

Ward: Bury East

Item 01

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

This application was deferred for a site visit at the 12 April Planning Control Committee.

No further comments have been received from local residents.

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 Leamont 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 Leamont 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Residential Development - Demolition of the existing service station and erection of 12 apartments in 3 storey block - withdrawn. The application was withdrawn before it was refused on the grounds that adequate vehicular access could not be achieved into the site and that the block would have been detrimental to the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 Leamont Drive objecting to the proposal on the following grounds:

- * loss of light (8 Foster Court & 2 Leamont Drive),
- * only a two storey or single storey high building would be acceptable in this location,
- * insufficient car parking,
- * loss of privacy (8 & 10 Leamont 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. An appropriate condition is recommended requiring the information to be provided.

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 Leamont 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: 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

This application was deferred for a site visit by the Planning Control Committee on 12th April 2005.

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.

GMPTE - They consider that the sites are well located in relation to public transport modes, being within a short walk from bus stops on Heywood Street. Additionally, the site is also close to the Northern Orbital Quality Bus Corridor. GMPTE have no objections to the proposals.

Unitary Development Plan and Policies

H4/1 Affordable Housing

RT2/2 Recreation Provision in New Housing Development

H5/1 Area Improvement

EN1/5 Crime Prevention

SPD1 Development Control Policy Guidance Note 1: Rec Prov

SPD3 Development Control Policy Guidance Note 3: Crime

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 03

Location: LAND AT BRIDGE HALL LANE, BURY

Proposal: RESIDENTIAL DEVELOPMENT - 27 NO. APARTMENTS

Application Ref: 44252

App Type: Full

Statutory Expiry Date: 13 June 2005

Recommendation: Minded to Approve

The Committee is recommended to be Minded to Approve this application subject to the completion of a legal agreement covering provision of a commuted sum towards recreation open space, affordable housing and public art. Delegated powers are requested for the Borough Planning and Regeneration Officer to refuse the application if the legal agreement has not been completed by Friday 10th June 2005. Although this application is a departure from the adopted Unitary Development Plan, under government direction it does not need to be referred to GONW as those usually called in are either much larger residential schemes or those relating to retail proposals or development in the Green Belt.

Description

The application site lies to the north of Bridge Hall Lane and is set between an office development currently under construction and recently constructed houses on raised ground to the north on Greengate Close.

The site itself is partly flat on the southern side of the site but begins to rise steeply moving farther north which rises to meet the level of Greengate Close. There are a number of trees covered by TPO 70 which are on the site some of which were removed by the developer who constructed the dwellings at Greengate Close without consent. The site is enclosed by residential development to the east, north and west and by the new office development and Tetrosyl to the south.

The application site is included within the boundary of the Employment Generating Area and forms part of an allocation land proposed for office development under policy EC1/2/7.

Relevant Planning History

Application 39811 originally sought planning permission for the erection of 13 houses and 27 apartments. However, the 27 apartments were within the Employment Generating Area which would have resulted in the application being refused on the grounds of loss of employment. The applicant withdrew the 27 apartments from the scheme and the Planning Committee granted permission for the 13 Houses on 14th Jan 2003.

Application 41374 was an application to vary Condition 14 of 39811 which required any future housing development on the site where the 27 apartments were originally proposed, to include the 13 houses approved in the calculation of affordable housing provision. The application was refused but the Council's decision was overturned when the appeal was allowed.

Application 42219 sought planning permission for the erection of 5 two storey office blocks. Permission was granted by Planning Committee on 11th May 2004.

Proposal

The current application seeks permission for the erection of 27 apartments on the sliver of land between the 5 office blocks and the 13 houses. The scheme would consist of two blocks:

Block 1 would be part 3 and part 4 storeys high and would kink to follow the curve of Green gate Close.

Block 2 would be 3 storeys high at either end with the central section proposed at 4 storeys high. The block would be a straight rectangular shape and cut into the steep incline of the north of the site.

The design of the scheme can be described as post-modern with a mixture of external facings being used such as brickwork, render, cedar board and zinc cladding. The roof would be flat whilst the balconies would have steel grating. The windows are described as contemporary.

The scheme proposes a combined cycle and bin store constructed in brick with a tile roof adjacent to the entrance to the site. The applicant proposes to meet the Council's recreation provision, affordable housing and public art requirements in full via a section 106 agreement. The recreation open space and public art would be paid via a commuted sum whilst the affordable housing would equate a 25% market discount over 6.75 properties. The applicant will be informing the Council of whether this will be achieved via a bigger discount on 6 apartments or a smaller market discount over 7.

Publicity

Press advertisement placed in 25th March 2005 issue of the Bury Times; Site Notice posted 24th March 2005 and 41 adjoining occupiers notified by letter. 2 responses have been received objecting to the proposal on the following grounds:

1 letter from a resident on Greengate Close objecting on the grounds of loss of view, loss of light and outlook and increase in traffic.

1 letter received from Tetrosyl objecting to the proposal on the grounds of the oversupply of housing in the Borough and loss of scarce employment land. The objector draws attention to the Bevis Green appeal where the development was refused on the grounds of over-supply of housing.

Consultations

Borough Engineer - Drainage - no objections. - Highways - comments will be reported via the supplementary agenda.

Borough Environmental Services Officer - recommends a desk top contaminated land survey be submitted prior to the commencement of development.

Operational Services - comments will be reported via the supplementary agenda.

Health and Safety Executive - does not advise against granting planning permission on safety grounds.

United Utilities - do not object.

GM Police - comments will be reported via the supplementary agenda.

Unitary Development Plan and Policies

PPG3	PPG3 - Housing
EC1/2	Land Suitable for Business (B1)
EC2/1	Employment Generating Areas
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
RT2/2	Recreation Provision in New Housing Development
EN1/2	Townscape and Built Design
EN1/6	Public Art
EN4/2	Energy Efficiency
EN8/1	Tree Preservation Orders
SPD1	Development Control Policy Guidance Note 1: Rec Prov
SPD4	Development Control Policy Guidance Note 4: Art
SPD5	Development Control Policy Guidance Note 5: Housing

Issues and Analysis

The main considerations of the application are the principle of the development, its form and layout and its impact on TPO'd trees.

The principle of residential development on this revolves around whether it would be acceptable to lose part of the EGA (Employment Generating Area). Policy EC2/1 states that other uses within EGAs will be allowed only where they constitute limited development or do not substantially detract from the Area's employment generating value. This particular site forms a narrow strip of land within the EGA which would not be suitable for large or medium scale development due to its size and shape. The employment allocation for offices on this site has almost been entirely taken up by the new office development currently under construction. For these reasons the proposal would constitute limited development that would not detract from the Area's employment generating value and is therefore considered acceptable in principle.

The form of the proposed development would be modern and 4 storeys high. However, the location of the development adjacent to offices should not detract from the visual amenity of the area and the steep rise in land levels up to Greengate Close should offset the height of the buildings so as not to incur a loss of light, privacy or outlook. The buildings would appear as 2 storey buildings from Greengate Close where there would be at least a 14 metre separation distance from the new block to flank walls of existing houses. The modern materials proposed are considered acceptable.

The layout of the proposed development would provide 1 space per flat with 4 disabled spaces and 5 visitor parking spaces as well as cycle parking. Overall, the scheme would provide adequate parking provision, pedestrian and vehicular access, would have adequate space about and between itself and other properties, would accommodate safety and security features and have access and facilities for the disabled. A landscape scheme including tree protection measures shall be required by condition.

The applicant has expressed willingness to enter into a legal agreement to make commuted sum payments for recreational open space and public art as well as provide the equivalent of 6.75 units available on an affordable basis.

The objections received are considered to have been addressed by the foregoing discussion.

Summary of reasons for Recommendation

The application is acceptable in terms of principle, form and layout and makes adequate provision for recreational open space, public art and affordable housing and therefore recommended for approval.

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 MELD/004/P/- 01 A, -02 A, -03 A, - 04 A - 05 A, 2457.03 & M.2002.02 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. 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. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

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

6. 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.

7. 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.

8. The bin and cycle parking stores shown on the approved plans shall be provided and made available for use prior to the development hereby approved first being occupied and shall thereafter be maintained.

Reason: To ensure a good standard of development in the interests hygiene and to encourage more sustainable methods of transport.

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

Ward: Bury East

Item 04

Location: 67 LORD STREET, BURY, BL9 0RE

Proposal: CHANGE OF USE OF GROUND FLOOR FROM AMUSEMENT ARCADE TO CLASS A5 - HOT FOOD TAKEAWAY, NEW SHOP FRONT & ROLLER SHUTTER.

Application Ref: 44451

App Type: Full

Statutory Expiry Date: 10 June 2005

Recommendation: Approve with Conditions

Description

The site is the middle premises in a row of three shops. The shop to the north is an existing hot-food take away and the shop to the south is a video centre. To the front across Lord Street is the car park for Asda, Marketside. At the rear across a back-street is the side elevation for a row of terrace properties on Shepherd Street. To the north is a private car park across Shepherd Street and to the south is enclosed land to the rear of the Church Inn public house.

The proposal is for the change of use of the ground floor of the premises from amusement arcade to Class A5 (Hot Food Take away) including a new shop front. The flat above is to remain.

Relevant Planning History

20941	Change of Use from residential to amusement arcade	Approved Conditionally 26-05-88
43922	Change of Use from amusement arcade to Class A3 (Hot Food Take away)	Withdrawn

Publicity

10 surrounding properties have been notified. One letters of representation has been received from 6 Shepherd Street who does not object to the proposal if:

- There is no increase in litter and noise
- The refuse bin is not in the backstreet

Consultations

Borough Engineer: Traffic Section – No objection

Borough Engineer: Drainage Section – No objection

Borough Environmental Services Officer – No objection subject recommended conditions

Unitary Development Plan and Policies

S2/6 Food and Drink

EN1/8 Shop Fronts

Issues and Analysis

The main considerations of this application are the impact of the proposal on the character of the area, visual and residential amenity and the provision of parking, servicing, storage of refuse and extraction unit detailing.

The site is within a small block of properties that are all existing commercial uses, which are just outside the boundary of the main shopping area of Bury Town Centre. It is therefore considered that the proposal would not unduly change the character of the area by means of noise, litter and disturbance.

The proposed shop front is a standard design with a central display window with the door at the side. This is comparable to the adjacent shop and would have a positive effect on the appearance of the building. The extraction flue at the rear is at the side of 65 Lord Street's two storey outrigger and whilst taller than the eaves it is against the southerly elevation and therefore masked from the views of any residential properties on Shepherd Street. There is a distance of over 30m from the rear elevations of the properties on Spring Street.

There is adequate provision for servicing and storage of refuse at the rear of the property accessed via Back Lord Street. The location of the site, within walking distance for a large number of dwellings and close to public car parks means parking is not considered an issue. The details of the extraction unit are to be dealt with by condition.

Therefore in conclusion even though the site is not within a designated shopping area the proposal is considered acceptable in terms of location, visual and residential amenity and servicing.

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 application is recommended for approval on the grounds it would not be detrimental to visual or residential amenity and provides adequate refuse storage space and air-extraction detailing.

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 **2037-01 received on 15th April 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 shop shall not be open outside 1000 hrs to 2400 hrs daily.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation.
5. The development hereby approved shall not be brought into use unless and until a detailed scheme for treating fumes and odours before their emission to the atmosphere so as to render them innocuous has been submitted to and approved by the Local Planning Authority and completed entirely in accordance with the approved scheme. The 'chinamans hat' cowls shown on the submitted Plan are not acceptable.
Reason. In the interests of amenity.
6. In considering the design of any exhaust fan(s) and/or flue(s), noise emissions associated with any proposed plant shall not exceed NR (Noise Rating) curve 25, as measured in the bedrooms of adjacent properties with the windows of those properties open in the normal manner for ventilation purposes.
Reason. In the interests of amenity.
7. No development shall take place unless and until a scheme to soundproof the ceiling between the proposed development and the accommodation above, and the walls to the stairway/entrance to the flat above has been submitted to and approved by the Local Planning Authority. The levels of acoustic insulation to be provided shall be, as a minimum, those deemed to be acceptable and specified as standards of construction in current Building Regulations. Such works that form the approved scheme shall be completed before the development is brought into use.
Reason. In the interests of amenity.

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

Ward: Bury East

Item 05

Location: 32 MANCHESTER ROAD, BURY, BL9 0SX

Proposal: CONVERSION OF DWELLING TO 4 FLATS

Application Ref: 44487

App Type: Full

Statutory Expiry Date: 17 June 2005

Recommendation: Approve with Conditions

Description

The application is a resubmission following the refusal of a planning application for five flats by Planning Control Committee on 12 April 2005.

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.

The previous plans showed 5 one bedroom flats including one at second floor level in the roof space. It is now intended to convert the building to only four flats without the one in the roof space.

As before, the plans show four parking spaces accessed off Belle Vue Terrace with vehicles able to enter and leave the site in forward gear.

Relevant Planning History

26331/91 - Change of use to day nursery refused in December 1991.

44097 - Application for conversion to five flats refused in April 2005 because:-

- There is insufficient car parking provided within the site to comply with the Council's parking requirements in respect of the proposed development. This would lead to additional on street car parking detrimental to the residential amenities of the area. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/4 - Conversions.

Publicity

Neighbours have been notified as before and to date one objection has been received from the resident of 11 Belle Vue Terrace. He continues to object. He thinks that each flat could generate 2 or 3 cars plus visitors in an area where there are problems with the residents parking scheme. He considers the access to be dangerous and urges a moratorium on any application leading to added pressure on parking and traffic.

Consultations

Borough Engineer - No objection on highway grounds.

Unitary Development Plan and Policies

H2/4 Conversions
Area Bridge Road/Buckley Wells
BY2

Issues and Analysis

The previous application was refused by Members on parking grounds although the property is close to the town centre and public transport links. The reduction in the number of units from 5 to 4 ensures that there is one car parking space per flat which is in accordance with the Council's parking requirements.

The conversion of the building to flats is in accordance with UDP Policy conversion will not adversely affect the external appearance of the building

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. The scheme includes adequate parking provision 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 511/1, 2, 3, 4, 5, 6, 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 Hodgkinson** on **0161 253 5323**

Ward: Bury West - Church

Item 06

Location: WELLINGTON BARRACKS BOLTON ROAD BURY BL8 2PL

Proposal: DISABILITY ACCESS LIFT

Application Ref: 44267

App Type:

Statutory Expiry Date: 11 May 2005

Recommendation: Approve with Conditions

Description

The application site is occupied by a two storey building with attic accommodation constructed in stone and slate which formed part of the former Wellington Barracks and is now used as a Regimental Museum for the Lancashire Fusiliers. The building itself is not listed although the War Memorial is a Grade II Listed Building which stands to the south of the building adjacent to Bolton Road, Bury.

The site is bounded to the south by Bolton Road with shops standing on the opposite side of the road, to the west by another former barracks building and to the north and west by residential development.

Relevant Planning History

None relevant.

Proposal.

The scheme is for the erection of a lift shaft on the northern elevation measuring 1.9 metres deep by 2.1 metres wide by 8 metres high to the highest point of the mono-pitched roof. The shaft would be constructed in matching stone and slate and would provide access for disabled visitors to the museum.

Publicity

26 adjoining occupiers notified by letter - one letter of objection received from the occupier of 16 Orpington Close objecting to the proposal on the following grounds:

- that the structure is not sympathetic to the building to which it will be attached
- the extension would protrude in an aesthetically displeasing way and should be incorporated within the existing building
- loss of outlook and visual amenity to nearby residents.

Consultations

None carried out.

Unitary Development Plan and Policies

HT5/1 Access For Those with Special Needs
EN2/3 Listed Buildings

Issues and Analysis

The main consideration of this application is the impact of the proposal on the visual and residential amenities of the surrounding area, on the character and setting of the listed War Memorial and the provision of access for the mobility impaired at the museum.

The proposed lift shaft whilst appearing utilitarian would be constructed in materials matching the existing building. It would not be as high as the main building and would not be visible from Bolton Road. As such it is considered that the proposed lift shaft would not be detrimental to the visual amenities of the surrounding area, it would not incur a loss of outlook to occupiers of adjoining residential property and it would not affect the character or setting of the listed War Memorial.

The proposal would provide access to the mobility impaired and improve the facilities at the museum in this respect in order to comply with the Disability Discrimination Act 1995.

No additional issues are considered to be raised by the letter of objection which have not been addressed above.

Summary of reasons for Recommendation

The application is recommended for approval on the grounds that it would not incur a loss of visual or residential amenity, it would not affect the character or setting of a Listed Building and it would provide improved access for the mobility impaired to the museum.

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 01 and 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 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 **Adrian Harding** on **0161 253 5322**

Ward: Bury West - Church

Item 07

Location: MAYFLOWER HOSPITAL, BULLER STREET, BURY

Proposal: PROPOSED MEDIUM SECURE RESIDENTIAL CARE UNIT AND CHANGE OF USE OF 10 BED UNIT TO ADMINISTRATION BLOCK AND CHANGE OF USE OF GATE LODGE OFFICES TO SECURITY CONTROL BUILDING AND FENCING (RESUBMISSION)

Application Ref: 44446

App Type: Full

Statutory Expiry Date: 10 June 2005

Recommendation: Approve with Conditions

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;

- 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 around the front of the hospital to a new 62 space car park in the south east corner of the site. The access road would be lit by lighting bollards, 660mm high. The car park in the south east corner would be lit by 5No 4m high lighting columns.

The application is identical to a previously refused application **43854** in all aspects apart from landscaping proposals including measures to protect existing trees. This resubmission attempts to satisfy the previous objections.

Relevant Planning History

43854 - Proposed medium secure residential care unit and change of use of 10 bed unit to administration block and change of use of gate lodge offices to security control building -

Refused 13/04/05 The loss of many established trees as a result of the proposed development would be detrimental to the character of the area.

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 - **Approved 28/05/03**

39676/02 - Demolition of hospital buildings and extension to nursing home for class C use and erection of fencing - **Approved 22/11/02**

39250/02 - Erection of enclosures for refuse bins, electricity substation and generator station, boundary fence - **Approved 21/08/02**

Publicity

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

Four letters of objection have been received from residents on Buller St, Kitchener St and Chantler St. Concerns relate to the following issues:

- adverse impact on trees and wildlife
- impact on visual amenity and character of the locality
- increased traffic
- security concerns
- sustainability
- need for the facility has not been proven

Consultations

Borough Engineer (Traffic) - Any adverse comments will be reported.

Borough Engineer (Drainage) - No objection.

Greater Manchester Ecology Unit - Any adverse comments will be reported.

Police - No objection.

Environment Agency - Any adverse comments will be reported.

Area Board - Any adverse comments will be reported.

Social Services - Any adverse comments will be reported.

Bury PCT - Any adverse comments will be reported.

Baddac - No objections.

Unitary Development Plan and Policies

EN1/1 Visual Amenity

EN1/2 Townscape and Built Design

EN6/2 Sites of Nature Conservation Interest LNR's

EN8 Woodland and Trees

EN8/1 Tree Preservation Orders

CF4 Healthcare Facilities

Issues and Analysis

Principle. The principle of a hospital (C2) use on the site is well established by the site's historical use and previously approved applications and is not at issue.

Layout and design. The layout and design of the new buildings within the site are considered to be acceptable. The two storey buildings have a traditional red/brown facing brick and slate effect roof tile finish and would be well screened by mature trees around the site boundary. The nearest residential property to the new buildings is approximately 70m to the west on Buller Street. This is considered to be adequate to protect the amenity of the

occupiers on Buller Street.

The overall layout of the site is considered to be acceptable. The applicant has provided additional information on the impact of the proposal on the trees within the site and has improved the replanting schedule to mitigate tree loss.

The 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. A 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 and Landscape. 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 revised scheme layout as shown on drawing 05/05/01 is a much improved proposal from the previous scheme which was refused because of the detrimental impact it would have on trees within the site and by implication the character of the locality.

The scheme for both the retention and removal of trees can be offset and explained in light of a clear design scheme involving the replanting of approximately 54 trees of various native species augmented by shrub and ground floor coverage. The use of a woodland understory and edge treatment to the retained trees and the use of *Carpinus betulus* (Hornbeam) in the proximity to the buildings help to give a better cohesiveness to the character of the planting throughout the site. The use of native species are more appropriate on the site and acknowledges the surrounding SBI site and the buffer zone contained with new fencing will help to ensure adequate protection from any self seeding on a long term basis.

With regard to the car park in the south east corner of the site adequate tree protection methods need to be adopted when working within any of the existing tree root zones to ensure the continued well being of the trees in this area.

Overall the proposed tree removal will be of a benefit to the area and affords an opportunity for the long term survival and improved health and management of the better specimen examples that are to be retained. This together with a comprehensive management plan removes the previous objections to the scheme in terms of trees and landscape.

Traffic. The objections relating to traffic generated by the proposal are not supported by the Borough Engineer who considers that the scheme would not have a detrimental impact on the surrounding road network.

Lighting. The driveway would be lit by a series of 600mm high lighting bollards while the main car park in the south east corner of the site would have five lighting columns at a maximum height of 4m. The lighting columns would be movement sensitive to minimise impact on visual amenity although the nearest residents would be at least 200mm away on Buller Street.

Management. The management of the site security was raised as possible concern by the Police and Bury PCT on the previous application. However this is not a material planning consideration but a matter for the NHS. The security measures proposed on the site are considered to be appropriate in planning terms and would not have a seriously adverse effect on the visual amenity of residents on Buller Street.

Objections. The majority of objections from local residents have been dealt with in this report. Concerns about the need for the facility and the site's sustainability are not supported given that the proposal is not significantly greater in scale to the previously approved extant schemes.

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 layout and design of the development is considered to be appropriate and complies with the policies listed. Given the proposed tree protection measures and extent of replanting, the impact on the ecology and landscape of the locality is not seriously detrimental. The amenity of local residents is not seriously affected. 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 1A; 01(C); 05/05/01; 03; 04; 01(B); 03; BMG/02/04 and associated supporting documents - Access Statement, Bat Survey, Tree Survey. 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 development.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development.
4. A minimum of 5 working days written notice shall be provided to the Local Planning Authority 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.

5. 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 buildings are 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.
6. 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.
7. The recommendations to mitigate the impact on possible bat roosts, detailed within the Bat Survey by Angela Graham, dated 11th January 2005 shall be carried out in full to the satisfaction of the Local planning Authority.
Reason.
8. The car parking indicated on the approved plans shall be surfaced, drained and 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.
9. Prior to work commencing on site, details of all proposed lighting columns shall be submitted to and approved in writing by the Local Planning Authority.
Reason. In the interests of visual amenity.
10. 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.

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

Ward: Bury West - Elton

Item 08

Location: FORMER BCC GARAGE SITE TOTTINGTON ROAD BURY BL8 1TB

Proposal: RESIDENTIAL DEVELOPMENT (OUTLINE)

Application Ref: 43963

App Type: Outline Planning Permission

Statutory Expiry Date: 10 May 2005

Recommendation: Approve with Conditions

Description

The site is that of a former car sales garage and workshop, now vacant. It was originally built as a supermarket. There is a road frontage to both Tottington Road and Horridge Street and a public footpath to the south. Surrounding land uses are predominantly residential.

The original submission proposed 18 semi detached houses and was supported by an illustrative layout. The application has been revised to delete reference to the number of houses and an accurate site plan has been submitted. All matters are reserved for future consideration.

The application is accompanied by a bat survey which has found no evidence of use of the building by bats.

Relevant Planning History

Series of applications relate to former car sales use.

Publicity

The application has been advertised as affecting a right of way and neighbours have been notified. Two objections have been received from the residents of 308 Tottington Road and 42 Moorside Road who are concerned about the amount of traffic on Tottington Road, the lack of parking spaces and intrusion on privacy.

Consultations

Borough Engineer - No objection on highways or drainage grounds.

Borough Environmental Services Officer - Recommends refusal because of lack of information on contamination which is required by the new Planning Policy Statement 23. The application was submitted before the implementation of this advice and a contamination study is required by a recommended condition.

Unitary Development Plan and Policies

H1/2 Further Housing Development
RT2/2 Recreation Provision in New Housing Development
H4/1 Affordable Housing
SPD1 DC Policy Guidance Note 1: Recreation Provision
SPD5 DC Policy Guidance Note 5: Affordable Housing

Issues and Analysis

The site is within a residential area where new residential development is acceptable in principle. Despite the objection from a neighbour, detailed plans would be required to include adequate parking and be designed not to affect privacy. All matters are reserved for future consideration and appropriate conditions are recommended.

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 is on a previously developed site within the urban area. It will not adversely affect the character of the area nor the amenity of neighbouring residents and will not affect 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; 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.

3. 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.

4. At reserved matters stage, the proposed development shall include recreation provision in accordance with Bury Unitary Development Plan Policy RT2/2 - Recreation Provision in New Housing Development.

Reason To provide for the recreational needs of residents.

5. At reserved matters stage, if the proposed development is 25 dwellings or more, provision shall be made for affordable housing in accordance with Bury Unitary Development Plan Policy H4/1 - Affordable Housing.
Reason To meet the need for affordable accommodation.
6. A minimum hardstanding of 5.5m measured between the highway boundary and any proposed garage doors shall be provided to the written satisfaction of the Local Planning Authority 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.
7. Provision shall be made within the site to the written satisfaction of the Local Planning Authority to enable vehicles to enter and leave the site in forward gear, and shall subsequently be maintained free of obstruction.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of highway safety.
8. A visibility splay measuring 4.5 metres by 90 metres shall be provided on land within the applicant's control at the junction of Horridge Street with Tottington Road to the written satisfaction of the Local Planning Authority before the development is brought into use and shall subsequently be maintained free of obstruction above the height of 0.6m
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
9. Visibility splays measuring 4.5 metres by 90 metres by shall be provided on land within the applicant's control at the junction of any new access with Tottington Road. to the written satisfaction of the Local Planning Authority before the development is brought into use and shall subsequently be maintained free of obstruction above the height of 0.6m
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
10. There shall be no direct means of vehicular access to separately;y occupied premises on the site from Tottington Road.
Reason In the interests of highway safety

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

Ward: Bury West - Elton

Item 09

Location: LAND TO REAR OF 114 TOTTINGTON ROAD BURY

Proposal: RESIDENTIAL DEVELOPMENT - 1 DETACHED BUNGALOW

Application Ref: 44332

App Type: Full

Statutory Expiry Date: 25 May 2005

Recommendation: Approve with Conditions

Description

Number 114 Tottington Road is a large end terraced house fronting a main road. The application site is the large rear garden which is separated from the rear yard of the house by a back street. The garden extends behind numbers 110 and 112 and backs onto the steep valley of the Kirklees Brook. The applicant's ownership includes a two storey brick building and garages that would be retained. A detached garage would be removed

It is proposed to build a two bedroom detached bungalow to be occupied by the owner of the house. Vehicular access would be off the back street with a parking area at the front and a large rear garden. Construction would be in brick with a concrete tile roof.

Relevant Planning History

43174 - Application for similar bungalow refused in October 2004 because of insufficient information and windows too close to the boundary of the plot.

Publicity

Neighbours have been notified and an objection received from the resident of 116 Tottington Road on the opposite side of the access.. Points raised include the following:-

- Their only parking is on the access road and, despite assurances from the applicant, they think that their parking will be affected
- Access to the rear of the houses will be restricted causing difficulties for refuse collection and emergency vehicles.
- Approval would be a precedent for future development of back land in an area where there is already permission for flats and residential development on Olive's paper mill.
- The proposal will add heavy traffic on Tottington Road, causing danger to pedestrians.

Consultations

Borough Engineer - No objection to revised plans that show adequate visibility and turning facilities for vehicles.

Borough Environmental Services Officer - Recommends refusal in the absence of a contamination study but this is covered by an appropriate condition.

Greater Manchester Police - No objection in principle.

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

Issues and Analysis

The plot is amply large enough to accommodate a dwelling with adequate garden areas and separation from other dwellings. The previous reason for refusal has been overcome by siting the bungalow 3.3 metres from the side boundary and specifying obscure glazing to relevant windows.

The design and appearance of the bungalow is acceptable.

It is not considered that approval would set a precedent for other sites which may be smaller and with more difficult access and would need to be assessed on their own merits.

Plans have been revised to meet the requirements of the Borough Engineer. Additional traffic from one dwelling would not justify a recommendation for refusal

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 occupiers of adjacent property. The access arrangements will not impact on highway safety issues. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to the drawings received on 10 May 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 turning facilities indicated on the approved plans shall be provided before the dwelling is first occupied and shall be maintained free of obstruction at all times.

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

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

Ward: Bury West - Elton

Item 10

Location: PAVEMENT OUTSIDE TESCO EXPRESS, BRANDESHOLME ROAD, BURY BL8 1HS

Proposal: TELECOMMUNICATIONS INSTALLATION - 12M HIGH MONOPOLE WITH 3 SHROUDED ANTENNAS

Application Ref: 44430

App Type: Telecom Determination (56 Days)

Statutory Expiry Date: 07 June 2005

Recommendation: Bury Metropolitan Borough Council Hereby determine that the prior approval of the local planning authority is **NOT REQUIRED** for the siting and appearance of the development as described in Part 1 of this decision notice.

Description

The application has been submitted under "prior approval" procedure where the Local Planning Authority is required to make a decision within 8 weeks otherwise there is a deemed approval.

It is proposed to site a 12 metre high monopole in the footway outside the Tesco Express store between an existing telephone box and a sign board. Three antennae would be hidden within the shrouded top of the column.

The application is accompanied by a supporting statement which includes details of pre application consultation, the need for the installation and alternative sites that have been examined. The statement deals with site design and appearance, health and safety, national and local planning policy and technical justification for the proposal. An ICNIRP certificate confirms that emissions will conform with public exposure guidelines.

Relevant Planning History

43897 - Prior approval application by O2 for 12.5 metre mast outside Brandlesholme public house refused in February 2005 for highway reasons

44360 - Prior approval application by O2 for 12.5 metre mast outside Brandlesholme Service Station withdrawn in April 2005.

Publicity

Pre application consultation was carried out by the applicant including a site notice and letters to ward members. Councillor Cresswell responded opposing the application because of the existing mass of street furniture, because of the position of the mast within a built up residential area close to shops and a nursery and because of the height of the mast within sight of a school. Her suggestion to locate the installation on pylons has been investigated by the applicant but there are none in the right location.

Neighbours have been notified within approximately 100 metres of the site. Thirteen letters of objection have been received from residents and occupiers of property on Brandlesholme Road, Trimmingham Drive, Thornham Close, Burrs Close and Salthouse Close. Points raised

include the following:-

- There is concern about the amount of existing street furniture including security bollards, trolley park, rubbish bin, advertising board and telephone box.
- Tesco unload from a large lorry with trolleys crossing the pavement and there is more obstruction and congestion from parked cars.
- The area is a focal point for local youths and suffers from neon signs, takeaways and late opening.
- Any more obstruction to the pavement is unwelcome and would be a further degradation of the area.
- The sighting and appearance of the mast is considered to be an eyesore.
- Residents do not accept that such installations are not a health hazard and this should be taken into account by the planning office together with the devaluation of property.
- The application is causing worry, stress and sleepless nights.
- There will be interference with TV, car immobilisers/alarms and computers.
- It is suggested that the mast should be in open country away from homes and shops.

Consultations

Borough Engineer - No objection on highway grounds.

Unitary Development Plan and Policies

EN1/1 Visual Amenity

EN1/10 Telecommunications

Issues and Analysis

Health - The health issue is a material planning consideration but the application is accompanied by a valid ICNIRP certificate confirming that emissions are within safe limits and the proposal is therefore acceptable on health grounds.

Siting and Appearance - The footway does contain various items of street furniture but is particularly wide at this point and there is also a deep forecourt in front of Tesco. The borough Engineer is satisfied that the mast and cabin can be accommodated without causing obstruction or detriment to visibility.

The mast would be 12 metres high and comparable in appearance to a street lighting column, although street lights in the area are 8 metres high. The antennae would be hidden within a shroud and the overall appearance would not justify refusal on the grounds of visual amenity.

Summary of reasons for Recommendation

Recommendation: Bury Metropolitan Borough Council Hereby determine that the prior approval of the local planning authority is **NOT REQUIRED** for the siting and appearance of the development as described in Part 1 of this decision notice.

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 52097-001B, 002B, 003B and the

development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.

3. Samples of the colour of paint to be used on the external surfaces of the mast and equipment cabins shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.

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

4. The mast hereby approved shall be removed from site to the written satisfaction of the Local Planning Authority within 6 months of it ceasing operation.

Reason. In the interests of the visual amenity of the area.

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

Ward: North Manor

Item 11

Location: ISLAND WORKS, RAILWAY STREET, SUMMERSEAT, RAMSBOTTOM

Proposal: PART DEMOLITION & CONVERSION OF EXISTING BUILDING INTO 4 NO. DWELLINGS (RESUBMISSION)

Application Ref: 44192

App Type: Full

Statutory Expiry Date: 28 April 2005

Recommendation: Approve with Conditions

Description

The site is a vacant factory on the north east side of the River Irwell accessed by its own private bridge from Railway Street. The original buildings are in brick with slate roofs and a 1897 date stone. There are later additions in brick and cladding. The land surrounding the buildings is mostly overgrown. It includes fire damaged offices which have the appearance of a pair of houses and a vacant house that are not part of the current application. The land on the opposite side of the river is part of the Summerseat Conservation Area.

The application is a resubmission following a recent refusal (see below). It is proposed to demolish most of the buildings and to retain the 1897 building. It would be converted into four houses. Existing arched openings would be reopened but there would be less alteration to the building than previously intended. The previous application showed the height of the building being raised and new detached garages neither of which are part of the current proposal.. Each property would have a sunroom extension with a balcony overlooking the river. Other land in the applicant's control and outside the application site would remain unused.

A letter accompanying the application summarises the changes to the scheme. The application is supported by reports which include a planning statement, a bat survey, a bridge condition report and a contamination assessment. The planning statement concludes that there is no likelihood of the buildings remaining in industrial or commercial use. It justifies the proposed changes to the buildings to create four dwellings. It points out that the floor levels would meet the Environment Agency's requirements for possible flooding. The bat survey does not find any evidence for the presence of bats

Relevant Planning History

42929/04 - Application for conversion to 4 dwellings withdrawn to allow additional information to be prepared and submitted

43632 - Application for conversion to 4 dwellings refused in December 2004 for the following reasons :-

1. The amount of change to the building and the size and position of the proposed garages would harm the openness of the Green Belt contrary to Policies OL1/2 - New Buildings in the Green Belt and OL1/4 - Conversion and Reuse of Buildings in the Green Belt.

2. The application and submitted plans contain insufficient information to enable them to be

properly assessed in respect of the area around the buildings, boundary treatments, landscaping and effect on the Wildlife Corridor contrary to Policies OL1/4 - Conversion and Re-use of Buildings in the Green Belt, EN6/4 - Wildlife Links and Corridors and EN9/1 - Special Landscape Areas of the adopted Bury Unitary Development Plan.

Publicity

The application has been advertised and neighbours notified. One letter has been received from a resident of 11 North View who objects on the following grounds:-

- Flood risk - Measures to mitigate risk by raising ground levels may increase the risk to properties elsewhere.
- Contaminated land - It is pointed out that it was formerly a dye works where tipping has occurred and close to a former sewage works and the site is unsuitable for development without remediation.
- Inadequate access - There are doubts about the safety and suitability of the bridge for a new residential development and also its future maintenance.
- Inappropriate development - The proposed development of large 3 storey houses is thought to be out of character with the Conservation Area and would be a precedent for more houses

Consultations

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

Borough Environmental Services Officer - A survey of contamination has been carried out on behalf of the applicant has been carried out but further information and confirmation of remedial work is required and an appropriate condition is recommended.

Fire Officer - Comments on load capacity of bridge will be reported.

Environment Agency - Comments will be reported.

Unitary Development Plan and Policies

OL1/4	Conversion and Re-use of Buildings in the Green Belt
EC2/2	Employment Land and Premises
EN1/1	Visual Amenity
H1/2	Further Housing Development
EN5/1	New Development and Flood Risk
OL5/2	Development in River Valleys
EN6/4	Wildlife Links and Corridors
EN9/1	Special Landscape Areas

Issues and Analysis

The property is an employment site in the Green Belt and is becoming increasingly unsightly. There is no objection on policy grounds to the loss of an employment site in this location with its poor vehicular access to main roads.

The majority of the existing buildings will be demolished. The original mill building will be retained and converted into dwellings which is in accordance with Green Belt policy. The previous application was refused in part because of the increase in height of the building and the addition of detached garages. Both these elements have been omitted from the current application. The houses would have small sunroom extensions but the size of the domestic gardens and boundary treatments would not harm the openness of the Green

Belt. A recommended condition would remove permitted development rights for future extensions.

The landscaping proposed is acceptable and the Wildlife Corridor would not be compromised. Access to the river bank would be maintained and the floor level of the houses would alleviate any flood risk.

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 occupiers of adjacent property and will not impact on highway safety issues. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 7321, 7323B, 7324A, 7326 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 measures to alleviate contamination of the site have been agreed in writing with the Local Planning Authority.. Remediation measures 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 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.
6. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, (or any order revoking or re-enacting that

Order), 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 consent of the Local Planning Authority.

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

7. No development shall occur until the recommendations of the bat survey have been implemented unless otherwise agreed in writing by the Local Planning Authority.

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

8. A landscaping scheme for the enhancement of the Wildlife Corridor 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 **John Hodkinson** on **0161 253 5323**

Ward: North Manor

Item 12

Location: 447 BOLTON ROAD WEST, RAMSBOTTOM, BL0 9RN

Proposal: DEMOLITION OF EXISTING HOUSE & ERECTION OF BLOCK OF 6 APARTMENTS

Application Ref: 44291

App Type: Full

Statutory Expiry Date: 17 May 2005

Recommendation: Approve with Conditions

Description

The application property no. 447 Bolton Road West, Ramsbottom, is a two storey large detached house located close to the junction of Longsight Road with Bolton Road West. The house which has spacious garden areas to the front and rear, is surrounded by residential/commercial properties and associated car parking area to the north and north east, a two storey block of offices/shops (Holcombe precinct) to the south – east and residential properties to the south and west. The access to the site is off Bolton Road West via an access road leading to the adjoining car parking area.

The proposal involves demolition of the existing house and erection of a block of 6 apartments. It is proposed that the block of apartments would be set back from the front boundary of the site by approximately 6m which would help facilitate 8 no. car parking spaces, one of which would be for the disabled persons. A new vehicular access point in the existing front boundary wall is proposed to gain access to the car parking area.

It is proposed that two of the three apartments at the first floor level would be accessed via external steps to be located along the side elevations of the proposed block. No openings other than access doors are proposed at either of the side elevations. A large communal open space to the rear of the block is proposed as rear garden. A dust bins store area has been proposed to the rear of the apartments block along the easterly boundary of the site.

It is proposed that the apartments block would have a pitched roof and would be constructed with external walls in sandstone.

Relevant Planning History

Previous planning application ref. 43638 was withdrawn to amend the scheme to incorporate necessary car parking provision.

Publicity

Two letters raising concerns about parking provision have been received from the occupiers of No. 5 Holcombe Mews and 403 Bolton Road West. The points raised

are:

1. The proposed development, without the benefit of right number of car parking spaces within its ground, would cause congestion and parking difficulties in the area.
2. The parking area to the front of the application site belongs to mews shops and we would like to be assured that the parking area and its access would not be encroached at any time during the construction of the proposed development.
3. The parking around the application property is limited and that the proposed development would require extra parking spaces.

Consultations

Borough Engineer – No objection subject to conditions concerning the provision of visibility splays and car parking spaces.

Env. Health - No objection subject to conditions concerning the submission of a Contaminated Land Desk Study and Site Reconnaissance Report.

Landscape Practice - Proposed planting as shown on the submitted drawing is acceptable.

BADDAC - No comments

Unitary Development Plan and Policies

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

Issues and Analysis

Principle: The application site comprising a residential premises is surrounded by residential properties on the northern, western and southern sides, business/shops (Holcombe Precinct) on the north east and eastern sides. There is a public car park located abutting the north-easterly corner of the application site. Due to its position and the surrounding land uses, the application site is well placed within a primarily residential area. The proposed residential development therefore accords with the requirements of Policy H1/2 - Further Housing Development and as such the proposal is acceptable in principle.

Layout and Design - The proposal involves the erection of a 2 storey high with room in roof space apartments block which would be set back by approximately 3m from the footprint of the existing house. This has been designed to provide adequate car parking facilities within the application site for the residents of the apartments.

The proposed building would be of a contemporary design with a pitched roof and predominantly sandstone elevations. Several traditional sliding slash windows are proposed at the front and rear elevations. The ridge height of the apartment block would be approximately 0.9m higher than the ridge height of the existing property. An apex roof feature is proposed in a central position at the front elevation of the block. Given the composition of the elevation, the proposed materials and ridge height, it is considered that the proposal is acceptable in terms of its layout and design.

Aspect Distance - The proposal would create a 2 storey building with room in roof space to be sited in a central position within the plot. There would be a separation distance of

approximately 19m between the front elevation of the apartments block and the nearest properties in the front and 23m between its rear elevation and the adjacent residential property No. 1 Hunters Green to the rear. Again, the separation distance between the side elevation of the proposed apartments facing the gable wall of the adjacent residential property No. 449 Bolton Road West is 13m. Furthermore, no habitable room windows are displayed at the gable wall of No. 449 Bolton Road West facing the application site. Although the adjacent block of shops/offices is located within 15m of the rear elevation of the proposed block, nevertheless, due to its orientation (looking away from the proposed apartments), it is not considered that the proposal would have a detrimental impact on the amenities of the occupiers of the offices at the first floor level. In view of its location and position of the proposed windows at its front and rear elevations, it is considered that the proposed development would not result in the loss of amenities for the adjacent residents of the area. As such, the proposal satisfies and complies with the requirements in respect of aspect and privacy matters of the UDP policies.

Amenity open space - The scheme provides areas of amenity open space to the rear and at the sides of the proposed car parking area in front. The amenity space to the rear would be used as communal garden by the residents of the apartments. A landscape treatment involving the planting of trees on the boundary of the site has been proposed.

Dustbin storage area - A storage area for communal bins has been proposed to be located close to the boundary along the easterly side of the site. The area would be accessed via the proposed paved path around the apartments block.

Car parking provision - The site abuts a car parking area currently used by people visiting the adjacent shops/ commercial properties located on Bolton Road West. In order to avoid any car parking problems/difficulties in the area and to meet the parking requirements of the residents of the flats, the applicant has proposed 8 car parking spaces on the front court of the apartments block. One of the parking space would be for the use by the disabled people. The proposed car parking provision amounts to more than 100%. Furthermore, the site is located adjacent to Bolton Road West which is a main bus route. In view of this, it is considered that the proposed car parking for the development is adequate and acceptable.

Access - Since no details for the provision of the visibility splays have been provided in the application, the Borough Engineer has recommended a condition requiring the provision of visibility splays.

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 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 P/2004/10/0134A (DWG 3 and DWG 06) received on 22 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. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development.
4. A visibility splay measuring 2.4 metres by 33 metres shall be provided on land within the applicant's control at the junction of the proposed car park access with the shared access road off Bolton Road to the written satisfaction of the Local Planning Authority before the development is first occupied and shall subsequently be maintained free of obstruction above the height of 0.9m
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
5. The car parking indicated on the approved plans [P/2004/10/0134A DWG 3 Rev A] shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being occupied.
Reason. To ensure adequate off street car parking provision in the interests of road safety.
6. No vehicular access gates shall be erected at junction of the proposed car park entrance with the shared access road off Bolton Road West.
Reason. To minimise the standing of vehicles on the shared access road and to ensure the free flow of traffic on the shared access road and Bolton Road West in the interests of highway safety.
7. The development hereby approved shall not be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the written satisfaction of the Local Planning Authority.
Reason. To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health.
8. The development hereby approved shall be carried out in full accordance with the recommendations of the bat survey by Angela Graham Bat Consultancy Service, dated 6 December 2004, submitted as part of the planning application ref. 44291.
Reason. To avoid harm to a species protected by Section 9 of the 1981 Wildlife and Countryside Act.
9. The bin storage area indicated on the approved plan shall be provided and made available for use prior to the building(s) hereby approved being occupied, to the

written satisfaction of the Local Planning Authority, and thereafter maintained.
Reason. To ensure provision of the bin storage area and in the interests of the residential amenities of the area.

10. 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.
11. The existing brick wall to front boundary shall be retained other than the section to be removed to facilitate access unless and until otherwise agreed in writing by the Local Planning Authority.
Reason. To minimise the turning movements of vehicles on the highway in the interests of road safety.

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

Ward: North Manor

Item 13

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

Proposal: RESIDENTIAL DEVELOPMENT - 1 DETACHED DWELLING ON GARDEN SITE (RESUBMISSION)

Application Ref: 44492

App Type: Full

Statutory Expiry Date: 20 June 2005

Recommendation: Approve with Conditions

Description

The site is part of the garden of a detached bungalow that has recently been considerably extended. There is a recent planning permission for a detached house and this application is an alternative scheme.

There is a substantial beech hedge on the front boundary with Holcombe Road and a conifer that is protected by a Tree Preservation Order. The garden is partially screened by trees and shrubs from the rear of the house to the south west and the side of the house to the south, 419 Holcombe Road. Some of the shrubbery has been removed and a 2 metre high fence erected on the boundary.

The house previously approved was of modern design and three storey in height with rooms partially in the roof space. The roof sloped down to single storey at the rear.

The house now proposed is on a similar footprint to before but is approximately 0.9 metre wider, 0.9 metre deeper and 0.3 metre higher at the highest point of the ridge. It would be two storey in height plus rooms in the roof space with 3 front dormers. Unlike the previous scheme the house would be two storey height to its full depth at the rear. A full height study window in the side of the house would be set away from the boundary with 419 Holcombe Road. The house would be of a traditional design and constructed in brick and render with a concrete tiled roof.

Revised plans have been submitted reducing the height of the rear part of the house and specifying translucent glazing to a full height study window on the side elevation of the house facing 419 Holcombe Road.

Relevant Planning History

41930/04 - Addition of first floor to existing bungalow with rear extension and double garage approved in January 2004.

42854/04 - Detached dwelling refused in January 2004.

43597 - Detached dwelling approved in October 2004.

44233 - Application by current applicant for detached dwelling withdrawn in April 2005.

Publicity

Neighbours have been notified of both the original and the revised plans and objections are anticipated. Objections to previous applications were received from 5 Greenmount Close, 419 Holcombe Road and 480 Holcombe Road.

Consultations

Borough Engineer - No objection on highways or drainage grounds.

Unitary Development Plan and Policies

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

Issues and Analysis

The principle of building a house on the plot has been established by the previous detailed approval (43597). Unlike the approved scheme the house now proposed is of traditional design and materials which are in character with the surrounding properties and raise no issues.

The house now proposed is no closer to the protected tree than the previous scheme

The main issue is whether the increased size of the house would have a detrimental effect on the residential amenities of occupiers of adjacent property sufficient to justify refusal. The applicant has made changes to the house to overcome objections to its size and it is considered to be acceptable.

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 design of the house is of an acceptable standard and any effect on the amenity of residents would not justify refusal of the application. The development would not impact on highway safety issues. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered MH404 00A, 01, 03A, 04A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.

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

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

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

5. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:1991 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.

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

6. The development hereby approved shall not be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the written satisfaction of the Local Planning Authority.

Reason. To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health.

7. The proposed study window located on the south (gable) elevation shall be fitted with obscure glazing in perpetuity.

Reason. To protect the privacy of adjoining occupiers.

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

Ward: Prestwich - Holyrood

Item 14

Location: LAND ADJ. 41 MILTON ROAD, PRESTWICH, M25 1PT

Proposal: RESIDENTIAL DEVELOPMENT - TWO SEMI-DETACHED DWELLINGS
(RESUBMISSION)

Application Ref: 44389

App Type: Full

Statutory Expiry Date: 08 June 2005

Recommendation: Approve with Conditions

Description

The site is comprised of two detached single garages and the base of a third that has recently been demolished. There are two storey red brick terraced residential properties adjacent to the north west boundary and across Milton Road. To the south east is a garage site. To the rear of the site, fronting Bury Old Road is two storey commercial property which is currently vacant.

The proposed four bed dwellings would be three storey in height including accommodation in the roofspace where there would be a small dormer on each house on the front elevation.

Each house would have a driveway to the front that could accommodate one car.

The application is a resubmission following a previous refusal for two dwellings on the site in January this year.

Relevant Planning History

43734 - Two semi-detached dwellings - Refused 21/01/2005.

Reasons - detrimental to character of street scene due to height and design and overlooking.

Publicity

Immediate neighbours - One letter of objection from 60 Milton Rd - concerns relate to inadequate parking, overlooking and being out of character with the locality.

Consultations

Borough Engineer (Traffic) - No objection.

Borough Engineer (Drainage) - No objection.

Environmental Health - No objection subject to contamination report.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

H1/2 Further Housing Development

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

Issues and Analysis

Principle. The principle of residential development on the site is acceptable as the site is

within the urban area, avoids the release of peripheral open land and is close to existing infrastructure.

Previous Scheme. The previous scheme was unacceptable due in most part to the fact that the houses would have been a full three storeys in height and significantly higher than surrounding properties. The design was also considered to be inappropriate and out of character with the street scene.

Layout and design. The layout of the dwellings in the revised scheme is considered to be in keeping with the general pattern on the street. The front elevation is slightly set back from the adjacent property at No.41 and allows for space to park a car on the driveway to the front.

The design of the revised scheme is considered to be more appropriate and in keeping with the surrounding properties on Milton Rd and has made reference to them with the bay windows at ground floor level. The dormers to the front are considered to be proportionate and not overly dominant. The proposed red brick and grey roof tiles would be in keeping with finishing materials on the street.

Objections. The concerns of the neighbour at No.60 are not supported. Each of the new dwellings would have a parking space on site. Given the prevailing development pattern and distances between properties across Milton Rd, the proposed gap of approximately 19m between the new houses and No.60 (main elevation to main elevation) is considered to be acceptable and should not seriously affect privacy. The character of the street scene is not likely to be seriously and adversely affected by the proposal.

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 proposed development is considered to be in keeping with the locality and would not have a serious and detrimental impact on surrounding residents.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 4577; 4577/B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development.
4. Prior to the 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.

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 existing ground levels, proposed ground levels and the level of proposed floor slabs shall be submitted to and approved in writing by the Local Planning Authority before any development commences on site. Details which receive the written approval of the Local Planning Authority shall be implemented in full.
Reason: To secure the satisfactory development of the site and the assimilation of the new building into the locality.
7. A minimum hardstanding of 5m shall be provided to the written satisfaction of the Local Planning Authority and thereafter maintained.
Reason. To enable a vehicle to stand clear of the highway in the interests of road safety.
8. Any wall, fence or gates erected on the Milton Road boundary shall not exceed 0.6m in height.
Reason. To ensure the intervisibility of the users of the site and the adjacent highway in the interests of road safety.

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

Ward: Prestwich - St Mary's

Item 15

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: Refuse

The application was deferred for a site visit at the previous Planning Control Committee meeting

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 - Five 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) - Recommends refusal on the grounds that the proposal would be an intensification of the use of a site with inadequate access and servicing arrangement and would be detrimental to road safety and maintaining the free flow of traffic.

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 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.

Access arrangements. The intensification of the use of a site with inadequate access servicing arrangements would be detrimental to road safety and maintaining the free flow of traffic. The proposal is therefore considered to be contrary to policy H2/2 - The Layout of New Residential Development and policy H2/6 - Garden and Backland Development.

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.

The Borough Engineer concurs with the objections relating to access and highway safety and recommends that the application be refused on grounds that the proposed development would be an intensification of the use of a site with inadequate access servicing arrangements and would be detrimental to road safety and maintaining the free flow of traffic. The proposal is therefore considered to be contrary to the following policies of the Unitary Development Plan: H2/2 - The Layout of New Residential Development; H2/6 - Garden and Backland Development.

Recommendation: Refuse

Conditions/ Reasons

1. The proposed development would be an intensification of the use of a site with inadequate access servicing arrangements and would be detrimental to road safety and maintaining the free flow of traffic. The proposal is therefore considered to be contrary to the following policies of the Unitary Development Plan: H2/2 - The Layout of New Residential Development; H2/6 - Garden and Backland Development.

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

Ward: Prestwich - St Mary's

Item 16

Location: LAND WITHIN REAR GARDENS OF 1A SPRING VALE & 71 BUTTERSTILE CLOSE PRESTWICH

Proposal: LAND DRAINAGE WORKS & FILLING TO LOW AREA OF REAR GARDENS, INCLUDING REMOVAL OF DEAD AND OTHERWISE AFFECTED TREES

Application Ref: 44243

App Type: Full

Statutory Expiry Date: 06 May 2005

Recommendation: Approve with Conditions

Description

The application site encompasses a major part of the large rear garden to 1a Spring Vale and a small section of the rear garden to 71 Butterstile Close.

71 Butterstile Close was built about four years ago as part of a development of similar houses within a valley site next to Hilton Lane. The house is at the far easterly end of the development and backs onto a previously established house 1a Spring Vale. This has a large rear garden, containing trees, that falls significantly to form a low lying area next to the relatively raised back garden at No.71. Subsequently, the low lying area created has, at times, flooded with standing water. When ponding is not in evidence the land is very wet rendering this large section of the garden unusable for normal domestic activity. This problem has been attributed to the new development at Butterstile Close and has led to complaints from the occupiers of No.1a. Protected trees within their garden have been adversely affected and a number of these have died.

The application involves a scheme designed to remove the problem of wetness and ponding. It includes a landfill operation to a maximum depth of about 1.6m. The main material would be crushed stone fill which would be overlain by a 300mm ash drainage layer over which there would be 200mm of topsoil. The work would also incorporate a system of land drains designed to take surplus water from the land and into the drains on Butterstile Close. It is understood that access for the works would be from Butterstile Close by utilising an existing emergency access route which links through to Hilton Lane.

Relevant Planning History

25728/91 - Outline for 20 dwellings. An appeal against non-determination was allowed on 22nd February 1993. The Council opposed the development on grounds of loss of protected trees, harm to woodland habitat and detriment to visual amenity and character of the area.

27574/92 - Approval of reserved matters for 12 dwellings approved on 4th March 1993.

27577/92 - Access road. Appeal against non-determination allowed on 22nd February 1993.

31756/96 - Reserved matters for 20 dwellings. Approved on 3rd October 1996.

31943/96 - Residential development for 39 dwellings. Refused on 13th March 1997 due to loss of protected trees, harm to woodland character, loss of visual amenity, lack of recreational provision, insufficient information provided and failure to demonstrate ownership of land required for emergency access.

33254/97 - Residential development for 37 dwellings. Approved on 5th February 1998.

Publicity

Letters have been sent to 13 addresses in the surrounding area, including the main affected properties 1a Spring Vale and 71 Butterstile Close.

The occupiers of 71 Butterstile Close have expressed the concern that the plans showed a 2ft dip on his side of the garden. This would be a hazard to their young twins who could easily fall and injure themselves. Accordingly, they would like the dip filled and levelled with the rest of their garden in order to remove the hazard.

The plans have been amended to provide a much more gently graded slope between the level part of No. 71's garden and the main surface of the fill. This would now be about 1 in 7 as compared with 1 in 1.5 on the original details. The occupiers of No. 71 have been notified but have indicated verbally that only a greater level of fill up to the general level of their garden would be satisfactory to them.

Consultations

Borough Engineer - The scheme has been designed and the application has been submitted by the Drainage Section of the Engineering Division. Any adverse highways comments will be reported.

Environment Agency - No objections in principle.

Unitary Development Plan and Policies

EN5 Flood Protection and Defence
EN8 Woodland and Trees

Issues and Analysis

Principle - The scheme is designed to solve a significant land drainage problem affecting an adjacent property following a recent housing development. Unfortunately, drainage measures associated with the scheme were insufficient to prevent water collecting in the rear garden of the affected house. The dead trees resulting from the wet area and a small number of additional trees affected by the landfill would be removed. The proposed drainage works combined with fill to raise the affected area of the garden are designed to restore it to a usable condition as a domestic garden. The garden is a private back garden and the final landscaping would be a matter for the householder.

Trees - The site is the subject of a tree preservation order. However, following the drainage problem, TPO protection now only extends to those trees that are not dead or dying. A small number of trees that continue to benefit from protection would also be removed because they would be within the area covered by fill material. In this case, because of the significant amenity problem for the householder that has arisen due to the flooding, it is felt that the limited tree losses should be accepted.

The objection - Because of the topography of the site the fill also needs to cover a small part of the back garden to 71 Butterstile Close which is much less affected by the flooding problem. The scheme has been amended to ensure that the resulting slope at the back end of no. 71's garden would be much less severe than with the original proposal. Also, it would be much less steep and with a much shorter fall than at present. However, the objectors have expressed continued concern regarding safety for their young child. Although the fill would not reach the higher level as desired by the objector, which would require an extra 0.44m depth of fill, it is considered that the problem involving the slope would not be worse than at present, indeed the shallower gradient would result in an improvement in the situation.

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 remove a significant drainage problem thereby restoring satisfactory amenity to the affected dwellinghouse. The other affected involved would not be adversely affected. The loss of trees necessitated by the development is acceptable given the very special circumstances that have given rise to the development. 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 SV001/101 Rev B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
3. Trees to be retained around the perimeter of the site shall be retained and protected from damage throughout the duration of the operations hereby permitted. No development shall take place unless and until details of these measures have been submitted to and approved by the Local Planning Authority and the measures have been installed fully in accordance with the approved details.
Reason: To avoid the loss of trees that are of amenity value to the area.

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

Ward: Prestwich - St Mary's

Item 17

Location: PRESTWICH GLASS & GLAZING, CHESTER STREET, PRESTWICH, M25 3HD

Proposal: PROPOSED CONVERSION/EXTENSION OF EXISTING BUILDING WITH DEMOLITION OF PART OF BUILDING TO FORM 8 NO. APARTMENTS

Application Ref: 44474

App Type: Full

Statutory Expiry Date: 16 June 2005

Recommendation: Approve with Conditions

Description

The site lies just outside Prestwich Town Centre, approximately 80m to the west of Bury New Road. The area is predominantly residential in character with two storey terraced properties to the north, south and west. To the east is a bowling green to the rear of the Liberal Club fronting Bury New Road.

The existing building on the site is a former red brick/slate church chapel and hall. It is not listed but the original building to the rear is considered to have some local architectural merit. It is currently occupied by Prestwich Glass and Glazing manufacturing business. The company are planning to move to more appropriate premises.

Access to the site is from Chester Street on to Devonshire Place which also serves 6no. residential properties immediately to the north. Immediately to the west is Back Dashwood Road, a cobbled access road to the rear of properties on Dashwood Road.

The proposal would involve the demolition of the front section of the building, adjacent to Chester Street, the construction of new block of apartments attached to a newly refurbished chapel building which would also be converted into apartments. There would be eight apartments of which seven would be two bed with a single one bed unit. There would be eight communal parking spaces access off Devonshire Place.

The application follow the withdrawal of a previous scheme for 12 apartments (**43775**). The revised proposal is an attempt to resolve concerns that where raised by the previous application.

Relevant Planning History

43775 - Conversion and extension of existing building with demolition of part of building to form 12 Flats - **Withdrawn**.

Publicity

Immediate neighbours - No response to date. Last date for comments from neighbours is 17/5/05.

Consultations

Borough Engineer (traffic) - No objection.

Borough Engineer (Drainage) - No objection.

Environmental Health - No objection subject to contamination report.
GM Police - No objection.
Consevation - No objection to the principle.
Baddac - No objection subject to level access or appropriate ramped access.

Unitary Development Plan and Policies

The site is unallocated in the Bury UDP.

EN1/2 Townscape and Built Design
H1/2 Further Housing Development
H2/1 The Form of New Residential Development
H2/2 The Layout of New Residential Development
HT2/4 Car Parking and New Development
SPD3 DC Policy Guidance Note 3: Planning Out Crime
RPG13 Regional Planning Guidance for the North West

Issues and Analysis

Principle. The principle of residential development on the site is acceptable as the current use as a glazing manufacturing business is considered to be incompatible with the surrounding residential properties. The proposal enables development to be directed towards the urban area avoiding the need to release peripheral open land. The development therefore complies with Policy H1/2 - Further Housing Development.

Layout and design. Although not listed, the retention of the original chapel building to the rear of the site is desirable as it does have some local architectural and historical merit. It is therefore important that any new building should be subservient to, and remain in character with, the chapel building and not dominate the streetscape.

The proposed new build is considered to be sensitively designed and in scale with the existing retained section of the former chapel and the surrounding streetscene. The design and detailing of the conversion and new build section is also considered to be in keeping with the original building and should enhance the streetscape.

Density. The site is in a sustainable location, only 80m from Bury New Road and Prestwich Town Centre and could accommodate a fairly high density scheme. The proposal at approximately 93 units per hectare, is considered acceptable.

The amount of informal open space within the site is considered to be adequate.

Parking and access. The eight parking spaces would be accessed from Devonshire Place and then onto Chester Street. Parking, access and egress arrangements together with servicing are considered adequate and would not be detrimental to road safety. Disability access is catered for by level access to the main entrance.

Residential Amenity. The amenity of surrounding residents is not seriously affected by the proposed development. First floor windows on the conversion, facing the rear elevation of houses on Dashwood Street would be obscure glazed to protect privacy.

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 proposed development is considered to comply with the policies listed above. The use of the site as residential is considered to be more appropriate in planning terms than the current industrial use. The layout and design is in keeping with the existing building and will improve the visual amenities of the locality without serious harm to the residential amenity

of local residents. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 05; 8806-4; 8806-05; 8806-06; 06; 07 and associated documents Architects Design Statement the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development.
4. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity.
5. The 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 shall 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. No works shall be carried out on the site until full details of the detailing of all new window and door frames and openings have been supplied to and approved in writing by the Local Planning Authority and the works shall then be carried out in complete accordance with those details.
Reason. In order to protect the character of the existing building and character of the locality in the interests of visual amenity.
7. The existing windows should be repaired as far as practical or renewed in painted

softwood to match the original in every respect including glazing bars, meeting rails, joints and mouldings.

Reason. In order to preserve the special architectural or historic interest of the building.

8. All rainwater goods including gutters shall be painted black cast iron and be maintained as such .
Reason. In order to preserve the special architectural or historic interest of the building.
9. The proposed windows located on the Back Dashwood Road elevation (west) and cross hatched on the approved plans shall be of a fixed and unopenable type and shall be fitted and maintained with obscure glazing in perpetuity.
Reason. To protect the privacy of adjoining occupiers.
10. The development hereby approved shall not be occupied unless and until the access improvements indicated on the approved plan 7741/07 have been implemented to the written satisfaction of the Local Planning Authority.
Reason. To ensure good highway design in the interests of road safety.
11. The proposed wall on the Chester Street boundary indicated on approved plan reference 7741 07 shall not exceed 900mm in height.
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
12. 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.

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

Location: SITE OF 229-257 BURY ROAD, RADCLIFFE, M26 2XF

Proposal: RESIDENTIAL DEVELOPMENT - 43 DWELLINGS WITH PROPOSED INFRASTRUCTURE UPGRADE & ANCILLARY DEVELOPMENT (DEMOLITION OF EXISTING BUILDING)

Application Ref: 44347

App Type: Full

Statutory Expiry Date: 26 May 2005

Recommendation: Minded to Approve

Minded to Approve subject to a Section 106 Agreement for Affordable Housing, % for Art and Recreation Provision or if the Agreement is not signed by the 30th June 2005 that the application be refused on the basis of none compliance with the Development Control Policy Notes 1, 4 and 5 and UDP Policies RT2/2, EN1/6 and H4/1.

Description

The site comprises the existing Altaman Industrial Estate off Bury Road in Radcliffe which is currently used for warehousing and storage. The site has a single access between 227 and 259 Bury road and is bounded by the rear gardens of existing residential properties on its northern, eastern and southern boundaries and the Metro on the western boundary.

There is one large building occupying the site that has been extended over the years and it is centrally located within the site. The site has an area of 0.635 hectares.

The proposal is to demolish the existing building and develop a mix of terraced 2 storey, 2 storey with dormers in the roof and 3 storey residential properties in 3 blocks and two 3 storey high apartment blocks adjacent to the boundary with the Metro. The buildings will all be brick built with concrete tile roofs. A total of some 43 dwellings are proposed.

Relevant Planning History

Various planning consents have been granted on the site for the existing warehouse and storage use but none are relevant to this proposal.

Publicity

A site notice and advertisement was placed adjacent to the main access to the site and in the Radcliffe and Bury Time newspapers. Additionally letters were sent to all the immediate neighbours.

This has resulted in some 22 representations being received including a petition signed by 66 people. The letters received are from residents living on Bury Road, Farcroft Avenue and Blenmar Close as are the signatures on the petition. The comments can be summarised as follows:

1. The type of development, including three storey apartments, is inappropriate to the character of the area given that it is characterised by predominately two storey semi-detached properties.
2. Potential loss of security to the rear gardens of the existing properties.
3. Disturbance and risk from contamination during construction.

4. Potential increase in traffic congestion and pollution from increased car traffic.
5. Insufficient capacity for surface and foul water drainage in the area
6. Loss of property value
7. Increased pedestrian movements causing increase traffic hazards.
8. Four storey apartments are too large
9. Loss of wildlife habitat
10. Inadequate car parking on site.
11. Loss of residential amenity from overlooking
12. Loss of light
13. Loss of views
14. Increased public noise
15. Loss of employment land
16. Aspect standards of the council are not maintained
17. Doubt as to the validity of the acoustic and vibration surveys
18. Lack of details about the boundary treatments
19. Lack of street lighting

Consultations

Borough Engineers Highways - No objections in principle

Borough Engineers - Drainage - No objections in principle

Environmental Services - No objections in principle subject to conditions on contamination and noise attenuation

Radcliffe Area Board - Any comments will be reported

Landscape Practice - No objections in principle but requested a review of the proposed tree species.

Environment Agency - No objections

Greater Manchester Police - recommended amendments to scheme to improve safety which have been incorporated into the revised layout.

United Utilities - No objections

Transco - No objections

Metro - No objections

Chief Fire Officer - No objections in principle

GMPTE - No objections in principle

Ecology Team - No objections in principle

AGMA - no objections in principle

Unitary Development Plan and Policies

EC2/2 Employment Land and Premises

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

RT2/2 Recreation Provision in New Housing Development

EN1/6 Public Art

EN1/5 Crime Prevention

H4/1 Affordable Housing

EN6/4 Wildlife Links and Corridors

HT2/4 Car Parking and New Development

PPG3 PPG3 - Housing

RPG13 Regional Planning Guidance for the North West

Issues and Analysis

Change of Use from Employment Generation to Residential - the proposed site is currently used for warehousing and the applicant has provided information regarding the suitability of the site being retained in that use and the site being used for residential purposes. This has been carefully assessed with regard to Policy EC2/2 - Employment Land and Premises Outside the Employment Generating Areas and found that the site can be released from

employment generation without a detrimental impact on the supply of land for this purpose in the area and as such the change of use to residential can be justified. In terms of the national policy statement in PPG3 - Housing and regional policy statement in RSS 13 - Regional Spatial Strategy for the North West, there is added support for the development of site such as this, which can be classified as 'brownfield'.

Layout of the Site - The development is served via a single access road between existing properties fronting Bury Road and in the same position of the existing vehicular access. The development has a mix of 2 storey terraced properties, 2 storey terraced properties with dormers in the roof and three storey terraced properties and apartments. The mix of property types gives a variation to the layout that helps create a sense of place. The general scale and massing of the properties is acceptable and, whilst a number of properties are higher than the surrounding 2 storey semi detached properties, they comply with the Council's aspect standards between the proposed and existing residential properties habitable room windows and as such are acceptable. The individual terraced properties each have their own amenity and parking spaces and the apartments have communal parking and amenity space. In addition, designated bin stores have been provided for the storage of refuse and recyclable waste as well as landscaping scheme which will allow the site to be laid out and developed in accord with the Policy Statement of the Council expressed in the Unitary Development Plan, namely H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development. Currently the boundary treatments have been omitted from the scheme and these are being reviewed by the developer and will be the subject of a supplementary report. The development will be at a density of 67.7 to the hectare which conform with PPG3 and RSS 13.

Car Parking - the proposal is for a total of 43 dwellings. The scheme has a total of 60 spaces, 52 allocated directly to properties and 8 for visitors. PPG 3 indicates that a maximum of 1.5 spaces should be provided per property. Given the mix of residences, 2 bedroom apartments and three bedroom terraced properties it is considered that an overall provision of 1.4 spaces per residence is acceptable.

Environmental Health - a full contamination study has been supplied and the applicant has given an undertaking regarding removal of white asbestos from the site in accordance with best practice under the Control Of Pollution legislation. An Acoustics report has been submitted due to the proximity of the site to the Metro. Remedial measures have been incorporated into the development and this will mean sound remedial measures will have to be applied to the apartments. It is intended that this matter should be covered by a condition.

Ecology - a bat survey has been included with the application and its findings, that there are no signs of current occupation by endangered species and that alternative habitats are available, have been agreed by the Councils ecology team.

Highways - formal comments awaited but the layout is acceptable in principal and any amendments can be covered by condition. The layout of the junction with Bury Road has been carefully considered and found to be acceptable in terms of Highways management.

Public Representations - A total of some 19 different objections have been made to the proposal. Matters to do with height of the proposed development, overlooking, loss of residential amenity, loss of employment land, car parking, highways, ecology and environmental health have been dealt with in the main body of the report as the scheme complies with the Councils policies or they can be adequately controlled by condition. They have been found not to be of sufficient weight as to warrant refusal. Matters to do with the loss of value of property and views are not considered to be material planning considerations and as such have not been considered in reaching a recommendation.

Section 106 Agreement - An area has been set aside the provision of art on the site in accord with DCPN 4 - Per Cent for Public Art and the applicant has set aside a contribution of £30,000. The applicant is intending that 25 % of the properties will be affordable within the terms of DCPN 5 and a contribution of £17,255.70 is proposed under the provision of DCPN 1 - Recreation Provision in New Housing Development. It is intended that this agreement be completed by the 30th June 2005 and if it is not it is recommended that the application be refused on the grounds that it conflict with these DCPNs.

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; particularly having regard to UDP Policy EC2/2, PPG3 and RSS 13, it is considered that the proposed development is acceptable and that as it conforms with Policies H2/1, H2/2 and as such 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 drawings numbered 01-01, Fence 6, Fence 7, Fence 8, Bin ST. 2, Bin St. 3, 2567.01 drawings received on 31st March 2005 as modified by the letter from and drawings numbered 02-01A and W09 received 9th May 2005.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
4. The landscaping scheme hereby approved shall be implemented to the written approval of the Local Planning Authority not later than 12 months from the date the dwelling is first occupied or any other period approved in writing by the Local Planning Authority. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity.
5. The residential accommodation hereby approved shall include acoustic glazing

and acoustically treated ventilation in accordance with an acoustic attenuation scheme to be submitted to and approved in writing by the Local Planning Authority before the development commences. The approved acoustic attenuation scheme shall be implemented in full before use of the residential premises first commences.

Reason.To protect the amenity of the occupants of the premises once the development hereby approved is occupied.

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

Ward: Radcliffe - North

Item 19

Location: STARLING WATER TOWER, COCKEY MOOR ROAD, RADCLIFFE, BL8 2HD

Proposal: INSTALLATION OF 3 NO. ANTENNAS & ANCILLARY DEVELOPMENT

Application Ref: 44278

App Type: Full

Statutory Expiry Date: 13 May 2005

Recommendation: Approve with Conditions

Description

The application relates to an existing former water tower which is a concrete structure and local landmark. It is situated at the rear of dwellings fronting Cockey Moor Road and with open fields beyond. Landscape screening has been planted as required by a condition on a previous application but the site still requires tidying and excavated material removed.

The tower is now owned by Vodafone and supports telecommunications equipment for Vodafone T-Mobile and O2. It is proposed to add 3 antennae for O2's 3G system. It will not be necessary for any additional cabin at ground level.

The application is accompanied by technical information including an ICNIRP certificate on radiation emissions, an assessment of the site including relevant UDP Policies, and details of pre application consultation carried out.

Relevant Planning History

There are approvals for telecommunications equipment in 1978, 1980 and 1986.

A prior approval application (37603/01) was refused in April 2001 on the grounds of visual amenity and fears of effect of radiation on children's health at Lowercroft Primary School about 400 metres away. An appeal against the refusal was allowed and the Inspector concluded "that the proposed siting and appearance of the installation would not cause any unacceptable harm to the character and appearance of the tower, the locality or the Green Belt". The shared use of an existing structure was "a strong factor in favour of the proposal". He gave little weight to health considerations. He did not consider the structural soundness of the tower to be a planning matter.

43152 - Installation of telecommunications equipment approved in October 2004.

Publicity

The applicant has consulted ward members and the school prior to submission. Neighbours have been notified and 2 letters of objections have been received from 21 Starling Road accompanied by summaries of 2 High Court cases and a copy of evidence from the Radiation Research Trust to a Parliamentary Inquiry. Points raised include the following:-

- It is asked whether the school has been consulted because of the likely danger to children from radiation.
- It is claimed that there is danger on site with vandals having climbed the tower and

- machinery and equipment parking in the road.
- Landscape screening previously carried out is considered to be inadequate and the area is unkempt and strewn with rubble..
 - The structure of the tower is described as increasingly dilapidated and an eyesore with pieces of concrete falling and reinforcing exposed.
 - The masts and supports are an intrusion on the street scene and detract from the architecture of the tower.
 - Some of the equipment may be redundant.
 - She is aware that health issues are not strictly relevant to planning but quotes 2 High Court cases, one where the Inspector failed to give adequate weight to health concerns and the other where the best location rather than an acceptable location may not have been investigated.
 - Pylons should be used to mount mobile phone equipment.
 - It is stated that the Council should monitor emissions from the equipment and not rely on the operators' figures.
 - There is interference to TV and car remote locking.
 - Caution should be exercised in granting permission close to homes because masts could become the next thalidomide, asbestos, tobacco or CJD.
 - The enclosed copy of evidence to the Parliamentary Inquiry and other copied documents claim that the public perception of health risk is a relevant planning issue.

The applicant's agent has responded to the objections. They are happy with a condition concerning the appearance of the site. The tower has been surveyed and is structurally sound. Any redundant equipment will be removed. Based on experience with other installations it is unlikely that there will be electrical interference but they would be happy to investigate any claims.

Consultations

Borough Environmental Services Officer - Any comments will be reported.

Unitary Development Plan and Policies

EN1/10 Telecommunications

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

EN1/1 Visual Amenity

Issues and Analysis

The water tower is established as a site shared by telecommunications operators. A previous application was refused but allowed on appeal and a subsequent application has been approved. The Inspector discounted objections and found the appearance of the equipment to be acceptable in the locality and in the Green Belt.

The main issue is whether the additional equipment now proposed would significantly alter the appearance of the structure. Three new antennae are proposed supported by existing poles and the overall appearance will be little affected.

Emissions from the total equipment on the tower will be below ICNIRP exposure guidelines. A recommended condition requires the site to be tidied.

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 appearance of the equipment is acceptable and will not harm the openness of the Green Belt nor the visual amenities of the 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 139/01, 02, 03, 04, 05, 06 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 mast hereby approved shall be removed from site to the written satisfaction of the Local Planning Authority within 6 months of it ceasing operation.
Reason. In the interests of the visual amenity of the area.
4. The site shall be tidied and excavated material shall be removed within 28 days of the erection of the new telecommunications equipment.
Reason. To preserve the visual amenities of the area.

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

Ward: Radcliffe - West

Item 20

Location: CHAPELFIELD MILL STAND LANE RADCLIFFE

Proposal: RESIDENTIAL DEVELOPMENT OF 130 DWELLINGS

Application Ref: 43762

App Type: Full

Statutory Expiry Date: 06 May 2005

Recommendation: Refuse

Description

The application site is a 1.53ha site, currently in employment use, comprising a petrol filling station fronting to and directly accessed from Stand Lane and a number of older commercial/industrial premises accessed via an unmade access road from Stand Lane. The majority of the site comprises a series of small level plateaus, however, the general topography of the site is a valley side descending into a wider valley form. A Grade B Site of Biological Importance (SBI) is located to the west of the site.

The uses of the site vary but comprise mainly Class B2 - General Industry uses including a waste transfer station, pallet storage and vehicle repairers. The immediate wider area is predominantly residential in character to the north and east, with an industrial premises partway down the site along part of the southerly boundary and a golf course to the west.

The application is seeking full planning permission for the erection of 130 residential properties including 14 No. 3-storey town houses, with the remaining dwellings being apartments. The apartment blocks differ in height including 2 and 3 storey along Stand Lane and 4 and 5 storeys in height in the middle and lower end of the site. A newly formed access road would be created from Stand Lane and would be a single spine roadway running through the site. The development also includes an area of recreational space located approximately two-thirds into the site.

Relevant Planning History

03888 - Infill disused reservoir - Approved - 20/1/77

08815 - Weighbridge, offices and garage - Refused 13/12/79

08816 - Steel portal frame to replace roof - Approved 20/9/79

41836 - Outline residential development - Withdrawn 10/3/04

Publicity

The application was publicised through site and press notices 28/1/05 and by direct letters sent to surrounding properties. Neighbours have also been reconulted on 26 April 2005 informing them of revised plans and amendments to the layout. Full details of all the addresses can be viewed within the working file. As a result of this publicity, 3 letters have been received. One is from Chapelfield Primary School, who are concerned about the significant increase in traffic and the existing parking difficulties that are experienced in the area. The second letter is from Stand Golf Club. They consider that the development may improve the area in certain aspects and fully supports the ideals of providing affordable housing for all types of tenants. However, they comment further by saying that their golf course relies heavily upon an effective drainage system and that any new development

should not comprise their drainage and any remedial works arising as a result of the development must be the developer's responsibility. Additionally, they point out that there are protected amphibians in the area that may still be present. They also do not want the development to compromise the security of the golf course. The third letter is from 197 Stand Lane. They are concerned with the loss of view over the valley and there are already traffic problems on Stand Lane. The development would add to this.

Consultations

Borough Engineer -

Traffic - Any comments will be reported to Members.

Drainage - No objections in principle.

Environmental Health -

Contaminated Land - A report has been submitted and there are no objections to it in principle. They recommend that a planning condition be imposed on any grant of planning permission to continue site investigations, carry out appraisals and propose a remediation strategy. It should be carried out should the development commence.

Air Quality - The development is unlikely to result in increased levels of pollutants significantly.

Pollution Control - No objections in principle subject to the addition of a planning condition requiring windows facing Bankside Mill to be acoustically treated.

G M Police - No objections in principle, but they do raise comments that the site should be adequately bounded by robust fencing and passive surveillance should be incorporated into the design of the development.

The Wildlife Trust for Lancashire - Comments and recommendations have been made, which generally raise awareness of the nearby SBI and makes recommendations to deal with the proximity of development to this sensitive area.

The Environment Agency - Initially objected to the proposals due to potential for flooding and the proposals did not make sufficient reference to works proposed to the existing culvert at the lowest part of the site. Revised plans have been received and forwarded to the Agency and their objection has been withdrawn. Levels information has been submitted and the works would involve improvement to the existing culvert. This work would be carried out with the agreement of the Agency. They suggest that conditions be imposed to ensure that adequate fencing is erected to protect the wetland areas to the westerly boundary.

Greater Manchester Fire Service - Initially the proposals were deemed to be unacceptable. However, following the receipt of revised plans, the development is now considered to be satisfactory subject to the installation of a residential sprinkler system in the westernmost block.

GMPTE - They consider that the site is reasonably well located in relation to public transport systems and therefore the future residents would have a choice of different transport modes to use.

United Utilities - No objections to the scheme subject to conditions concerning the need for separate drainage systems being incorporated into the development.

Greater Manchester Ecology Unit - Initially objected to the scheme on the grounds of insufficient buffer to the SBI to the west of the site. They also requested that adequate fencing is erected to protect the wetland areas to the westerly boundary. Revised plans have been forwarded to the Unit for comments increasing the buffer, but no response has yet been received. Any further comments will be reported.

Transco - No objections to the scheme.

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
H3/2	Existing Incompatible Uses
H4/1	Affordable Housing
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EC2/2	Employment Land and Premises
HT2/4	Car Parking and New Development
RT2/2	Recreation Provision in New Housing Development
EN1/6	Public Art
SPD1	DC Policy Guidance Note 1: Recreation Provision
SPD2	DC Policy Guidance Note 2: Wildlife Links & Corridors
SPD3	DC Policy Guidance Note 3: Planning Out Crime
SPD4	DC Policy Guidance Note 4: Percent for Art
SPD5	DC Policy Guidance Note 5: Affordable Housing

Issues and Analysis

Principle - The site is currently in employment use, with numerous small businesses occupying land and dilapidated buildings. The site is not specifically allocated for any use within the UDP. UDP Policy EC2/2 - Employment Land and Premises Outside the Employment Generating Areas seeks the retention of existing employment land and premises except where it can be clearly demonstrated that the site/and or premises is no longer suited in land use terms to continued employment use. The application has been submitted with both a supporting planning statement and an Employment Premises Report, which seek to justify the use of the site for release to other uses. The submitted information has been assessed and it can be determined that the site would be inherently unsuitable for the demands of modern business due to the following factors:

- the physical constraints of the existing buildings, including poor headroom and semi dereliction;
- the existing 2 storey buildings do not have a place in the modern commercial property market;
- the existing access is not wide enough to accommodate passing vehicles;
- there are dramatic changes in levels across the site, with little space for manoeuvring and servicing;
- the prices that would be achievable for new industry would have to reflect the constraints evident on the site and as such, there would be little attraction to the market.

Policy EC2/2 is not a restrictive policy in terms of permitting other uses, providing sufficient justification is provided. It is considered that given these very specific circumstances, the loss of this site to an alternative use would be considered to be acceptable.

Residential Development and Layout - Given the above, the scheme proposes 130 dwellings, comprising a mix of town houses and apartment blocks. UDP policies H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Developments, seek to direct new residential schemes towards the urban area and to ensure that high standards of design and layout are achieved

within new schemes and that the amenity of existing surrounding properties are considered when assessing new proposals for residential development.

The development would be well located in terms of the urban area and would continue the predominant land use of housing in the immediate locality. Given the site's location and the proposed use and the inappropriateness of new commercial or industrial development, the development of the site for residential purposes is considered to be an appropriate one.

The heights of the proposed buildings generally reflect their surrounding context. At Stand Lane itself, the development proposes new 2 and 3 storey development and where levels fall to the west, the buildings take advantage of the change in levels by introducing higher buildings. Despite this, the scheme still reflects the topography with buildings stepping down towards the lower levels.

The development proposes a single access spine road into the site, with new buildings forming the street wall. Car parking would generally be kept to the rear of the new buildings and aspect distances between new and existing buildings indicated within the scheme would comply with Council requirements. New screen fencing is proposed and details have been submitted to indicate this. The proposed fencing would be 2.0m close boarded fencing, which would alleviate the concerns of the Architectural Liaison Officer. To the frontage of the site and westerly boundary to the SBI, railings are proposed, which would soften the appearance of the development to these edges.

Bin storage is indicated and communal storage would be provided for the apartment blocks.

Given the above, it is considered that the development would comply with UDP Policies H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Developments.

Affordable Housing - UDP Policy H4/1 - Affordable Housing encourages the provision of affordable housing in new residential schemes and the associated Supplementary Planning Guidance Note has taken the UDP policy on further by providing specific guidance on how the policy can be successfully incorporated into such schemes.

The threshold where the Council seeks affordable housing in new residential schemes are for sites with:

- 25 dwellings or more; and
- on residential sites of 1 hectare or more, irrespective of the number of dwellings proposed.

This issue has been the source of many meetings and discussions throughout the course of the planning application. The developer's position is that they do not feel that they are able to comply with the policy as this would unacceptably impact upon their financial gains from the development of the site. Coupled with this, other factors are that the site is difficult to develop due to the levels and topography and there are substantial costs to remediate the site.

The site is a brownfield site and would require remediation for its development for a sensitive residential end use. However, the development of such sites is becoming more prevalent with the Borough's objectives of meeting the development of National Targets to achieve brownfield redevelopment. The developer would ordinarily reflect the costs of remediation in the negotiated price for the land and other 'abnormals' would only be considered where there are exceptional cases of unknowns within a site.

Information has been provided by the developer indicating the approximate costings

associated with the development with the affordable housing provision at the full rate and the costs without the inclusion of affordable housing. Both scenarios indicate significant financial gains and suggests that the scheme would be a viable proposition financially to them. No formal offers of affordable housing have been provided by the developer, despite requests to do so. No good case has been made about mitigating factors such as costs associated with the development or that the inclusion of affordable housing would prejudice the realisation of other planning objectives etc.

On this basis, there is a clear conflict with UDP Policy H4/1 - Affordable Housing and the associated SPG Note 5 - Affordable Housing Provision in New Residential Development. As such the development cannot be supported at this time. However, negotiations are still continuing and a verbal report will be made to update Members on this issue.

Recreational Provision and Footpath - New residential development for more than 10 dwellings are required to comply with UDP Policy RT2/2 - Recreational Provision in New Residential Development. The scheme proposes 130 new residential dwellings and to comply with the policy, a hybrid solution is proposed to address the policy by:

- providing an area of open space on site; and
- by providing a commuted sum for nearby off-site improvements to recreational provision.

The provision for the commuted sum would be for 14 dwellings - £10,978.38 and for 116 apartments - £17,951.64.

Such provision is considered to be acceptable.

The scheme maintains a footpath in the south-westerly part of the site that would connect in to the existing walkway through the nearby Barratts estate. The finalised details of the finish to the footway can be secured through the imposition of a planning condition.

Ecological Matters - The application includes a bat survey of existing buildings on the site and also a habitat survey, taking in the proximity of the Grade B SBI to the west. Both surveys have been carried out with sufficient rigour. However, given the time of year of the respective surveys, there would be a need for conditions, should planning permission be granted, to re-survey the areas and for appropriate landscaping to be carried out. Revised plans have also broadened the buffer area to the SBI and removed potential pollutants by reducing the car parking levels in this area. Such revisions are considered to be acceptable.

Traffic and Car Parking - A full transport assessment has been submitted with the application and sufficiently demonstrates that the development could be assimilated into the area without undue impact upon surrounding highways. Parking provision varies across the site, dependant upon the type of accommodation being provided. For the town houses, 200% is provided. For 1 and 2 bed apartments provision would be between 100 and 110%. Across the site, disabled parking would be provided at 5%. In view of these levels and the response from the GMPTE, it is considered that sufficient parking would be provided by the development.

Provision for Public Art - Unitary Development Plan Policy EN1/6 - Public Art and the associated Supplementary Planning Guidance Note 4 - Per Cent For Public Art seeks to add value to development by utilising the arts to assist in increasing quality in the environment. Public Art is a material planning consideration when determining major planning applications where developments comprise:

- 25 dwellings or more;
- where the gross floorspace to be built would exceed 2,500 sqm or more; or

- where the development site would exceed 1 hectare or more.

The developer is seeking to comply with the policy by the provision of on-site artwork. It is indicated that the proposed art would form part of the boundary details into the site at its junction with Stand Lane. Given that this would be within the development site itself, a planning condition would secure the delivery of the art work and its implementation would be triggered at a particular point in the phasing should the scheme obtain planning permission.

Summary of reasons for Recommendation

The application as it currently stands does not conform with UDP Policy H4/1 - Affordable Housing and the associated DCPN5 - Affordable Housing In New Residential Developments. As such, the proposals cannot be supported.

Recommendation: Refuse

Conditions/ Reasons

1. The development has failed to provide any affordable housing provision within the scheme and therefore the development would conflict with Unitary Development Plan Policy H4/1 - Affordable Housing and the Associated Supplementary Planning Guidance Note 5 - Affordable Housing Provision in New Residential Developments.

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

Ward: Radcliffe - West

Item 21

Location: 41-59 WATER LANE STREET RADCLIFFE M26 4BG

Proposal: DEMOLITION OF EXISTING WAREHOUSE & CONSTRUCTION OF 5 NEW DWELLINGS

Application Ref: 43888

App Type: Full

Statutory Expiry Date: 17 May 2005

Recommendation: Approve with Conditions

Description

The site is a wedge shaped parcel of land comprising a derelict two storey warehouse on a street of mixed residential and commercial properties. Directly to the north, across Water Lane Street is a two storey office with associated car parking and a row of terraced residential properties. To the east, south and west are two storey houses. The immediate vicinity has a rather run down feel and is in need of regeneration.

It is proposed to demolish the existing unsightly warehouse and replace it with a row of five terraced dwellinghouses fronting Water Lane Street. One unit would be two storey while the other four would have an additional room on a third storey within the roofspace. Each house would have a separate rear garden area with pedestrian access to the rear ginnel.

Access to the parking area (6 spaces) to the western side of the development would be gained from the Water Lane Street.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified - Two letters of objection have been received from the occupiers of 140 and 142 Water street. Objections can be summarised below:

Increased parking problems.

Opening up the ginnel at the rear will encourage increased crime.

Increased overlooking at the rear.

Consultations

Borough Engineer (Traffic) - No objection.

Borough Engineer (Drainage) - No objection.

Environmental Health - Any adverse comments will be reported

Baddac - No objection subject to level access at entrances.

Unitary Development Plan and Policies

The site is unallocated in the Bury UDP

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. The principle of residential use on the site is acceptable in terms of Policy H1/2 Further Housing Development and Central Government Guidance that directs development towards the urban area rather than peripheral open land. The site is also considered to be more suitable for housing than its current commercial use in terms of surrounding land uses and amenity.

Form and Layout. The form and layout of the new dwellings are considered to be appropriate in terms of policies H2/1 and H2/2. The footprint of the new build would be significantly smaller than the footprint of the existing warehouse. The proposal would particularly increase the aspect for those residents overlooking the westerly section of the site which will become car park and garden area. The height and scale and density of the new housing is not out of keeping with the character of the surrounding area which is predominantly two storey. The proposed external finishing materials of brick and slate would match surrounding properties.

Residential Amenity. Although the site is quite confined, serious impact on privacy and visual amenity of surrounding properties is mitigated by locating the parking area at the narrower end of the site and maintaining a minimum distance of approximately 13m to the rear elevations on properties fronting Water Street. It should be noted that, in the interests of privacy, windows at first floor level on the new dwellings facing properties on Water Street would be obscure glazed bathroom and laundry room windows. There would be some reduction in the level of privacy to the future occupiers of the new houses at ground floor level on the rear elevation. However this loss of privacy would be more than offset by the benefits to the area in terms of regeneration accruing from the scheme. Windows on the dormers within the roofspace of four of the properties would face over the car park across Water Lane Street.

Parking Provision. The provision of six parking spaces within the site is considered to be adequate given the size of the properties and the site's sustainable location close to bus routes along Water Street.

Bats. The bat survey submitted with the application concludes that the potential for bats is low.

Summary of reasons 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 proposed residential use is considered appropriate in the locality. The development would have a positive impact on the immediate vicinity in terms of bringing a derelict site back into use and the amenity of surrounding residents would not be seriously affected. There are no highway objections. 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 awk-02; awk-02; awk-03; awk-03A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development.
4. Notwithstanding the terms of the General Development Order 1995, or as subsequently amended, no development shall be carried out within the terms of Classes A to H of Part 1 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. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity.
6. Prior to the commencement of the development, site investigations must be carried out to assess any possible risks associated with the production of landfill gas. Detailed design features shall be incorporated into the proposed building, as shown necessary by the site investigation, to alleviate risks to the written satisfaction of the Local Planning Authority. Alternatively, a comprehensive construction design shall be incorporated to prevent the ingress of landfill gas, to be agreed in writing with the Local Planning Authority before work commences.
Reason. To alleviate any possible risk associated with the production of landfill gas in accordance with the recommendations of the Environment Agency and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
7. Prior to the development hereby approved commencing:
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas risks have been identified, a detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
 - Where remediation is required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Planning Policy Statement 23 -

Planning and Pollution Control.

8. Following the provisions of Condition No.7 of this planning permission, where remediation is required, the approved remediation strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
9. Details of the existing ground levels, proposed ground levels and the level of proposed floor slabs shall be submitted to and approved in writing by the Local Planning Authority before any development commences on site. The development shall be carried out in complete accordance with the approved details.
Reason: To secure the satisfactory development of the site and to secure appropriate disability access.
10. The proposed fence on the Water Lane St boundary adjacent to Plot 1 indicated on the approved plan awk-02 shall not exceed 900mm in height.
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
11. The car parking indicated on the approved plan awk-02 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.
12. The foundations for the proposed development walls shall not encroach under the adjacent adopted highway at any point.
Reason. To ensure good highway design and to maintain the integrity of the adopted highway.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 22

Location: LAND TO REAR OF 16-20 ROSTRON ROAD RAMSBOTTOM BL0 9EE

Proposal: RESIDENTIAL DEVELOPMENT - 1 DWELLING WITH DOUBLE GARAGE

Application Ref: 44337

App Type: Full

Statutory Expiry Date: 25 May 2005

Recommendation: Minded to Approve

Description

The application relates to an irregular area of land which is largely unused at the rear of houses fronting Rostron Road, Callender Street and Grant Mews on 34 Carr Street. Existing sheds would be demolished. The land is steeply sloping in part with several changes in level.

It is proposed to erect a split level detached house with access from the back street between 8 and 16 Rostron Road. There would be a double garage at back street level linked to the house. Entrance to the house would be at this level with two floors of accommodation below. There would also be a room in the roof space. There would be a limited garden area to the west and a large but steeply sloping garden to the east. Construction would be in stone with a slate roof.

Relevant Planning History

40452/03 - Application for dwelling on smaller site than current proposal refused in March 2003 because of insufficient information, poor design and inappropriate scale of development for the site.

42350/04 - Application for similar dwelling on smaller site refused in May 2004 because the scale of development was inappropriate.

Publicity

Neighbours have been notified and objections received from 16, 34 and 36 Rostron Road, 2 and 6 Grant Mews and 99, 103 and 105 Callender Street. Points raised include the following:-

- The site is allocated as protected recreation (RT1/1) in the UDP and should not be released.
- Approval should be referred to government office.
- The land is an open buffer in the urban area.
- Wildlife would be affected including birds, bats, voles, frogs, toads, butterflies, dragonflies and squirrels. A list of species is provided.
- The proposal is a greenfield site contrary to government guidance.
- Previous reasons for refusal should still stand.
- The height of the house would be overbearing, affecting privacy and residential amenity in houses and gardens.
- There would be a loss of natural light.
- The size of the house would be out of character with surrounding dwellings.

- The untidiness of the site is not a reason for granting planning permission and the Council should take action to tidy it up.
- The access would lead to increased comings and goings.
- There is concern about the adequacy of the access for construction traffic.
- Construction may affect surrounding dwellings and disturb the water table.
- There is a problem with water and a small stream causes water to collect and there is concern about increased run off and possible flooding.
- It is questioned how foul sewage would be disposed of.
- A covenant appears to require the land to be left open.
- If the application is approved permitted development rights should be removed, there should be a restriction on working hours during construction and natural stone should be used.

Consultations

Borough Engineer - No objection on highways or drainage grounds.

Borough Environmental Services Officer - Recommends condition requiring a site investigation for contamination.

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
RT1/1	Protection of Recreation Provision in the Urban Area

Issues and Analysis

Previous applications on the site have been refused. Bearing in mind the constraints on the site and the objections raised by neighbours, the main issue is whether the new proposal overcomes the reasons for refusal.

The last application was refused because "the scale of development is inappropriate for the site and out of character with the area" and not because the principle of building a house was unacceptable.. The site contains existing buildings and has the status of a "brownfield" site. It is within the urban area and close to existing amenities and services. It is part of wider area of protected recreation land under UDP policy RT1/1 but the site does not link either physically or in terms of its use with adjoining land that was identified due to its allotment use.

The house itself is similar to the that previously approved but has been moved further away from the western boundary of the site and set lower. The main difference is that the identified site area is much larger and there is now an adequate garden area.

The house would be over 30 metres from the nearest dwellings on Callender Street and Grant Mews which is sufficient for privacy and overlooking. The essentially blank gable of the house is over 20 metres from the rear of Rostron Road although the gable of the garage is 13 metres away.

The house is large in size but its impact is reduced to some extent because it is set into the slope of the land. The house is of traditional design and materials.

Approval of the application would be a departure from the approved development plan and, if Members are minded to approve the proposal, it would need to be referred to Government Office North West.

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 adversely affect the character of the area nor the amenity of residents of neighbouring property and will not 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 gh4-00, 01, 02, 03, 04, 05 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 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 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. 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.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 23

Location: WOODBANK BUNGALOW, TANNERS CROFT, RAMSBOTTOM, BL0 9EY

Proposal: RESIDENTIAL DEVELOPMENT - 1 DETACHED DWELLING
(RESUBMISSION)

Application Ref: 44379

App Type: Full

Statutory Expiry Date: 30 May 2005

Recommendation: Approve with Conditions

Description

The site is within the curtilage of Woodbank Bungalow. It is a large grassed area offset to the side at the front of Woodbank Bungalow. The land slopes up towards Tanners Street and also up the hill of Tanners Street. The proposal is to level and lower the grassed area by up to 2.3m and erect a detached two bed roomed house. The dwelling faces north, there are no windows on the elevation facing Tanners Street and a balcony at first floor level looking past Woodbank Bungalow. A single storey garage/utility room is on the rear or the south elevation. The existing hedge around the site is to be retained.

Along the boundary with Tanners Street is a mature laurel hedge over 3m high, then a low stone wall directly adjacent the road. On the opposite side of Tanners Street is a row of stone cottages that are approx. 0.5m higher than road level. There would be a distance of over 31m from their front elevation to the side wall of the proposal, with the height of the proposed dwellings roof being approx. 0.5m lower than the cottages roof level.

To the north across Tanners Croft, the access road to Woodbank Bungalow and Tanners House is Tanners Barn which is approx. 0.7m lower than the proposed dwelling. There are principal windows facing the site but there is a separation distance of over 39m between the facing elevations.

To the south is a bungalow, 18 Heapworth Avenue behind a 6m+ high hedge and fir trees. There is a minimum separation distance of 18m is between facing elevations, and the height of 18 Heapworth Avenue is lower than the hedge even though its level is approx. 0.5m higher than the proposed dwelling.

The boundary of Tanners Conservation Area runs along Tanners Street covering the stone cottages facing and Tanners Barn to the north.

Relevant Planning History

43901	Residential Development – 1 dwelling	Withdrawn
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Publicity

The application has been advertised in the Bury Times, a site notice posted and 23 surrounding properties have been directly notified by letter. A letter and e-mail has been received from Tanners House and Tanners Barn objecting for the following reasons:

- The plans do not indicate the proposed height of the building.
- The proposal would be out of character with the area. Has the proximity to the Conservation Area been taken into account?
- Will the permitted development rights be removed?
- Can an 'hours of construction work' be imposed?
- The surface water from Tanners Street currently enters the drainage system at the entrance to Woodbank Bungalow. When the wall is altered will the design of the road surface take this into account as any excess water could flow into Tanners Croft.
- Increase in traffic is an accident waiting to happen.
- The proximity to Tanners Barn and due to its elevated position looking directly into the bedrooms.

Consultations

Borough Engineer: Traffic Section – No objection subject to recommended conditions.

Borough Engineer: Drainage Section – No objection subject recommended conditions.

Conservation Officer – No objection

Landscape Practice – No objection

Unitary Development Plan and Policies

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control

H1/2 Further Housing Development

Issues and Analysis

This application is a re-submission of a previously withdrawn one. It now contains revised details of the access arrangement and the required additional details regarding the materials and design of the dwelling.

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

The principle of the development on this site meets the criteria of Bury's Unitary Development Plan which seeks to direct development towards brown field sites in urban locations with existing infrastructure.

The form of development is considered acceptable in this location. The materials and style of the dwelling are sympathetic to the adjacent Tanners Conservation Area. Also the existing hedge and stone wall facing Tanners Street is an important feature of the street scene and is to be maintained. The development would not incur a material loss of light, privacy or outlook to the surrounding properties due to the adequate separation distances and design of the dwelling. The proposed balcony on the south elevation does not create an issue with privacy as it looks down the side of Woodbank Bungalow.

The layout of the scheme includes adequate parking provision, access arrangements, and space about and between the surrounding dwellings.

Comments on other representations received are set out below:

- The application does include sectional plans that indicate the level and height of the proposed dwelling.
- Permitted development rights are only removed in extreme situations or heavily

developed sites.

- The Planning process is not a platform for imposing conditions for issues that are dealt with under other legislation, ie hours of construction work.

Summary of reasons for Recommendation

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

- The size, position and design of the building 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 **BB-01, BB-02B, BB-03, BB-04 & BB-05 received on 4th April 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 highway improvements in the form of the rebuilding of the stone boundary wall to the west of the Tanners Croft/Tanners Street junction to accommodate the proposed visibility splay indicated on the approved plan reference BB-02B have been implemented to the written satisfaction of the Local Planning Authority.
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
5. The turning facilities indicated on the approved plan reference BB-02B 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.
6. 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.

7. No trees shown to be removed on the approved plans should be cleared if birds are found to be nesting between 1st March and 31st August inclusive in any year unless otherwise approved in writing by the local authority.

Reason. It is an offense to disturb/destroy birds nest under the Wildlife and Countryside Act 1981

8. 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.

9. 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.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 24

Location: LAND ADJACENT TO HARE & HOUNDS P H, BOLTON ROAD WEST
HOLCOMBE BROOK

Proposal: RETROSPECTIVE APPLICATION FOR 2 THREE STOREY DWELLINGS

Application Ref: 44421

App Type: Full

Statutory Expiry Date: 07 June 2005

Recommendation: Approve with Conditions

Description

The application relates to a pair of semi detached houses built on the site of former public toilets at the side of the car park of the Hare and Hounds public house. They front onto an access road to the car park which runs parallel to Bolton Road West. There are small gardens to the rear with land beyond dropping steeply towards the Holcombe Brook.

The houses are built but not occupied. Although planning permission has been granted for the houses, changes have occurred during construction and retrospective consent is sought for the houses as built. A previous application which was submitted following complaints about the closure of the access road at the front was refused because of the restriction to access. The access was subsequently reopened.

The changes from the approved plans include a steeper roof with velux lights at the rear, different eaves and gutter detail, changes to window design and a canopy at the front. There have been alterations to the approved garden walls and fencing but the access at the front is 5 metres wide as approved. The applicant has agreed to lower the wall/fence to provide adequate visibility. The submitted landscaping scheme has not been carried out as yet and should be completed within 12 months of the occupation of the dwellings.

Relevant Planning History

36710/00 - Erection of 2 shops with offices over approved in January 2001.

40112/02 - Erection of one pair of 3 storey semi detached dwellings conditionally approved in February 2003.

42827/04 - Revised details for houses refused on access grounds in February 2004.

Publicity

Neighbours have been notified and objections received from the residents of 4 and 8 Emerald Cottages and flat 2, 410 Bolton Road West. The latter is concerned about loss of privacy and overlooking but thinks the application refers to another site. The residents of Emerald Cottages are concerned about the height of the building in relation to the Hare and Hounds public house and the quality of the materials that have been used. They think it is not aesthetically appropriate for its location and out of character with the area.

Consultations

Borough Engineer - The walls that have been erected are too high in part and restrict

visibility from the driveways. An appropriate condition is recommended. No objection on drainage grounds.

Unitary Development Plan and Policies

H2/1 The Form of New Residential Development
H2/2 The Layout of New Residential Development
EN1/1 Visual Amenity
EN6/4 Wildlife Links and Corridors
OL5/2 Development in River Valleys

Issues and Analysis

The objectors are concerned about the decision to allow three storey houses in such a prominent location close to the junction of Bolton Road West and Longsight Road. The issue to be considered is whether the changes to the houses compared with the 2002 approval significantly affect their appearance to such an extent that refusal of permission and enforcement action is justified.

At the time of the last application (42827/04) the appearance of the houses was the same as now, except for the addition of the canopy. The reasons for refusal were restricted to the intended closure of the access to the public house car park. It is considered that the changes to the appearance of the houses are acceptable and that retrospective planning permission should be granted.

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 changes to the two houses do not significantly alter their appearance and do not harm the character of the area nor the amenity of neighbouring residents. there is no impact on highway safety. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. A visibility splay shall be provided at the junction of the driveways with the access road to the written satisfaction of the Local Planning Authority before the houses are 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 highways in the interests of road safety.

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

Ward: Ramsbottom & Tottington - Tottington

Item 25

Location: LAND ADJACENT TO 2 COPTHORNE WALK, TOTTINGTON, BL8 3JX

Proposal: ERECTION OF DWELLING

Application Ref: 44300

App Type: Full

Statutory Expiry Date: 18 May 2005

Recommendation: Approve with Conditions

Description

The site is a piece of land at the end of a row of town houses. It is slightly higher than Booth Way, the road at the side, by approx. 0.5m. It is currently used as part of the garden area for 2 Copthorn Walk and is enclosed by various types of fences and gates that have shrubs and climbers growing on them. In addition there are numerous trees along the edge of the site. There is an existing garage (currently used by 2 Copthorn Walk) that is to remain in situ for use by the proposed dwelling (an additional car space is indicated in the rear garden of 2 Copthorn Walk).

To the west is a detached property, 29 Booth Way. It is over 1.75m higher than the site and has a living room window facing the site. There is a distance of 18m from habitable room to habitable room windows. However this is the current situation along Copthorn Walk. In addition there are mature deciduous/evergreen trees, in the garden area of 29 Booth Way facing the site, that are up to approx. 6m high.

To the north are semi-detached dormer bungalows that are slightly lower than the road, Booth Way. A distance of 20m between their front elevation and the gable wall of the proposal would be maintained; this is over the minimum 13m privacy distance adopted by Bury MBC.

To the east is the rear of another row of town houses, Gorse Clough. These are lower than the site by approx. 1.5m. A distance of over 25m rear elevation to rear elevation would be maintained, this is, again, over the separation distance adopted by Bury MBC.

The proposal is for a town house to be added at the end of the existing row of town houses. The proposed dwelling is to be the same dimensions as the existing dwellings on the row. A 3.3m wide garden area at the side will remain in addition to the front and rear garden areas.

Relevant Planning History

None

Publicity

9 surrounding properties have been notified. Six letters have been received from 27, 29, 64, 68, 70 & 72 Booth Way objecting to the proposal for the following reasons:

- Out of keeping with the area and would adversely affect the character and amenity of the immediate area.

- The property is elevated and will affect privacy.
- Restriction and of loss light.
- Increase the parking problems and associated safety concerns on Booth Way.
- The proposal is for financial gain.
- If approved the proposal could allow dwellings to be erected at 23, 35, 27 and 31 Booth Way.
- There are only 8 houses per terrace row. If this terrace is allowed to extend it would not be in keeping with the surroundings.
- The plans do not show the natural fall of the land on 2 Copthorn Walk with respect to the approach up Booth Way.
- The plans show no windows on the side elevation, presumably due to the imposition of the proposal, however this does not prevent future a window being put in after it is built.
- Covenants on the property restrict the permanent erection of anything in the garden giving height limits.
- Covenants also state that no business can be operated from the property although this is the case.
- The size of the gardens to 2 Copthorn Walk is a huge attribute to the estate and should be available as a safe haven for children to grow up in and develop.
- Loss of open aspect and views down Booth Way and over the hills.
- Loss of privacy.
- Bury has enough land to meet housing demand for the next 16 years.
- The plans have been drawn up by a Councillor who is 100% confident that it will be passed.
- The building work will cause catastrophic problems with parked vehicles.
- There are enough houses in the area.
- Devalue the surrounding houses.
- The proposal would be overbearing when sat in living room.

Consultations

Borough Engineer – Highway Section – No objection

Borough Engineer – Drainage Section – No objection

Unitary Development Plan and Policies

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

H2/6 Garden and Backland Development

H1/2 Further Housing Development

Issues and Analysis

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

The principle of the development on this site meets the criteria of Bury's Unitary Development Plan which seeks to direct development towards brownfield sites in urban locations with existing infrastructure.

The form of the proposed development is considered to be acceptable as it would reflect the existing properties in the row and the land is already enclosed and screened from the street so there would be no loss of open green space on the estate. The development achieves adequate separation distances on two out of the three sides of the site. The third side, facing 29 Booth Way, whilst under that normally expected is considered acceptable due to it being the same distance as existing, the difference in levels of the dwellings rising up Booth Way and that there are matures evergreen trees in the side garden of 29 Booth Way that screen the lounge window at ground floor level. Therefore the proposal is considered

acceptable in terms of loss of light, privacy and outlook to the surrounding properties. The materials to be used for the proposed dwelling are to match the materials of the existing dwellings on the row. Also, although some existing conifer trees are to be removed the existing shrubs along the boundary with Booth Way are to be retained.

The layout of the proposal includes adequate parking provision and access arrangements.

Comments on other representations received are set out below:

- If any future proposals for other plots of land in the estate are received they will be each assessed individually.
- There are numerous rows of houses of varying lengths on the estate.
- The proposal shows no windows on the side elevation. This can be conditioned to remain as such in perpetuity.
- The plans have **not** been drawn up by a Councillor.

The following are not material considerations and cannot be taken into account when assessing the proposal:

- The proposal is for financial gain
- The details in covenants on any property as they are a civil matter
- The inconvenience of building work being carried out.
- The possibility of any devaluation of the surrounding houses.

Summary of reasons for Recommendation

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

- The size, position and design of the building is of an acceptable standard which would not adversely affect the character of the area or 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 the drawings received on **23rd March 2005 and Section Drawing received on 23 April 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 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be constructed.

Reason: To protect the residential amenities of the occupants of adjoining properties.

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

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

6. No trees shown to be removed on the approved plans should be cleared if birds are found to be nesting between 1st March and 31st August inclusive in any year unless otherwise approved in writing by the local authority.

Reason. It is an offense to disturb/destroy birds nest under the Wildlife and Countryside Act 1981

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.

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

Ward: Whitefield & Unsworth - Besses

Item 26

Location: LAND OFF LIVSEY STREET, WHITEFIELD

Proposal: RESIDENTIAL DEVELOPMENT - 6 NO. DWELLINGS

Application Ref: 44439

App Type: Full

Statutory Expiry Date: 09 June 2005

Recommendation: Approve with Conditions

Description

The application site lies at the head of Livsey Street, between Victoria Lane Recreation Ground to the south and a small residential development site of 4 dwellings to the north. To the west are terraced cottages along Livsey Street and to the east is the metrolink embankment. There is an existing vacant warehouse on the site.

The application proposes to site six traditionally designed semi-detached dwellinghouses on the site running in an east west alignment. Each unit would have four bedrooms over three storeys including accommodation in the roof space.

Twelve parking spaces would be provided to the front of the dwellings. Access to the rear garden areas and refuse would be gained by footpaths to the side of each house. The self seeded trees on the rear boundary of the gardens would be retained.

The proposed finished materials would be facing brick and roof tiles.

Relevant Planning History

38185/01 - Outline Residential - **Approved 16/11/01**

43689 - 7 Dwellings **Refused 17/03/05** for reasons of being a cramped, unsatisfactory layout and inadequate car parking.

Publicity

Immediate neighbours - Five letters of objection from residents on Livsey St on the following grounds;

- overdevelopment
- increase in traffic
- out of character with cottages on Livsey St and environs.
- impact of piling
- disturbance from construction traffic

Consultations

Borough Engineer (Traffic) - Any adverse comments will be reported.

Environmental Health - No objection subject to contamination report.

Borough Engineer (Drainage) - No objections.

GM Police - No objection in principle

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
- HT2/4 Car Parking and New Development

Issues and Analysis

Principle. The principle of residential development is acceptable given the outline permission for housing granted on the site in November 2001 and the incompatibility of the existing commercial use of the site, particularly in view of the recently completed houses on land adjacent.

Layout and design. The layout and design of the dwellings is considered to be acceptable and not out of character with the surrounding properties. The layout allows for 12 parking spaces which is satisfactory, particularly given the parking problems which can arise along Livesey Street, highlighted by residents who objected the previous application for seven houses (43689).

The traditional design of the dwellings, with facing brick walls and pitched roofs is not out of keeping with the surrounding area.

Residential Amenity. The amenity of local residents should not be seriously affected. The closest resident at No.43 Livsey Street has a double garage on the boundary with the site and allows an acceptable buffer between the gable of the proposed house closest to the shared boundary and the rear elevation of No.43.

Bats. No evidence of bats has been found in the warehouse to be demolished.

Objections. The objection from a resident on Livesey Street is not supported as the level of parking provision is considered to be adequate and the cars generated by the development would be less intrusive than the larger vehicles generated by the commercial use of the site. Although the houses would be larger than the cottages on Livesey St, they are not seriously out of scale with other properties in the area. Disturbance and damage caused piling and construction traffic is not a planning consideration.

Summary of Reasons 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 proposed development is considered to be appropriate in terms of layout, form and design and is not out of character with the surrounding area. The amenity of nearby residents is not seriously and detrimentally affected by the proposal. The proposal therefore complies with the policies listed above. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than five years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 2475:04; 2475:05;2475:06 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 shall 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 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 **Tom Beirne** on **0161 253 5361**

Ward: Whitefield & Unsworth - Pilkington Park

Item 27

Location: LAND AT 7 WESTLANDS WHITEFIELD

Proposal: RESIDENTIAL DEVELOPMENT - 1 DWELLING

Application Ref: 44334

App Type: Full

Statutory Expiry Date: 25 May 2005

Recommendation: Approve with Conditions

Description

The site comprises part of the garden of a large detached bungalow at the entrance to a small residential estate.

The proposal involves the demolition of the existing garage to the property and the development of a single two storey house.

Relevant Planning History

Consent has been granted on land to the north for a detached house - 39737/03.

Publicity

One letter of objection has been received from 3 Ross Avenue, which backs on to the site. They have objected on grounds of loss of residential amenity through overlooking and loss of a view. Additionally they are concerned about disturbance during any building works.

Consultations

Highways - Comments awaited

Drainage - Comments awaited

Environmental Health - Comments awaited

Unitary Development Plan and Policies

H2/2 The Layout of New Residential Development

H2/1 The Form of New Residential Development

H2/6 Garden and Backland Development

Issues and Analysis

Use of land - the proposal is for the development of a new residential property on land already in residential use and as such is acceptable.

Existing site and position of new dwelling - the existing plot is very large, measuring some 45 metres wide by 30 metres deep as an average. The existing bungalow is set to the south eastern corner of the plot and the new dwelling will be located to the northern end of the plot. The new detached property will be set in a plot measuring some 38 metres by 13 metres deep and will involve the demolition of the existing large detached garage used by the bungalow. The property is set some 23m from the nearest habitable room windows on properties to the rear of the site. There are no other habitable room windows that overlook the site and as such the proposal meets the aspect standards of the Council.

Design - the proposal is for a detached brick built, tiled roofed detached property that is

acceptable in terms of massing and scale.

Access and parking - the proposed access to this property is the main drive to the existing bungalow and is acceptable. The existing bungalow has a second drive off Philips Park Road and this, together with a new parking area, will be used by the existing bungalow. Consequently, it is considered that these access and parking arrangements for both properties would be acceptable.

Objection - the proposed property is set some 23m from the nearest habitable room window of the properties to the rear. The new property will involve the demolition of a substantial detached garage on the boundary with the rear of properties on Ross Avenue and as such the view to the rear of No. 3 will be opened up. This will allow over looking but it is intended that a 2 metre high boundary fence be built and this, together with the distance between habitable room windows, means that in aspect term the degree of overlooking and loss of residential amenity is not sufficient to warrant refusal.

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: 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. 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 drawings numbered 7W/1 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 Cummins** on **0161 253 6089**

