandii to the eastern boundary with the golf course.

The compound contains a permanent building and 4 steel containers. It is proposed to site two additional containers within the compound.

Relevant Planning History

36766/00 - Extension of golf course approved in July 2002.

38694/02 - Siting of 3 containers in compound approved in March 2002.

Publicity

Neighbours have been notified. A letter has been received from the residents of 3 and 11 Bury Old Road. Points raised include the following:-

- They claim that there has been a breach of an agreement understood that any heavy equipment related to the golf course extension would gain access via Arthur Lane.
- The compound is already an eyesore.
- There is disturbance from alarms and other noise nuisance with early morning working.
- Large vehicles access the compound past the cottages causing danger to residents including children.
- Vehicles have to reverse down the track damaging property and causing problems at the junction with the road.
- Existing drainage problems will be made worse with vehicles driving over the communal drains.
- They claim that 4 containers rather than three were positioned following the earlier planning application. (plans accompanying this application showed that one container was already in position).
- Drainage and electrical connections are said not to meet regulations.
- The site is not thought to be a suitable for 7 containers and they should be sited elsewhere.
-

Consultations

Borough Engineer - No objection on highways or drainage grounds.

Bolton MBC - Comments awaited.

Unitary Development Plan and Policies

OL1/2 New Buildings in the Green Belt

Issues and Analysis

The site is in the Green Belt but is in a dip and screened by existing vegetation. The additional containers will be partially screened by existing containers and will make little difference to the appearance of the site. Where they are to be sited they will not be readily visible from objector's dwellings and would not add to problems of noise or disturbance. The additional containers are required for outdoor sport and recreation and will not harm the openness of the Green Belt. The Borough Engineer considers the access to be adequate.

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;- The proposed containers will not harm the openness of the Green Belt nor adversely affect the residential amenities of occupiers of neighbouring property. 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 329/1 and 329/2 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.

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

Location: 1-2 STAND LODGE, STAND LANE, RADCLIFFE, M26 1JP

Proposal: LISTED BUILDING CONSENT - IMPROVEMENTS & EXTENSION OF BUILDING FOR CONVERSION INTO 11 APARTMENTS

Application Ref: 43995

App Type: Listed Building Consent

Statutory Expiry Date: 24 March 2005

Recommendation: Approve with Conditions

Description

Stand Lodge is a Grade II Listed Building that was originally built around the end of the 18th century. It is a two storey red/brown brick and slate former residence consisting of a 6 bay east wing and a 2 bay west wing. The east wing was refronted when the west wing was built c1850. The east wing has suffered from alterations and additions over the last decade or so, though its front and side elevations retain much of their basic 19th century character. These elevations are capable of significant restoration via simple and sympathetic alterations to windows and doors. The rear elevation of the east wing is much altered removing or hiding most of the early architectural features. The west wing is reasonably well preserved. Overall the site associated with the east wing has become unkempt and adds to the near derelict appearance of the land. There are some internal features within the building that are of architectural merit. It is understood that some damage has taken place through vandalism and that there has been recent ingress of water into part of the east wing.

The proposal is for the refurbishment of the existing Listed Building and the construction of a two storey rear extension, together with associated landscaping.

Relevant Planning History

In 1989 consent was granted for a change of use of the property from residential to a Residential Care Home (C/22461/89). Various subsequent approvals have been granted for various alterations to the Care Home. In 2002 permission was refused for a change of use from a Nursing Home to a dwelling house (39517/02) on the grounds of insufficient information being provided to allow the application to be properly assessed. An application was submitted in October 2003 for an almost identical development to the current submission, and this was withdrawn by the applicant to allow further negotiations with the Council and neighbours.

Publicity

The application has been advertised in the press and on site in accordance with the legislative requirements, and neighbours have been notified.

To date objections have been received from 4 neighbours, 3 and 3a Stand Lodge, 20 Andrew Close and 175a Stand Lane.

The objections can be summarised as follows:

1. Inaccuracy of plans both existing and proposed.
2. Inaccuracy in TPO drawings.
3. No management statement about the future maintenance of the communal areas.
4. Massing of proposed rear extension is too large.
5. Scale of development is out of character with the Listed Status of the Building.
6. Loss of trees covered by the TPO will affect the setting of the Listed Building.
7. Over development of the site will affect the character and setting of the Listed Building.

Consultations

Conservation Officer - no objections in principal subject to minor amendments to the design and the use of conditions for the approval of details and materials to be used on the site.

Unitary Development Plan and Policies

EN2/3 Listed Buildings

EN8/1 Tree Preservation Orders

Issues and Analysis

The main building is in a state of disrepair and the later additions to the rear elevation when the building as used as a Residential Care Home have detracted from the appearance of the property when viewed from Stand Lane. The main details submitted showing the existing fabric have paid due regard to the character of the building and are acceptable in principal. The extension to the rear, whilst substantial, is seen in the context of the rear of the building which is currently its most unsatisfactory elevation. The extension will be set at a lower finished floor level than the existing building and the wall fronting Stand Lane will be inset from that of the existing building. Consequently, the new extension would not adversely impact of the setting of the Listed Buildings least important aspect. The extension reflects some of the character of the main building and the general detailing is considered to be appropriate to the site.

The current building is surrounded by a number of mature trees that are the subject of a TPO. Unfortunately, many of these trees block important views onto the building and have damaged the boundary walls which now need repair. Consequently, the proposed landscape scheme, with new boundary treatment, the loss of some TPO trees and new planting, will help improve the setting of the building.

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 proposals in themselves are minor alterations to the original building but altogether, represent the ability to bring the property upto a modern habitable property. The additional extension to the rear, whilst being of substantial scale and massing, will not have a detrimental impact on the main elevations of the property and as such is acceptable. The scheme is considered to comply with the policy assessing development/works to Listed Buildings and there are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than the expiration of five years beginning with the date of this permission.
Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. A minimum of 5 working days written notice shall be provided to the LPA of intended commencement of the development. The notification of commencement shall include a timetabled schedule of the intended works to be carried out on the site/building. Any subsequent variation of the timetable shall be subject to further written notice.
Reason - To ensure that the development is carried out in accordance with the

approved plans, to protect the fabric of a listed structure/building during implementation and pursuant to Policy EN2/3 – Listed Buildings of the Bury Unitary Development Plan.

3. The details of any new rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented.
Reason - To preserve the character of the Listed building and pursuant to Policy EN2/3 – Listed Buildings of the Bury Unitary Development Plan.
4. This decision relates to the drawings received on 27th January 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.
5. 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.
6. Notwithstanding the submitted landscape details a further landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This scheme shall include the boundary details, car park layout, construction details for the car park including protection measures for the trees on the site and footpaths within the site and the foundation and construction details for the wall fronting Stand Lane and Clough Street. It shall be implemented not later than 12 months from the date the building 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.
7. Notwithstanding the provisions of the approved plans, the vertical height of the ground floor windows in the extension shall be agreed in writing with the Local Planning Authority. Only the agreed height of these windows shall be implemented.
Reason - To preserve the character of the Listed building and pursuant to Policy EN2/3 – Listed Buildings of the Bury Unitary Development Plan.
8. Prior to the commencement of development, a full specification of the extensions walls, all boundary walls and fences, individual window types and external door types to be used within the scheme shall be agreed in writing with the Local Planning Authority. In agreeing the details, sample panels or mocked-up examples of the details shall be constructed on site for inspection by the Local Planning Authority. The agreed details only shall be implemented.
Reason - To preserve the character of the Listed building and pursuant to Policy EN2/3 – Listed Buildings of the Bury Unitary Development Plan.
9. The details of any new rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented.
Reason - To preserve the character of the Listed building and pursuant to Policy EN2/3 – Listed Buildings of the Bury Unitary Development Plan.
10. Notwithstanding the schedule of internal features made on the 7th January 2005,

the applicant shall supply a photographic record of the buildings interior prior to the commencement of works on site and the results shall be submitted to the Local Planning Authority for its written approval.

Reason - To preserve and record the character of the Listed building and pursuant to Policy EN2/3 – Listed Buildings of the Bury Unitary Development Plan.

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

Location: 1-2 STAND LODGE, STAND LANE, RADCLIFFE, M26 1JP

Proposal: REAR EXTENSION TO EXISTING BUILDING & DEVELOPMENT OF 11 APARTMENTS TOGETHER WITH ASSOCIATED CAR PARKING, BOUNDARY TREATMENTS & LANDSCAPING

Application Ref: 43996

App Type: Full

Statutory Expiry Date: 24 March 2005

Recommendation: Minded to Approve

Minded to approve or refuse if a Section 106 Agreement is not signed in a reasonable time

Description

The site comprises the property known as 1 and 2 Stand Lodge, a Grade II Listed Building on Stand Lane in Radcliffe together with its associated curtilage. The last use of the property was a Nursing Home and it has been vacant for a number of years. The Nursing home has had a number of additions on the rear of the property. The main access to the site is off Clough Street, a small residential road that serves some 11 residential properties and Chapelfield County Primary School. The property is attached to 3 Stand Lodge (also a Grade II Listed Building) that is a private domestic property that has a 'granny annex' in the rear garden.

The proposal is to extend the property to the rear and convert the existing property into 11 apartments. The rear extension measures some 14m deep (at its maximum dimension) by 12.2m wide and is two storey in height with living space in the loft. The extension will replace various existing structures at the rear, will be brick built with a slate roof to match the existing property.

A total of 17 parking spaces (one of which will be for disabled drivers) are proposed on the site to the front of the property and accessed as at present off Clough Street.

A landscape scheme has been submitted with the application and this involves realignment and rebuilding of the existing boundary walls and new fencing to Clough Street and Andrew Close. The landscape scheme pays regard to the Tree Preservation Order on the site (Order 227) and involves work to remove some of the trees and prune others.

Relevant Planning History

In 1989 consent was granted for a change of use of the property from residential to a Residential Care Home (C/22461/89). Various subsequent approvals have been granted for various alterations to the Home. In 2002 permission was refused for a change of use from a Nursing Home to a dwelling house (39517/02) on the grounds of insufficient information being provided to allow the application to be properly assessed. An application was submitted in October 2003 for an almost identical development to that which is the subject of this submission but was withdrawn by the applicant to allow further negotiations with the Council and neighbours.

Publicity

Both Press and Site Notices have been published. Additionally neighbour letters have been

sent out to the adjoining properties.

To date a total of 7 neighbours have objected, 6, 8, 16 and 20 Andrew Close, 3 and 3a Stand Lodge and 175a Stand Lane.

The objections can be summarised as follows:

1. Possible drainage issues over shared drains on the site.
2. Overlooking from windows would lead to loss of residential amenity.
3. Inaccuracy of plans both existing and proposed.
4. Possible noise from new flats causing loss of residential amenity to existing attached neighbour.
5. Inaccuracy in TPO drawings.
6. None compliance with aspect standards in DCPN 6.
7. Proximity of parking to 3 Stand Lodge will result in a loss of residential amenity.
8. No management statement about the future maintenance of the communal areas.
9. Massing of proposed rear extension is too large.
10. Extension will be visually intrusive to 3 and 3a Stand Lodge.
11. Loss of light, privacy and view from 3 and 3a Stand Lodge.
12. Proposed density of development is too high.
13. Loss of trees covered by the TPO should be resisted.
14. Potential traffic problems from the increase in traffic visiting the property & conflict with traffic from and to the school.
15. Loss of property value to the surrounding properties.
16. Increase in air pollution

Consultations

Highways - no objections subject to realignment of access to site from Clough Street and wall height restriction and alignment at junction of Clough Street and Stand Lane.

Drainage Engineers - No objections (verbal)

Environmental Health - No objections subject to condition on sound insulation of partly walls and ceilings/floors.

Landscape Practice - no objections to loss of trees but require more details of the landscape scheme to ensure new boundary walls and car parking do not damage remaining and proposed planting.

GM Police - No objections and make recommendations with regard to security.

Unitary Development Plan and Policies

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
RT2/2	Recreation Provision in New Housing Development
EN8/1	Tree Preservation Orders

Issues and Analysis

Principal - The site is within an established residential area of Radcliffe and the site itself amounts to some 0.5 ha. PPG 3 and RPG 13 indicate that for the efficient use of land 30 to 50 units should be developed per hectare. The proposal is for 22 per hectare and as such is below the minimum recommended. However, given the fact that it is a listed building with additions, it is considered that this density of development would be appropriate.

Extension - the application shows a large two storey rear extension. However, this extension is on an elevation that has already been considerably affected by earlier additions and will not impact on the front elevation of the existing property, which is the most important. The massing is large but the finished ground floor level of the property is such that it will be set some 0.6m below that of the existing property. This means that the ridge line will be at the same height as the existing two storey out rigger on the existing building.

The scale of the building has been reduced by providing smaller windows (but of the same proportions) as those on the existing building. The fact that it is also inset from the side gable of the existing property, fronting onto Stand Lane, by some 3m also helps to reduce its impact on the street scene. Consequently, from a general massing and scale point of view it is considered that the proposed extension is acceptable.

Residential amenity - the layout of the habitable room windows means that they generally accord with the aspect standards of the Council. However, bedroom windows from two bedrooms and patio doors from one lounge will be some 6m from the blank gable wall of No. 3 Stand Lodge and the boundary with 3 and 3a (Granny Annex) Stand Lodge. The Council has a standard of 13m spacing between proposed blank two storey blank gable walls and habitable room windows on domestic extensions. This standard has been established to protect the residential amenity of the occupiers of the rooms with habitable rooms but in this instance it is considered that as the only impact will be on the occupiers of the new property, the standard can be relaxed. The proposed relationship will not have an adverse affect on No. 3 or the Granny Annex as there are no habitable room windows directly facing the new extension. A plan is attached for clarification purposes to show the relationship of the proposed extension to the habitable room windows at No. 3 and 3a.

Landscaping and Tree Preservation Order - the existing trees on the site have deteriorated over the years since the TPO was placed on the site. The landscape scheme submitted together with the tree report, is acceptable in principal in terms of removing trees that are no longer viable and providing replacement landscaping. However, it is deficient with regard to the hard landscaping aspects and as such it is recommended that a condition be imposed requiring additional details to be submitted prior to development starting on site. There is some minor inaccuracy in the location of the trees on the plan, but it is sufficient to clearly identify the trees and as such is acceptable.

Car parking - the proposal is for 11 apartments and the latest advice in PPG3 and RPG 13 indicates that a maximum of 1.5 spaces per dwelling should be provided per dwelling. In this instance a maximum of 16.5 spaces should be provided. The scheme shows some 17 spaces which would accord with national advice and it is acceptable. The spaces are all shown at the front of the existing property and two spaces are adjacent to the boundary with 3 Stand Lodge and Andrew Close. These spaces are set a minimum of 14m from the nearest window in 3 Stand Lodge and the landscape scheme shows a screen to be erected adjacent to the boundary. The land between the window and the car park space is to be landscaped and as such it is not considered that there will be any material detriment to the residential amenity of this property.

Recreational provision - as the scheme is for 11 apartments a commuted sum will be required in accord with UDP Policy RT2/2 and the associated DCPN 1 - Recreation Provision and this will be subject to a Section 106 Agreement.

Objections - those with reference to car parking, TPO and density of development and impact on residential amenity have been considered above. Environmental Health consider that any noise pollution can be covered by a standard condition and that has been included in the list of conditions recommended. With regard to the conflict with the school traffic, the Borough Engineers has been consulted and they have not objected. As such, it is not considered that this is a consideration that would warrant refusal of consent. Other matters have been raised in the objection letters that are private matters and do not relate to planning issues and as such have not been taken into account in the consideration of this application.

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;-

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: 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. 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.
3. This decision relates to the drawings received on 27th January 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.
4. 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.
5. Notwithstanding the submitted landscape details a further landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This scheme shall include the boundary details, car park layout, construction details for the car park including protection measures for the trees on the site and footpaths within the site and the foundation and construction details for the wall fronting Stand Lane and Clough Street. It shall be implemented not later than 12 months from the date the building is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity.
6. The sound insulation of the party walls, floors and ceilings shall be improved in accordance with the method outlined in the Building Research Establishment Digest 293 (or similar method), the details of which shall be submitted to and approved by the Local Planning Authority and implemented prior to the occupation of the flat.
Reason. To reduce nuisance from noise to the occupiers of the adjoining dwelling.
7. Notwithstanding the details indicated on the submitted plans, the development hereby approved shall not be commenced unless and until full details of the proposed works to the Clough Street and Stand Lane boundaries have been submitted to and approved in writing by the Local Planning Authority.

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

8. A visibility splay measuring 4.5 metres by 70 metres shall be provided at the junction of Clough Street with Stand Lane 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.

9. A visibility splay measuring 2.4 metres by 33 metres shall be provided at the junction of the proposed site access with Clough Street on land within the applicants control 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.

10. Pedestrian visibility splays in accordance with Figure 114 of Design Bulletin 32 'Residential Roads and Footpaths – 2nd Edition' shall be provided at the junction of the proposed site access with Clough Street before the dwelling hereby approved is first occupied 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 highway in the interests of road safety.

11. No vehicular access gates shall be erected within 6 meters of the adopted highway.

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

12. The foundations for any proposed boundary walls shall not encroach under the adjacent adopted highway.

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

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 19

Location: LAND ADJACENT TO THE SOUTH OF CARR BANK GRANGE, UPPINGHAM
DRIVE RAMSBOTTOM

Proposal: RESIDENTIAL DEVELOPMENT - 1 No. DORMER BUNGALOW

Application Ref: 43984

App Type: Full

Statutory Expiry Date: 22 March 2005

Recommendation: Approve with Conditions

This application was deferred for a site visit by Planning Control Committee at the last meeting on 8th March 2005.

Description

The application site stands on the corner of Uppingham Drive and Carr Bank Road, Ramsbottom. The site forms the garden of Carr Bank Grange and is raised above the access road which runs to the south and is supported by a dwarf stone retaining wall with a hedge running along the top. To the south of the access road lies an open grassed area with semi-mature trees and bulb planting. To the west of the site stands 1-5 Carr Bank and 9 The Paddock, to the north Carr Bank Grange which is set above the application site whilst to the east facing the site stands No. 1 Uppingham Drive.

Relevant Planning History

37591 - sought planning permission for the erection of a detached dwelling house to the north of the original dwelling, now called Carr Bank Grange, which was refused by the Planning Control Sub-Committee in July 2001.

38432 - again sought planning permission for the erection of a detached dwelling on the same site which was revised from the previous scheme. The application was refused by Committee and dismissed at appeal.

39755 - sought planning permission for a much reduced dwelling on the same site which was finally approved by Planning Committee in October 2002.

Proposal

Although described by the applicant as a "Dormer Bungalow" the proposal is considered to be a two storey dwelling with the first floor accommodation in the roof with velux windows in the roof plane. The windows would be orientated north-south with no windows in the eastern elevation facing No. 9 The Paddock. The entrance to the property would face westwards towards the parking area and access to Uppingham Drive.

The proposed dwelling would be a 2 bedroom property set 2.5 metres below Carr Bank Grange and would measure 11.5 metres deep by 7.9 metres wide by 6.65 metres high. The garden area would be to the north of the dwelling and to the south-east of Carr Bank Grange. The existing hedge to the south of the site is proposed to be retained.

Publicity

18 adjoining occupiers consulted - 5 letters received from No.s 1, 2(2 letters) 4 Uppingham Drive and No. 9 The Paddock objecting to the proposal on the following grounds:

- Overdevelopment of the site
- Impact of the development on the character resulting in a loss of green open space
- It would worsen the water pressure and drainage situation
- Increase in parking problems
- Carr Bank Grange has been let out to business people who sometimes total 5 or more people staying at the house.
- A new vehicular access on which neighbours were not consulted
- Felling of mature trees within the application site
- Loss of residential amenity to adjoining properties.

Consultations

Borough Engineer - Drainage - highlights the presence of a public sewer which runs through the site for which consent will have to be gained to build over from United Utilities - Highways - recommends conditions be attached covering vehicular and pedestrian visibility splays and for the car parking to be demarcated and made available for use for the existing house prior to the commencement of development on site.

United Utilities - comments awaited.

Borough Environmental Services Officer - no comments 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
H2/6	Garden and Backland Development
EN1/2	Townscape and Built Design
PPG3	PPG3 - Housing

Issues and Analysis

The main considerations of the application are the principle of the development, the acceptability of its form and layout and its impact on the character of the area.

Principle

The site lies within the urban area, close to existing infrastructure and its development would avoid the release of peripheral sites. The principle of development is therefore acceptable.

Form

The form of the proposed dwelling would be similar to Carr Bank Bungalow and as such would reflect its height and roof type, would be set down from neighbours so as not impact on residential amenity and despite the visual impact of being set on a prominent corner is considered not to harm residential amenity and is therefore acceptable in terms of form.

Layout

The layout of the proposed development would provide adequate access and parking (4 parking spaces in front of the proposed dwelling and 2 new parking spaces proposed for the original dwelling at Carr Bank Grange), space about and between the buildings and suitable landscaping would be retained in the form of a hedge round the proposed dwelling. A condition is attached to establish the correct visibility splays from the proposed parking area for Carr Bank Grange. As such the proposal is considered acceptable in terms of layout.

Response to Neighbours

Previous recent enforcement inquiries revealed that the original house at Carr Bank Grange was being let out to a recruitment consultancy on the basis of a short term lease to two people. At that time the proposal was considered not to require planning permission. These concerns are not material to the consideration of this application and will be subject to separate Enforcement investigation.

A number of issues are picked up in objection letters received regarding matters such as a new vehicular access and the felling of mature trees on the application site. These are matters which are not subject to planning control. Indeed, these matters were carried out prior to the application being submitted.

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

The proposal is acceptable in terms of principle, form, layout and impact on the character 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 drawings numbered 467/1, 467/2, 467/3, 467/4 & 467/5 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 at Carr Bank Grange.
Reason. In the interests of visual amenity and to ensure a satisfactory development.
4. Pedestrian visibility splays in accordance with Figure 114 of Design Bulletin 32 'Residential Roads and Footpaths – 2nd Edition' shall be provided at the junction of the proposed driveway with Uppingham Drive before the dwelling hereby approved is first occupied 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 highway in the interests of road safety.
5. The development hereby approved shall not be commenced unless and until full details of visibility splays measuring 2.0 metres by 33 metres that are required to be provided at the junction of the proposed driveway with Uppingham Drive have been submitted to and approved in writing by the Local Planning Authority. The approved visibility splays shall be provided prior to the commencement of development and thereafter maintained.
Reason: To ensure the intervisibility of the users of the site and the adjacent highway in the interests of road safety.
6. The replacement car parking for the existing property indicated on the approved

plans shall be made available for use, to the written satisfaction of the Local Planning Authority prior to commencement of development on the dwelling hereby approved.

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

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 20

Location: RAKE HOUSE, 280 DUNDEE LANE, RAMSBOTTOM, BL0 9HF

Proposal: TWO STOREY EXTENSION AT SIDE

Application Ref: 44123

App Type: Full

Statutory Expiry Date: 18 April 2005

Recommendation: Approve with Conditions

Site visit requested by Councillor Cohen

Description

The site is a stone detached property with different styled detached properties either side. Facing are square bayed semi-detached properties that are approx. 0.75m higher and approx. 17m front elevation to front elevation. To the rear are detached properties on Heapworth Avenue that are substantially lower than the site.

The site is split level with the land at the front of the property level with the road level but it then drops by 2m level with the front elevation. The land then continues to drop a further 1 to 1.5m towards the rear boundary with the properties on Heapworth Avenue.

Along the front boundary to Dundee Lane is a row of small iron railings that changes for the last approx. 5m to the boundary with 210 Dundee Lane to a row of 5m+ high fir trees. Along the side boundary with 210 Dundee Lane (2m lower than road level) is a covered patio area and then a line of mature 6m+ high fir trees that continues around the garden at the rear.

The proposal is for a 4.4m wide two storey extension at the side with a depth of 4.7m. The eaves level is the same as the existing dwelling but the ridge height is 800mm lower. The windows are at the rear and a small window in the front elevation has been deleted on a revised plan that has been received.

Relevant Planning History

43860 - Proposed demolition of 210 Dundee Lane (adjoining current application site) and erection of new dwelling approved in February 2005.

Publicity

8 surrounding properties have been notified and 2 letters of objection to the original plan have been received plus one with no name or address. Representations have also been received from Councillors Theckston and Cohen.

The occupier of 221 Dundee Lane, on the opposite side of Dundee Lane, is concerned that there will be loss of light, direct view from the front window (now deleted) into his living room, devaluing of the property and loss of view.

The occupier of 286 Dundee Lane which is adjacent to 280 but on the opposite side to the extension is concerned that the shared driveway should not be used for equipment. She thinks that the property may be knocked through to create one dwelling with the rebuilt house at 210. She is concerned about noise dust and disturbance during construction and points out that the road is very narrow.

Neighbours have been notified of the revised plan deleting the window and any additional representations will be reported.

Consultations

None

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Development Control Policy Guidance Note 6: Extensions

Issues and Analysis

The main considerations of this application are the impact of the proposal on visual and residential amenity.

Visual Amenity: The design of the proposal is in keeping with the existing property and the materials are to match the existing.

Residential Amenity: The size of the proposal is in proportion to the size of the dwelling. It will leave a gap of approx. 4m to the side boundary, approx. 7m to the side elevation of the single storey element of the approved house at 210 Dundee Lane and approx. 9m to the two storey element of the approved house. The distance from the front elevation of the proposed extension to the front elevation of the houses facing on Dundee Lane is over 17m and approx. 37m from the rear elevation of the proposed extension to the rear elevation of 37 Heapworth Avenue.

The plan has been revised to delete the window at the front which would overcome the objection about overlooking. The extension is effectively single storey height at the front and it is difficult to see how light would be affected. Other objections raised, including loss of view and disturbance during construction are not planning issues.

The proposed extension conforms to the separation aspects of the Development Control Policy Guidance Note 6 – Alterations and Extensions to Residential Properties. Given the separation distances and trees along the side/rear boundary the effect on the amenity of the occupiers of the surrounding properties is considered acceptable

Summary of reasons for Recommendation

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 has been 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. This decision relates to drawings numbered **2005/02/0142 DWG/01; 2005/02/0142 DWG/02 and 2005/02/0142 DWG/03** 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 **John Hodgkinson** on **0161 253 5323**

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 21

Location: LUMB CARR FARM, LUMB CARR ROAD, HOLCOMBE, RAMSBOTTOM, BL8
4NH

Proposal: RESUBMISSION - CONVERSION OF BARN INTO TWO DWELLINGS;
AMENDMENT TO PREVIOUSLY APPROVED P/P 42140

Application Ref: 44163

App Type: Full

Statutory Expiry Date: 25 April 2005

Recommendation: Approve with Conditions

Description

The property is a stone built farmhouse and barn, a Grade 2 Listed Building within Holcombe Conservation Area. There is also an application (44164) on the agenda for Listed Building Consent.

The buildings date from the 18th century with 19th century additions and are in very poor condition. The gable wall of the barn is next to Lumb Carr Road and there is a field gate and hedge to the north. To the south is an access shared by Lumb Carr House and leading to a farm track which is also a public footpath.

It is proposed to remove 20th century extensions to the barn as well as sheet clad detached buildings. The house would be restored and extended in accordance with an earlier consent (see below). This consent also proposed conversions and alterations to the barn to create one dwelling.

The current application proposes to convert the barn into two dwellings rather than one. The external appearance would be similar to the approved scheme but there would be an additional window opening in each of the main elevations. An existing vehicular access to Lumb Carr Road would be closed and a new access would be created. A detached building would contain a garage and a garden room to each property.

A letter accompanying the application gives additional details of the treatment of the building and surrounding land and includes a brief structural survey and a design statement.

Relevant Planning History

42140/04 - Refurbishment and extension to existing farmhouse and conversion of barn to dwelling approved in April 2004.

42141/04 - Listed Building Consent as above.

43899 - Conversion of barn into two dwellings withdrawn in February 2005 because of lacking information.

43900 - Listed Building Consent as above.

Publicity

The Listed Building Consent application has been advertised and neighbours have been notified. The occupier of Lumb Carr House thinks that the garden area is too small for two units. Garages and parking take up much of the garden space and there is a danger that

parking will spill onto the highway or clutter the farm access. He criticises the plans for lack of detail. A second letter points out that the new garden arrangement would restrict turning outside his house.

Consultations

Borough Engineer - No objection on drainage grounds. No objection in principle on highway grounds.

Borough Environmental Services Officer - Requires a contamination investigation.

Unitary Development Plan and Policies

OL1/2	New Buildings in the Green Belt
OL1/4	Conversion and Re-use of Buildings in the Green Belt
OL7/2	West Pennine Moors
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
EN9/1	Special Landscape Areas

Issues and Analysis

The buildings are listed and within Holcombe Conservation Area. It is important that work is carried out to ensure that the building is preserved but it is equally important that the work is in character with the building and appropriate to the Green Belt location. The Council's Conservation Officer is generally happy with the scheme but further clarification of details is being sought. It is likely that additional conditions will be recommended in the supplementary agenda.

Green Belt policy allows the conversion of existing buildings to dwellings subject to certain criteria including their retention without major reconstruction, suitable access and provision of services. The garages will replace existing agricultural buildings. The changes to the buildings and the limited domestic area surrounding them will not have a material effect on the Green Belt.

Despite the objection, parking and access arrangements are considered to be adequate.

The recommended conditions are similar to those on the previous approval for conversion.

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;- The proposed conversion will safeguard the character and setting of the Listed Building. It will not harm the amenities of nearby residents nor the openness of the Green Belt and will not adversely impact on highway safety issues. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 2114-sk1C,2D, 10,11 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of

design.

3. No trees, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before or during the construction period without the previous written consent of the Local Planning Authority.

Reason. To avoid the loss of trees which are of amenity value to the area.

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

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

5. The development hereby approved shall not be 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.

6. Details of the following shall be submitted to and approved by the Local Planning Authority before the development is commenced:- external materials, windows and doors; flues and vents; detail and extent of the repair and rebuilding of external walls; replacement of external features and details; amendment to the roof construction; boundary walls and fences.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 22

Location: LUMB CARR FARM, LUMB CARR ROAD, HOLCOMBE, RAMSBOTTOM, BL8
4NH

Proposal: RESUBMISSION - LBC - CONVERSION OF BARN INTO TWO DWELLINGS;
AMENDMENT TO PREVIOUSLY APPROVED P/P 42141

Application Ref: 44164

App Type: Listed Building Consent

Statutory Expiry Date: 25 April 2005

Recommendation: Approve with Conditions

Description

The application is for Listed Building consent and is accompanied by the same plans as application 44163 also on the agenda.

Relevant Planning History

See 44163

Publicity

See 44163

Consultations

See 44163

Unitary Development Plan and Policies

OL1/2 New Buildings in the Green Belt
OL1/4 Conversion and Re-use of Buildings in the Green Belt
OL7/2 West Pennine Moors
EN2/2 Conservation Area Control
EN2/3 Listed Buildings
EN9/1 Special Landscape Areas

Issues and Analysis

See 44163

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;- The proposed conversion will safeguard the character and setting of the Listed Building. It will not harm the amenities of nearby residents nor the openness of the Green Belt and will not adversely impact on highway safety issues. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date

of this permission.

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2. This decision relates to drawings numbered 2114-sk1C,2D, 10,11 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
3. No trees, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before or during the construction period without the previous written consent of the Local Planning Authority.
Reason. To avoid the loss of trees which are of amenity value to the area.
4. Notwithstanding the terms of the General Development Order 1995, or as subsequently amended, no development shall be carried out within the terms of Classes A to H of Part 1 and Classes A and B of Part 2 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur.
5. The development hereby approved shall not be 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.
6. Details of the following shall be submitted to and approved by the Local Planning Authority before the development is commenced:- external materials, windows and doors; flues and vents; detail and extent of the repair and rebuilding of external walls; replacement of external features and details; amendment to the roof construction; boundary walls and fences.
Reason. To ensure a satisfactory standard of development and to protect the character of the building

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

Ward: Ramsbottom & Tottington - Tottington

Item 23

Location: EDWARD TURNBULL AND SONS LTD, STORMER HILL WORKS, MILL STREET, TOTTINGTON, BL8 4AT

Proposal: EXTENSION TO FORM PRODUCTION & OFFICES ACCOMMODATION

Application Ref: 43907 **App Type:** Full

Statutory Expiry Date: 04 March 2005

Recommendation: Minded to Approve

Site Visit requested by Planning Control Committee at its meeting on 8 March 2005.

Minded to approve subject to reference to Government Office North West as a departure from the Bury Unitary Development Plan.

Description

The application relates to an existing modern industrial building within the Green Belt. It is constructed in brick with green cladding. The land was part of the old Stormer Hill Works which is in separate ownership. Access is via a private road from the unadopted Mill Street. Immediately to the east is a public footpath on a former railway track. There are houses on Hawthorn Crescent on the opposite side of the footpath.

It is proposed to construct an extension on the northern side of the existing building. An old stone building would need to be partially demolished to accommodate the extension. The plans have been revised to move the extension further away from the boundary with the former railway track allowing existing trees to be retained. The maximum dimensions would be 22.8 metres wide, 32 metres long and 19 metres high. A letter accompanying the revised plans states that the nature of the proposed use will not increase emissions from the factory.

The extension would be used for digital printing and warehouse on the ground floor with a first floor over part of the extension used as offices. A letter from the company explains that it is a specialist printer of furnishing fabrics, the only company in the world still using traditional hand blocks plus, more recently screen printing and now digital technology. Six additional members of staff will be employed.

Relevant Planning History

17717/85 - New access road approved December 1985.

17837/85 - New industrial building approved February 1986.

32772/96 - Extension to industrial building (replacing old building) approved March 1997.

34220/98 - Gas module housing, fence and entrance gates approved June 1998.

Publicity

The application has been advertised and neighbours notified. Copies of the same letter have been received from the residents of 27 to 41 Hawthorn Crescent. They object to loss of light and view affecting the value and enjoyment of the property. They say that there is already a noxious odour that has been reported to Environmental Health and that air and noise pollution may increase. Finally, the building would detract from the Green Belt and

affect the surrounding environment.

The residents of both 2a Garden Street and 2 Holcombe Road are concerned about the condition of Mill Street, its use by heavy vehicles and damage to services. They oppose any development until Mill Street is repaired or resurfaced.

Neighbours have been notified of revised plans and any further representations will be reported.

Consultations

Borough Engineer - No objection on highways or drainage grounds.

Borough Environmental Services Officer - Suggests desk top study for contamination and recommends conditions concerning noise levels and vents to the building.

Unitary Development Plan and Policies

EC6/1 Assessing New Business, Ind and Commercial
OL1/2 New Buildings in the Green Belt
OL5/2 Development in River Valleys
EN6/4 Wildlife Links and Corridors
RT3/4 Recreational Routes

Issues and Analysis

The factory is an established textile printing works in modern buildings in the Green Belt. The extension would be "inappropriate development" and approval would have to be justified by "very special circumstances". The applicant has submitted a supporting letter. The proposal involves the partial demolition and replacement of existing buildings. It is within an existing established industrial site. It will not harm the openness of the Green Belt and is considered to be acceptable in principle. If Members are minded to approve the application it will be necessary to refer it to Government Office North West as a departure from the approved development plan.

If the extension is acceptable in principle, its size and design needs to be assessed including the effect on occupiers of neighbouring property. The design would match the existing building but, in part, the extension would be higher than the existing. The extension has been redesigned so that it is further from the boundary and further from the houses on Hawthorn Crescent. The extension is not directly behind the houses. It would be 35 metres away at the closest point and screened by existing trees with additional landscaping proposed and any effect on neighbours would not justify refusal of the application.

The Borough Environmental Services Officer has investigated previous complaints about odours from the factory and these have not been substantiated. Any further comments will be reported. It is unlikely that the operations now proposed would create problems of noise or pollution but appropriate conditions have been recommended by the Borough Environmental Services Officer.

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;- The proposed development would neither harm the openness of the Green Belt nor the character of the area. It would not adversely affect the residential amenities of neighbouring residents nor adversely impact on highway safety issues. There are no other material considerations that outweigh this finding.

Recommendation: Minded to Approve

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 04 188 03A, 05A 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.
4. No trees, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before or during the construction period without the previous written consent of the Local Planning Authority.
Reason. To avoid the loss of trees which are of amenity value to the area.
5. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:1991 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area.
6. 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.
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. Noise from the proposed activity?development hereby permitted shall not increase prevailing ambient noise levels as measured at the boundary of the site. Ambient noise levels shall be determined by a survey to be carried out by the applicant to be submitted to and agreed in writing by the Local Planning Authority before the development commences.

Reason To protect the residential amenities of occupiers of adjacent dwellings.

9. Any fumes, vapours and odours generated by the development 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.

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

Location: ROACH PACKING CASE CO LTD, SCOBELL STREET, TOTTINGTON, BL8 3DR

Proposal: OUTLINE - RESIDENTIAL DEVELOPMENT 23 DWELLINGS (RESUBMISSION)

Application Ref: 44149

App Type: Outline Planning Permission

Statutory Expiry Date: 22 April 2005

Recommendation: Refuse

The Committee's approval is sought to delegate powers to the Borough Planning Officer to determine the application on the 22nd day after the display of the site notice.

Description

The application site lies to the north of Scobell Street and to the west of Bury Road, Tottington. The site is occupied by a redundant timber packing case factory which is formed by a mixture of metal sheet open sided storage buildings and brick and block work office buildings. The site is accessed from Scobell Street and from Bury Road via Leemans Hill Street and is bounded on the east and west boundaries by public footpaths. The site falls steeply from street level along Bury Road down to street level on Scobell Street which results in a high red brick retaining wall adjacent to the houses on Camberley Close.

Relevant Planning History

42101 - was an application seeking outline consent for the change of use of the site from employment to residential. The application was refused on the grounds of loss of employment land. The applicant has appealed against the Council's decision and the full public inquiry is due to reconvene on 10th May 2005.

Proposal

The current proposal is a resubmission of the previously refused application 42101. The application now includes information that was not available when the previous application was determined which was tabled at the Public Inquiry. The information covers the marketing of the site and an evaluation of the site's viability to be re-occupied, which includes a list of works to refurbish the premises, or for the site to be redeveloped. A statement of fact by the Managing Director has also been submitted with the application outlining events surrounding the closure of the company and winding up of affairs.

Publicity

Press advert placed on the 11th March 2005 edition of the Bury Times and 51 adjoining occupiers notified - 2 letters received from residents, one living at 114 Scobell Street and the other at 250 Bury Road, who object to the proposal on the following grounds:

- * it is time to stop these predictable proposals to build yet more houses in Tottington
- * the neighbourhood is becoming unbalanced and a residential ghetto
- * the scheme dismisses too lightly the need for employment space
- * this scheme would be in breach of the Council's house building targets

- * the proposed 3 storey flats would be out of keeping with the surrounding area
- * the flats would incur a loss of privacy (114 Scobell Street)
- * loss of light (114 Scobell Street)
- * would not object to a two storey residential development (114 Scobell Street)
- * more time is needed to explore the potential for employment on the site
- * not aware of youths loitering around the site or causing vandalism
- * increase in traffic from the proposed development
- * impact on trees along Leemans Hill Street boundary
- * no indication of boundary treatment
- * impact of development on adjoining footpaths

Consultations

Borough Engineer - Drainage - no objections but highlights the presence of a culvert running through the site. Highways - no comments received.

Borough Environmental Services Officer - recommends the application be refused on the grounds of inadequate information, particularly since there is anecdotal evidence which has come forward regarding munitions being buried on the site and PPS23 states contamination studies should be provided up front by the developer rather than being conditioned.

GMPTTE - the site is well served by public transport; the layout of the site should prioritise pedestrian movement over those of the car.

United Utilities - do not object to the proposal subject to the proposal being drained on a separate system prior to connecting to the main sewer.

Unitary Development Plan and Policies

C121	Bury Road, Tottington (See also CL023)
PPG3	PPG3 - Housing
RPG13	Regional Planning Guidance for the North West
EC2/2	Employment Land and Premises
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development

Issues and Analysis

The main consideration of the application is the acceptability of the principle of the loss of employment land for residential development.

The applicant has submitted details of the employment premises market in Bury and how this site would fair within this. The applicant proffers the opinion that the site would not be easily marketed and sold as it stands, neither would it be economical to refurbish the buildings and therefore the site and buildings are no longer suited to continued employment use. However, within the report it is stated that 11 enquiries were made by parties interested in buying the site for employment purposes which suggests there was some considerable interest in the site. However, it is notable that the site was marketed through the residential department of the estate agency which might suggest the applicant sought a particular outcome, namely that the site should be sold for residential development to gain a higher price for selling the site. Moreover, the quotes for refurbishing the buildings are considered to be extravagant if not unrealistic. As such, the additional information submitted by the applicant is considered to be unreliable in its justification that the site is no longer suited to continued employment, since the evidence submitted and the applicant's financial interests appear to have biased the way in which the site was marketed and the ultimate findings of the marketing report.

The Council's expert witness on the Employment Land Market at the Public Inquiry, Paul Nolan, has scrutinised the marketing report and raises the following additional points.

Although the site is in a secondary location, a number of employers would see the benefits of being located close to a potential workforce and with a lower rent. The agent marketing the site had a predetermined outcome when marketing the site which resulted in biasing the way site was advertised, namely to residential developers and the agent has generalised his comments to suit his client. A breakdown of the enquiries received from prospective occupiers/ purchasers would have given a clearer picture of whether the site was truly unviable for future employment use. The appraisal method used to value the site is unreliable and not recommended by the RICS for valuing sites. Whilst the industrial sector is in decline it is constrained by the limited premises available to let. A prospective occupier would be unlikely to spend the amounts proposed to refurbish the buildings and would be able to occupy the premises without undertaking such works. In conclusion, whilst the site may be obsolete for the packing case industry it does not mean another industrial occupier could not make use of them.

Recommendation: Refuse

Conditions/ Reasons

1. The proposed development would lead to the loss of employment land and premises and it has not been clearly demonstrated that the site is no longer suited to continued employment use. As such the proposal conflicts with policie EC2/2 - Employment Land and Premises Outside the Employment Generating Areas and H1/2 - Further Housing Development of the Bury Unitary Development Plan.

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

Location: LAND AT BURY ROAD/ SUNNYWOOD LANE TOTTINGTON BURY

Proposal: RESIDENTIAL DEVELOPMENT - 24 NO. DWELLINGS (RESUBMISSION)

Application Ref: 44238

App Type: Full

Statutory Expiry Date: 06 May 2005

Recommendation: Approve with Conditions

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

Description

The application is a resubmission of an application (43509) that was refused because a S.106 Agreement for recreation provision was not concluded.

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

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

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

Relevant Planning History

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

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

43509 - Detailed application for 24 dwellings minded to approve by Planning Control Committee on 18 January 2005 subject to conditions and S.106 Agreement for commuted sum for recreation provision. The application was refused on 28 February 2005 because "The applicant has failed to provide for the recreational needs of residents and the proposed development would therefore be contrary to Policy RT2/2 - Recreation Provision in New Housing Development of the adopted Bury Unitary Development Plan".

Publicity

The application has been advertised as a major development and neighbours, including previous objectors, notified. Any representations received will be reported.

Three objections to the previous application were received from the residents of 8, 10 and 14 Calderwood Close. It was pointed out that the site is higher than their houses. They were concerned that the houses would be three storey rather than two storey, leading to overlooking, loss of privacy and loss of light, particularly in winter. It was requested that existing trees and bushes are retained.

Consultations

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

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

Unitary Development Plan and Policies

H1/1	Housing Land Allocations
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
RT2/2	Recreation Provision in New Housing Development
EN8	Woodland and Trees
OL5/2	Development in River Valleys
EN6/4	Wildlife Links and Corridors

Issues and Analysis

The bulk of the land is allocated for residential development in the UDP and the site is within the urban area and close to amenities. Members have previously resolved to approve the development.

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

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

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

Summary of reasons for Recommendation

Permission should be granted having regard to the listed policies and proposals and the reason(s) for granting permissions can be summarised as follows;- The majority of the site is allocated for residential development in the Bury Unitary Development Plan and the remainder is previously developed land. The layout and design is of an acceptable standard which would not adversely affect the character of the area nor the amenity of nearby residents and would not adversely impact on highway safety issues. There are no

other material considerations that outweigh this finding.

Recommendation: 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 2367: 04A, 14B, 23, 24A, 25, 26A, 27A, 28A, 29A, 30A, 31, 32A, 33, 34, 35, 36 received 25 NOV 2004 and 6 JAN 2005 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development.
4. The development hereby approved shall not be commenced unless and until detailed site investigations have been carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this investigation shall be agreed in writing with the Local Planning Authority prior to the commencement of the work. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before the development commences. The development shall then proceed in strict accordance with the measures approved.
Reason. To prevent pollution of the water environment.
5. Prior to the commencement of development investigations must be carried out to assess the stability of the site. Details of the survey, together with precautions and remedial measures, shall be submitted to and agreed in writing by the Local Planning Authority and, if agreed, shall be implemented during the course of development.
Reason. To alleviate any risk to residents.
6. Notwithstanding the terms of the General Development Order 1995, or as subsequently amended, no development shall be carried out within the terms of Classes A to H of Part 1 and Classes A and B of Part 2 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur.
7. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.
Reason. To reduce the risk of increased flooding
9. 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.

10. The development hereby approved shall not be commenced unless and until a white lining scheme on Bury Road in the proximity of the site access has been submitted to and approved by the Local Planning Authority and subsequently implemented prior to first occupation.
Reason To ensure good highway design in the interests of road safety.
11. The development hereby approved shall not be first occupied unless and until the redundant accesses onto Bury Road indicated on the approved plans have been reinstated to adjacent footway levels to the written satisfaction of the Local Planning Authority.
Reason To ensure good highway design in the interests of road safety.
12. The highway improvements to form the visibility splays indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is first occupied and subsequently maintained free of obstruction above the height of 0.6m
Reason. To ensure good highway design and to ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
13. A minimum hardstanding of 5.5m measured between the highway boundary and any proposed garage doors shall be provided and thereafter maintained.
Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety.
14. The turning facilities indicated on the approved plans shall be provided before the development is first occupied and subsequently maintained free of obstruction at all times.
Reason To minimise the standing and turning movements of vehicles on the highway in the interests of highway safety.
15. 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**

Location: 1 & 1A HIGHER LANE, WHITEFIELD, M45 7BG

Proposal: CHANGE OF USE FROM SHOP (A1) TO TAKEAWAY & HOME DELIVERY (A3) AND NEW SHOP FRONT

Application Ref: 44111 **App Type:** Full

Statutory Expiry Date: 18 April 2005

Recommendation: Approve with Conditions

Description

The application relates to the ground floor of two of the three properties within a two storey detached building at the junction of Bury New Road and Higher Lane, adjacent to the Khan Saab restaurant. All the units within the building are vacant. One unit was previously a hairdressers and the other a Learndirect centre which falls within an A2 use category. To the rear of the property is the car park for the Khan Saab. Across Higher Lane to the front is the public car park serving the adjacent shopping centre. Higher Lane has double yellow lines immediately outside the property.

The applicant indicates in a written statement that the take away element at 20% would be ancillary to the home delivery part of the business (80%). Proposed opening hours would be 12 noon to 12 midnight seven days a week.

Relevant Planning History

31220/95 Change of Use from A1 Shop to A3 Restaurant and New Shopfront **Approved 3/10/95**

Publicity

Immediate neighbours. One letter of objection concerned about the number of take-aways already in the area and the need for a local shop serving the community.

Consultations

Borough Engineer - No response to date.
Environmental health - No response to date.

Unitary Development Plan and Policies

S1/3 Shopping in District Centres
S2/3 Secondary Shopping Areas and Frontages
S2/6 Food and Drink

Issues and Analysis

Principle. The site lies within the district shopping area but not within a secondary shopping frontage. Policy S2/3 relating to Secondary Shopping Areas indicates that the Council will seek to maintain retailing as the predominant land use. However, proposals for change of use will need to take account of the following;

- design and appearance
- display windows
- access issues
- disturbance and nuisance

Policy S2/6 Food and Drink indicates that regard will be given to;

- amenity of nearby residents
- overconcentration of other A3 uses
- parking and servicing
- storage and disposal of refuse
- impact of flues

Although as the objector states, it would be preferable to see an A1 retail use retained within the property, the location of the site, cut off from the main shopping area by the busy section of Higher Lane limits the viability of an A1 shop. It should be noted that the larger unit was already in non retail use as a Learndirect facility. In terms of there being an overconcentration of A3 uses, this view is not supported. Although the Khan Saab restaurant is adjacent, the properties are physically removed from the main shopping areas and other A3 uses and would not form an agglomeration that it would detrimentally affect the character of the existing centre as a whole.

Design. In terms of criteria within policies S2/3 and S2/6, it is considered that the design and appearance of the new shopfront is acceptable and the large display window would help enhance the visual interest on the street scene.

Car Parking. Given the waiting restrictions outside the units, the presence of the public car park across Higher Lane and the emphasis on home delivery, it is not considered that parking for delivery vehicles and customers would be an issue that would adversely impact highway safety.

Residential Amenity. In terms of disturbance, the proposal is not considered to adversely affect local residents the nearest of which are in the flats above the shops across Higher Lane, approximately 60m away.

Refuse collection and Flue. Given the nature of the business, is not considered that the issue of refuse would be of concern. The impact of the flue is not likely to have an adverse impact on amenity.

On balance it is not considered that the change of use would detrimentally affect the overall viability of the secondary centre.

Reason for Recommendation.

Permission should be granted having regard to the policies and proposals listed and the reasons for granting permissions can be summarised as follows;-
the change of use to an A3 hot food takeaway would not significantly harm the character or economic vitality of the district shopping centre. There are no highway safety issues that would cause concern and there are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 2005/10/01 AND 2005/10/02 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 business shall not be open outside 0800 hrs to midnight daily.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation.
4. Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before the use commences; any works approved shall be implemented to the written satisfaction of the Local Planning Authority before the use commences.
Reason. In the interests of amenity.

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

Location: LAND ADJACENT 1 PARK TERRACE, WHITEFIELD, M45 7HQ

Proposal: RESIDENTIAL DEVELOPMENT - 3 NO. APARTMENTS (RESUBMISSION)

Application Ref: 44146

App Type: Full

Statutory Expiry Date: 21 April 2005

Recommendation: Approve with Conditions

Description

The application site is part of the curtilage belonging to the adjacent property of 1 Park Terrace. The land subject to this application and 1 Park Terrace are in the same ownership. The land formerly had a large shed structure on it that has fallen into disrepair and the land is now unkempt and overgrown.

The land is level generally and is accessed from an unmade roadway that also provides access to a row of older terraced properties located to the northwest of the site. Immediately behind the site, is a row of garages belonging to Links View Court, which is a flats development situated to the north east of the site. To the south of the site is a row of more modern terraced properties, which are some 0.75m lower in level.

The application is seeking planning permission for the erection of a detached two storey building to accommodate three apartments to the side of 1 Park Terrace. The siting of the new development would require the demolition of an existing single storey extension that has been added to the side of 1 Park Terrace. Four parking spaces are proposed to be located to the front of the site. Access would use the existing access road that serves the terraced properties to the north.

Relevant Planning History

A previous planning application ref: 43698 was withdrawn on 22/12/04 for a development of 4 apartments as this was considered to be an overdevelopment of the site.

Publicity

Letters were sent directly to neighbours at Philips Drive, Park Terrace, Park Lane and The Parkfield Inn in the immediate vicinity of the site. As a result of this publicity, seven letters have been received. One letter from 14 Links View Court confirms that they have no objections to the scheme. Two letters are from 3, two letters are from 5, one from 7 and one from 11 Park Terrace who raise the following points -

- The three apartments would generate 3 to 6 additional cars;
- The applicant who owns 1 Park Terrace still intends to sell this property. Any resultant occupants would generate 1 to 3 cars;
- The parked cars in the immediate area surrounding the development would make it difficult for emergency vehicles to enter the site should they need to;
- The access road is an unadopted road, which is in a poor state of repair. Additional demand would worsen the roadway;
- This area cannot accommodate 3 additional properties;
- The development of apartments would not be in-keeping with the older terraced properties;
- The drains often block in this area and run under the land;
- Development of the site would add noise to an area that already suffers from excessive

noise.

Consultations

Borough Engineer

Traffic - No objections in principle subject to conditions relating to the car parking being made available prior to occupation and the amendment of the proposed boundary treatment adjacent to the car parking.

Drainage - No objections to the proposals.

Environmental Health

Contaminated Land - No objections to the scheme subject to the addition of a planning condition requiring a contaminated land survey.

Air Quality - No objections to the proposals.

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

EN1/2 Townscape and Built Design

Issues and Analysis

Principle - UDP Policies H1/2 - Further Housing Development seeks, amongst other matters, to direct new residential developments into the urban area, to relieve the pressures of development of more peripheral open land sites. The site is located within an existing urban area, has been previously developed and would, under the terms of PPG 3 - Housing, be considered as a brownfield site. The predominant land use in the area is residential in nature and as such, it is considered that the use of the land for residential purposes would be acceptable.

Design and Appearance - UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design seek to ensure that new developments are appropriately accessed, are appropriate to their surroundings, do not have a detrimental impact upon amenity, are appropriately designed, have adequate parking provision and a good standard of design.

The height of the new development would be similar to the neighbouring property of 1 Park Terrace, with a similar elevational composition. The elevation of the new building would appear, visually, to read as though two new terraces would be created. This would maintain the character of this small enclave and assimilate appropriately into the context and would therefore comply with UDP Policies EN1/2 - Townscape and Built Design, H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development.

Residential Amenity - The separation distance between the flats at the rear and the new development would be some 26m and as such, this relationship would be comply with the Council's aspect standards when considering the direct facing habitable room windows. The site is not overlooked at all from the front and the development would not impact upon any outlook from neighbouring properties. As such the development would comply with UDP Policies EN1/2 - Townscape and Built Design, H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development.

Car Parking and Access - The scheme would provide 125% parking for the proposed three flats. The scheme is also within close proximity to bus routes and as such the levels of parking proposed is considered to be acceptable. The access to the site would be obtained by using the existing access road, which runs along the side of the pub. The road is an unadopted highway and is uneven. However, the roadway is of an acceptable width to afford good visibility and passing between vehicles and pedestrians. The Borough Engineer has raised no objections to the access to the proposed development. As such, it is considered that the development would comply with UDP Policies H2/1 - The Form of New

Residential Development and H2/2 - The Layout of New Residential Development.

Amenity Space - The scheme proposes amenity space within the curtilage of the development both to the front and rear of the new building. The amenity space would be, by comparison, greater than the terraced properties in the immediate vicinity and is considered to be appropriate and accord with the UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development.

Bin Storage - An area has been indicated towards the rear of the site to accommodate refuse storage for the development. However, given the number of properties involved in the scheme, only domestic bins would be used, thus collection would not be problematic.

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;-

The development would bring about the redevelopment of a previously developed site and would in design terms, be an appropriate introduction to the area without undue impact upon existing residential properties. The development would comply with adopted policies of the Unitary Development Plan and there are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 2486-11e, 2486-12b 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 first occupied unless and until the existing boundary fence adjacent to parking space No.4 and the access from Philips Drive has been removed as indicated on the drawing 2486-12b, with the subsequent replacement landscaping or boundary treatment not exceeding 600mm in height.
Reason - To ensure the intervisibility of the users of the site and the adjacent access in the interests of road safety.
5. The car parking indicated on the approved plans 2486-12b 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. 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.

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. Details of the boundary treatments to be used within the scheme 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: LAND ADJACENT TO BACK OF MOSS FARM FORMING PART OF BRICK HOUSE FARM UNSWORTH BURY

Proposal: EXTENSION OF EXISTING 9 HOLE GOLF COURSE TO CREATE 18 HOLE GOLF COURSE

Application Ref: 43937

App Type: Full

Statutory Expiry Date: 19 April 2005

Recommendation: Approve with Conditions

Description

The land is being used as a 9 hole golf course. Access to the golf course is gained via Pole Lane, off Parr Lane, Bury.

This application seeks to extend the existing 9 hole golf course to form an 18 hole golf course by incorporating approximately 35 hectares of the adjoining farmland to the north east. The application site has a softly undulating topography with some steeper slopes in the northern and southern areas. There are several ponds, wetland areas, hedgerows, trees etc present on the site. Castle Brook separates the application site from the existing golf course area.

The proposed layout for the golf course includes the formation of several fairways, greens, tees, bunkers, ponds and wetland areas. These works would involve regrading and reshaping of the site which would result in materials moving from elevated parts to shallow or flatter parts of the site. It is proposed that the existing topography would be used positively to develop various features of the golf course. The scheme also includes the creation, as well as retention, of various ponds and wetland of wildlife and ecological significance.

The proposed landscape scheme aims to enhance the existing landscape setting of the site by introducing new indigenous planting, providing an environment for the establishment of wildlife communities and protecting existing wildlife in Castle Brook and ponds located within the site.

Relevant Planning History

Planning permission ref. 31819/96 for the creation of a 9 hole golf course together with two storey side extension and improvements to the club house, conversion of an open sided single storey store into a two bedroom dwellinghouse, changing rooms and social function facilities and creation of a car parking area on land off Pole Lane, Unsworth, Bury, was granted, subject to conditions, on 27th June 1996.

Planning application ref. 43276 for same development was withdrawn in November 2004 with a view to incorporate amendments to the proposal suggested by a resident of the area.

Publicity

The application was advertised in a local newspaper and notices placed on the site. In addition, all the relevant residents of Pole Lane, Hills Lane and other adjacent streets and farmhouses were consulted about the proposed development. No comments have been received to date.

Consultations

Borough Engineer - No objection

Environmental Health - No objection subject to a condition requiring the submission of full Contaminated Land Desk Study.

Landscape Practice - The proposals as submitted fulfill the policy requirements with respect to landscape issues and will serve to enhance the quality of an otherwise deteriorating agricultural environment.

GM Ecology Unit - Response awaited

Environment Agency - Response awaited

United Utilities - Response awaited

GM Archaeology Unit - Response awaited

Transco - No comments other than to say that Transco does not have a pipeline in the vicinity and that the advisory information supplied by them should be passed onto the applicant.

Unitary Development Plan and Policies

OL1/5 Mineral Extraction and Other Dev in the Green Belt

OL6/1 New Uses and Development of the Countryside

EN9/1 Special Landscape Areas

EN6/3 Features of Ecological Value

RT3/2 Additional Provision for Recreation in the Countryside

Issues and Analysis

This application is a re-submission of the previous application ref. 43276 which was withdrawn by the applicant to incorporate amendments to the proposal suggested by the residents of Unsworth Moss Farm. The submitted plans show the relocation of the proposed Green 5 and removal of trees/shrubs away from the boundary with Unsworth Moss Farm.

Need - The applicants feel that the existing nine hole golf course is inadequate to complete full rounds of golf which are always played over eighteen holes. As a consequence, the existing golf course is less attractive/interesting to golfers. They believe that the facility can be improved and enhanced by providing additional nine holes within the extended golf course.

Green Belt - No buildings are proposed in the application. The extension of the golf course, by the very nature of the proposed facilities, would maintain the open character of the green belt and help enhance outdoor and recreation facilities in the area. The proposal is therefore acceptable in terms of the green belt policies.

Landscape - The proposed layout for the golf course extension and landscape treatment appear to complement the existing topography and rural character of the area. The site will be regraded and no significant earthmovement is envisaged. Additional tree and planting species are proposed to enhance the visual character of the area.

Ecology - As part of the pre-application discussions, various protected species surveys have been carried out satisfactorily and submitted as part of the application. The main findings of the survey was that several ponds had breeding population of great crested newts and bats and two national biodiversity target species present on the site. In order to protect the existing wildlife on the site, the proposal includes the retention and maintenance of all

existing features of ecological significance including ponds, wetland areas etc. In addition, new ponds and wetland areas have been proposed to enhance existing wildlife of the site.

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:-

It is considered that the proposed development would enhance the outdoor recreational facilities in the area and would not cause demonstrable harm to interests of acknowledged importance. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2. The development hereby permitted shall be carried out fully in accordance with the details as shown on the submitted plans no. C9, E7, E10, E11, E14, E15, Gm-48-1683, GM-48-1652, GM-48-1770 and supporting statements including The Landscape Appraisal, Golf Course Design Proposals & Landscape Strategy, Pike Fold Golf Course Extension Ecological Survey, Ecological Reports (Water Voles and Great Crested Newts), Annex 1- Method Statement for DEFRA Licence Application, Archaeological Desk- Based Assessment, Pike Fold Golf Course Geophysical Survey Report, Further Environmental Investigation and Assessment Report and supporting letters dated 22 February 2005, forming part of the planning application no. 43937 received on 22 February 2005. Any changes to the approved plans, timetable, proposals or method statements shall be agreed in writing with the Local Planning Authority prior to implementation.

Reason. For the avoidance of doubt and to protect the interests of a European Protected Species.

3. No trees, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before or during the construction period without the previous written consent of the Local Planning Authority.

Reason. To avoid the loss of trees which are of amenity value to the area.

4. No development shall take place until detailed proposals for landscape development and management have been submitted to and approved in writing by the Local Planning Authority. Proposal shall include:

) amendments to the species planting mix shown on drawing GM-48-1770.

b) the identification and specification of areas of 'rough'.

c) a habitat enhancement scheme for skylark, reed bunting lapwing, snipe and teal.

d) a maintenance specification and programme for the complete course to include rough, fairways, green, tees, hedgerows, plantations and ponds.

The development shall not be carried out other than in accordance with the approved details.

Reason. To protect the interests of a European protected species and biodiversity target species

5. No earthwork's or removal of hedgerows shall be carried out on site between the 1st March and 31st July inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.

Reason. In order to ensure the protection of nesting birds.

6. No development shall take place until full details of pond creation/restoration work have been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason. To protect the interests of a European Protected Species.

7. No development shall take place until a plan illustrating any proposed drainage works is submitted to and approved by the Local Planning Authority. Such a plan shall avoid drainage into known great crested newt breeding ponds and include measures to filter out fertilizers and pesticides prior to entering any waterbody or water course. The development shall not be carried out other than in accordance with the approved details.

Reason. In order to protect the interests of a European Protected Species and to ensure that any water pollution would be reduced.

8. No development shall take place within 6m of Castle Brook until a detailed scheme for the proposed works is submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The development shall not be carried out other than in accordance with the approved details.

Reason. To protect the stream valley and to ensure flood defence.

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

Reason. To protect the Castle Brook corridor and prevent debris and construction material from encroaching into this area.

10. No vehicles or machinery shall approach within 1m of Castle Brook except at approved crossing points. The details of such crossing points and protective measures to avoid vehicles accidentally entering into the stream corridor shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The approved crossing points and protective measures shall be installed prior to any development being carried out.

Reason. To protect the stream valley.

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

