

**Ward:** Bury East - Redvales

Item 01

**Location:** 420 MANCHESTER ROAD, BURY, BL9 9NS

**Proposal:** CHANGE OF USE OF LAND AT REAR IN COMMUNITY USE TO CREATE HARDSTANDING/AMENITY SPACE IN CONNECTION WITH OFFICES (CLASS B1) - RETROSPECTIVE APPLICATION

**Application Ref:** 44350

**App Type:** Full

**Statutory Expiry Date:** 20 June 2005

**Recommendation:** Approve with Conditions

**Description**

The application which is retrospective comprises a rectangular piece of land to the rear of 420 Manchester Road. The land, measuring approximately 10m by 10m, was formerly part of the garden of the community centre next door.

The land has been surfaced in tarmac and enclosed on three sides by a fence, railings and brick wall to a height of 1.8m. The south side is open, giving access to the rear access road to the rear of properties 422-440 Manchester Road. There is a tree located in the south west corner.

**Relevant Planning History**

N/A

**Publicity**

Immediate neighbours - One letter of objection from the occupiers of 422 and 422a Manchester Road who are concerned about increasing congestion and parking problems caused by vehicles using the car park.

**Consultations**

Borough Engineer - No objection subject to appropriate turning facilities.

**Unitary Development Plan and Policies**

EN1/2 Townscape and Built Design

**Issues and Analysis**

*Amenity.* The plot of land is relatively small and well screened from Manchester Road by existing buildings and from open land to the rear by tree planting. The proposal is, therefore, not considered to seriously affect the visual amenity of the locality.

*Traffic.* The Borough Engineer has no objections to the scheme given its relatively small scale.

*The objections* - The objections from the occupiers of 422 and 422a relating to access rights and are not a planning matter but a civil issue. The concerns relating to increase in traffic generated by the development are not supported as the increase in traffic over existing numbers is not considered to be significant.

Given the limited scale of the development it is recommended that approval be given.

**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 development does not seriously and detrimentally affect the visual amenity of the area or the residential amenity of local residents. There are no issues that would affect highway safety. There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

**Conditions/ Reasons**

1. The development must be begun not later than five years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 05/469.02 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 pursuant to policies of the Bury Unitary Development Plan listed below.
3. The turning facilities indicated on the approved plans shall be provided before the development is brought into use and shall subsequently 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 **Tom Beirne** on **0161 253 5361**

**Ward:** Bury East - Redvales

Item 02

**Location:** HOLY CROSS COLLEGE, MANCHESTER ROAD, BURY, BL9 9BB

**Proposal:** ERECTION OF LIFT SHAFT, PERIMETER WALL & GATES

**Application Ref:** 44385

**App Type:** Full

**Statutory Expiry Date:** 01 June 2005

**Recommendation:** Approve with Conditions

### **Description**

The proposal relates to the rear section of the college adjacent to Back Brierley Street. The lift shaft would be tucked in between two three storey sections of the Emily Mary building above a single storey section next to the boundary with Back Brierley Street. The shaft would extend approximately 0.5m above the highest part of the Emily Mary building at the rear.

The brick boundary wall along the rear of properties on Richmond Street would be raised to a height of 2.4m. The existing brick wall is approximately 1.5m high with a wire mesh fence up to a height of 3m. There is additional waney lap fencing and conifer planting along part of its length on the side of the houses on Richmond Street.

The existing single steel gate would be converted to formal double gates for emergency use.

### **Relevant Planning History**

None relevant to this application.

### **Publicity**

Immediate neighbours - Some concern from the occupier of No.42 Brierley Street relating to loss of light from the new building and increased litter and traffic problems relating to the new access.

### **Consultations**

Borough Engineer - No objection.

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

EN1/2 Townscape and Built Design

CF1 Proposals for New and Improved Community Facilities

CF2 Education Land and Buildings

### **Issues and Analysis**

The lift shaft would not be considered visually obtrusive. It would not be easily viewed from the surrounding main roads and would be approximately 20m away from the rear elevations of properties on Brierley Street and viewed against the existing three storey building. The shaft would not be significantly higher than the highest part of the adjoining Emily Mary Building.

The new wall would not seriously impact on the outlook from the properties on Richmond Street but rather improve their privacy and act as a noise buffer to the college. The new gates would be used for emergency access only and would not in any case provide convenient access to the college car parks. There are not significant highway safety or traffic concerns raised by the proposal.

The concerns from the occupier of No.42 Brierley Street are not supported for the reasons outlined above. The new build should not adversely impact on light into properties on Brierley street and the access gates would not generate increased traffic or litter onto Back Brierley Street.

The development would improve facilities at the college without conflicting with UDP policies.

### **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 development should not have a seriously adverse impact on the street scene or residential amenity of surrounding properties. There are no highway safety issues of concern. 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 1691/24/0; 1691/24/02; 1691/24/03 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design.
3. 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 pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

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

**Location:** 5 ROSE GROVE, BURY, BL8 2UJ

**Proposal:** FIRST FLOOR EXTENSION AT SIDE

**Application Ref:** 44418

**App Type:** Full

**Statutory Expiry Date:** 06 June 2005

**Recommendation:** Approve with Conditions

### **Description**

#### **Site Visit requested by Councillors Connolly and Magnall on behalf of Councillor Walker.**

The site is a detached part rendered/part brick and tile property surrounded by similar styled properties. It has been extended at the rear by a conservatory and has an original attached garage at the side. Next to the garage is a 1m wide path with a 1.8m high fence along the boundary with 2 Stapleford Close.

2 Stapleford Close is a detached property that backs onto the side of the site. The original garden length was 12.25m but a conservatory has been erected reducing part of the garden to 8.65m.

Surrounding the rear of the site are the ends of the gardens of 15 Rose Grove, 4 and 6 Stapleford Close, all with a separation distance of over 13m between the properties and the proposal.

The proposal was originally for a 1<sup>st</sup> floor extension at the side for the full depth of the garage with the ridge of existing roof carried though to form a two storey pike gable facing the rear of 2 Stapleford Close. Revised plans have been received setting the first floor back by 1.2m from the front elevation of the existing garage.

### **Relevant Planning History**

None

### **Publicity**

7 surrounding properties were notified of the original proposal. Letters of representation has been received from 2 Stapleford Close and Councillor Walker objecting for the following reasons:

- The proposal does not complement the original building
- It is visually intrusive and is a gross overdevelopment
- Reduces the amount of daylight and sunlight currently enjoyed
- Affect the amount of amenity currently enjoyed in a garden whose design is sensitive to the limitations due to Multiple Sclerosis
- It is not sympathetic to the surrounding area
- If the proposal is approved there is a concern over the standard of the design and appearance of the work

On receipt of the revised plans the objector at 2 Stapleford Close was re-consulted, he then confirmed by e-mail that his objections still stood to the revised proposal.

## **Consultations**

None

## **Unitary Development Plan and Policies**

H2/3 Extensions and Alterations

SPD6 Development Control Policy Guidance Note 6: Extensions

## **Issues and Analysis**

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

Visual Amenity - The design of the proposal is in keeping with the existing dwelling. The materials for the proposal are to be conditioned so that they match the materials of the existing dwelling.

Residential Amenity - The separation distance between the original rear elevation of 2 Stapleford Close and the side elevation of the proposal is 13.25m. The adopted guidance of the Council is to seek a minimum distance of 13m between a principal window in a habitable room (i.e. lounge) in one property and a two storey blank wall of a neighbouring property. Therefore the original and revised proposal both comply with the adopted policy. However the applicant was sensitive to the objection made by 2 Stapleford Close and the proposal was revised by setting back the front elevation by 1.2m (this will allow sunlight into the garden of 2 Stapleford Close earlier in the day). Also, the fact that 2 Stapleford Close has been extended at the rear by a conservatory, (conservatories are not classed as a principal window in a habitable room) should not prejudice the ability of the occupiers of 5 Rose Grove to extend.

The privacy of the adjacent occupiers is to be safeguarded by imposing a condition restricting the permitted development rights of the occupier of 5 Rose Grove to put windows in the side elevation.

Therefore in conclusion given the adopted policy, the revision to the original proposal and the separation distances between surrounding properties and the site, the proposal is considered to be acceptable in terms of privacy, outlook and the effect on light of the occupiers of the surrounding properties and conforms to the Bury Unitary Development Plan Policy No H2/3 – Extensions and Alterations and the Development Control Policy Guidance Note 6 – Alterations and Extensions to Residential Properties

## **Summary of reasons for Recommendation**

This application was determined having regard to Policy H2/3 "Alterations and Extensions" of the Bury Unitary Development Plan and Development Control Policy Guidance Note 6 "Alterations and Extensions". Planning permission has been granted because the proposals accord with the policy and guidance in that the design is of an acceptable standard which would not adversely affect the character of the area nor the amenity of nearby residents, and would not adversely impact on highway safety issues. There are no other material planning considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

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

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

2. This decision relates to drawings numbered **5299/01B** 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 pursuant to policy H2/3 – Extensions and Alterations of the Bury Unitary Development Plan and the associated adopted Development Control Policy Guidance Note 6 – Alterations and Extensions to Residential Properties.
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 pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
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.

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

**Location:** LAND ADJACENT 7 HIGHER SUMMERSEAT, BURY

**Proposal:** RESIDENTIAL DEVELOPMENT - 1 DETACHED DWELLING

**Application Ref:** 44436

**App Type:** Full

**Statutory Expiry Date:** 08 June 2005

**Recommendation:** Approve with Conditions

**Description**

The application site, approximately 0.0195 hectares of land, forms part of the side garden to the adjoining dwellinghouse No. 7 Higher Summerseat, Summerseat, Bury. The site is bounded by a stone wall reinforced with tall bushes in the front along Higher Summerseat. There is a single storey outbuilding located in a central position within the site.

The proposal involves demolition of the existing outbuilding and construction of a two storey detached house with a single storey wing to rear. The house would be built with a pitched roof tiled in natural grey slate and external walls in natural stone coursed to match the adjacent house No. 7. Part of the boundary wall in front would be removed and the height of the remainder wall reduced to 900mm to facilitate 2 car parking space and adequate turning area in front.

**Relevant Planning History**

Planning permission ref. 44428 for a two storey extension at side and single storey extension at rear of No. 7 Higher Summerseat was granted, subject to conditions, on 7 June 2005.

**Publicity**

The application was advertised as affecting Summerseat Conservation Area and neighbours notified. A letter raising objection to the proposal has been received from the residents of 13 Higher Summerseat. The points raised are:

1. The site is located within a conservation area and the proposed development would detrimentally alter the characteristics and appearance of this part of Summerseat. The proposed design does not appear to be sympathetic to other local dwellings.
2. The site, until recently, was protected from development by a covenant shared by some property owners on Higher Summerseat.
3. The new dwelling and the adjacent property No. 7 Higher Summerseat when extended, would overlook each other and compound the over development of this area of land. Furthermore, this part of Summerseat has no designated pavement on either side of the road and in our opinion, the likely increased traffic flow can only make this area more dangerous to pedestrians.
4. The roof height of the proposed property will be in excess of the roof height of No. 13. This will lead to a significant loss of light to our garden.
5. The ground level between the proposed property and No. 13 is different at all points. The difference in levels rises to between 3 and 4 feet at the back of our property No. 13. This would result in the garden at No. 13 being significantly overlooked by the proposed development.



## **Consultations**

Borough Engineer - No objection subject to conditions

Landscape Practice - The tree likely to be removed is a *Araucaria araucana* (Monkey Puzzle) and is not native to Britain. It would therefore be out of character in the Conservation Area.

Env Health - No objection subject to conditions for the submission of a Contaminated Land Desk Study and Noise investigations.

## **Unitary Development Plan and Policies**

H1/2 Further Housing Development

H2/1 The Form of New Residential Development

H2/6 Garden and Backland Development

SPD6 DC Policy Guidance Note 6: Alterations & Extensions

## **Issues and Analysis**

The applicant who also owns the adjacent end terrace house No. 7 Higher Summerseat, submitted a planning application ref. 44428 on 7 June 2005 for the erection of a two storey full depth extension at side and full width single storey extension to rear at No. 7 Higher Summerseat. The application was approved, subject to conditions, on 7th June 2005. In considering this application and assessing the impact of the proposed development, it is therefore important that implications of the approved extension at No. 7 Higher Summerseat, are taken into account.

Principle - The site forms part of the side garden area to the residential property No. 7 Higher Summerseat and is located within a residential area. The site forms an infill gap which in land use terms, is considered suitable and appropriate for a residential development. Given its location in relation to the surrounding properties, I believe, the proposal is acceptable in terms of its principle.

Residential amenity - To avoid any amenity related issues and to comply with the SPG's requirements, both schemes ( this and one relating to 7 Higher Summerseat) have been revised to exclude any habitable room windows at the gable walls facing each other. The proposed dwelling would be set back from the front elevation by 2.5m and would maintain a separation distance of 2.3m with No. 7 Higher Summerseat inclusive of the extension. In view of these considerations, it is considered that the proposed dwelling would not have a detrimental impact of the residential amenities of the residents of No. 7 Higher Summerseat.

With regard to the other adjoining property No. 13, it should be pointed out that the proposed dwelling would be set back between 0.6m to 0.4m from the boundary wall with No. 13 which has a first floor extension built recently over the existing double garage. The garage and extension over are located 0.9m away from the boundary wall. There are no habitable room windows at the side elevation of the extension nor the garage. The nearest window at the rear elevation of the extension over the garage close to the boundary would be of an en-suite, a non-habitat window. Since no habitable room windows are proposed at the side elevation of the proposed dwelling, it is considered that the proposed dwelling would not have a detrimental impact on the amenities of residents of No. 13.

The residential properties to rear at Heath Avenue are located far away to have any detrimental impact.

Design aspects - The dwelling would have a pitched roof with ridge height not exceeding the ridge height of the existing house at No. 7. Although the ridge height of the proposed dwelling would exceed the ridge height of No. 13 by 0.200m, however it is not considered that this would lead to an appreciable loss of light to the garden at No. 13. Nor would it

result in the garden at No. 13 being significantly overlooked. In this regard, it is considered that the comments made by the residents of No. 13 are unjustified.

The dwelling would be built in stone to match the adjoining house at No 7. The details of the proposed windows has been revised at the request of the Conservation Officer who is satisfied that the proposed dwelling, by virtue of its design and external appearance, would not adversely affect the character of the area.

Car parking - Two car parking spaces have been proposed in the front of the house. Although there is no designated pavement on either side of Higher Summersaet at this point, however, the Borough Engineer is satisfied with regard to the turning facilities and road and pedestrian safety.

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

NO51

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

*It is considered that the proposed development is acceptable because it would not neither adversely affect the character of the conservation area nor the residential amenity of the occupiers of the adjacent properties.*

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 359/PL/008 (Rev A), 359/PL/001 (Rev A), 359/PL/006 (RevD), 05E203/001 received on 7 June 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 pursuant to policies of the Bury Unitary Development Plan listed below.
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 pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The turning facilities indicated on the approved plan [0501/01] shall be provided before the development is brought into use and shall subsequently 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.
5. The development hereby approved shall not be first occupied unless and until the boundary wall alterations indicated on the approved plan [359/PL/006 Rev D] have been implemented to a maximum height of 0.9m, 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.

6. 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 Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

7. Following the provisions of Condition 6 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 Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

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

**Ward:** Prestwich - Holyrood

Item 05

**Location:** HEATON PARK SOCIAL CLUB, 315 BURY OLD ROAD, PRESTWICH, M25 1JA

**Proposal:** ERECTION OF ENTRANCE PORCH

**Application Ref:** 44466

**App Type:** Full

**Statutory Expiry Date:** 15 June 2005

**Recommendation:** Approve with Conditions

### **Description**

The site forms the established Heaton Park Social Club on Bury Old Road in Prestwich. The proposal is for a new entrance/exit lobby on the front of the building immediately fronting Bury Old Road. The main access will remain at the side of the building but for a number of years the 'emergency' fire doors immediately adjacent to the residential property fronting Bury Old Road, has been used for accessing taxis which wait on Bury Old Road. The porch will be built of block work and rendered to match the existing property and will split the access from the snooker room and lounge away from that of the function room. Additionally, the blocked up windows will be replaced with new glazing.

### **Relevant Planning History**

None to this particular proposal.

### **Publicity**

One letter has been received from 311, next door but one to the side of the property. The occupier has complained about the management of the club and these complaints have been passed on to Environmental Health and the neighbour informed of the correct number to contact should they have any future complaints. However, they have expressed concern about the creation of a new access at the front of the property which could lead to disturbance to the residential amenity that they currently enjoy through encouraging taxis to pick up and drop off on the main road.

### **Consultations**

Highways - no objections to the creation of the new pedestrian access to the club.

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

S2/6 Food and Drink

EN1/2 Townscape and Built Design

### **Issues and Analysis**

Design - the club currently has a blank gable wall fronting Bury Old Road and the windows have been blocked up and now used to advertise forthcoming events. The porch reflects the massing of the building and its scale reflects that of the building. It creates a feature on the wall and helps identify the property and the replacement of the blocked up windows with new glazing will considerably improve the frontage. As such the proposal would appear to improve the street scene and is acceptable.

Residential amenity - the proposed front porch will split the function room activities from the snooker room and lounge. It will also ensure that the fire door immediately adjacent to 313 Bury Old Road will cease to be used as an access and egress and thus the situation should improve for the immediate residents. Consequently, it is not anticipated that the proposal will not result in any increase in detriment to the adjacent residents and as such is

acceptable.

Highways - the current main access and egress from the site is via the Bury Old Road and then through Peach Street and Henry Street residential streets. The section of Bury Old Road immediately outside the club has double yellow lines for part of the frontage but is unrestricted by the existing pedestrian gates. Given that there is an existing pedestrian access to the site from Bury Old Road and that the existing fire doors are used for access and egress to and from the club, it is not anticipated that the new access will worsen the situation and as such it is 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;-

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 pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
3. This decision relates to the drawings received on 20th 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 pursuant to policy: EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan..

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

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

Item 06

**Location:** STAFF OF LIFE, 49 RAINSOUGH BROW, PRESTWICH, M25 9XW

**Proposal:** OUTLINE - OFFICE DEVELOPMENT - CLASS B1 (BUSINESS)

**Application Ref:** 44468

**App Type:** Full

**Statutory Expiry Date:** 04 July 2005

**Recommendation:** Approve with Conditions

### **Description**

The site comprises the Staff of Life Public House and its car park at Rainsough Brew, Prestwich. The site is adjacent to The Plough Public house, has residential development to the south and east and is opposite Prestwich Forest Park.

The proposal is an outline application for the development of the site for office use (B1) with all matters reserved.

### **Relevant Planning History**

Planning application for residential development was withdrawn in May (44283). A new application is pending.

### **Publicity**

One letter of objection has been received from 9 Halliwell Walk on the following grounds:

- offices would be out of character with the area.
- the development would encourage anti-social behaviour after working hours.
- insufficient details have been seen submitted for proper consideration.
- office buildings could lead to unsocial behaviour

### **Consultations**

Environmental Health - No objections subject to standard conditions

Highways - Comments awaited (No objections in principle - verbal)

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

EC5/2 Other Centres and Preferred Office Locations

### **Issues and Analysis**

Principal - the site is currently in a commercial use on a main road with residential development to the rear, commercial use to the south, vacant land to the north and the Prestwich Forest Park on the opposite side of the road. The land is separated from the residential development by some 20m which includes gardens and a service area and, as such, reasonable separation distances should be capable of being maintained between the existing residential property and any buildings developed on the site. The use for the site for office use would appear to accord with the current commercial use and as such would be an acceptable alternative development in accordance with Policy EC5/2.

Other matters - the application is just for the principle of office development on the site. All other matters, including access, design, layout and landscaping have all been reserved and, as such, will be considered at the detailed application stage should outline permission be granted.

Objection - the site is currently in commercial use and is somewhat restricted in terms of its area. All matters have been reserved in the application and as such the details of the point

of access, what the building will look like and how it is positioned on the site will all be considered should consent be granted and reserved matters received. As such, it is not considered that the concern raised about the change in character of the area or the lack of details could warrant refusal. The matter of the new use attracting unsocial behaviour by people when the offices are closed will be addressed at the detailed design stage and the principals of 'safe by design' should ensure that the new use causes no more unsocial behaviour than the existing use as a public house.

### **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. 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. 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 Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

4. Following the provisions of Condition 2 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 Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
  
5. Provision shall be made within the curtilage of the site to the written satisfaction of the Local Planning Authority for the loading and unloading of vehicles and the parking of cars which visit the site in connection with the use hereby approved.  
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of highway safety.
  
6. 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.
  
7. There shall be no direct means of vehicular access between the site and land to the rear of 1 to 11 Halliwell Walk, Prestwich.  
Reason. To ensure good highway design in the interests of road safety.
  
8. Any buildings constructed under this approval and the subsequent reserved matters application/s shall be used for an Office only and for no other purposes, including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or as subsequently amended.  
Reason. Due to its position, development of this type would not normally be granted consent due to its detrimental effect on the residential amenities enjoyed by nearby residents pursuant to policies of the Unitary Development Plan listed below.

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



**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

**This application was deferred for a site visit by the Planning Control Committee on 24th May 2005.**

**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**

H1/2 Further Housing Development

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

H4/1 Affordable Housing

EN1/6 Public Art

EN1/5 Crime Prevention

EN6/4 Wildlife Links and Corridors

EC2/2 Employment Land and Premises

RT2/2 Recreation Provision in New Housing Development

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 it has been concluded that the site is no longer suited in land use terms to continued employment use as such the change of use to residential can be justified. In terms of the national policy statement in PPG3 - Housing 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. The development will be at a density of 67.7 to the hectare which conform with PPG3 and RSS 13.

Landscaping and Boundary Treatments - the scheme has been revised and has now been approved by the landscape practice. Boundary treatments to the whole of the site are included, and whilst they are of standard types, timber fencing and walls, they are considered acceptable in both amenity and security terms.

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 - the scheme has been amended so that it fully complies with the layout standards of the engineers and in particular 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. It has been agreed with the applicant that 4 of the three bedroom houses and 6 two bedroom apartments (23.25% of the properties) will be have a 25% discount (value of £323,987.50 at today's prices) 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 assessing the principle of the development against UDP Policy EC2/2, 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 02-01C 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 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 pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan..
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.
6. Prior to the development hereby approved commencing:

- 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.

7. Following the provisions of Condition 6 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.
8. The car parking indicated on the approved plans ref: 02-01 B shall be surfaced, demarcated and made available for use to the written approval of the Local Planning Authority prior to the buildings hereby approved being first occupied.  
Reason. To ensure adequate off street car parking provision in the interests of road safety.
9. A minimum hardstanding of 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.
10. A forward visibility envelope appropriate for a speed of 20 mph shall be provided along the proposed estate road adjacent to Plot 4 indicated on approved plan ref: 02-01 Rev. C 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.
11. Notwithstanding the boundary details indicated on approved plan ref. 02-01 Rev B, pedestrian visibility splays in accordance with Figure 114 of Design Bulletin 32 'Residential Roads and Footpaths – 2nd Edition' shall be provided at the junction of the car park access to Plots 10-16 with the proposed estate road before the dwellings hereby approved served by this access are first occupied and shall subsequently be maintained free of obstruction above the height of 0.6m.  
Reason. To ensure the intervisibility of the users of the site and the adjacent highway in the interests of road safety.

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

**Location:** LAND AT BURY ROAD & PARK STREET RADCLIFFE

**Proposal:** RESIDENTIAL DEVELOPMENT - 40 APARTMENTS IN 5 NO. BLOCKS

**Application Ref:** 44465

**App Type:** Full

**Statutory Expiry Date:** 14 June 2005

**Recommendation:** Minded to Approve

**Minded to approve subject to a s.106 Agreement concerning recreational provision (Policy RT2/2) and affordable housing (Policy H4/1). Delegated powers are requested for the Borough Planning and Economic Development Officer to refuse the application in the event that the Agreement has not been completed by 19th July 2005.**

#### **Description**

The site of about 0.51ha is an area formerly used for open air car sales. It is situated between Bury Road on the westerly side where there is a 40m frontage and the cul-de-sac end of Park Street at the south easterly side. The site is split by Crow Trees Farm Brook which is crossed by a bridge usable by vehicles.

There is a mixture of uses in the area. This includes existing industrial development to the south west (Station Works) and also an industrial premises immediately to the north east. Residential development in the form of semi-detached houses and a three storey block of flats (Windsor Court) is to the north, including along Bury Road. Garden terraced houses are located around Park Street and Caledonia Street to the south east. Opposite, on Bury Road there is a petrol filling station.

There is currently planning permission for residential development on the site. This consists of two consents granted in 2003. These include permission for 6 terraced houses on the section between Bury Road and the brook to be accessed only from Bury Road (ref. 39424/02) and 12 semi-detached houses on the other side of the brook to be accessed only from Park Street (ref. 39425/02). However, in January 2004 planning permission was refused for 30 flats on the Park Street section of the site (ref.41143/03).

The Bury Road frontage area became used for a period as a contractors yard. The retrospective application ref 41805/03 was refused on 9th February 2004 and the subsequent appeal was dismissed. As result of enforcement action this use subsequently ceased, since when the site has remained vacant.

It is proposed to erect 40 flats in five blocks. These would include a two and three storey block facing Bury Road on the area between this road and Crow Trees Farm Brook and 3no. three storey blocks and one three and four storey block on the remainder of the land. All vehicular access would be from Bury Road with a new replacement bridge to be built over Crow Trees Farm Brook.

#### **Relevant Planning History**

36115/99 - Outline for residential development. Approved on 21st March 2000.

38836/02 - 6no. semi-detached houses. Refused on 27th March 2002. Reasons included insufficient information, substandard access, inadequate car parking facilities and loss of a highway tree.

39424/02 - 6 no. semi-detached houses. Approved on 24th April 2003.

39425/02 - 12 semi-detached houses. Approved on 24th April 2003.

41143/03 - Outline for 30 flats. Refused on 21st January 2004. Reasons included intensified use of a site with inadequate access, overdevelopment, failure to demonstrate lack of flooding risk, likelihood of noise disturbance from industrial activity.

41805/03 - change of use from car sales to contractor's yard and skip hire. Refused on 9th February 2004. The reasons included detrimental impact on residential and visual amenity and insufficient information.

42065/04 - 7ft perimeter fence. Refused on 31st March 2004. The reasons included detriment to the quality and importance of the street scene on Bury Road and insufficient information to assess highway issues.

### **Publicity**

Individual notifications have been sent to 44 properties within the area surrounding the site. Also, site notices have been displayed and a press notice published.

There have been 5 responses. One of these, from a resident of Windsor Court is in support of the proposal as being sympathetic in appearance to the locality, a correct use of the land and that it would enrich Radcliffe's alternative vision of sustainable regeneration.

Letters expressing concerns have been received from 3 addresses in Bury Road and one in Windsor Court. The issues raised are as follows:

- The stream would create a 'criminal corridor' between Windsor Court and the new block and a boundary fence should be provided to prevent access to surrounding properties.
- Concern about overlooking (10 and 59 Bury Road).
- 2 storeys would be more acceptable and in keeping with the location.
- Problem of peak time congestion on Bury Road would be made worse.
- Traffic hazard due to location on a bend and opposite a busy petrol station.
- Houses would be more in keeping on Bury Road.
- Consideration should be given to the amount of residents the scheme would accommodate.
- 9 apartments are being built within 100yds.
- It is next door to a haulage yard.

### **Consultations**

Borough Engineer - Highways: Any adverse comments will be reported. Drainage: No objections.

Environmental Health - Conditions recommended concerning land contamination and acoustic insulation.

Environment Agency - Objection concerning encroachment into 8m maintenance easement along Crow Trees Farm Brook. Further information requested concerning floor levels in regard to potential flood risk.

United Utilities - No objections subject to the site being drained on a separate system. A public sewer and water main jut into the site to the north of Park Street and access must be maintained for access and repair.

GMP Architectural Liaison - Need for more enclosure around the side and rear of individual blocks. Need for defined defensible space on the more public side of the blocks. Adequate lighting required throughout the site. The extent of landscape foliage to be controlled to assist natural surveillance. Bin stores to be enclosed and lockable.

Operational Services - No response.

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

H1/2 Further Housing Development

|       |   |
|-------|---|
| H2/1  | The Form of New Residential Development         |
| H2/2  | The Layout of New Residential Development       |
| H4/1  | Affordable Housing                              |
| H5/1  | Area Improvement                                |
| EN1/2 | Townscape and Built Design                      |
| EN1/5 | Crime Prevention                                |
| EN1/6 | Public Art                                      |
| EN1/7 | Throughroutes and Gateways                      |
| EN5/1 | New Development and Flood Risk                  |
| EN6/3 | Features of Ecological Value                    |
| EN8/2 | Woodland and Tree Planting                      |
| RT2/2 | Recreation Provision in New Housing Development |
| HT2/4 | Car Parking and New Development                 |
| PPG23 | PPS 23 - Planning and Pollution Control         |

### **Issues and Analysis**

Principle - There is already planning permission for residential development on this brownfield site. The principle of such development is, therefore, already resolved. Most of the site is derelict and recently there was a serious amenity problem caused by an unauthorised contractor's yard being set up on the Bury Road frontage area. This was resolved through enforcement action. However, the site is need of redevelopment in a way that would enhance the surrounding area.

Design and Layout - Apart from a two storey section of the Bury Road frontage block (Block A) and a four storey of section of the largest block at the rear of the development (Block D & E), the blocks would be three storeys in height. There are examples of buildings of this height in the immediate area including Windsor Court and industrial premises both to the east and south west. Block A would be partly two storeys where it is closest to semi-detached houses on Bury Road. The blocks, including the four storey element, are sited and orientated to maintain acceptable aspects both in relationship to existing houses nearby and to each other.

Externally the blocks would be of a traditional pitched roof design incorporating a blend of external finishes to produce an attractive and interesting appearance. Car parking and open amenity space areas would be located conveniently throughout the layout with the latter concentrated along Whittle Brook but with usable areas situated next to and between the blocks.

The current planning permissions show access to 6 terraced houses from Bury Road and to 12 semi-detached houses separately from Park Street. Park Street is a residential cul-de-sac and a subsequent application for a more traffic generating development of 30 flats was refused partly on the grounds that vehicular access would have been via Park Street resulting in detriment to highway safety, residential amenity and maintaining the free flow of traffic. In terms of access the current proposal is acceptable in that the access point would be on Bury Road and located away from residential frontages. Details have been amended in response to highways advice.

Noise Pollution - There is some concern about the potential for noise disturbance to the future residents due to the presence of industrial premises on two sides of the site and in regard to block F which would be close to the boundary with a commercial unit. The block, however, has been designed with no habitable room windows facing the boundary in question. A condition should be attached to any consent requiring suitable noise insulation measures within the development to mitigate any effects of industrial noise. An acoustic survey is currently being prepared to determine the exact requirements.

Land Contamination - The site is previously commercially developed land and the frontage area once contained a petrol filling station. The need to resolve any land contamination issues is particularly important in this case. Negotiations in this regard have been taking place between the applicant's consultants and Environmental Health who are now of the



view that sufficient information has been provided for them to recommend the conditions they have specified to be attached to any planning permission.

Crow Trees Farm Brook - The Environment Agency has objected on the grounds of the excessive proximity of some the blocks to Crow Trees Farm Brook in terms of infringing their 8m wide maintenance easement. The applicant's agent has responded that they feel that the development is, in fact, clear of the easement and have provided revised details in order to clarify the matter. Also, from the agency's comments, the development appears to be above the potential flood risk level but further clarification of finished floor levels was requested and has been provided. The agency's further comments are awaited and will be reported.

The brook is a significant feature of ecological importance and the layout ensures that an open corridor would be maintained along its course. The few trees that are within the site grow along the brook and help to enhance this natural corridor. They are unaffected by the proposals and they should be retained and protected during the development.

Artwork - The development is of a scale where there is a requirement, in accordance with Policy EN1/6, for an element of artwork to be provided. The intention is for artwork to be integrated into the design of the proposed bridge on the basis of Per Cent for Public Art but details have not been prepared at this stage. This is an acceptable solution and approval and implementation would be need to be ensured via an appropriate condition.

s.106 Requirements - The development requires recreation provision for the future residents in accordance with Policy RT2/2. This would be satisfied by the provision of a commuted sum of £14,377.60 as a contribution towards improved or new provision off site in the nearby area. Also, there needs to be compliance with Policy H4/1 on affordable housing and this would be satisfied by a 25% discount being made on the selling price of 10 units. The total value of this discount would be £315,000. The developers have confirmed that they are willing to sign a s106 Agreement in respect of both requirements and any planning permission should only be granted once the Agreement has been completed.

Security Issues - Whilst GMP have requested more enclosure at the side and rear of the blocks, this would undermine the environmental objective of maintaining an open corridor along the brook. Other detailed suggestions can be dealt by means of a condition on enclosure, bin store details and external lighting.

### **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;-  
Following detailed consideration and assessment of the proposals on site and taking into account any and all representations and consultations it is considered that the development is acceptable in terms of its design and character as it complies with policies H2/1 and H2/2. 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. This decision relates to the site location plan dated 19th April 2005 and drawings numbered SSL:7116A:200:1:1, PI-400, PI-401, (PL)A100, (PL)A101, (PL)A102,

(PL)A200, (PL)A201, (PL)B100, (PL)B101, (PL)B102, (PL)B200, (PL)B201, (PL)C100, (PL)C101, (PL)C102, (PL)C200, (PL)D100, (PL)D101, (PL)D102, (PL)D103, (PL)D/E200, (PL)D/E201, (PL)D/E202, (PL)F100, (PL)F101, (PL)F102, (PL)F200 and (PL)F201 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 pursuant to the policies of the Bury Unitary Development Plan listed below.

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 pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

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 pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

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 pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

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

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

7. The car parking indicated on the approved plan PI-400 shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the buildings hereby approved being occupied.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

8. 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 Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

9. Following the provisions of Condition 8 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 Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

10. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing, including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved contamination testing shall then be carried out and validatory evidence (laboratory certificates etc) shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto the site.

Reason: To secure the satisfactory development of the site in terms of human health and the wider environment pursuant to Policy EN7 - Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

11. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and/or protective works shall be carried out to agreed timescales and shall be approved by the LPA in writing prior to its commencement;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including validation works, shall be submitted to and approved in writing by the LPA prior to the development being brought into use.

Reason: To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 - Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

12. Prior to the commencement of the development, appropriate site investigations, gas monitoring and risk assessment shall be carried out to assess any possible risks associated with the production of landfill gas or ground gas. Where required, detailed design features shall be incorporated into the proposed buildings, as shown necessary by the site investigation and risk assessment, to alleviate risks to the written satisfaction of the Local Planning Authority and a Site Verification Report detailing the design and installation of the incorporated design features, including substantial evidence, shall be submitted to and approved in writing by

the Local Planning Authority within agreed timescales.

Reason: To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

13. No development shall be commenced unless and until full particulars of the following details have been submitted to and approved by the Local Planning Authority:

- the finished floor levels of the buildings
- the bridge across Crow Trees Farm Brook
- all means of enclosure
- a scheme of external lighting.

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

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

14. No development shall take place unless and until a design scheme to provide an integral feature artwork feature has been submitted to and approved in writing by the Local Planning Authority. This artwork element shall be in accordance with the requirements of Policy EN/6 - Public Art of the Bury Unitary Development Plan and the associated Development Control Policy Guidance Note 4 - Per Cent for Public Art. The approved artwork feature shall be implemented to the written satisfaction of the Local Planning Authority within a period of 6 months from the date on which the first residential unit becomes occupied.

Reason: In order to create a visual enhancement of the development and its surroundings and to create a feeling of well being.

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

**Location:** 21-23 WATER STREET, RADCLIFFE, M26 3DE

**Proposal:** CHANGE OF USE FROM SHOP (CLASS A1) TO HOT FOOD TAKEAWAY (CLASS A5)

**Application Ref:** 44433

**App Type:** Full

**Statutory Expiry Date:** 01 July 2005

**Recommendation:** Approve with Conditions

**Description**

The property is a mid terraced property, currently vacant, that appears to have been in shop use previously. There is a foot way to the front of the property, which faces directly onto Water Street. Immediately to the rear of the premises is a yard area with an area of parking for servicing surrounding it.

Other neighbouring properties are commercial in use, including offices and other hot food uses along the main road frontage, with residential properties to the west across a servicing and parking area used by the commercial properties along Water Street.

The application is seeking to change the use from shop (Class A1) to hot food take away (Class A5) at ground floor with ancillary storage above. Only the ground floor of #23 would form part of the proposals, which are intended to be used as a waiting area, and would be open plan through to #21. The first floor of #23 has a separate entrance to an office. This is not intended to form part of the planning application. The proposed opening hours are from 4pm to midnight daily.

**Relevant Planning History**

None relevant.

**Publicity**

Letters were sent to neighbouring properties on Water Street, Bowker Street and Lord Street. As a result of this publicity, two letters of objection have been received from nearby businesses including Portiere Design Ltd of 25 Water Street and PR World Travel of 18-22 Water Street. Points raised include -

PR World Travel:

- Premises are continuously subject to vandalism and users of the existing take away leave cartons and litter around their building. Occasionally, food is thrown against their windows. Such actions are attracting vermin to the area. The granting of planning permission would exacerbate this situation.

Portiere Design:

- As an immediate neighbour to the proposals, their business is purely an office use and a hot food use impact upon the 'kerb value' of their property. This would be undesirable to visitors and themselves.
- There are existing problems with the drainage caused by the existing hot food use at #19. Another hot food use may exacerbate this problem.
- The area suffers from litter problems and a further hot food use may exacerbate this problem.
- There would constant smells from cooking, which would impact upon amenity.
- There may be further problems from vermin as a result of the use.

- There are too many hot food uses in the immediate area.

### **Consultations**

Environmental Health - No objections in principle, A condition should be imposed to ensure that details relating to the ventilation flue are submitted to and approved by the local planning authority.

Traffic - Any adverse comments shall be reported.

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

S1/5 Neighbourhood Centres and Local Shops  
S2/4 Control of Non-Retail Uses in All Other Areas  
S2/6 Food and Drink  
S3/3 Improvement and Enhancement (All Centres)

### **Issues and Analysis**

Principle - The site is located within a Neighbourhood Shopping Centre and UDP Policy S1/5 - Neighbourhood Centres and Local Shops seeks to maintain retailing (Class A1) as the predominant use for the day to day needs of local residents.

Outside the main shopping areas of a town and district centre, UDP Policy S2/4 - Control of Non-Retail Uses in All Other Areas seeks to retain and promote retail uses. Criteria such as the longevity of vacancy, scale of the development proposed, the concentration of uses and parking and servicing are part of the consideration for development proposals in such areas.

UDP Policy S2/6 - Food and Drink provides particular assessment criteria for the consideration of such uses including hot food take aways. Residential amenity, proliferation of uses, parking and servicing and the storage and disposal of litter are factors under consideration.

Policy S3/3 - Improvement and Enhancement (All Centres) states that the Council will encourage the refurbishment and improvement of all centres within the Borough. Issues such as the standard of services provided by the buildings, traffic problems, existing transport services to the centre and the decline in shopping patronage are to be considered by any new proposals.

The neighbourhood centre is dated and has suffered from turnover and vacant units in the past despite the positive UDP policy to retain and promote retail uses. Following a recent successful appeal on Ainsworth Road for a hot food use, the Planning Inspector put significant emphasis on the need to encourage uses, including hot food uses, to maintain vitality and viability within such centres.

The predominant emphasis of this centre, fronting a busy main road, is commercial in nature. Whilst it is accepted that there are a number of hot food uses nearby, they are by no means prolific and are interspersed throughout the area. In view of this and the longevity and prolific vacancy of properties in the centre, it is considered that the use would promote economic activity to the area and would encourage refurbishment to a deteriorated building.

Amenity - In terms of neighbouring properties, none are residential in use in the immediate row. There are residential properties to the wider area behind the premises but are separated from it by a large parking and servicing area, which would mitigate any immediate impact upon the nearest residents fronting Taylor Street. In terms of the adjoining commercial properties, the hours of operation are such that there would be only a slight overlap of opening times between the proposed user and existing office use adjoining. Notwithstanding this, it is considered that a planning condition be imposed to require the submission of details relating to noise mitigation. This would easily be achieved by applying sound insulation measures to the existing walls of the application site.

Refuse - There is a yard area to the rear of the property that would accommodate refuse

bins for the day to day operations of the use. As such it is considered that sufficient consideration has been taken for this matter. The objection letters received comment that litter is currently dropped in the street. The use would not in itself add to the problem. It is more an issue to address the availability of bins in the locality.

Ventilation Flue - There are no details submitted with the application. Details of this have been sought and will be submitted prior to the Planning Committee meeting.

Car Parking - There would be some parking available to the rear of the premises and there are other car parking facilities within close proximity to the site on Hampson Street. The site is also within walking distance to the district centre and residential areas and as such, parking is not felt to be a significant concern with the use.

Hours of Use - The proposed hours sought are from 4pm to midnight. Given the location of the premises, it is considered that these hours are slightly excessive and should be restricted to 30 minutes after pub closure times, in line with most other uses where residential properties could possibly be affected. This should be conditioned accordingly.

### **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 use would permit the re-occupancy of the building within an area where vacancy is a prolific problem. The use would not have detrimental impact upon the surrounding residential properties or commercial uses. The development would comply with the adopted policies of the UDP and there are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than five years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to the drawings received on 6th 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 pursuant to policies of the Bury Unitary Development Plan listed below.
3. The shop / restaurant shall not be open outside 0800 hrs to 2330 hrs daily.  
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy S2/6 – Food and Drink of the Bury Unitary Development Plan.
4. Before the Class A5 take away use hereby approved commences, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the local planning authority.  
Reason. To safeguard the amenities of the occupiers of the building and occupiers of nearby properties.
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.

Reason - To secure the satisfactory development of the site and pursuant to UDP Policy S2/6 - Food and Drink.

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



**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 10

**Location:** DAMAR PACKAGING LTD, SQUARE STREET, RAMSBOTTOM, BL0 9BE

**Proposal:** DEMOLITION OF EXISTING BUILDINGS & ERECTION OF BLOCK OF 9 APARTMENTS

**Application Ref:** 44284

**App Type:** Full

**Statutory Expiry Date:** 25 May 2005

**Recommendation:** Approve with Conditions

**Description**

The application relates to a site containing single storey industrial buildings and fronting a street of mixed uses close to Ramsbottom town centre. To the south is another small industrial building. To the west is a flat development. To the north is a former club now converted into offices. The gable wall which is on the boundary of the site contains 4 windows and a fire escape door.

It is proposed to demolish the buildings and to erect a 3 storey building containing 9 apartments. Construction would be in natural stone with a slate roof. The access to the building would be from the rear and there would be a grassed area for residents. A bat survey and a contamination study has been submitted. The plan has been revised to provide a 2 metre separation distance from the adjoining office building.

**Relevant Planning History**

None recorded.

**Publicity**

Neighbours have been notified and one objection to the original plans received from Clock Creative Communications who occupy the adjoining office building. They are concerned that access should be maintained to the fire exit and that light would be lost to windows having a detrimental effect on the working environment. Any further comments will be reported.

**Consultations**

Borough Engineer - No objection on highways or drainage grounds subject to recommended conditions.

Borough Environmental Services Officer - Conditions are recommended concerning on site contamination and noise.

United Utilities - No objection.

Greater Manchester Police - Suggest security measures including resiting of entrance to front elevation. The architect has responded saying that security of the site has been considered as an issue including access gates but the resiting of the entrance would create more problems than it would solve.

**Unitary Development Plan and Policies**

Area Square Street  
RM4

- H1/2 Further Housing Development
- H2/1 The Form of New Residential Development
- H2/2 The Layout of New Residential Development

### **Issues and Analysis**

The site is adjacent to an existing flat development and is within an area of Ramsbottom Town Centre considered appropriate for residential use. The building would be 3 storey in height and in scale with Cobden Mill which is close by and has consent to be converted into 4 storeys of apartments with a new 3 storey block adjoining. The traditional materials are appropriate for the building and its setting but further discussion is taking place with the architect on detailed design. Any changes to the appearance of the building will be reported.

The provision of 9 car parking spaces is adequate for a development close to all town centre amenities and public transport. The scheme includes amenity space for residents.

Despite the Police comments, the access to the building is better at the rear away from traffic. The neighbouring property has two windows at ground floor level which are partly obscure glazed but the first floor windows are recent additions, relying on light from the adjoining site. It is not considered that any effect on amenity would justify refusal of the application.

Further discussions are taking place with the architect on the design

### **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 apartments are within an area where residential development is appropriate. The scheme will not adversely affect the character of the area nor the amenity of occupiers of adjacent property and will 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 7661/02A, 03B, 04 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 pursuant to policies of the Bury Unitary Development Plan listed below.
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 pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The development hereby approved shall not be first occupied unless and until the footway works to the westerly side of Square Street indicated on the approved plan (766/03B0 have been implemented to the written satisfaction of the Local Planning Authority.

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

5. A visibility splay measuring 2.4 metres by 33 metres shall be provided at the junction of the proposed access with Square Street to the left on egress on land within the applicant's control 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 0.6m

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

6. The car parking indicated on the approved plan (766/03B) shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being occupied.

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

7. 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 Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

8. Following the provisions of Condition X 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 Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

9. A noise investigation shall be carried out in accordance with PPG24 (Planning and Noise) to determine the suitability of the site for development and the possible requirement for acoustic insulation to the apartments. The results of the survey shall be submitted to and agreed by the Local Planning Authority and any remedial measures shall be implemented prior to the occupation of the any of the apartments.

Reason To protect the residential amenities of residents.

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

**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 11

**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

**The application was considered by Planning Control Committee on 24 May 2005 when Members were minded to approve the proposal subject to reference to Government Office North West. A request has been received from Councillor Magnall to visit the site and reconsider the decision.**

### **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 land contains existing buildings and has the status of a "brownfield" site. The report on the previous supplementary agenda referred to the buildings as being previously in industrial use but they may not have been used for commercial purposes but for the storage of old equipment following the closure of a business elsewhere. The site 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 and does not make a significant contribution to open space in the area.

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. Conditions are recommended requiring precise levels to be provided together with details of treatment of the water course through the site.

When the application was considered by Planning Control Committee on 24 May Members accepted the Planning Officer's recommendation and were minded to approve the

application subject to reference to Government Office North West as a departure from the approved development plan because of the UDP allocation of part of the site as Protected Recreation Provision in the Urban Area. Government Office has responded on the basis that the development would not significantly prejudice the implementation of the development plan and Committee is now able to make a decision on the application.

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

Permission should be granted having regard to the policies and proposals listed and the reason(s) for granting permissions can be summarised as follows;- 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.
6. Finished floor levels shall be submitted to and agreed by the Local Planning Authority prior to the commencement of development and implemented in accordance with the agreed details.  
Reason. For the avoidance of doubt and in the interests of visual amenity.

7. Full details of surface water drainage including treatment of the water course through the site shall be submitted to and agreed with the Local Planning Authority prior to the commencement of development and implemented in accordance with the approved scheme.  
Reason For the avoidance of doubt and to alleviate potential drainage problems.

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

**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 12

**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

**Site Visit requested by Planning Committee on 24th May 2005**

### **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 15.5 metres 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 20m 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 |
|-------|--------------------------------------|-----------|

### **Publicity**

The application has been advertised in the Bury Times, a site notice posted as the site is adjacent the Ramsbottom Conservatio Area and 23 surrounding properties have been directly notified by letter. Two letters and e-mail has been received from Tanners House, Tanners Barn and 68 Tanner Street 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.
- Is the applicant going to live in the house or is it for financial gain? The area is already overdeveloped and it would seem to not be in keeping with a 'Conservation Area'.
- Another dwelling would add to the already busy traffic on a narrow road.
- Parking is also a problem with cars being damaged.
- Affect the view of the quarry from his house.

### **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.
- Any possible financial gain is not a material planning consideration.
- A person or property does not have any right to be able maintain a view.

### **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 4<sup>th</sup> April 2005 and BB-06 & BB-07 received on 16<sup>th</sup> 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 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 work shall be commenced on the dwelling hereby approved unless the hedge along the boundary of the site with Tanners Street and 18 Heapworth Avenue is

retained and thereafter maintained at a height of no less than 3m.

Reason. To avoid the loss of a hedge that is 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.

10. Prior to the commencement on site, the applicant or developer shall submit an amended window detail to be approved in writing by the Local Planning Authority (to substitute the submitted plans BB-06 & BB-07).

Reason. In order to ensure a satisfactory development and preserve the character of the adjacent Tanners Conservation Area.

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

**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

**Site Visit requested by Planning Committee on 24th May 2005**

**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, Gorsey 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, 62, 64, 66, 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.
- Increase in activity for the gardening business.
- 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 and possibly put off potential buyers.
- 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 **23<sup>rd</sup> 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**

**Location:** LAND REAR OF 22 PARR FOLD, BURY BL9 8JB

**Proposal:** RESIDENTIAL DEVELOPMENT -1 BUNGALOW

**Application Ref:** 44296

**App Type:** Full

**Statutory Expiry Date:** 06 July 2005

**Recommendation:** Approve with Conditions

### **Description**

The proposed bungalow would be sited within the rear of the garden of 22 Parr Fold, a modern detached house at the end of the residential cul de sac. The rear elevation of the L shaped bungalow would be 1m off the shared rear boundary fence line with No.20 Cunningham Drive. The front elevation would face the gap between Nos.20 and 22 Parr Fold, an area where the parking and turning area would be located.

The eaves height of the bungalow would be 2.4m with a ridge height of 3.4m. The rear elevation would have an obscure glazed bathroom window. Of the two bedroom windows on the west (side) elevation, one is a primary window and the another a secondary window. On the front elevation there would be a primary bedroom window, a kitchen window, double lounge doors as well as the main front door.

The bungalow would be 16m from the rear elevation of No.16 Cunningham Drive and 6m from the existing culvert to the front.

There have been six previous planning applications on the site. All were refused due principally to the impact the new dwelling would have on the neighbouring properties. Application 40839/03 was the subject of an appeal which was dismissed on the grounds that the bungalow (eaves at 2.5m and ridge at 5.6m), at would be overbearing when viewed from the rear of properties immediately behind the site on Cunningham Drive.

### **Relevant Planning History**

39948/02 - One detached dwelling. Refused on 17th January 2003 on grounds of seriously detrimental impact on adjacent properties and insufficient information relating to highway matters.

40385/03 - one detached dwelling. Refused on 31st March 2003 on grounds of seriously detrimental impact on adjacent properties.

40839/03 - One detached bungalow. Refused on grounds of seriously detrimental impact on adjacent properties. The subsequent appeal was dismissed.

41562/03 - One detached dwelling. Refused on 20th January 2004 on grounds of seriously detrimental impact on adjacent property.

43261 - One detached dwelling. Refused on 28th October 2004 on grounds that the application lacked sufficient information.

43798 - One detached dwelling. Refused on the grounds that the boundary fence would have a serious and detrimental impact on residential amenity of future occupiers of the proposed bungalow.

### **Publicity**

Five objections from surrounding neighbours at 18, 20 Parr Fold, 38 Harris Drive, 18 Cunningham Drive. Objections can be summarised.

- Unacceptable density.



- Devaluation of properties.
- Loss of outlook and privacy.
- Too close to stream and culvert and could lead to collapse and subsidence.
- The land is badly drained.
- Poor quality of the plans.
- The proposal was refused on appeal.
- The highway would be affected and the associated sketch is wrong.
- Noise and disturbance due to further building activity.
- Why does the Council accept further applications?
- Past difficulties with this builder.
- Little change from previous application.
- Lack of private garden.
- The Appeal decision report of 16th June 2004 must be given full consideration.

### **Consultations**

Borough Engineer (Traffic) - No objection.

Borough Engineer (Drainage) - No objection.

Environment Agency - No objection.

Landscape - No comment.

### **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**

*Principle.* The principle of residential development on the site is considered to be acceptable.

*Recent Appeal* - In a previous appeal decision in June 2004 relating to application No. 40839/03 the inspector accepted the location of a bungalow in a similar position to this proposal. The subsequent refusal was based solely on the height of the building in relation to properties on Cunningham Drive. The main issue for the planning inspector was the impact on living conditions at 20 and 22 Cunningham Drive. In his view, the dwelling would be overbearing when viewed from the rear gardens of these properties and the outlook from a rear window to an extension at the back of no.22 would be dominated by the dwelling. The current proposal is for a bungalow of reduced height. Although it is in the direct line of view from the rear of No.20 the reduction in the overall height of the roof is a major change and it is considered that the structure could no longer be described as overbearing when viewed from the rear garden to that property or also from its rear facing windows.

*Design and Appearance* - The proposed building would be of traditional construction, including external walls in facing brickwork and stone quoins and a tiled pitched roof. The roof pitch would be of a shallower nature than on surrounding dwellings. Nevertheless, the general design is acceptable and the building would be set well back from the road frontage and thus not readily seen from public areas.

*Residential Amenity* - The building would be of a relatively small scale and, given the shallow roof, it would not be overbearing when seen from neighbouring houses and bungalows. An important difference from the recent application for a bungalow (40839/03) that was refused and dismissed on appeal is that the roof would be much smaller and lower with the ridge 2.2m lower as measured from ground level. This would make a substantial difference to the visual impact of the building. Although there would be a direct aspect from the rear of 20 Cunningham Drive, this would be between single storey buildings with the only opening on this side of the proposed bungalow being a small obscure glazed bathroom window. This indicated 16m separation distance would also maintain sufficient amenity for the existing property. The other windows would be positioned so as not to cause any

significant loss of privacy at other dwellings.

The new unit has been reconfigured internally so as not to present habitable room windows to a boundary fence as was previously the case (43798). The amenity of future occupiers of the bungalow would not therefore be adversely affected

*Highways.* The Borough Engineer is satisfied that the proposal would not have a detrimental impact on highway safety.

*Culvert.* The Environment Agency are satisfied that the existing culvert is not adversely affected.

### **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 principle of the development has been accepted by previous appeal decision notice on application ref:40839/03. The new bungalow should not have a seriously adverse impact on the street scene or amenity of the surrounding neighbours. There are no outstanding 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 11 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 pursuant to policies of the Bury Unitary Development Plan listed below.
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 pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. Notwithstanding the terms of the General Development Order 1995, or as subsequently amended, no development shall be carried out within the terms of Classes A to H of Part 1 and Classes A and B of Part 2 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.  
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed below.
5. No development approved by this permission shall be commenced until a structural assessment has been undertaken to assess the effects of the development on the existing Parr Brook culvert to the satisfaction of the Local Planning Authority. If the survey identifies structural problems then a scheme to address this shall be submitted to and approved in writing by the Local Planning Authority. Improvement works shall be completed prior to the commencement of any development on site.  
Reason. To reduce the risk of flooding on site and elsewhere.
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(s) into the locality pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

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

**Location:** 57 STANLEY ROAD, WHITEFIELD, M45 8GZ

**Proposal:** TELECOMMUNICATIONS APPARATUS ON ROOFTOP OF BUILDING COMPRISING POLE-MOUNTED ANTENNAS HOUSED WITHIN A GRP SHROUD HAVING APPEARANCE OF BRICKWORK CHIMNEY & ASSOCIATED DEVELOPMENT

**Application Ref:** 44499

**App Type:** Full

**Statutory Expiry Date:** 22 June 2005

**Recommendation:** Approve with Conditions

### **Description**

The site comprise part of the Danish Bacon site on Stanley Road Whitefield. The site is on the edge of the Park 17 Employment site and is located adjacent to residential properties on the northern and western sides, with commercial properties to the east and the old Children's home the opposite side of Stanley Road to the south.

The proposal is to erect a mast on the top of the existing 'tower' at the rear of the site. The mast will have 3 antenna and will be clad in glass reinforced plastic that will be moulded and coloured to resemble the existing brickwork of the tower. The new clad mast will be some 4.6m above the height of the top of the tower, a total of 15.65m above the existing ground level.

### **Relevant Planning History**

None

### **Publicity**

A total of 41 neighbours have been notified and a site notice displayed.

Currently 11 representations have been received and a petition signed by 11 people in the area.

The objections can be summarised as follows:

- hazardous to health
- unsightly structure and visual intrusion
- loss of property value to nearby homes
- demand a public inquiry into masts
- increase in loss of amenity due to existing disturbance from the industrial estate
- close proximity of the mast to existing houses
- loss of view
- too many masts in the area already

### **Consultations**

Environmental Health - as the applicant has provide a ICNIRP certificate they have no comments to make.

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

EN1/10 Telecommunications

EC2/1 Employment Generating Areas

PPG8 PPG8 - Telecommunications

### **Issues and Analysis**

Location - The site, 57 Stanley Road and better known as the Danish Bacon factory, is

located in an employment generating area, EC2/2/16 Park 17, Whitefield. The land immediately to the north and west is residential and to the south the old Park Side Children's Home has recently received permission for residential development where work has recently started on site and the land to the east and south east is wholly in commercial use. The siting of telecommunications in areas such as this ensures that the general massing of the structure is appropriate and as such it accords with the both national (PPG8 - Telecommunications) and local Policy on this matter EN1/10 - Telecommunications within the UDP and as such is acceptable.

Position - The proposed mast is located on the top of an existing tower that is some 11m above the existing ground level. The proposed mast, which will be clad in GRP, will stand some 4.65m higher than the tower (an total height of 15.65m) and will have a total width of 1m (Mast and GRP Cladding). The other equipment associated with the mast is to be located on a section of the roof at a lower level adjacent to the tower. Given the location of the mast and other equipment on the building, they will be seen in every direction in the context of the factory and the surrounding employment generating area and as such it is not considered that the mast would look out of place or be of such detriment to the visual amenities of the area as to warrant refusal.

Health Issues - the application is supported by a current ICNIRP Certificate and as such, whilst this is a material consideration, it is one to which only limited weight can be given

Residential Amenity - the proposed mast is to be clad in Glass Reinforced plastic so that it will look like a chimney. Whilst it is located only some 30m from the nearest house, it will be viewed in the context of the commercial site occupied by Danish Bacon and Park 17 as a whole. It will be disguised as a chimney which will look in keeping with the character of the area and whilst it will have some impact on the neighbours amenity, it is not considered that this is sufficient to warrant refusal.

Alternative Locations - the applicants have examined a total 14 other sites in the area and investigated mast sharing with other operators. This site has therefore been proven to be a location that fulfills the requirements of the operator and conforms with the guidance set out by the ODPM.

### **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;-

Having due regard to both National and Local Policy, particularly UDP Policy EN1/10 - Telecommunications, the development of telecommunications equipment on the site, as proposed will not be of detriment to the visual amenity of the area and the relevant Certificate under ICNIRP has been provided and, as such, the proposal is acceptable in regard to the issues of Health and Safety.

There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than five years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 1086/365/001, 002A & 003A 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 pursuant to policies of the Bury Unitary Development Plan listed below.

3. The telecommunications equipment hereby approved shall be removed from the site, and the site reinstated to the written satisfaction of the Local Planning Authority, within 3 months of the equipment no longer being required to support antenna for the reception or transmission of microwave radio energy.  
Reason. In the interests of the visual amenity of the area.

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

**Location:** 188 BURY NEW ROAD, WHITEFIELD, M45 6QF

**Proposal:** RETROSPECTIVE APPLICATION - FOR CHANGE OF USE TO PRIVATE HEALTH CLUB INCLUDING CAR PARK AT REAR

**Application Ref:** 44316

**App Type:** Full

**Statutory Expiry Date:** 01 June 2005

**Recommendation:** Approve with Conditions

**Description**

The application site is a two storey building located fronting Bury New Road within the Whitefield district shopping centre.

To the north of the site, is a restaurant and other commercial uses with residential uses interspersed. To the south, the frontage is wholly commercial with various Class A and Class B1 uses. Opposite the site is Slattery's confectioners with its associated car park. To the rear of the site is a car park used by the properties to the south of the site and also another car park for use by the restaurant. Both of these areas are accessed by a narrow access road immediately to the north of the application site.

The application is seeking planning permission for the retention of a private health club. Three car parking spaces are indicated for the use to the rear of the building.

**Relevant Planning History**

14986 - Change of use from retail shop to offices - Approved 8/9/83

16542 - Change of use of part of ground floor offices to non food retail - Withdrawn 10/12/84

18383 - Change of use of ground floor office to shop - Approved 26/6/86

29522 - Change of use of offices to flat - Approved 17/5/94

35887 - Change of use of premises from shop to private health club - Refused 18/1/00 - due to the lack of car parking.

**Publicity**

Letters were sent to properties surrounding the site within a 60m radius. Addresses included properties fronting on to Bury New Road, Morley Street and Nuttall Mews. In addition to this publicity, the applicant has had to publicise the proposals in the local press due to the scheme including land for car parking at the rear which was not owned by the applicant.

One letter has been received from a Solicitors office based in Westhoughton, written on behalf of the holding company of the properties to the south of the site. They are concerned with the application proposals indicating that there is parking indicated to the rear of the site. They state that their client owns this land. They are concerned about the access to the property being located at the rear as opposed to the front. They also raise concerns over the nature of the activities that take place at the premises, which the Council should be concerned about with regards to granting planning permission for the private health club use.

**Consultations**

Traffic - No objections.  
Environmental Health - No objections.

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

S1/3 Shopping in District Centres  
S2/2 Prime Shopping Areas and Frontages

### **Issues and Analysis**

Use - The scale of the building is conservative in its size and would not have the capacity to accommodate many people at one time. Floor plans have been requested to demonstrate this. However, a written response has been received indicating that the premises is divided into 4 rooms, with a reception and staff room. The maximum number of staff at one time would be four during the week and two at weekends.

The site lies within the Whitefield District Centre. UDP Policy S1/3 - Shopping in District Centres states that the Council will support proposals for shopping within allocated District Centres. Policy S2/2 - Prime Shopping Areas and Frontages, seeks to retain retailing as the predominant use. However, changes of use to other uses would be assessed against set criteria including design and appearance of the frontage, the presence of a shop window, access for the mobility impaired, the potential for disturbance, the nature of the use and the quantities of non-retail uses within the frontage.

There are concerns over the legitimacy of the use and indeed its legality. In land use planning terms, the proposal is for a private health club use. In the event of the use transgressing the law, then this would purely be a police matter to enforce. In planning terms, there is no reason to restrict the diversity of the uses within the centre to promote vitality and viability of the centre. The application indicates that parking would be available to the rear and no changes are proposed to the front elevation of the building. There are no residential properties in very close proximity to the building although 7 Nuttall Mews does share a garden boundary with the parking area and the frontage contains predominantly retailing uses. Whilst this proposal is not for a retail use, there is a need for the vitality of the centre to be maintained in terms of occupancy and thus to reduce vacancy levels. Given this situation, it is considered that the proposed use is acceptable.

Land Ownership and Car Parking - The applicant has publicised the fact that there is land to the rear, proposed for car parking, which they do not own or control. A letter has been received on behalf of the holding company for the premises to the south, including extracts of Title that show that they own a portion of land to the rear. The application has been amended so as not to include this land. The holding company's solicitors have been informed about this and extracts of the proposals have been faxed to them for information. However, given the established situation, there appears to be no reason why the land could not, in land use terms, continue to be utilised for car parking.

The submitted plans indicate parking for 3 vehicles to the rear of the site. In reality, the car park to the rear is not formally laid out and could in fact accommodate up to 10 cars. In addition to this, the premises fronts onto a main bus route and is not too far away from the main Metrolink Station in Whitefield. There is a bus stop almost immediately to the front of the premises. In view of this, and the small scale of the building, it is considered that the level of car parking provision is 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 development would have no adverse impact upon residential properties and would diversify the uses contained within the centre. The development would comply with adopted policies of the UDP and there are no other material considerations that outweigh this finding.



**Recommendation:** Approve with Conditions

**Conditions/ Reasons**

1. This decision relates to the drawings received on 9th May 2005 and the application forms received 6 April 2005 and the development shall not be carried out except in accordance with the drawings forms hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

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

**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

**This application was deferred for a site visit by the Planning Control Committee on 24th May 2005.**

**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 - No objections

Drainage - No objections

Environmental Health - No objections subject to standard conditions.

**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. The property is set at a low point on the site which further helps to integrate the building into its setting and as such it is acceptable in design terms.

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 some 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. This is further mitigated by the position of the house on the site in that it is set at a low point and the upper floor windows will only be at the same level as the existing garage wall on the boundary.

### **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;-

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 accords with both National Policy - PPG3 and the policies of the Councils with regard to the use of the site for residential purposes, the positioning and design of the proposed property accords with UDP Policies H1/2 - Further Housing Development and H2/2 - The Layout of New Housing Development and as such is acceptable.

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.
4. 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.

5. Following the provisions of Condition 4 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.

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

**Location:** LAND BETWEEN HOLLINS LANE NORTH AVENUE AND SYKES AVENUE BURY

**Proposal:** RESERVED MATTERS - ERECTION OF FIVE TWO STOREY DWELLING HOUSES

**Application Ref:** 43119

**App Type:** Reserved matters

**Statutory Expiry Date:** 06 June 2005

**Recommendation:** Approve with Conditions

### **Description**

The application concerns an area of backland surrounded by existing two storey houses along Hollins Lane, Sykes Avenue, North Avenue and Hollins Close (approx. 0.14ha). Currently, access for vehicles is via a narrow track at the northerly end off Hollins Lane with pedestrian only access from North Avenue via a path between two houses (2 North Avenue and 16 Sykes Avenue) at the southerly end.

Outline planning permission was granted for residential development on 2nd July 2002 (39657/02). The permission covered details of access which was by a access road to be constructed on the route of the footpath between 2 North Avenue and 16 Sykes Avenue and also incorporating the adjoining edges to the affected house plots to achieve sufficient land for the road. A small section of road verge on the opposite side of North Avenue was also included to facilitate a sufficient turn. The approved access details also involve the installation of bollards on the track off Hollins Lane to prevent its use by vehicles. No other details were approved as part of the outline consent and no permission was given to a specific number of units or dwelling type.

The land originally included a garage colony and was made the subject of a tree preservation order. Since the granting of outline planning permission the garages have been cleared as well as all vegetation except for the protected trees. Last year reserved matters approval for six two storey dwelling houses was refused on grounds of lack of information (ref.42735/04). The current application, as well as involving a reduction in the number of units to 5, seeks to resolve the matter of previously lacking information.

The proposal involves a row of two storey three bedroomed houses of the same traditional design set north to south facing a 4.5 metre wide vehicular access close alongside the westerly edge of the site. The houses would be two pairs of semi-detached units and one detached. A single car drive would be on the frontage of each plot with pathway only access to the rear gardens. Means of access is shown as approved on the outline consent ie through the edge of existing house plots from North avenue and with the existing track to be made pedestrian access only by the installation of bollards. The protected trees would be retained.

### **Relevant Planning History**

39657/02 - Outline - residential development. Approved on 2nd July 2003.

42735/04 - Reserved matters for six two storey dwelling houses Refused on 19th July 2004 for the reason of insufficient information.

### **Publicity**

Individual notification letters were sent to 24 properties surrounding the site and to Hollins Community Association.

An objection has been received from 6 Hollins Close. The occupier is concerned that the development would lead to overspill parking occurring especially on Hollins Lane where there is a dangerous bend and also that the access road would be un-adopted.

### **Consultations**

Borough Engineer - Highways: Recommends conditions concerning the implementation of specified highway works and turning facilities and to prevent access between the site and Hollins Lane. Drainage: No objections.

Environmental Health - Recommends a contaminated land remediation condition.

GMP Architectural Liaison - Concerns that boundary treatments would prevent unauthorized access and create defensible frontage space, footpath to Hollins Lane should be well maintained and well lit, the height of vegetation and tree foliage to be limited and lighting should be provided throughout to a uniform level.

Operational Services - No response.

### **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  
EN8 Woodland and Trees  
EN1/5 Crime Prevention

### **Issues and Analysis**

Design and Appearance - The two storey traditional design of the houses would be in keeping with that of most surrounding development.

Layout - The layout of the houses down the centre of the site would result in a good degree of separation from surrounding houses and there are no significant access issues.

Trees - All of the trees protected by the tree preservation order would be retained without unreasonably impairing the outlook from the houses. However, some unprotected trees have been removed but the scheme makes provision for the planting of seven new trees within the front gardens of the units.

Car Parking - The scheme provides for one curtilage parking space per dwelling with turning facilities to be created within the cul-de-sac. This provision should cater for the normal day to day requirements of the small units.

The objector has expressed concern about parking provision and has pointed out that some on street car parking is now taking place on the bend on Hollins Lane. There were, until recently, private lock up garages within the site that provided off street parking for some of the surrounding houses but these were demolished following the granting of outline planning permission. The Council, however, was not in a position to require the retention and continued use of the garages. Some of them were in very poor condition.

Although the objector would like to see more parking provided, it is considered that the provision being proposed would be in line with current standards.

Security Issues - The detailed requirements of GMP Architectural Liaison concerning fencing and lighting should be dealt with through a condition requiring the submission of a scheme of means of enclosure and lighting prior to any development commencing.

### **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;-  
In terms of its scale, design and layout the development would be in keeping with the surrounding area and would ensure the retention of protected trees. There would be no materially adverse impact on neighbouring properties and highways and car parking provision would be at an acceptable level for the small scale of development being proposed. There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### Conditions/ Reasons

1. This decision relates to drawings numbered 2004/106 - 01 REV C, 2004/106 - 02 REV B, 1378/01 and site location plan received on 11th 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 pursuant to policies of the Bury Unitary Development Plan listed below.
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 pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
3. The development hereby approved shall be not be commenced unless and until the following highway works have been implemented to the written satisfaction of the Local Planning Authority:
  - reinstatement of the footway across the redundant vehicular access from the site onto Hollins Lane and provision of bollards at this location as indicated on approved plan reference 2004/106-01 Rev C;
  - construction of the site access road and widening of the carriageway at the junction of Sykes Avenue with the proposed site access road as indicated on approved plan reference 2004/106-01 Rev C.Reason: To ensure good highway design in the interests of road safety.
4. The highway improvements indicated on the approved plan reference 2004/106-01 Rev C in the form of the provision of footways adjacent to the site access road, bollards adjacent to the turning area outside Plot 5 and formation of the pedestrian route from the site to Hollins Lane, shall be implemented to the written satisfaction of the Local Planning Authority before the development is first occupied.  
Reason. To ensure good highway design in the interests of road safety.
5. The turning facilities indicated on the approved plan reference 2004/106-01 Rev C shall be provided before the development is first occupied and shall subsequently 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.
6. Notwithstanding the details shown on the submitted drawings no development shall take place unless and until full details of the following matters have been submitted to and approved by the Local Planning Authority:
  1. Existing levels and proposed finished floor levels.
  2. The means of enclosure on the site boundaries and between individual plots.
  3. A scheme of lighting for footpaths within the development.

The development shall not be carried out otherwise than in accordance with the

approved details.

Reason: In order to achieve a secure form of development and to safeguard the amenities of the occupiers of nearby residential accommodation.

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



**Location:** LAND AT UNSWORTH CRICKET & TENNIS CLUB LTD, POLE LANE, UNSWORTH, BURY, BL9 8QL

**Proposal:** TELECOMMUNICATIONS INSTALLATION COMPRISING OF 15M HIGH SLIM MONOPOLE TOWER WITH ANTENNAS INCLUDING CABINET, GROUND LEVEL RADIO EQUIPMENT HOUSING & ANCILLARY DEVELOPMENT

**Application Ref:** 44523

**App Type:** Telecom Determination (56 Days )

**Statutory Expiry Date:** 29 June 2005

**Recommendation: Prior Approval Required and Granted**

**Description**

The proposed installation would be sited on grassed field between the Unsworth Cricket club pavilion and the M66 Motorway. It would be situated very close to the motorway with the compound edge only 3m from the fence.

The proposal is to site a 15m monopole with 3No.attached antennas on a concrete base (5.5m by 5.5m). The cabinet would also be located on the base and measure 1.2m high with a footprint of 1.2m by 0.8m.

**Relevant Planning History**

N/A

**Publicity**

Neighbouring properties in the area surrounding the cricket club have been notified as well as two schools in the neighbourhood, Mersey Drive Primary School and Castlebrook High School). A site notice was posted.

One letter of objection has been received. The occupier of 93 Hollins Lane has expressed concerns regarding to the long term effects that such masts pose to public health.

**Consultations**

Environmental Services - No objection subject to appropriate ICNIRP certificate.

Ecology Officer - License will be required from DEFRA as the site is adjacent to great crested newt pond.

Highways Agency - Adverse comments will be reported.

**Unitary Development Plan and Policies**

EN1/2 Townscape and Built Design

EN1/10 Telecommunications

**Issues and Analysis**

*Principle* - The application is for Prior Approval of siting and external appearance of the mast only.

*Visual amenity* - It would be difficult to screen the mast in this open location. The mast would, however, be approximately 130m away from the closest residential property on Pole Lane and viewed in association with the cricket club pavilion and the traffic and lighting columns along the motorway. The base of the installation will be partly screened from

properties on Pole Lane by the cricket pavilion and from the motorway by trees and hedges. Given the distances involved and general backdrop, it is not considered that the mast would have a seriously and materially detrimental impact on the visual amenity of the area.

Trees - The trees and hedges would not be affected by the proposal.

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

*Ecology* - A survey for great crested newts has been submitted in view of the known presence of this protected species within this area. A condition should be attached to any planning permission requiring appropriate mitigation measures to protect the newts and their habitat.

### **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 mast would not be considered to have a seriously detrimental affect on the visual amenities of the locality.

The applicant has submitted a ICNIRP certificate with the application and therefore satisfies central government health requirements.

There are no other material considerations that outweigh this finding.

### **Recommendation: Prior Approval Required and Granted**

#### **Conditions/ Reasons**

1. This decision relates to drawings numbered 51937-001, 002 and 003revisionA and Supporting Statement dated 30th 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 pursuant to policies of the Bury Unitary Development Plan listed below.
2. Prior to commencement of development, details of the exact colour of the mast and related equipment hereby approved shall be submitted to and agreed in writing by the Local Planning Authority.  
Reason. In the interest of visual amenity.
3. The mast and associated equipment hereby approved shall be removed from site to the written satisfaction of the Local Planning Authority within 3 months of it ceasing operation.  
Reason. In the interests of the visual amenity of the area.
4. No development approved by this permission shall be commenced until all mitigation measures required by a DEFRA licence relating to amphibians are carried out in full to the complete satisfaction of the Local planning Authority.  
Reason: To ensure a satisfactory form of development, by ensuring full consideration of the nature conservation value of nearby ponds and their terrestrial habitat.

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

**Location:** ST BERNADETTE'S RC CHURCH 436 BURY NEW ROAD WHITEFIELD M45 7SX

**Proposal:** SINGLE STOREY EXTENSION AT SIDE

**Application Ref:** 44566

**App Type:** Full

**Statutory Expiry Date:** 06 July 2005

**Recommendation:** Approve with Conditions

### **Description**

The application site is a church premises fronting onto Manchester Road, with an attached single storey side extension, that connects the church itself to the adjoining presbytery.

To the northerly side of the church is a sweeping driveway to the presbytery and associated landscaping and garden.

Access to the site is achieved from Selby Avenue and car parking is located to the immediate side and front of the church itself.

The application is seeking to extend the church by the addition of a single storey extension to the side. It would extend the existing single storey connecting extension to form a meeting room and kitchen facilities. It would be 4.6m wide and 10.4m deep and would replace an area of the existing garden/landscaping to the side of the church and presbytery.

### **Relevant Planning History**

There is no relevant planning history affecting the site.

### **Publicity**

Neighbour consultations were carried out on 16th May 2005 by letters sent to properties fronting Abingdon Avenue and Selby Avenue. As a result of this publicity, one letter of objection has been received from 16 Selby Avenue. They state that they have no objections to the extension itself other than from the additional traffic that it may generate. They currently experience problems from parked cars of persons using the church, which invariably spill onto the surrounding streets and cause parking problems to existing residents.

### **Consultations**

No additional consultations were necessary for the scheme.

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

EN1/2 Townscape and Built Design  
CF1/1 Location of New Community Facilities  
HT5/1 Access For Those with Special Needs

### **Issues and Analysis**

UDP Policy CF1/1 - Location of New Community Facilities considers the impact of proposals of this type in terms of their impact upon residential amenity, the local environment, traffic generation and car parking, the scale of the development and where applicable, access to shops and other services.

Siting and Design - The new development would infill a small square currently occupied by

grass and landscaping, comprising small garden plants. The siting of the extension is such that it would be set well back from the frontage of the site and would not be readily visible to surrounding residential properties or from the main road. The development would be constructed in a similar brick and would have similar patterns of fenestration to replicate existing features of the building. A low pitched roof is proposed, set behind a parapet, with standing seam fixings to give the appearance of a lead lined roof. Given the siting and design of the extension, the development would comply with UDP Policy EN1/2 - Townscape and Built Design.

Car Parking - The siting of the development would be such that no existing car parking facilities would be affected by the development. The scale of the new build is such that the floor space involved would be limited and the proposed meeting room would supplement the existing facilities rather than providing a separate facility that would normally be utilised at the same time as services in the main church itself. Given the scale of the new build, it is considered that the development would not add to the traffic situation significantly and as such, would comply with UDP Policy CF1/1 - Location of New Community Facilities.

Access - The development would not affect the existing disabled persons ramped access to the premises and would comply with the Council's UDP Policy HT5/1 - Access For Those With Special Needs.

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 a minor extension to the existing building and by virtue of its siting and location, the development would have no materially adverse impact upon existing residential amenity. As such, the development would comply with UDP Policies and there are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

#### **Conditions/ Reasons**

1. The development must be begun not later than five years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. 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 pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
3. This decision relates to drawings numbered JIG208/05/A01 and JIG208/05/A02 as amended by AL(0)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 pursuant to policies of the Bury Unitary Development Plan listed below.

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

