

Ward: Bury East - Redvales

Item 01

Applicant: Thumbs Up (Bury) Ltd

Location: GREENFIELDS, DUMERS LANE, BURY, BL9 9UT

Proposal: CHANGE OF USE OF EXISTING WAREHOUSE (CLASS B8) TO MANUFACTURING (CLASS B2) AND ASSOCIATED BUILDING WORKS INCLUDING INSTALLATION OF SIX 14 METRE HIGH SILOS

Application Ref: 45522/Full

Target Date: 03/01/2006

Recommendation: Approve with Conditions

Site visit requested by Development Manager

Description

The application concerns the main Thumbs Up (Bury) premises at Dumers Lane. Currently the premises includes three buildings. Two of these, including a 7,100 sq m warehouse/office building and a much smaller garage building, are on the westerly side of the site. The larger of these buildings is set well back from Dumers Lane (about 75m) whilst the other building is close to this frontage. A very large warehouse (15,500 sq m) is the third building that has been completed recently on the easterly section of the site and is now in use. This is set a similar distance back from Dumers Lane as with the older warehouse/office building.

The proposal involves the 7,100sq m warehouse/office building. Currently the main activity on the site is the bulk storage of plastic items, mainly kitchen and garden ware. Some of these are manufactured by Thumbs Up but at another site in Bury in units that are leased at the Bridge Trading Estate on Bolton Road. The proposal involves the change the use of the 7,100 sq m warehouse/office building to manufacturing with this activity being transferred from the Bridge Trading Estate and all operations would then be on the Dumers Lane site. The building was formerly a carton manufacturing factory for Bibby and Baron Ltd until the current operator Thumbs Up took over in the early 1990's when, with planning permission, it became used as a warehouse. However, following the commissioning of the new warehouse most of the floorspace now stands empty.

In connection with the plastic ware manufacturing process it is also being proposed to erect six silos next to the Dumers Lane end of the building involved in the change of use. These would hold the raw material for the process, primarily plastic granules, in bulk and which would be piped into the building. The silos would be 14m high and 4.2m in diameter and finished in dark blue, the corporate colour of Thumbs Up. The only other significant external change would be a new large roller shutter door onto the existing service area at the northerly end of the building. The existing car park with 56 spaces next to the building would be retained.

The surroundings have both employment uses and residential development. Thus, immediately to the west is a call centre and a large warehouse and new industrial units directly across Dumers Lane. The residential development occurs to the north east of the overall premises around Whitefield Road, to the east on Wellfield Close and Dumers Lane and across Dumers Lane opposite the new warehouse and its large service area.

Relevant Planning History

C/2113/75 - Loading bay canopy. Approved on 16th September 1975

C/23857/89 - Outline for replacement factory and associated warehousing (Classes B2 and B8). approved on 21st June 1990. (The application also included residential development on the opposite side of Dumers Lane).

C/26502/91 - Change of use from Light industrial (Class B1) to warehousing/distribution (Class B8). Approved on 31st October 1991.

28773/93 - Outline for extension to existing warehouse building (fully attached version).

Approved on 25th November 1993.

28774/93 - Outline for extension to existing warehouse building (version with link by canopy). Approved on 25th November 1993.

36054/99 - Outline for new 173,000sq ft warehouse, two storey office, service yard, car park and revised access. Approved on 15th February 2000.

36805/90 - Reserved matters for warehouse, office building, service yard, car park and revised access. Approved on 1st December 2000.

37147/00 - Car park. Approved on 16th May 2001.

39931/02 - Reserved matters for new warehouse, office building, yard and car parking. Approved on 15th January 2003.

45399 - Topsoil restoration. Refused on 25th November 2005 for reasons concerning detriment to residential amenity, intensified use of a sub-standard access and the surrounding roads and being contrary to policies protecting a wildlife corridor and river valleys.

Publicity

113 properties in the surrounding area were notified. Site notices have been displayed and a press notice was published. Objections have been received from twelve addresses of nearby residents nine of which are from Whitefield Road, two are from Cumberland Close and one is from Tarn Drive. The Redvales Tenants and Residents Association has also objected. The main concerns raised are as follows:

- Any type of manufacturing at the site would create sufficient noise to disturb their quality of life.
- Concerns about 24 hour 7 days a week working.
- The silos would be a blot on the landscape which is already spoilt by ugly buildings.
- The silos would create noise and devalue their property.
- When this warehouse was built they were reassured it would be used only as a warehouse and not for manufacturing (this comment refers to the new warehouse which is not the subject of the application).
- Feels that they are under siege by development.
- This could start the regular use of the proposed back access temporary road (recently refused as part of application 45399 for topsoil restoration).
- The recent loss of trees shielding their estate has led to increased noise levels and devaluation of their house.
- The contractor for the new warehouse promised to build a mound with shrubs but this has not happened.
- An obnoxious smells from the silos could cause health problems.
- Developments such as this should be located at more suitable out of town specialised sites.
- The development would be detrimental to the residential area due to disturbance and general activity.
- An accident when transporting or charging the silos could lead to pollution of the environment.
- An environmental assessment should be made due to the site being on a river valley.
- The amount of Wildlife in the area would be depleted further.

Consultations

Borough Engineer - No objections.

Environmental Health - Concerns regarding the potential of the change of use to create contaminated land, affect site users, other people in the locality and the wider environment. Contaminated land conditions recommended and a condition that noise as a result of the activity does not increase the prevailing ambient noise levels at the site boundary.

Environment Agency - No objections. Recommend conditions concerning bunding of the silos and drainage requirements.

Unitary Development Plan and Policies

EC1/1 Land for Business (B1) (B2) (B8)

EC2/1 Employment Generating Areas

EC6/1 New Business, Industrial and Commercial

Issues and Analysis

Principle - The development is within a site identified for Business (B1), General Industrial (B2) and Warehousing Uses (B8) within the UDP (Policy EC1/1 and site EC1/1/15). Also, it is within an Employment Generating Area (EC2/1/9) where Policy EC2/1 states that the Council will only allow development for developments involving classes B1, B2 and B8. It is clear, therefore, that a use of the building for Class B2 manufacturing activity as is being proposed would be acceptable in principle.

It should be noted that the building was used for manufacturing until the early 1990's. In terms of warehousing use the building does not have sufficient height for modern storage and handling facilities. However, its extensive clear span floor area provides a flexible space suitable for locating manufacturing machinery and facilitating changes in its layout. The silos are necessary for the efficient delivery of the raw material in the plastic manufacturing process.

Concerns about river valley and wildlife impact have been expressed in the objections. However, the site is not within the area of the nearby River Irwell Valley designated for protection in the UDP. Also no part of the site is within a Wildlife Link or Corridor designated within the UDP nor is there any other wildlife designation for the affected land.

Design and Appearance - The main external change would be the six 14m high silos. However, these would be located at the southerly end of the building in a position relatively remote in terms of impact on residential property with the nearest houses being at 95m away. Concerns have been expressed about the silos by residents in Whitefield Road and Cumberland Close but the nearest house is about 230m away and there are large buildings within the intervening area. The silos would be set into a currently raised area that would be excavated and a good distance back from Dumers Lane (55m) thus mitigating their visual impact from vantage points along this road still further. The silos would be seen within the context of existing large commercial buildings at Thumbs Up, the BT call centre and Birthdays and should not appear out of context with their surroundings. Their external colouring, dark blue, would provide a neutral appearance and match other features on the Thumbs Up premises including the adjacent water tanks.

The other change, a loading door on the northerly end of the building, would be about 100m from the nearest residential boundary and it would not be a noticeable feature outside the site boundary.

Residential Amenity - Concerns have been expressed about various aspects of the scheme by local residents. However, the development would occur within the centre of group of industrial premises. The building itself is set well away from residential properties being, th the nearest point 100m away from houses in Dumers Lane and 90m way from the nearest house in Whitefield Road. Given this distance the noise of manufacturing activity should, therefore, should not impact on residents. However, a condition requiring the current ambient noise levels at the site boundaries to be ascertained and not to be exceeded should be included to ensure that there would be no such impact.

In the objections one resident has expressed doubts whether new screen landscaped mounding associated with the recent warehouse development has been carried out but this is, in fact, in place as required.

Car Parking, Servicing and Highways Issues - Adjacent to the building there is an existing car park for 56 vehicles that currently appears to be significantly under used and will continue to remain in place. There is also a recently constructed company car park situated at the easterly side of the premises with 60 spaces. This has also been observed to have spare capacity. Current parking standards require a maximum provision for the existing warehouse and the intended industrial use of 273 spaces. The existing provision of 116 spaces is much less. However, the warehouse is highly mechanised needing very few operatives and thus produces an equivalently low demand for parking with much spare capacity in the car parks. The intended industrial use would bring 100 employees into the

site but these would be spread over 4 shifts. The conclusion is that the existing parking facilities should cope without difficulty with the requirements of the proposed change of use.

The building subject of the application has servicing areas at both its southerly and northerly ends. The large service area at the northern end serves part of the new warehouse and, with a new roller shutter door being proposed at this end of the building intended for change of use to industrial, this points to an increase in activity the use of this service area if the development takes place. The only means of access to these servicing facilities is via Dumers Lane where there is a well engineered and controlled vehicular entrance/exit. There is a gate to land owned by the company on Whitefield Road but with no roadway link to the service areas and there is no suggestion whatsoever of an intention that any of the industrial traffic would utilise Whitefield Road.

In terms of traffic movements the applicants indicate that the development would lead to a net reduction. Currently there are considerable vehicle movements between the Dumers Lane and Bury Bridge sites. These amount to in excess of 40 weekly trailer movements and staff vehicles. With the Bury Bridge operation being replaced by the manufacturing use of the older warehouse building these movements would no longer occur. Thus, any new movements at Dumers Lane should be less than those no longer occurring. The Borough Engineer has responded that he has no objections to the development.

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 accords with the designation of the site for employment uses. The development would not materially harm residential amenity nor the visual amenity of the area. Access, car parking and servicing facilities would be adequate for the development. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. The external colouring of the silos shall be dark blue to match that of the adjacent water tanks and shall remain as such.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
3. Noise from the proposed activity/development hereby permitted shall not increase the prevailing ambient noise levels as measured at the boundary of the site. The ambient noise level shall be determined by survey, by the applicant, to the satisfaction of the Local planning Authority (LPA) and a copy of the survey report shall be provided to the LPA before any development takes place.
Reason: To safeguard the amenities of occupiers of nearby residential accommodation.
4. If during any works on site, land contamination is suspected or found, or such contamination is caused, the Local Planning Authority shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales to the approval of 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. Any soil or soil forming materials brought to site for use in 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, and;
The approved contamination testing shall then be carried out and validatory evidence (laboratory certificates etc) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.
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.

6. Any facilities for the storage of chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to 110% of the capacity of the largest tank or 25% of the total combined capacity of the interconnected tanks whichever is the greatest. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.
Reason: In order to prevent pollution of the River Irwell.

7. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from the development shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.
Reason: In order to prevent pollution of the River Irwell or any other watercourse.

8. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.
Reason: To ensure a satisfactory means of drainage.

9. This decision relates to drawings numbered 51/2005/0436 - 01, 02 and 03 Rev. A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

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

Ward: Bury West - Church

Item 02

Applicant: Milliken Industrials

Location: MILLIKEN INDUSTRIALS LTD, WELLINGTON MILL, WELLINGTON STREET, BURY, BL8 2AY

Proposal: ALTERATION AND EXTENSION AT FRONT AND SIDE TO EXISTING LOADING DOCK CANOPY & PROVISION OF NEW LOADING DOCK; TOGETHER WITH REALIGNMENT OF CHERRY TREE LANE

Application Ref: 45400/Full

Target Date: 03/01/2006

Recommendation: Approve with Conditions

Description

The application concerns work to improve the main servicing facility at Wellington Mill. The service area involved is at the rear of the premises next to the junction of Wellington Street with Cherry Tree Lane. The land involved includes not just this part of the mill but also a section of Cherry Tree Lane and the toe of an embankment to a former railway line that is now a designated cycle route. A bridge carrying the route over Wellington Street is adjacent to the development.

The premises are used by Milliken Industrials for the manufacture of fabric for the manufacture of airbags for vehicles and were recently extended with a new weaving shed. With the expansion of production the existing goods loading/unloading facilities are insufficient and this can lead to vehicles having to stand by on the highway. To remedy the situation it is proposed to replace the existing drive-through covered yard with a new four berth loading dock. However, this structure with its canopy would be larger than the existing one and it would be angled to the main building to facilitate manoeuvring. It would extend out onto part of Cherry Tree Lane and a 55m section of this road would be realigned involving an incursion into the toe of the adjacent railway embankment. The section of road involved would be rebuilt to normal highways standard and a retaining wall would be constructed to retain the embankment. This would form a continuation of the adjoining bridge abutment.

The surroundings are predominantly industrial. However, Railway Terrace, an isolated residential terrace of 14 houses is situated on Cherry Tree Lane very close to the mill and less than 25m from the proposed works. There is a car park between the terrace and the service area belonging to Millikens which would remain. Currently there is also a second delivery point at the far end of Cherry Tree Lane that is situated directly behind the terrace.

Relevant Planning History

33077/97 - Enclosure to existing loading bay. Approved on 15th August 1997.

43969 - Erection of weaving shed (Phase II). Approved on 17th March 2005.

Publicity

17 properties have been consulted and objections have been received from two properties in Railway Terrace. The main concerns are as follows:

- The work in Cherry Tree lane would prevent access to their houses.
- In the application it is stated that Cherry Tree Lane is not used by HGV's but it is.
- Concern that work vans would use the ally at the rear of Railway Terrace during building operations as happened when they built the new extension.
- Concern that the whole of Railway Terrace and Cherry Tree Lane car park and road are going to be overrun by more lorries and more noise.
- Access to their homes has been blocked in the past by lorries and this may re-occur.
- Does not want the visual appeal of the area spoilt by Milliken taking up more of their

private space.

- The car park at the end of Railway Terrace becomes over full and should be moved to Buxton Street or the other side of the mill.
- More lorries will mean more litter being left by lorry drivers and the car park being occupied by night with no space for residents' cars.

Consultations

Borough Engineer - Drainage: No objections. Highways: No objections subject to conditions concerning fuller details of the highway works and the protection of highways.

Environmental Services - No response.

Unitary Development Plan and Policies

EC2/1	Employment Generating Areas
EC3/1	Measures to Improve Industrial Areas
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
HT6/3	Cycle Routes
EN6/4	Wildlife Links and Corridors

Issues and Analysis

Design and Appearance - The new dock structure would be mostly in profiled sheet cladding to match the adjoining building. It would be similar to the appearance of the existing loading facility and would be in keeping with the mainly industrial surroundings.

The adjacent Victorian bridge and its wing wall are clad in natural sandstone masonry and it would be appropriate for the proposed retaining wall to the diverted Cherry Tree Lane should be clad in matching stonework.

Residential Amenity - The increased capacity of the loading/unloading facility and its new alignment should mean that HGV's are less likely to need to wait in Cherry Tree Lane and would be less likely than at present to manoeuvre near the houses. Also, a statement submitted on behalf of the applicant company confirms that the loading area would be used for both delivery of yarn and the dispatch of roll goods and that this would relieve traffic currently delivering materials past Railway Terrace to the yard at the end of Cherry Tree Lane. This should give significant improvements for the amenity of residents in Railway Terrace.

In regard to the concerns expressed by two of the Railway Terrace residents it is likely that the development when completed would lead to a less adverse impact than currently by the business on their amenities. However, a short term period of significant disruption would occur during construction but this is not a material consideration.

The Cycle Route and Wildlife Corridor - The incursion of the works into the cycle route embankment that is also designated as part of a Wildlife Corridor would be relatively minor in scale and, given adequate support and reinstatement, there would be no materially adverse impact on the designated route and corridor.

Highway Matters - The scheme involves significant changes to highway alignment and HGV manoeuvring. The Borough Engineer has no objections to the scheme but requires conditions concerning prior approval to be given to fuller details of highway works

Summary of reasons for Recommendation

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

The development would be visually in keeping with its surroundings and would not have a materially adverse effect on nearby residential property. It is acceptable from a highways point of view.

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 three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. The external finishing materials for the proposed loading dock structure hereby approved shall match those of the adjoining 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.
3. The proposed retaining wall to the cycleway embankment shall be clad in natural sandstone blocks to match the finish on the adjacent bridge and its flank wall. No development shall take place unless and until details of the design of the retaining wall have been submitted to and approved in writing by the Local Planning Authority (LPA). Samples of the stone to be used shall also be submitted to and approved in writing by the LPA before the construction of the retaining wall is commenced.
Reason: In the interests of the visual amenities of the area.
4. Notwithstanding the details indicated on the submitted plans, the development hereby approved shall not be commenced unless and until full details of the proposed highway works on Cherry Tree Lane and Wellington Street, including the reinstatement of the three redundant accesses onto Wellington Street, have been submitted to and approved in writing by the Local Highway Authority (LPA). The highway works subsequently approved shall be implemented to the written satisfaction of the LPA before the development is brought into use.
Reason: To ensure good highway design in the interests of highway safety
5. The foundations for any part of the proposed development shall not encroach under the adjacent existing or future highway at any point.
Reason: To ensure good highway design in the interests of road safety and to and to maintain the integrity of the adopted highway.
6. This decision relates to drawings numbered N50579/001 Rev C, N50579/002 Rev B, N50579/003 Rev B, 52594-DJ-01 Rev P1 and 52594-DJ-02 Rev P2 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 **Jan Brejwo** on **0161 253 5324**

Ward: Bury West - Elton

Item 03

Applicant: Walshaw Motor Bodies

Location: WALSHAW MOTOR BODIES, BOLHOLT WORKS, WALSHAW ROAD, ELTON, BURY

Proposal: SINGLE STOREY REAR EXTENSION

Application Ref: 45443/Full

Target Date: 20/12/2005

Recommendation: Approve with Conditions

Description

The application site lies to the northerly edge of Bolholt Industrial Estate and is enclosed by residential properties to the north, east and west and the industrial estate to the south. The site is occupied by a single storey concrete sectional building with a shallow pitched corrugated steel roof.

The building is set roughly in the centre of the site, with car parking and servicing area to the south with a triangular piece of land to the north which is currently used for storing used materials. The boundary treatment to the north of the site is a row of mature trees which are a mixture of deciduous and evergreen, to the east is a 1.5 metre high concrete sectional wall to the garden of No. 66 Warwick Close, which is staggered as it climbs the incline of the land; to the west stand a line of mature conifers adjacent to Bolholt Terrace.

Relevant Planning History

43396 – applied for planning permission to extend the workshop building by a first floor extension over the whole of the existing workshop with a single storey rear extension. The application was withdrawn by the applicant prior to its refusal on the grounds of its impact on residential and visual amenity.

43829 - was a revised submission of 43396, which lowered the height of the proposed first floor extension to reduce its impact on the adjoining residential property, the scheme also included a single storey rear extension 14.9 metres wide 3.2 metres deep - Approved 11/02/2005.

Proposal

The proposal is for the erection of a single storey rear extension on the triangular land to the north of the building. The extension would be stepped, with deeper section measuring 3.95 metres by 8.1 metres and the smaller section 2.65 metres by 4.7 metres, the roof height of both sections would be determined by the eaves on the existing building meaning the extension would be 3.6 metres high where it joins the existing building. This would have a smaller footprint than the single storey rear extension previously approved under 43829 and there would be no change in the operations at the premises.

Publicity

31 adjoining occupiers consulted - 3 letters received from residents at Ryecroft, 66 Warwick Close and Rayhome House, objecting to the proposal on the following grounds:

- The extension would lead to an increase in cars parking where there is already insufficient space to do so
- Loss of light and privacy to residential property (No. 66 Warwick Close)
- The enlarging of the workshop would exacerbate the noise and fumes from the extractor

ducting

Consultations

Borough Engineer - Highways - does not wish to restrict the grant of planning permission.

Borough Environmental Services Officer - recommends a condition requiring the noise levels emitting from the site after the extension not to increase above those existing at the present time.

Unitary Development Plan and Policies

CO16 Bolholt Works, Walshaw Road, Bury
EC6/1 New Business, Industrial and Commercial

Issues and Analysis

The main considerations of the application are whether the proposal constitutes a good standard of design, there is suitable access and car parking, adequate landscaping and boundary treatment and there would be any adverse effect on neighbouring properties.

The proposed development would be in scale and proportion with the existing building and would be screened from the street-scene and surrounding properties either by the existing building or boundary treatment in the form of trees. The proposed materials would be appropriate.

The proposed extension would allow for additional storage of vehicles undercover together with a brew-up area and paint mixing booth.

The proposal suggests that 2 additional staff would be employed as a result of the scheme if approved and no additional parking provision. However, the scheme would be smaller than the rear extension previously approved and as such would be less intensive and is therefore considered to be acceptable.

The proposed development would be screened by a number of mature trees meaning that the extension would not otherwise be seen from outside of the site. Therefore, the need for landscaping is significantly reduced and considered unnecessary given scale and siting of the proposed development. Again, given the siting of the proposal in a sunken area of land and being screened by the existing building and boundary treatment together with no windows being proposed, it is considered that the proposal would not incur a loss of light, privacy or outlook to occupiers of adjoining residential property.

Summary of reasons for Recommendation

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

The proposed development would be acceptable in terms of design, visual and residential amenity, access, parking and servicing and landscape and boundary treatment.

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 three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to the drawings received on 25 OCT 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:

EC6/1 - Assessing New Business, Industrial and Commercial Development.

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.

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

Ward: North Manor

Item 04

Applicant: Holcombe Brook Sports Club

Location: LAND OFF HAZEL HALL LANE, SUMMERSEAT, RAMSBOTTOM, BURY

Proposal: CONSTRUCTION OF 9 NO. TENNIS COURTS (5 WITH FLOODLIGHTING), NEW CLUB HOUSE, CAR PARK, 2 CHILDREN'S COURTS, PRACTICE WALL AND LANDSCAPING (RESUBMISSION)

Application Ref: 45384/Full

Target Date: 10/01/2006

Recommendation: Refuse

Description

The application is a resubmission following the refusal of a similar but larger scheme in October 2004. It is proposed to relocate Holcombe Brook Tennis Club from its existing site further north on Longsight Road and there is also an application on this agenda for the redevelopment of this site with retirement apartments.

The application site is an area of grazing land to the east of Longsight Road and the north of the unadopted Hazel Hall Lane. The site is within the Green Belt and the proposed development would be surrounded by open green fields. The site is bounded by hawthorn hedges. A triangular field to the north separates the site from the rear of houses on Fernview Drive.

The scheme includes 9 new tennis courts, 5 of which would be floodlit, a new clubhouse, car parking, 2 children's courts, a practice wall and landscaping. The junction of Hazel Hall Lane would be moved northwards and a right turning lane and footway would be provided.

The previous scheme covered a larger area with 13 courts and a larger clubhouse.

A letter submitted with the application explains that a high proportion of members live close to the existing club and that to move the club from its existing catchment area would have a negative effect on membership. Six other sites, 5 in the southern half of the Borough, have been considered and reasons are given for their unsuitability.

The application is accompanied by an ecological survey, a landscaping statement, a traffic assessment, a floodlight impact scheme and a supporting statement. The supporting statement has been summarised by the applicant as follows:-

"In line with governing bodies' guidelines development of sport at grass roots level, the club intends to remain at the top of the pyramid of amateur clubs providing quality coaching of juniors, quality facilities capable of hosting representative matches and a financial structure capable of paying for the overheads that such a facility brings with it.

The options available at the club's present site have been examined to the full, and a sustainable long-term solution to the poor state of the existing facilities is not available. There is no room to expand and more courts are needed in order to meet demand. Staying on the present site would ultimately lead to a reduction in the quality of tennis at Holcombe Brook Tennis Club and could even jeopardise its very existence.

A relocation would offer infinitely better facilities and a safer environment, with more tennis surfaces of a higher class, new clubhouse and changing rooms. This development will guarantee an improved annual trading position, hosting of representative matches and a more secure future in sporting terms. Sport

England has reviewed the project and given its written support of it.

The development of the new site would be undertaken with local ecology and the natural environment to the fore, with substantial tree and hedgerow planting. Holcombe Brook Tennis Club is a forward thinking club, involved in many aspects of the community, offering physical recreation to a diverse range of people, young and not so young, regardless of gender or ethnicity. It plays a vital role in tennis development in the locality and sees this as a great opportunity to secure its future, whilst at the same time, pushing standards upwards and offering even more to local schools and other community groups. This revised scheme has now been substantially reduced to a level that should be seen to address the concerns raised in the initial application.

For these reasons, we would hope that the planning officers and councillors can support this sporting proposal."

The statement goes on to describe the proposed development with its new access and landscape planting.

- The clubhouse is smaller than previously proposed and would be built in brick and tile and it is suggested that two social areas are required to support the sporting activity. Facilities are designed to be accessible for the disabled.
- The ecological study found no evidence of voles or amphibians but further survey work would be carried out for bats.
- Landscaping and tree planting would help the club blend into the countryside.
- The club will be a recreational outlet for local people and children in particular with links to local schools.
- The highway designs have been amended to meet the Council's requirements.

The statement includes reference to relevant national planning policies including PPG2 Green Belts and PPG17 - Sport and Recreation which are claimed to support the proposal as outdoor sport and recreation replacing an existing facility.

A letter submitted by the club secretary/treasurer explains the club's difficult financial position and the likely closure of the club if the planning application is not granted. There is also a letter from the head coach explaining the need for better facilities, particularly for the coaching of children.

A request has been received from a planning consultant that a decision on the application should be deferred so that the "appropriateness" of the development and its impact on the Green Belt can be explained and "very special circumstances" can be put forward. However I have not agreed to the request. The applicants have presented a case and had ample opportunity to expand and improve their case to date. I do therefore consider it to be unreasonable to ask for a deferral at this stage of the process.

Relevant Planning History

42966/04 - The previous application was refused in October 2004 for the following reasons:-

1. The proposed development would harm the openness of the Green Belt and conflict with the purposes of including land within it contrary to Policies OL1/2 - New Buildings in the Green Belt and OL1/5 - Mineral Extraction and Other Development in the Green Belt of the adopted Bury Unitary Development Plan.
2. The proposed access arrangements are inadequate and would be detrimental to road safety and the free flow of traffic.

Publicity

Neighbours and previous objectors have been notified. 24 objections have been received and a 60 name petition opposing the scheme mainly from people living near the site. The objectors are supported by Councillor Ann Garner. There is also an objection from Councillor Boden.

Points raised by the objectors include:-

- More neighbours should be notified including the whole of Holcombe Brook, Greenmount, Ramsbottom and Tottington.
- The development is described as an eyesore that would be visible for many miles, particularly the floodlighting.
- It is intensive development and activities some of which conflict with the purposes of Green Belt.
- There would be a loss of Green Belt land in the narrow break between Bury and Holcombe Brook.
- The site is set apart from the built up area and is likely to lead to more development on the green fields.
- There could be a future application for covered courts that would be more obtrusive.
- If the new facilities are needed they should be on a less prominent site.
- Based on the number of people apparently using the existing courts, the need for the new courts is questioned.
- Other clubs are advertising for members.
- Courts could be provided at a local school.
- It is a private club, not a public facility.
- Approached by a busy main road, the site is less accessible for young members than the existing site.
- There would be increased traffic leading to the danger of more accidents at the junction with a busy main road.
- The development will lead to Hazel Hall Lane being used as a rat run to the motorway, increasing danger to pedestrians, children and horse riders.
- Wildlife would be affected by the new facilities and the removal of hedges. There would be a loss of habitat to flowers, birds (including wading birds and herons), deer, squirrels, bats, frogs toads and newts.
- The field to the north will be landlocked, compromising wildlife habitats.
- The development will cause noise and light pollution including disturbance to small children at night.
- It is likely that the building will be used for functions.

There are 120 letters of support from members and supporters of the club, tennis leagues, local schools and community organisations. Points raised include the following:-

- The tennis club is much valued local asset and successful at national level.
- There is nowhere else for children and young people in Holcombe Brook.
- The existing club is in a restricted site surrounded by houses.
- The clubhouse and courts need refurbishment but the club has limited funds. The release of the existing site for housing will provide the money for improved facilities allowing the club to thrive.
- The use of the existing site for elderly persons accommodation will meet a shortage in the area.
- Much improved tennis facilities will boost sporting activity in the community.
- The facilities will benefit tennis players of all ages, particularly children and teenagers.
- Members of the public will be able to pat and play.
- There will be purpose built disabled facilities.
- There would be wider scope for use by local schools and community groups.
- There would be an attractive clubhouse and comprehensive landscaping.

Consultations

Borough Engineer - No objection in principle on highways or drainage grounds.

Borough Environmental Services Officer - Recommends contamination condition.

Greater Manchester Police - It is considered that the site will be a target for crime and the police are disappointed that the applicant has not contacted them before submitting the application. Security measures are suggested and a condition recommended. The

applicant is to contact the police architectural liaison officer to discuss what is required.

English Nature - No objection.

Greater Manchester Ecology Unit - No objection in principle.

Sport England - No objection subject to a S.106 agreement ensuring that the revenue from the sale of the existing site are reinvested in sport.

Environment Agency - No objection subject to recommended condition concerning surface water regulation.

Unitary Development Plan and Policies

OL1	Green Belt
OL5/2	Development in River Valleys
OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors
RT1/1	Protection of Recreation Provision in the Urban Area
RT2/1	Provision of New Recreation Sites
PPG2	PPG2 - Green Belts
PPG17	PPG17 - Planning for Open Space, Sport and Recreation

Issues and Analysis

Principle of Development - The land occupied by the existing tennis club is allocated as Protected Recreation in the Urban Area in the adopted Unitary Development Plan (Policy RT1/1). The UDP Policy states that development of such sites should not be allowed but goes on to list permitted exceptions including where "alternative provision of equivalent community benefit is made available". This Policy reflects government guidance in PPG 17.

The new tennis club development would provide a facility of equivalent, or better, community benefit and would satisfy the UDP Policy if permission is granted.

Green Belt and Associated Issues - UDP policy OL1/2 is consistent with government guidance in PPG 2 stating that the construction of new buildings is inappropriate in the Green Belt subject to specific objections including "essential facilities for outdoor sport and recreation".

Policy OL1/5 states that "within the Green Belt other development, not including buildings, will be inappropriate unless it maintains openness and does not conflict with the purposes of including land in the Green Belt".

As before, the fundamental issues to be considered in deciding the application are whether the development is "appropriate" in the Green Belt and, if not, whether the "very special circumstances" put forward by the applicant would allow permission to be granted.

The applicant has attempted to address the previous reason for refusal by reducing the overall size of the site, reducing the number of courts from 13 to 9, reducing the size of the building, surfacing the car park in grasscrete and increasing landscaping. The applicant has supplied information which covers the lack of alternative sites, supporting information and outlines 'special circumstances' for consideration should the proposal be regarded as inappropriate development in the Green Belt.

Notwithstanding the amendments to reduce the size of the clubhouse, the proposal is considered to provide more than "essential facilities" as the building includes 2 social areas, shop area, in addition to facilities deemed essential in PPG2 such as changing rooms and toilets. The overall scale and massing of the building, along with extensive areas of hard surfacing, fencing and floodlighting is considered to have a detrimental impact on the openness and character of this area of the Green Belt contrary to Green Belt policy.

The applicant reiterates the need to relocate the tennis club to a site in the north of the Borough. The applicants maintain that they have explored the possibility of location to other sites in the urban area. The Council previously suggested six possible sites in the Borough

some time ago. Five of these sites were located in the south, and one site to the north of the Borough. These sites have all been dismissed and no alternative sites have since been investigated by the applicants. The planning appeal cases that have been submitted for our information are mainly concerned with the development of the footprint of existing buildings, new development situated alongside existing buildings in the Green Belt, land abutting the urban area and extensions of existing sporting facilities. In the majority of these appeal cases, the Inspector accepted the development proposals as 'appropriate development' in the Green Belt, without the need to submit a case for 'very special circumstances'. These planning appeal cases, however offer a useful insight into the locations and circumstances where certain types of sporting facility may be accepted in the Green Belt for the applicant.

The applicant has put forward "very special circumstances" in support of the application in operational, financial, community and planning/greenbelt categories. Point 13 of the 'special circumstances' offered by the applicant states "There are lots of planning case history allowing sporting facilities in the Green Belt". No analysis of this information has been provided by the applicant. As referred to in the previous paragraph, the Inspector accepted the majority of these cases as appropriate development in the Green Belt. As is also noted, none of the development proposals were proposed in a similar location, i.e. on virgin Green Belt land, as is proposed at Hazel Hall Lane. Having examined the 'special circumstances' offered by the applicant, they are not considered sufficient to outweigh the harm to the Green Belt. In addition, there is concern that the acceptance of insufficient 'special circumstances' submitted by the applicant for this proposal could set a precedent to be replicated elsewhere in the Borough.

The site is also within a designated River Valley where Green Belt Policies apply and within the West Pennine Moors.

Highway Issues - The applicant has addressed the issues that led to the previous reason for refusal by redesigning the junction of Hazel Hall Lane with Longsight Road.

Objections from Neighbours - The majority of objections are from residents of the estate to the north of the site and various issues are raised including the loss of Green Belt land. At its nearest point, the development is approximately 70 metres from the rear garden boundary of the closest house and the nearest floodlight column is over 90 metres away. The floodlights have been designed to minimise potential problems. The land is not of great wildlife interest.

Conclusion

Would the proposed development be contrary to green belt policies and result in demonstrable harm to the Green Belt? If it is concluded that it would then the issue remains as to whether there are "very special circumstances" which outweigh the Green belt issues. My analysis is that there is demonstrable harm to the green belt and that, whilst the case for the applicant is not insignificant, a refusal of permission is justified.

Should the Members be minded to approve the application, it would be necessary for further negotiation to take place with the applicant about a section 106 agreement based on the comments of Sport England. The application will also need to be advertised as a Departure from the approved Development Plan and referred to Government Office North West. GONW would have the option of calling in the application for decision by a government Inspector following a Public Inquiry.

Summary of reasons for Recommendation

Recommendation: Refuse

Conditions/ Reasons

1. The proposed development would harm the openness of the Green Belt and conflict with the purpose of including land within it contrary to Policies OL1/2 - New Development in the Green Belt and OL1/5 - Mineral Extraction and Other Development in the Green Belt of the adopted Bury Unitary Development Plan

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

Ward: North Manor

Item 05

Applicant: McCarthy & Stone (Developments) Ltd

Location: HOLCOMBE BROOK TENNIS CLUB, LONGSIGHT ROAD, HOLCOMBE BROOK, RAMSBOTTOM, BL0 9TD

Proposal: ERECTION OF 55 SHELTERED FLATS FOR THE ELDERLY, HOUSE MANAGER'S ACCOMMODATION, CAR PARKING AND LANDSCAPING

Application Ref: 45387/Full

Target Date: 10/01/2006

Recommendation: Refuse

Description

The site is that of the existing Holcombe Brook Tennis Club with hard surfaced courts, floodlighting and a small timber clad clubhouse dating from the 1920s. It is surrounded by houses including properties fronting Longsight Road and on Avondale Road and Holcombe Court to the rear of the site.

The tennis club have an application (45384) also on this agenda to relocate to an alternative site. The application is the resubmission of a similar scheme refused primarily because the alternative site was not acceptable.

It is proposed to redevelop the site with 55 elderly person's flats. There would be 41 one bedroom flats, 14 two bedroom flats and community facilities. The block would be T shaped with the longest elevation fronting Longsight Road. The building would be partly 2 storey but mainly 3 storey with a variety of roof planes and heights. The elevations would also be broken up with the use of 2 different roof tiles, render and reconstituted stone. Vehicular access would be close to the southern boundary of the site and there would be 20 car parking spaces.

The design of the scheme is supported by a statement containing a detailed contextual analysis. The applicant has also sent a short statement to local Councillors and neighbours. It is claimed that the development would provide much needed specialist accommodation for the elderly, allow the sports club to redevelop, provide a high quality, attractive building, lead to low traffic generation and benefit the local economy.

Relevant Planning History

43054 - Similar application refused in October 2004 because "the proposed development would lead to the loss of the existing recreational space contrary to Policy RT1/1 - Protection of Recreation Provision in the Urban Area of the adopted Bury Unitary Development Plan". Other reasons for refusal referred to the lack of provision for Public Art or Affordable Housing and insufficient information on the plans

Publicity

Neighbours and previous correspondents have been notified and the application advertised in the Bury Times and on site. 11 letters of objection have been received from 24, 25, 26, 31, 33 and 35 Longsight Road, 11 and 17 Avondale Drive, 510 Bolton Road West, 2 Holcombe Court and 157 Kay Brow.

Points raised include:-

- 3 storey flat development would be out of character with the area and 2 storey detached houses or use of the site as open space would be more sympathetic to the surrounding area.
- Even if residents are elderly, 20 car spaces for 55 flats is not considered to be adequate. It is claimed that there parking problems on similar schemes elsewhere

carried out by the same developer.

- There is no guarantee that the flats will continue to be occupied by elderly people.
- Overspill parking will take place on Longsight Road which is already busy.
- There will be additional traffic including deliveries which will be dangerous to vehicles and pedestrians and children.
- There will be disruption during construction.
- There will be overshadowing and loss of light.
- There will be overlooking and loss of privacy.
- Views will be lost.
- There will be extra demand on services and utilities.
- There is lack of detail on boundary fences. Retaining walls may be required because rear gardens to properties on Avondale Drive are higher than the site.

There are 92 letters in favour of the scheme. Points raised include:-

- Many of the letters also refer to the benefits of the new site (application 45384) for the tennis club. and are also reported on that application.
- There is a shortage of accommodation for elderly people in the area.
- The scheme would allow old people to maintain their independence within the community.
- Some of the letters are from potential occupiers.
- The development is ideally sited for shops, other services and buses.
- Patronage of shops would benefit the local economy.
- It is a well designed scheme with landscaping that would enhance the area.
- The type of development would generate less traffic than conventional houses.

Consultations

Borough Engineer - No objection on highways or drainage grounds.

Borough Environmental Services Officer - Recommends contamination conditions.

Greater Manchester Police - Recommend security measures including fencing heights and treatment of doors and windows.

Environment Agency - No objection.

Sport England - The existing club is constrained by poor quality facilities and the relocation is supported provided that all proceeds from the sale of the site are directed into sport.

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
RT1/1	Protection of Recreation Provision in the Urban Area
RT2/2	Recreation Provision in New Housing Development
H4/1	Affordable Housing
EN1/6	Public Art
SPD1	DC Policy Guidance Note 1: Recreation Provision
SPD4	DC Policy Guidance Note 4: Percent for Art
SPD5	DC Policy Guidance Note 5: Affordable Housing
RSS 13	Regional Spatial Strategy for the North West

Issues and Analysis

Principle of Development - The Council has identified a need throughout the Borough for specialised housing for the elderly and proposed development would therefore be an exception to the draft Housing Restriction Policy that has been approved. The site is within the urban area, surrounded by existing residential development and all services are available.

The site is identified as Protected Recreation in the adopted Unitary Development Plan.

Redevelopment of the site would not be allowed unless it meets one of 3 specific criteria, in this case "alternative provision of equivalent community benefit". There is no doubt that the the new facilities proposed by the tennis club would meet this requirement. However, the tennis club's application is recommended for refusal because of its location in the Green Belt and if that application fails this application to redevelop the existing site must also be refused.

Design and Layout - The building fits on the site with adequate separation distance from existing properties, despite the objections from neighbours. There is a detailed design statement explaining the context of the scheme. The submitted elevations show the scheme in relation to existing property on either side and it is considered that 3 storey development is not out of character with the area. The applicant's agent has designed a scheme with attractive elevations using a variety of roof treatments and materials.

Traffic and Parking - Unlike the previous scheme, sufficient information has been provided to convince the Borough Engineer that the access is workable. Despite the objections from neighbours, the parking and servicing arrangements are considered to be sufficient for elderly persons' accommodation.

Recreation Provision - The development would provide adequate recreation space for residents within the site to comply with UDP Policy RT2/2 and is supported by a landscaping scheme.

Public Art - Unlike the previous scheme, the developer has expressed a willingness to provide public art within the site and negotiations are taking place with the Council's Arts Officer.

Affordable Housing - The applicant proposes to pay a commuted sum of £250,000 rather than provide affordable housing within the development. It is proposed that this would subsidise a scheme elsewhere. However, there is no guarantee that this scheme would proceed. No good reason has been put forward why affordable housing cannot be provided within the application site. The sum of money offered does not accord with the Council's guidance note on affordable housing.

Summary of reasons for Recommendation

Recommendation: Refuse

Conditions/ Reasons

1. The proposed development would lead to the loss of existing recreation space contrary to Policy RT1/1 - Protection of Recreation Provision in the Urban Area of the adopted Bury Unitary Development Plan.
2. The proposed development makes inadequate provision for affordable housing contrary to Policy H4/1 - Affordable Housing of the adopted Bury Unitary Development Plan and Development Control Policy Guidance Note 5 - Affordable Housing Provision in New Residential Developments.

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

Ward: Prestwich - Sedgley

Item 06

Applicant: Vodafone Ltd

Location: SITE OUTSIDE 5-13 WHITTAKER LANE, PRESTWICH

Proposal: TELECOMMUNICATIONS INSTALLATION COMPRISING OF 13.3M SLIMLINE STEEL STREETWORKS MONOPOLE TO ACCOMMODATE 3 NO. ANTENNAS WITH GRP SHROUD & ASSOCIATED RADIO EQUIPMENT HOUSING & ANCILLARY DEVELOPMENT

Application Ref: 45485/Telecom Determination **Target Date:** 28/12/2005
(56 Days)

Recommendation: Prior Approval Required and Granted

Description

The site is adjacent to the old Co-op building that fronts on to Whittaker Lane in the Whittaker Lane/Bury Old Road Local Shopping Centre. It close to the Metro Station at Heaton Park and the properties fronting Bury Old Road. Diagonally to the east and opposite are two storey properties with commercial at ground floor and residential above. Immediately opposite is open land adjacent to the Metro and then a domestic property No. 8 and a supermarket which adjoins Stores Street.

The proposal is for a 13.3m high telecommunications monopole with 3 shrouded antenna and a single equipment cabins on the pavement opposite Heaton Park Metro Station and diagonally opposite No. 8 Whittaker Lane, Prestwich.

Relevant Planning History

A similar application for Prior Approval, opposite No. 3 Whittaker Lane, was granted Prior Approval in June 2005. This site is for the use of T-Mobile and has been built. It is situated 24m to the east of the site on the same pavement. (44763)

Publicity

Notification letters have been forwarded to the residents within 100m and the nearby schools and a site notice has been displayed. 7 letters have been received from St Monica's RC High School (Both the Head Master and the Chair of Governors), Cllr Boden, 38 Green Walks, 7, St Clements Court & Ivan Lewis MP enclosing a copy letter from St Monica's School. The objections can be summarised as follows:

- danger to school children's health
- danger to health in general
- detrimental impact on the street scene
- duplication of masts will led to an increased concern of danger to health

Consultations

Highways -no objections

Environmental Health - no objections if proposal is accompanied by an ICNIRP certification.

Area Board - comments awaited

Unitary Development Plan and Policies

EN1/10 Telecommunications

S1/4 Local Shopping Centres

Issues and Analysis

Location - the proposed monopole and its equipment cabinets are located at the back of the pavement against the blank wall of what was the Co-op building opposite a 9m high lamp post on the opposite side of Whittaker Lane. The site is situated 24m to the west of the telexing mast built under Prior Approval ref: 44763 and will be seen in conjunction with the

panel. The buildings fronting onto Whittaker Lane at No. 8 are wholly residential and at 10&12 are a supermarket with residential accommodation above. The column will be situated some 11.3m away from the nearest of these premises. However, the height of the column ensures that the antenna are some 5m above the ridge of the roofs of these properties. The area itself is in the Whittaker Lane, Bury Old Road Local Shopping Centre and, as such it is anticipated that the commercial activity in the area will be maintained. Given the predominately commercial nature of the area, it is considered that the provision of telecommunications equipment would not be out of character with the area. Even though the mast will be seen in conjunction with the existing mast, it is not considered that this will led to either visual clutter or such an adverse impact on the visual amenity of the area as to warrant refusal. As such, the development would accord with UDP Policy EN1/10 Telecommunications in terms of its impact on the street scene.

Alternative Locations - the applicant has investigated 8 other locations within the search area, including an existing telecommunications site adjacent. Having considered these locations and the reasons for rejection, it is apparent that the applicant has fulfilled the needs of the ODPM's Guidance on this matter.

Design - the proposed column has a base diameter of 275mm and a total height of 13.3m which included's the antenna which are mounted in a 205mm diameter shroud. The cabinet is 1.4m high and 1.6m wide and all equipment is to be coloured grey. Given the placing of the equipment in the street scene and the colour, it is not considered that the design is such that it would not be out of keeping with the area and, as such, it is acceptable and, the development would accord with UDP Policy EN1/10 Telecommunications.

Residential Amenity - the proposed monopole will be set some 11.3m from the nearest residential properties. Given the style of the column and the commercial setting within which it is located, it is not considered that there will be a detriment to their residential amenity and, as such, the development is acceptable and would accord with UDP Policy EN1/10 Telecommunications.

Highways - the proposed equipment is on a 4m wide area of pavement and set towards the rear. As such a minimum width of 3m will be maintained and as it will not interfere with visibility splays. As such the proposal is acceptable in terms of highway safety.

Health Issues - the application is supported by a current ICNIRP Certificate and whilst health is a material consideration, when a ICNIRP Certificate has been provided it is one to which only limited weight can be give in the determination of the application.

Objections - The Health issue is dealt with in the preceding section. The location is some 250m from the nearest part of St Monica's School. But, as it is close to the Metro station, a number of children will pass by the site every day. However, as the appropriate ICNIRP Certificate has been supplied, the matter of health and safety, whilst being a material consideration, is only of limited weight.

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: Prior Approval Required and Granted

Conditions/ Reasons

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 07

Applicant: Mr L Entwistle

Location: PROSPECT HOUSE, 229 WHALLEY ROAD, SHUTTLEWORTH, RAMSBOTTOM,
BL0 0ED

Proposal: CONVERSION TO 12 NO. TWO BEDROOM FLATS & 2 NO. 3 BEDROOM FLATS

Application Ref: 45116/Full

Target Date: 21/11/2005

Recommendation: Refuse

Site visit requested by Councillors Cohen and Magnall.

Description

The site is occupied by a plant hire company and adjoins Whalley Road. The yard is set below road level and is enclosed by metal railings and screened in part by leylandii. There are open fields on 2 sides of the site. To the north is a public footpath separating the site from the rear garden of a house. The site is within the Green Belt but there are houses nearby.

The yard contains a modern building of 2 storey height plus a flat for the owner of the business within the roof space. The building is L shaped and contains 3 large roller shutter doors. The yard surface is concreted. There is also a sheet clad building that is not part of the current planning application.

It is proposed to convert the building into 14 flats. The existing large openings would be blocked up. Existing window openings would be retained and new windows inserted. Flats on the second floor within the roof space would be lit by roof lights. 21 car parking spaces would be provided within the yard.

The application is accompanied by a brief design statement. Revised plans have been submitted clarifying the intended alterations to the building.

Relevant Planning History

The site has a long history as a builder's yard before its current use. Site levels were raised when surplus material from the new M66 motorway was tipped on the field to the west of the site.

21407/88 - Single storey office and workshop approved in November 1988

22680/89 - New vehicular access approved in May 1989

25522/91 - New office/workshop approved in April 1991.

28080/93 - Change of use of part of building to dwelling approved in April 1993.

31779/96 - Workshop extension approved in March 1996.

Publicity

The application has been advertised and neighbours notified. No representations have been received.

Consultations

Borough Engineer - No objection in principle on highway grounds. No objection on drainage grounds but an existing sewer needs to be plotted.

Borough Environmental Services Officer - Recommends refusal because of insufficient information on contamination.

Unitary Development Plan and Policies

C073	229 Walley Road, Shuttleworth
C094	Top Mill, Bye Road, Shuttleworth
H1	Housing Land Provision
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EC2/2	Employment Land and Premises
OL1/4	Conversion and Re-use of Buildings in the Green Belt

Issues and Analysis

The planning application was submitted before the Council imposed restrictions on the further release of land for housing on the 24th August 2005. Therefore, although the additional housing units would exacerbate the housing oversupply situation in the Borough, it is not proposed to use this a primary reason for refusal at this time.

The external alterations to the building include the insertion of new windows to match the existing on all elevations including the north and west elevations close to the boundaries of the site. However, the north elevation is set above a public footpath and looks towards an area of trees. The west elevation is set above an open field. The alterations to the building are considered acceptable.

The property is an existing building within the Green Belt and its conversion to residential use would not contravene Green Belt policy.

The applicant's design statement acknowledges that the proposal is contrary to UDP policy EC2/2 that seeks to retain employment land and buildings. The statement attempts to justify the proposal by stating that the site is within the Green Belt and within an area that is predominantly residential in character but this does not satisfy the policy. The applicant is seeking to consolidate the business on another site but this does not justify the loss of an employment site. The buildings are relatively new and in a good state of repair. There is no evidence that the site has been marketed in order to demonstrate that there is no demand. The site has good main road access. There is no justification for allowing the development contrary to policy EC2/2.

The applicant has not submitted adequate information on contamination. The revised plans that have been submitted show adequate detail for the building but not for the surrounding site. It is anticipated that a more detailed contamination study, more detailed plans and a report seeking to justify the loss of an employment site will be submitted before the date of the Committee meeting and any changes to the scheme will be reported.

Summary of reasons for Recommendation

Recommendation: Refuse

Conditions/ Reasons

1. The proposed development would lead to the loss of employment land and buildings suitable for continued occupation contrary to Policy EC2/2 - Employment Land and Premises Outside the Employment Generating Areas of the adopted Bury Unitary Development Plan.
2. The application and supporting documents do not provide sufficient detail of the contamination of the site and proposed remediation measures to enable the proposed development to be adequately assessed. The proposed development is therefore contrary to government guidance in PPS 23-Planning and Pollution Control.

3. The application and submitted plans contain insufficient information on works to the site surrounding the building to enable them to be properly assessed.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 08

Applicant: North West Reserve Forces & Cadets Association

Location: HOLCOMBE MOOR TRAINING CAMP, OFF BOLTON ROAD, HAWKSHAW

Proposal: CADET WEEKEND TRAINING CENTRE & COUNTY HQ

Application Ref: 45173/Consultation
Government Development

Target Date: 21/10/2005

Recommendation: Raise no objection subject to conditions

Description

The application is a consultation submitted in accordance with Circular 18/84 on behalf of the North West Reserve Forces & Cadets Association. It is not a planning application but the Local Planning Authority is able to make comments including an objection if that is considered appropriate.

The site is that of a long established army camp associated with the adjoining firing ranges. It is accessed by its own private road, Spend Leach Lane, and surrounded by a chainlink fence. It is an isolated rural position close to open moorland. Wooden army huts and other buildings previously used by the regular army and TA have recently been demolished but other buildings remain.

The existing Weekend Training Centre (WETC) for Greater Manchester Army Cadet Force is at Ramsbottom Drill Hall which is old and not large enough. The Head Quarters is in Manchester. Holcombe Moor is the existing training ground.

It is proposed to relocate both facilities to Holcombe Moor. The HQ and store would be a single storey building with a mezzanine level erected to the west of the camp access road on the site of the demolished huts. The ACF buildings would be further to the east and would be part two storey and part single storey including lecture facilities and sleeping accommodation.

The complex has been designed with multiple, narrow plan buildings to reduce the visual impact of the scheme. The materials for the main buildings would be reconstituted stone with timber clad gables and artificial slate roofs.

The scheme also includes a troop shelter for regular soldiers to the north of the range house and more passing spaces for vehicles on the lane.

The application is accompanied by a Circular 18/84 statement explaining the proposal and a supplementary statement addressing planning policies. Additional information that has been submitted includes a sustainability assessment and a disability access statement. Revised plans give more detail on the appearance of the buildings.

The Circular 18/84 statement explains the need for the new facilities. The HQ is in Manchester, 20 miles from the WETC at Ramsbottom Drill Hall. The drill hall dates from 1896 and has 80 beds in cramped conditions but 150 are required. The GM Cadet Force is one of the strongest in the UK but is hampered by the lack of facilities. It would be beneficial to site the WETC and HQ next to the training ground in place of buildings recently removed. The new building would be used as a Centre of Excellence for outward bound pursuits including other cadet forces. The statement goes on to describe the buildings, car parking and landscaping. It is more efficient to site the HQ building next to the WETC in terms of traffic and security including the weapons store.

The planning policy statement assesses the proposals against UDP policies and other

issues. It summarises "very special circumstances" for the development in the Green Belt. The training centre was established in 1915 and the use of the land by the MOD preserves its openness and protects flora and fauna. It is logical to site the WETC next to the training area within the Green Belt. The existing built development lies within a secure fenced area and the replacement of existing buildings gives an opportunity to rationalise the site. The new buildings have been designed with multiple narrow plan buildings to keep the scale of the development down. Local vernacular materials will be used. Detailed landscaping proposals will specify indigenous native species. The adjoining Site of Biological Importance will not be affected.

The sustainability assessment looks in detail at the positive and negative impacts of the project. The main positive aspects are improved land use efficiency, improved energy, waste and water efficiency, improved visual impact including new landscaping and lighting design, improved health and safety, employment, disability access and amenity. There would be a neutral effect on ecology, archaeology and transportation. Specific actions required include a transport plan, renewable energy, recycling, landscaping, lighting and disabled access.

The access statement confirms that the facilities will comply with current legislation and guidance and follow best practice guidance.

Relevant Planning History

There have been various consultations for new buildings and extensions to buildings within the camp.

The Council did not object to a proposal (15976/84) to use agricultural land to the south and west for army training.

The Council did object in January 1997 to a proposal (18839/86) to use a large area of moorland to the north and east of the camp for troop training. The land also extended into Rossendale and Blackburn. A Public Inquiry took place but the army decided not to pursue the matter and the land is now owned by the National Trust.

42294/04 - Consultation on construction of weekend training centre and HQ building on site outside the camp boundary withdrawn in July 2004.

Publicity

The application has been advertised and surrounding properties notified. One letter of objection has been received from the resident of Dawes Bank, Holcombe. He thinks that there should be a public inquiry into the 1984 annexation of the Redisher land. He refers to matters going back as far as the 1920s and alleges that the army are restricting access to the countryside in the area which they control and in the danger area for the firing range. There is no specific objection to the buildings proposed.

Consultations

Borough Engineer - No objection on highways or drainage grounds.

Borough Environmental Services Officer - The applicant has provided a contamination assessment and there is no objection in principle to the development subject to recommended conditions..

Greater Manchester Ecology Unit - The site is adjacent to a Grade A Site of Biological Importance which includes wetland around Spenleach Lane. There is no objection subject to suggested precautions.

Lancashire County Council - Detailed comments have been provided by the Environment Directorate which includes responsibility for the West Pennine Moors. The proposal is analysed. It is concluded that the proposals would have a visual impact on properties, footpaths and open country within Lancashire but the individual buildings would generally be appropriate to the landscape character in terms of their scale and materials. Although the overall scale exceeds typical farm complexes it would be acceptable given that the site is

previously developed. Further details on the spoil mound are requested and native woodland planting is recommended. More information and a management plan is requested for intended usage of the moor (although this is not directly linked to the current submission). There are no significant archaeological implications.

Blackburn with Darwen Borough Council - No comments.

Rossendale Borough Council - No response to consultation.

Government Office North West - No response to consultation.

Unitary Development Plan and Policies

OL1/2 New Buildings in the Green Belt
EN9/1 Special Landscape Areas
OL7/2 West Pennine Moors
EN6/1 Sites of Nature Conservation Interest SSSI's NNR's
EN1/1 Visual Amenity
RT3 Recreation in the Countryside
PPG2 PPG2 - Green Belts

Issues and Analysis

The arguments put forward by the agent acting for North West Reserve Forces and Cadets Association in favour of the proposal are summarised earlier in the report. The main issue is whether "very special circumstances" have been established for a substantial development in the Green Belt.

The new buildings would be within the perimeter fence of the existing army camp. They would replace existing buildings at the camp although they would be higher and cover a larger area. The facilities are required to replace old and inadequate buildings elsewhere and to ensure the future of the Greater Manchester Cadet Force.

The buildings would be visible from footpaths and open countryside but they would be appropriate to the landscape character in terms of their scale and materials. They have been designed to take into account the rural location and acceptable materials are specified.

The buildings would be close to an SBI but it would not be directly affected and a condition is recommended to ensure that it is protected.

The applicant has dealt with other issues including sustainability and disabled access. They have undertaken to continue consultation with the Local Planning Authority on details of the scheme in accordance with the recommended conditions..

It is recommended that there should be no objection to the proposal subject to recommended conditions.

Summary of reasons for Recommendation

Recommendation: Raise no objection subject to conditions

Conditions/ Reasons

1. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
2. 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.

3. 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.

4. 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, and;

The approved contamination testing shall then be carried out and validatory evidence (laboratory certificates etc) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.

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. 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 be approved by the LPA in writing;

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 Planning Policy Statement 23 - Planning and Pollution Control.

6. 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 development, 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 substantiating 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 and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

7. A landscaping scheme including details of the proposed earth mounds 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.
8. Details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and implemented in accordance with the agreed scheme.
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.
9. The car parking indicated on the approved plans 2215/P02D 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 pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
10. This decision relates to the drawings received on 13 SEP and 18 NOV 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.
11. No development shall take place until a scheme for the boundary treatment adjacent to the Site of Biological Importance has been submitted to and agreed in writing by the Local Planning Authority. Such a scheme shall be completed in accordance with the approved plans. No surface water run off from the site should be allowed to enter the SBI.
Reason. To protect a site of nature conservation interest in accordance with Policy EN6/1 of the adopted Bury Unitary Development Plan

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 09

Applicant: Mr & Mrs J Brown

Location: 99 DUNDEE LANE, RAMSBOTTOM, BL0 9HG

Proposal: TWO STOREY DWELLING

Application Ref: 45446/Full

Target Date: 21/12/2005

Recommendation: Approve with Conditions
Site visit requested by Development Manager.

Description

The site is that of a 1930s detached bungalow in an elevated position at the junction of Carnoustie Drive with Dundee Lane. The bungalow is now vacant. Existing vehicular access is off Dundee Lane which is narrow and only has one footway at this point. The bungalow has been vacant for some time while various planning applications have been submitted, as summarised below.

It is proposed to demolish the bungalow and to erect a large detached house with an attached double garage at the side and fronting Carnoustie Drive. The land would be excavated so that the floor level of the house would be similar to that of the adjacent property on Carnoustie Drive. The rear garden would be terraced and trees on the northern boundary retained.

The application is accompanied by a bat survey and a preliminary risk assessment for contamination.

Relevant Planning History

41915 - Four storey block of 6 apartments application withdrawn in February 2004.

42915 - Four storey block of 6 apartments refused in August 2004.

44957 - Two dwellings refused in July 2005.

45120 - Two dwellings refused in October 2005 because "the proposed development would, by reason of its size, position and design, be a prominent and intrusive feature in the street scene and would therefore be seriously detrimental to the visual amenities of the area".

Proposal

The application seeks consent to replace the existing bungalow by the erection of a two storey dwelling house. The proposed dwelling house would measure 13.7 metres wide by 11.9 metres deep by 9.1 metres high to ridge level. There would be an attached double garage between the house and Dundee Lane measuring 5 metres wide by 5.8 metres deep.

The ridge height of the proposed dwelling would be the same height as that on the existing and would be sited so that the front elevation would be level with the front elevation of Carnoustie Drive. The frontage to the property would be hard-landscaped by interlocking concrete paving bricks.

Publicity

Neighbours and previous objectors have been notified. 73 objections have been received, 55 of which are copies of the same letter.

Points raised include:-

- The house is considered to be too large, over 3 times the floor area of existing houses

on Carnoustie Drive and with a volume over 4 times greater. This is illustrated by a drawing. It would also be too large in relation to houses on Dundee Lane.

- The house is larger than each of the two individual dwellings refused on the grounds of scale and character. The previous reason for refusal is still relevant.
- It would be too large and over development of a corner site.
- It is claimed that the house would ruin views of Holcombe Church up Dundee Lane.
- The design is thought to be out of character with existing buildings in the vicinity.
- Existing houses on Carnoustie Drive have ridge lines which step down towards Dundee Lane and are stepped away from the kerb line. The proposed dwelling breaks this design feature making it even more dominant.
- Retaining walls at the rear of the house would be visually obtrusive and there are no landscaping proposals indicated.
- Reference is made to Guidance Note 7 and the Housing Restriction Policy which allows replacement of an existing dwelling "when a property has fallen into a serious state of disrepair and its demolition and replacement would be more cost effective than a complete refurbishment". It is claimed that the condition of the bungalow is the fault of the applicant but refurbishment would still be less costly than a new dwelling.
- Bury has an over supply of housing land and the new dwelling is not needed.
- Ramsbottom has suffered from over development of new houses.
- The dwelling could be converted to flats as the original proposal.
- Access should be from Dundee Lane
- The position of the access to the house would prevent residents parking on Carnoustie Drive.
- Construction traffic would be dangerous to children.

The applicant has responded in writing to the objections.

- He points out that the majority are copies of the same letter including 5 from the same person on different dates and others from the same household.
- The house would be for his own occupation.
- The house would be larger than those on Carnoustie Drive but would occupy 22% of the plot area whereas the adjacent house, 2 Carnoustie Drive occupies 21%, supporting the case that the house is not too large.
- The houses on Carnoustie drive are spec built houses of poor appearance and construction but the new house will complement the earlier dwellings.
- The existing dwelling is in disrepair and can be inspected internally to verify this.
- The new access is preferred by the Borough Engineer.
- Existing retaining walls at the rear of the house would remain with a new wall directly behind the dwelling.
- The site needs to be redeveloped. It not aesthetically desirable or economically viable to upgrade the bungalow.
- The current view of the church spire up Dundee Lane will remain largely intact.
- Apart from the drive, the area on Carnoustie Drive in front of the house will be available for residents' parking.
- The house would be more in keeping the original properties than those on Carnoustie Drive.
- The objections on financial gain are not relevant to planning. It is marginal whether building one house on the plot for personal occupation will be profitable.
- It is not practical or viable to turn the house into flats. In any case, planning permission would be required.
- Shrubs and bushes would be removed from the site, but not trees.
- The floor area of the house at 203 sq m would be less than the 312 sq m of the previous application for 2 houses.

Consultations

Borough Engineer - No objection on highway or drainage grounds.

Borough Environmental Services Officer - Recommends contamination conditions.

Unitary Development Plan and Policies

EN1/1 Visual Amenity

EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
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 within the urban area and close to amenities. The draft guidance note 7, "Managing the Supply of Housing Land in Bury" allows the replacement of one dwelling with another.

There is strong opposition to the redevelopment of the site and it is likely that there would be at least some objection to any form of redevelopment. The refusal of previous planning applications was justified because the size and scale of the development was too much and detrimental to the visual amenities of the area. The current proposal is considered to be acceptable.

The previously refused application, 45120, proposed two dwellings on the site which each had a footprint of 156 square metres and a combined footprint over the site of 312.12 square metres. The current proposal has a total footprint of 191.53 square metres. Thus the footprint of the development has been significantly reduced.

In response to material planning objections received, objectors point out that the proposed house would be larger than the property at No. 2 Carnoustie Drive; this alone is not a sustainable reason for refusal. Another matter is the proximity of the gable wall to Dundee Lane, this application has pulled the gable wall away and a smaller structure in the form of the garage would be presented to Dundee Lane at a distance of 5 metres, again this is considered to improve on the previous application and would not be unacceptable in terms of visual amenity.

Unlike previous proposals, the ridge height of the house would be similar to that of the adjacent house at 2 Carnoustie Drive. The house would be traditional in appearance and of an acceptable design. The submitted plan includes finished levels and shows the position of retaining walls. The proposed access off Carnoustie Drive would be much safer than the existing off Dundee Lane.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed and the reason(s) for granting permissions can be summarised as follows;- The proposed development would be the replacement of an existing dwelling and would not add to housing land supply. The house can be accommodated on the site with adequate space about the dwelling. It would not harm the character of the area nor the amenity of neighbouring residents and would not be detrimental to highway safety. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three 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 JSB/01A, JSB/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. Samples of the materials to be used in the external elevations and retaining walls 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. 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.

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

6. 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, and;

The approved contamination testing shall then be carried out and validatory evidence (laboratory certificates etc) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.

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. 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 be approved by the LPA in writing;

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 Planning Policy Statement 23 - Planning and Pollution Control.

8. If during any works on site, contamination is suspected or found, or contamination is caused, the Local Planning Authority shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales to the approval of 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.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 10

Applicant: Mr C Harris

Location: 298 HOLCOMBE OLD ROAD, HOLCOMBE, BL8 4NQ

Proposal: DETACHED GARAGE (RESUBMISSION)

Application Ref: 45470/Full

Target Date: 02/01/2006

Recommendation: Approve with Conditions

This proposal should be considered in conjunction with application 45474.

Description

The application site lies to the west of Holcombe Old Road, Holcombe and is occupied by a semi-detached stone and slate house. The house is set above the road by around 2 metres which increases to the south as the road level drops. A stone retaining wall provides the frontage to Holcombe Old Road which supports a timber shed on the south-easterly corner of the site.

Immediately adjacent to the retaining wall on the southern elevation stands an Elderberry tree which abuts the wall and is currently making the wall bow. The tree is outside of the applicant's ownership.

The site lies in the Holcombe Conservation Area, Green Belt, West Pennine Moors and Special Landscape Area.

Relevant Planning History

44759 - Detached Garage at Side - withdrawn by the applicant in order to resolved issues surrounding the Elderberry tree.

Proposal

The proposed development would involve the demolition of the stone retaining wall which requires Conservation Area Consent (application 45474) and the erection of a detached single garage with a pitched roof and timber garage door.

The applicant's agent has submitted a letter confirming that the width of Holcombe Old Road is sufficient to allow vehicles to manoeuvre into the garage without affecting the hedge opposite, the front pillars of the garage will be chamfered to allow vehicles to enter/leave the garage more easily, the ramp into the garage from the road will be in stone sets to compliment the character of the Conservation Area, no sets will be removed or damaged from Holcombe Old Road and the applicant will construct a small retaining wall to support the land to the rear of where the applicant currently parks his car.

Publicity

Advertisement placed in the 17th November 2005 issue of the Bury Times; Site Notice posted 11th November 2005 and 6 adjoining occupiers consulted - One letter received at on behalf of the resident at Dawes Bank raising the following points:

- Loss of prominent trees in the Conservation Area
- The scale and design of the development should not harm the character of the Conservation Area
- Ensure no prejudice to the occupiers of adjoining property

- Ensuring the scale and design of the proposal would not harm the character of the Conservation Area.

Consultations

Borough Engineer - Drainage - does not object to the proposal. Highways - does not wish to restrict the grant of planning permission.

Borough Environmental Services Officer - no comments received.

Landscape Practice - does not object to the loss of the Elderflower tree.

Conservation Officer - has no objection to the proposals.

Unitary Development Plan and Policies

OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors
EN9/1	Special Landscape Areas
EN2/2	Conservation Area Control
H2/3	Extensions and Alterations
SPD6	DC Policy Guidance Note 6: Alterations & Extensions

Issues and Analysis

The proposed garage would occupy the same footprint and volume as the existing retaining wall. The roof of the proposed garage would rise above the height of the retaining wall but would be set farther back from the road than the existing shed. As such, the proposed development would not materially increase the amount of extension to the original dwelling house and given its secluded and sunken location, is considered not to harm the openness of the Green Belt.

The proposed garage would mostly be screened by the hillside and existing retaining wall to the east and would be constructed in random coursed stone with a steeply pitched slate roof. As such, the size, height and design of the proposed would be in keeping with the character of the West Pennine Moors and Special Landscape Area and would not conflict with the policy to preserve and enhance the character and appearance of the Conservation Area.

The Elderberry tree to the west of the retaining wall is subject to a neighbour dispute between the applicant and the occupier of Dawes Bank. Whilst the demolition of the wall is likely to affect the tree, the Landscape Practice has previously expressed its opinion that the tree is not worthy of retention despite its increased sensitivity being located within the Conservation Area. The tree is considered not to be worthy of retention. The neighbour dispute must be resolved outside of the planning system.

The proposed extension would be in keeping with the existing dwelling and given its size, height and position partially sunken into the hillside, would be acceptable in terms of visual and residential amenity.

The objections raised are considered to have been addressed by the preceding text.

Summary of reasons for Recommendation

This application was determined having regard to Policies OL1/2 - New Buildings in the Green Belt, OL7/2 - West Pennine Moors, EN9/1 - Special Landscape Areas, EN2/2 - Conservation Area Control and 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 openness of the Green Belt, the character of the West Pennine Moors, Special Landscape Area or Conservation 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 three 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 date stamped -7 Nov 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. A sample panel of stonework and mortar, demonstrating the colour, texture, face bond and pointing, not less than 1 sq.m in size, shall be erected on site for inspection, and approval in writing, by the Local Planning Authority prior to the commencement of the development. Samples of the roofing materials shall also be made available for inspection on site. Thereafter the development shall be constructed in the approved materials and manner of construction.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
5. The garage hereby approved shall be used for no other purpose than as a domestic garage for the parking of vehicles off-street.
Reason: To prevent the displacement of cars back on to the highway, the situation the application is seeks to prevent and necessitates the loss of a feature within the Conservation Area and to prevent business operations running from the garage in the interests of residential amenity.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 11

Applicant: Mr C Harris

Location: 298 HOLCOMBE OLD ROAD, HOLCOMBE, BL8 4NQ

Proposal: CONSERVATION AREA CONSENT FOR DEMOLITION OF WALL TO ALLOW A
DETACHED GARAGE

Application Ref: 45474/Conservation Area
Consent

Target Date: 26/12/2005

Recommendation: Approve

This proposal should be considered in conjunction with application 45470.

Description

The application site lies to the west of Holcombe Old Road, Holcombe and is occupied by a semi-detached stone and slate house. The house is set above the road by around 2 metres which increases to the south as the road level drops. A stone retaining wall provides the frontage to Holcombe Old Road which supports a timber shed on the south-easterly corner of the site.

Immediately adjacent to the retaining wall on the southern elevation stands an Elderberry tree which abuts the wall and is currently making the wall bow. The tree is outside of the applicant's ownership.

The site lies in the Holcombe Conservation Area, Green Belt, West Pennine Moors and Special Landscape Area.

Relevant Planning History

44759 - Detached Garage at Side - withdrawn by the applicant in order to resolved issues surrounding the Elderberry tree.

Proposal

The proposed development would involve the demolition of the stone retaining wall which requires Conservation Area Consent under this application and the erection of a detached single garage with a pitched roof and timber garage door, the subject of application 45470.

Publicity

Advertisement placed in the 17th November 2005 issue of the Bury Times; Site Notice posted 11th November 2005 and 6 adjoining occupiers consulted - one letter received on behalf of the occupant of Dawes Bank raising the following relevant objections:

- Loss of prominent trees in Conservation Area

Consultations

Borough Engineer - Highways - does not wish to restrict the grant of planning permission.

Landscape Practice - does not object to the loss of the Elderflower tree.

Conservation Officer - has no objection to the proposal.

Unitary Development Plan and Policies

Issues and Analysis

The demolition of the stone wall is considered not to harm the character and appearance of the Conservation Area, particularly since it would be replaced by a similar structure in terms of size, height, materials and stone coursing.

The Elderberry tree to the west of the retaining wall is subject to a neighbour dispute between the applicant and the occupier of Dawes Bank. Whilst the demolition of the wall is likely to affect the tree, the Landscape Practice has previously expressed its opinion that the tree is not worthy of retention despite its increased sensitivity being located within the Conservation Area. The tree is considered not to be worthy of retention and the application is recommended for approval. The neighbour dispute must be resolved outside of the planning system.

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 demolition of the stone wall would be replaced by a structure of a similar massing and stone coursing and would therefore preserve the character of the Conservation Area.

There are no other material considerations that outweigh this finding.

Recommendation: Approve

Conditions/ Reasons

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

Ward: Whitefield & Unsworth - Besses

Item 12

Applicant: West Pennine Housing Association

Location: 16-18 LOSTOCK WALK WHITEFIELD

Proposal: EXTENSIONS TO SPECIAL NEEDS RESIDENTIAL UNIT

Application Ref: 45391/Full

Target Date: 07/12/2005

Recommendation: Approve with Conditions

Description

The site is recently developed with 2 new bungalows within the Hillock Estate. It comprises of two linked single storey accommodation units for residents with learning disabilities situated between two small blocks of two storey town houses. The block 1-7 Yarrow Walk backs onto the site whilst the block 11-17 Bostock Walk faces onto it. The units are set towards the back of the site away from Roch Crescent and are situated between the two end units in each of the town house blocks. The land nearest Roch Crescent is laid out with 20 parking spaces for local residents and 2 staff parking bays behind No 5 Yarrow Walk.

The application is to build a small extension to the front elevation of the westerly bungalow and to extend the adjoining bungalow towards the backs of No 5 and No 7 Yarrow Walk, to provide another resident's bedroom.

Relevant Planning History

41250/03 - 2 linked single storey accommodation units for residents with learning disabilities
- Approved 17/12/2003.

Publicity

Neighbours in the immediate vicinity have been notified. As a result of the publicity a letter from 3 Yarrow Walk has been received and the following points raised:

- The resident will be subjected to noise and dust once work starts
- It would alter the neat appearance of the bungalows
- Suggested a complete new build would be more beneficial at land at Glaze Walk.

Consultations

N/a

Unitary Development Plan and Policies

CF3 Social Services
EN1/2 Townscape and Built Design

Issues and Analysis

Residential amenity - The proposed extension to the front elevation of the westerly unit would be 1.3m in depth and 3.5m wide with a dormer roof and would be within the boundary of the site. The window in the proposed front elevation would face onto the carpark and therefore not affect the privacy of surrounding residential properties.

The proposed bedroom extension on the western elevation would be 3.1m wide towards the rear properties on Yarrow Walk and would come forward by 1.3m, the same depth as the front extension. It would also have a dormer roof. Given that the extension would be 13.5m away from the nearest property on Yarrow Walk and the absence of windows on the proposed side elevation, it is considered that it would not affect the privacy of these residential properties. It would conform with the normally accepted aspect distances. The position of a 2m high wall to the rear of these properties would also limit potential overlooking.

The objector has not referred directly to the size and design of the extension but suggests a complete new build on a nearby site. The main concern appears to be about the disruption by building work that would occur, but this is not a relevant consideration.

Visual amenity - The design would complement the original building through the use of matching materials and by reflecting its scale and size. It is considered not to detract from the general appearance of the street scene or character of the area.

Parking - The loss of 2 parking spaces is not considered to be a problem as the original development included more than sufficient provision for local requirements.

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;-

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 would be acceptable in terms of size, scale and relationship to the original building. The materials and design would be in keeping with the character of the surrounding area. Neighbouring dwellings would not be materially affected.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three 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 P1908/1-01,02,03,04,05,06 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
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.

For further information on the application please contact **Jennie Townsend** on **0161 253-5361**

