

Ward: Bury East - Redvales

Item 01

Applicant: Vodafone Ltd

Location: BURY FOOTBALL CLUB, GIGG LANE, BURY, BL9 9HU

Proposal: SIX ANTENNAE FIXED TO POLE, MOUNTED ON SIDE OF AND PROJECTING ABOVE ROOF OF FOOTBALL STAND, IN ADDITION TO ASSOCIATED EQUIPMENT

Application Ref: 45900/Full

Target Date: 05/04/2006

Recommendation: Approve with Conditions

Description

The application is for the fixing of a pole, with 6 antennas centrally located, on the side of the main spectators stand at Bury FC on Gigg Lane, Bury.

The pole, with 6 antennas, would project some 2.5m above the roof of the stand, 14.65m above ground level. Adjacent to the stand and the stair well on the side of the stand, will be located ancillary equipment which included's a cabinet some 1.4m high.

Relevant Planning History

The two existing masts at either end of the main stand were developed under Permitted Development rights and the equipment on the flood lights has the benefit of Planning permission granted in 1999 (ref:35287). The existence of the two existing masts on the stand means that Planning Permission is required for any more equipment and that requirement has resulted in this application.

Publicity

Notification letters have been forwarded to the residents within 100m and a site notice has been displayed. 12 letters have been received from 3 Gigg Lane, 41 Berkshire Court, 14 Birch Lea Close, 118, 119, 123 & 128 Brierley Street, 95, 99, 109 and 112 Horne Street. Two of these letters were signed by 14 people each. The objections can be summarised as follows:

- danger to health in general and spectators in particular
- detrimental impact on the street scene
- duplication of masts in one location will led to an increased concern of danger to health
- loss of property values in the area
- danger to school children's health

Consultations

Borough Highways Engineer - No objections

Environmental Health - No objections

Unitary Development Plan and Policies

EN1/10 Telecommunications

PPG8 PPG8 - Telecommunications

Issues and Analysis

Location and visual impact- the proposed mast will be located centrally on the main stand fronting Gigg Lane. It will be set back some 80m from Gigg Lane and is some 47m from

Bankfield Mews and 75m from the properties in Berkshire Court.

There are currently 3 other telecommunications equipment stations in the immediate area, one at each end of the main stand and one on the flood lights located at the south east end of the pitch.

The site is set well back from the main road frontage and from all directions will be viewed in the context of the main football club stand. The applicant has indicated his willingness to colour the equipment to match the football stand and a condition to that extent is recommended as it will further reduce its impact. The site is viewed in a commercial context with buildings of considerable massing and 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 6 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 antennae will be mounted on a pole attached to the side of the stand and will reach a total height of 14.65m above ground level, some 2.5m above the highest part of the stand roof. Whilst the equipment is not aesthetically pleasing, 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 equipment will be set some 47m from the nearest residential properties. Given the location on the side of the stand 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.

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 Issues, Residential Amenity and Location issues have been dealt with in the preceding section. Matters of loss of value of property are not a material planning consideration.

Summary of reasons for Recommendation

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

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

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than 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 35769A-002 B, 003B & 004B 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. Prior to commencement of development, details of the exact colour of the mast and related equipment hereby approved shall be submitted to and agreed in writing by the Local Planning Authority.
Reason. In the interest of visual amenity.

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

Ward: North Manor

Item 02

Applicant: Bury MBC - Property & Technical Services

Location: FORMER RAILWAY GOODS BUILDING, ROWLANDS ROAD, SUMMERSEAT, BL9 5QY

Proposal: CONVERSION OF BUILDING TO 2 DWELLINGHOUSES (OPTION 1)

Application Ref: 45949/Reg 4 - Development for sale by Council **Target Date:** 17/04/2006

Recommendation: Approve with Conditions

Site visit requested by Councillor Gunther.

Description

Three applications have been submitted for alternative forms of development for the property, all of which involve conversion of a building to residential use and are submitted as Options 1, 2 and 3.. Option 1 (application 45949) proposes conversion to 2 houses, option 2 (45950) to one house and option 3 (45951) to 4 houses. This report covers all three applications unless otherwise stated.

The property is a stone building originally used as a warehouse for the transfer of goods to and from the railway with access from the main track via a siding. The rails were removed many years ago and the building is now used as an engineering workshop. There are large openings at either end of the building and windows in the west elevation. The rear of the building is built into a wooded banking to the rear. The land to the other 3 sides of the building is generally level with vehicular access from Rowlands Road which slopes downwards to pass under the railway bridge with a stone retaining wall to the site boundary.

The property is within Brooksbottoms/Rowlands Conservation Area. It is owned by the Council.

The project has been subject to pre application discussion involving several Council Officers and the applications are accompanied by a lengthy planning statement in which the building, dating from 1847, is described and the results of pre application discussions are summarised. All three proposals have been designed to respect the context and integrity of the building although part demolition and rebuilding of limited areas of the external walls is necessary to ensure the stability of the structure. The proposals also take account of the presence of a pipistrelle bat roost with measures to ensure its survival. Externally, the boundary wall would be lowered to improve visibility at the access and a detached garage erected in natural stone and slate. There is no mains drainage and the development may connect to a large sewer approximately 80 metres away or a new bio treatment type septic tank.

A bat survey has been submitted which concludes that there is a well established maternity colony of pipistrelle bats within the building. Reference is made in the survey to the 3 tests required by DEFRA before granting a licence for the project (see below). The consultant has been involved in drawing up the proposals to ensure that the 3 options for development make adequate provision for the ongoing well being of the bats.

A survey has been carried out by a structural engineer that concludes that the building has suffered long term and ongoing structural damage as a result of pressure from the banking at the rear and remedial measures are proposed including a new concrete retaining wall, removal of some of the trees and rebuilding of parts of the walls. A report from an arboricultural consultant supports the removal of the trees and recommends repair to a drainage ditch. The platform within the building would be removed and the stone flags reused. The crane would be installed at one of Bury's museums.

A Site History and Contamination Study is a separate document. An Archaeological Study Report is awaited.

The building is owned by the Council and rented to a tenant who has a small engineering business. If planning permission is granted it is intended to sell the building by auction with the sale proceeds going to the East Lancs Railway and specifically the Transport Museum on Castlecroft Road.

Option 1, this application, shows the building subdivided into two with access via existing openings to a glazed lobby. New first and second floors would be inserted. Existing widow openings would be retained and new roof lights would be inserted. A double garage would be erected next to the railway track for the dwelling furthest from the road.

Relevant Planning History

None recorded.

Publicity

The applications have been advertised on site and in the Bury Times. Adjoining land is owned by the Council or East Lancs Railway and there are no immediate neighbours. Letters of objection relating to all 3 applications have been received from solicitors acting for the present occupier of the building, a resident of Forrest Cottage who owns land on the opposite side of the railway track, an address in north Wales and from a resident of Burrs wood Avenue, Bury.

Solicitors acting for the present occupier of the building raise various issues:

- The development would breach the Council's "moratorium" restricting the grant of planning permission for residential development.
- A licence is required from DEFRA because the building is an important bat roost. A licence would only be granted if the development is necessary which is difficult to prove if the Council has created a moratorium.
- The most suitable use of the building would be associated with the East Lancashire Railway. The original crane and platforms are retained. There are very few examples of such buildings remaining.
- The property is within the Green Belt and a conservation area and conversion would necessitate trees being removed.
- The current use is in harmony with the setting and conversion to housing would remove the prospect of reconversion to the original use.
- The construction of a mini sewage plant and discharge to the river via a culvert which is often dry during the summer could create a health hazard.
- The tenant has occupied the building for 30 years for engineering sub contract work to local companies and the enterprise would be threatened.
- The current tenant's survey suggests that there is no evidence of ongoing structural movement in the building.

The resident of Forrest Cottage, which is to the west of the River Irwell, objects to the

discharge of sewage effluent into a culvert which then discharges onto his land and via a stream into the river. He claims that sewage smells would be intolerable and unacceptable.

Two letters have been received from an address in Gwynedd that object to the demolition of the building, although this is clearly not the intention of the applications.

A resident from Burrswood Avenue feels that "it would be a tragedy if this historic building was allowed to be virtually destroyed by being turned into flats" and that the building is part of our heritage that must be preserved for future generations.

A resident from 19 Ashborne Drive, Summerseat, is concerned about the dangers of access to the site close to a blind bend, including during construction, and also the removal of trees.

The occupier of Hillside House is concerned about the loss of the original internal layout and fittings and changes to the external character of the building as well as the loss of trees.

Ramsbottom Heritage Society object on the basis that the building and its contents should be preserved.

A local expert on date stones points out the quality of the crane and the existence of an 1847 dated lintel at the eastern end of the building.

Consultations

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

Borough Environmental Services Officer - Although a Preliminary Risk Assessment for contamination has been submitted more investigation is required and appropriate conditions are recommended. The additional survey work required is being carried out

Environment Agency - There is no objection in principle. A condition is recommended requiring a survey for contamination that has already been submitted with the application.

English Nature - A licence from DEFRA will be required for mitigation/compensation proposals for the bat roost.

Greater Manchester Ecology Unit - They do not consider that the development will have a significant effect on the woodland.

The bat roost is protected by legislation. Three tests must be satisfied before a DEFRA licence can be granted. These are:

1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment".
2. That there is "no satisfactory alternative".
3. That the proposals are "not detrimental to the maintenance beneficial to of the populations of the species concerned at a favourable conservation status in their natural range".

There is a badger sett within 100 metres of the building and it is recommended that a survey is carried out and method statement produced if mitigation is required for any disturbance. Appropriate conditions are recommended.

Unitary Development Plan and Policies

EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control
OL1 Green Belt
OL5/2 Development in River Valleys
EN6/4 Wildlife Links and Corridors
EN9/1 Special Landscape Areas
H1/2 Further Housing Development

Issues and Analysis

The Council has approved the adoption of draft Development Control Guidance Note 7 - Managing the Supply of Housing Land in Bury. This seeks to restrict the further release of residential planning permissions, including the conversion of existing buildings. However, one of the exceptions is buildings that may be considered to detract from the historic or architectural value of a Conservation Area and where the proposals would actually enhance the quality of a Conservation Area. The building has an attractive appearance but there is a potential problem due to its structural condition that cannot be funded by the tenant or the East Lancs Railway. If planning permission is not granted the building could become a liability, leading to it having a negative effect on the Brooksbottoms/Rowlands Conservation Area.

The warehouse is contemporary with the 1848 railway building at Castlecroft and funds from its sale would generate funds for the restoration of the Castlecroft building and the reinstatement of the Transport Museum.

The building makes an important contribution to the historical character of the Brooksbottoms/Rowlands Conservation Area. Despite the objections from interested parties it is considered that conversion to residential use will ensure that repairs are carried out to the building and that it will be maintained in the future. If remedial work is not undertaken, the structural condition of the building will continue to decline. The granting of planning permission for residential development would ensure that the necessary remedial works to the structure are carried out to ensure that the building is retained and that the special character and appearance of the Conservation Area is preserved and enhanced. Conditions are recommended to closely control the standard of the work to be carried out. The existing crane within the building would be removed for preservation elsewhere.

UDP policy EC2/2 seeks to retain the employment land and premises unless it can be clearly demonstrated that an employment premises is no longer suited in land use terms to continued employment use. The existing occupier wishes to continue to occupy the building despite its lack of facilities.

The building is within a designated River Valley, a Wildlife Corridor, a Special Landscape Area and the Green Belt. UDP Policy OL1/4 allows the conversion and reuse of buildings in the Green Belt subject to various provisos. The works to the building itself on all three applications retain existing window openings and make minimal alterations to the building and the integrity of the Green Belt will not be compromised. The area surrounding the building is already level, mostly hard surfaced and within existing defined boundaries including the railway track and a road. The proposed garages would be constructed in appropriate design and materials and their size and position backing onto the railway track would not impact on the openness of the Green Belt.

Before any development could proceed it is necessary for a licence to be obtained from DEFRA for the alterations to the building that would affect that bat colony. The development would have beneficial consequences for the environment; there is no obvious satisfactory alternative for the long term future of the building; the [proposals would not be detrimental to the future maintenance of the bat colony.

The building is accessed off a narrow road with no footways and close to a blind bend created by the railway bridge. However, improvements are proposed to the access and, bearing in mind the limited nature of the residential use compared with the current industrial use, the Borough Engineer is satisfied that the access is acceptable.

A limited number of trees at the rear of the building would need to be removed but the majority of the trees on the banking would be retained and the integrity of the Wildlife Corridor would not be prejudiced.

The details of foul drainage have not been fully established but an appropriate condition is recommended to ensure that other landowners are not adversely affected.

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 preserve the character and appearance of the Brooksbottoms /Rowlands Conservation Area and would not harm the openness of the Green Belt. It would not adversely affect the amenities of occupiers of adjacent property nor impact on 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 the drawings received on 20 FEB 2006 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. No works shall be carried out on the site until the following details have been submitted to and approved in writing by the Local Planning Authority.
 1. 1:20 scale drawings of all new external openings, windows and doors.
 2. Type and design of roof lights.
 3. Sample panel of new stonework for any rebuilding of external walls, garage walls and any boundary, retaining or enclosing walls.
 4. Rainwater goods and any other external pipework.
 5. Flues, vents and external lighting.
 6. Hard surfacing of external areas.
 7. Relocation of existing crane.
 8. Retention of lintel dated 1847 at eastern end of building.The works shall then be carried out in complete accordance with the agreed details.
Reason. In order to ensure that the conversion work preserves features of special architectural or historical interest.
4. Full details of foul drainage and treatment shall be submitted to and agreed in

writing by the Local Planning Authority before the development commences.
Reason For the avoidance of doubt and to protect the amenities of occupiers of adjacent property.

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

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed below.

6. Any works to the building affecting the pipistrelle bat colony shall be carried out in accordance with the applicant's report and the details shown on the submitted plans. All mitigation measures shall be fully implemented prior to the commencement of the works and remain in situ on the site for an agreed period of time.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and PPS9 – Nature Conservation.

Note A licence is required from the Department of Environment, Food and Rural Affairs.

7. Prior to the development hereby approved commencing:

- A detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
- Where remediation is required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

8. Following the provisions of Condition 7 of this planning permission, where remediation is required, the approved remediation strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.

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

9. 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.

10. The development hereby approved shall not be first occupied unless and until the visibility improvements indicated on approved plan 3/30/()p1)1P have been implemented to the written satisfaction of the Local Planning Authority and maintained in perpetuity.
Reason To ensure the intervisibility of the users of the site and the adjacent highways in the interests of roads safety.
11. The servicing and turning facilities indicated on the approved plan 3/30/(Op1)1P shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety.
12. A survey for the existence of badger setts within the area of woodland adjacent to the site shall be carried out before the development commences and the results submitted in writing to the Local Planning Authority. Any badger sett within 50 metres of the development will require a method statement including mitigation for possible disturbance to badgers to be submitted and agreed in writing by the Local Planning Authority and implemented during the course of development.
Reason To ensure that no harm is caused to a protected species.

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

Ward: North Manor

Item 03

Applicant: Bury MBC - Property & Technical Services

Location: FORMER RAILWAY GOODS BUILDING, ROWLANDS ROAD, SUMMERSEAT,
BL9 5QY

Proposal: CONVERSION OF BUILDING TO DWELLINGHOUSE (OPTION 2)

Application Ref: 45950/Reg 4 - Development **Target Date:** 17/04/2006
for sale by Council

Recommendation: Approve with Conditions

Site visit requested by Councillor Gunther

Description

See 45949 for full report.

This application is described by the architect as Option 2.

It is proposed to convert the building into one dwelling. Windows in the south elevation will have a lower cill height to improve illumination and there would be a small new window in the south elevation. Roof lights would be added together with a dormer, hidden at the rear, to give access to the upper level. There would be a new double garage backing onto the railway line.

A planning statement specific to this application has been submitted describing the proposals for the building and the site and detailing the measures to be taken to ensure the survival of the bat colony.

Relevant Planning History

None recorded.

Publicity

See 45949.

Consultations

See 45949.

Unitary Development Plan and Policies

EN2/1 Character of Conservation Areas
EN2/2 Conservation Area Control
OL1 Green Belt
OL5/2 Development in River Valleys
EN6/4 Wildlife Links and Corridors
EN9/1 Special Landscape Areas

Issues and Analysis

See 45949.

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 preserve the character and appearance of the Brooksbottoms /Rowlands Conservation Area and would not harm the openness of the Green Belt. It would not adversely affect the amenities of occupiers of adjacent property nor impact on 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 the drawings received on 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. No works shall be carried out on the site until the following details have been submitted to and approved in writing by the Local Planning Authority.
 1. 1:20 scale drawings of all new external openings, windows and doors.
 2. Type and design of roof lights.
 3. Sample panel of new stonework for any rebuilding of external walls, garage walls and any boundary, retaining or enclosing walls.
 4. Rainwater goods and any other external pipework.
 5. Flues, vents and external lighting.
 6. Hard surfacing of external areas.
 7. Relocation of existing crane.
 8. Retention of lintel dated 1847 at eastern end of building.The works shall then be carried out in complete accordance with the agreed details.
Reason. In order to ensure that the conversion work preserves features of special architectural or historical interest.
4. Full details of foul drainage and treatment shall be submitted to and agreed in writing by the Local Planning Authority before the development commences.
Reason For the avoidance of doubt and to protect the amenities of occupiers of adjacent property.
5. Notwithstanding the terms of the General Development Order 1995, or as subsequently amended, no development shall be carried out within the terms of Classes A to H of Part 1 and Classes A and B of Part 2 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed below.
6. Any works to the building affecting the pipistrelle bat colony shall be carried out in accordance with the applicant's report and the details shown on the submitted plans. All mitigation measures shall be fully implemented prior to the

commencement of the works and remain in situ on the site for an agreed period of time.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and PPS9 – Nature Conservation.

Note A licence is required from the Department of Environment, Food and Rural Affairs.

7. Prior to the development hereby approved commencing:
- A detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
 - Where remediation is required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

8. Following the provisions of Condition 7 of this planning permission, where remediation is required, the approved remediation strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.

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

9. 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.

10. The development hereby approved shall not be first occupied unless and until the visibility improvements indicated on approved plan 3/30/(p1)1P have been implemented to the written satisfaction of the Local Planning Authority and maintained in perpetuity.

Reason To ensure the intervisibility of the users of the site and the adjacent

highways in the interests of roads safety.

11. The servicing and turning facilities indicated on the approved plan 3/30/(Op1)1P shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety.
12. A survey for the existence of badger setts within the area of woodland adjacent to the site shall be carried out before the development commences and the results submitted in writing to the Local Planning Authority. Any badger sett within 50 metres of the development will require a method statement including mitigation for possible disturbance to badgers to be submitted and agreed in writing by the Local Planning Authority and implemented during the course of development.
Reason To ensure that no harm is caused to a protected species.

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

Ward: North Manor

Item 04

Applicant: Bury MBC - Property & Technical Services

Location: FORMER RAILWAY GOODS BUILDING, ROWLANDS ROAD, SUMMERSEAT,
BL9 5QY

Proposal: CONVERSION OF BUILDING TO 4 DWELLINGHOUSES (OPTION 3)

Application Ref: 45951/Reg 4 - Development **Target Date:** 17/04/2006
for sale by Council

Recommendation: Approve with Conditions

Site visit requested by Councillor Gunther

Description

See 45949 for full report.

The application is described by the architect as Option 3.

It is proposed to convert the building into 4 dwellings. windows in the south elevation would be modified to include doorways to the 2 central dwellings and to improve illumination. Roof lights would be added and there would a new, small, escape window to the south elevation. A block of 4 garages would back onto the railway line.

A planning statement specific to this application has been submitted describing the proposals for the building and detailing the measures to be taken to ensure the survival of the bat colony.

Relevant Planning History

None recorded.

Publicity

See 45949.

Consultations

See 45949.

Unitary Development Plan and Policies

EN2/1 Character of Conservation Areas
EN2/2 Conservation Area Control
OL1 Green Belt
OL5/2 Development in River Valleys
EN6/4 Wildlife Links and Corridors
EN9/1 Special Landscape Areas
H1/2 Further Housing Development

Issues and Analysis

See 45949.

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 preserve the character and appearance of the Brooksbottoms /Rowlands Conservation Area and would not harm the openness of the Green Belt. It would not adversely affect the amenities of occupiers of adjacent property nor impact on 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 the drawings received on 20 FEB 2006 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.
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 2. Type and design of roof lights.
 3. Sample panel of new stonework for any rebuilding of external walls, garage walls and any boundary, retaining or enclosing walls.
 4. Rainwater goods and any other external pipework.
 5. Flues, vents and external lighting.
 6. Hard surfacing of external areas.
 7. Relocation of existing crane.
 8. Retention of lintel dated 1847 at eastern end of building.The works shall then be carried out in complete accordance with the agreed details.
Reason. In order to ensure that the conversion work preserves features of special architectural or historical interest.
4. Full details of foul drainage and treatment shall be submitted to and agreed in writing by the Local Planning Authority before the development commences.
Reason For the avoidance of doubt and to protect the amenities of occupiers of adjacent property.
5. Notwithstanding the terms of the General Development Order 1995, or as subsequently amended, no development shall be carried out within the terms of Classes A to H of Part 1 and Classes A and B of Part 2 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed below.
6. Any works to the building affecting the pipistrelle bat colony shall be carried out in

accordance with the applicant's report and the details shown on the submitted plans. All mitigation measures shall be fully implemented prior to the commencement of the works and remain in situ on the site for an agreed period of time.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and PPS9 – Nature Conservation.

Note A licence is required from the Department of Environment, Food and Rural Affairs.

7. Prior to the development hereby approved commencing:
- A detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
 - Where remediation is required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

8. Following the provisions of Condition 7 of this planning permission, where remediation is required, the approved remediation strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.
- Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

9. 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.

10. The development hereby approved shall not be first occupied unless and until the visibility improvements indicated on approved plan 3/30/(/p1)1P have been implemented to the written satisfaction of the Local Planning Authority and

maintained in perpetuity.

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

11. The servicing and turning facilities indicated on the approved plan 3/30/(Op1)1P shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.

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

12. A survey for the existence of badger setts within the area of woodland adjacent to the site shall be carried out before the development commences and the results submitted in writing to the Local Planning Authority. Any badger sett within 50 metres of the development will require a method statement including mitigation for possible disturbance to badgers to be submitted and agreed in writing by the Local Planning Authority and implemented during the course of development.

Reason To ensure that no harm is caused to a protected species.

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

Ward: Prestwich - Sedgley

Item 05

Applicant: Prestwich Muslim Welfare Trust

Location: 52 BURY OLD ROAD, PRESTWICH, M25 0ER

Proposal: TEMPORARY SITING OF PORTABLE CLASSROOM

Application Ref: 45759/Full

Target Date: 05/04/2006

Recommendation: Approve with Conditions

Description

The site comprises the old 'Brooklands Library' which is now used as a Community Centre by the Muslim Welfare Trust, on Bury Old Road in Prestwich.

The application is for the siting of a temporary building (of a 'portakabin' style) to be used as a classroom by a maximum of 20 children. The siting is to the rear of the existing building between the rear wall and the boundary with residential properties fronting onto Woodthorpe Court.

Relevant Planning History

There have been no recent planning applications on the site. The original use, as a library, falls within use Class D1 - Non-Residential Institutions. Thus, the change to a Community Centre did not require permission as it fell into the same use class.

Publicity

Neighbours have been notified and three letters of objection have been received from Nos. 2, 4 and 6 Woodthorpe Court. The objections can be summarised as follows:

- detriment to residential amenities of adjacent properties by virtue of:
 - noise from children
 - excessive opening hours
 - potential fire risk with building on boundary
 - potential security risk
- other matters with regard to building regulations and Party Wall Act are raised but they are not the matter of relevance to the determination of the application.

Consultations

Borough Engineers (Highways) - Comments awaited

Borough Engineers (Drainage) - Comments awaited

Environmental Health - Comments awaited

Unitary Development Plan and Policies

CF1 Proposals for New and Improved Community Facilities

EN1/1 Visual Amenity

Issues and Analysis

Principal - the site has established use for Class D1 Non-Residential Institutions, which includes the use for the use as a Muslim Centre and the proposed classroom. Teaching is an integral part of the Muslim tradition (as with most religions) and as such the provision of facilities on the site for such a use are appropriate.

Location - the proposed temporary building is to be located between the existing centre (the former library) and the rear boundary of the properties fronting Woodthorpe Court. The building measures some 6.75 m wide, 3.1m high and 17m long. The properties fronting Woodthorpe Court are set above the general land level of the Islamic Centre and a boundary wall/fence of some 3.5m in height separates the site and residential properties. In order to locate the classroom level on the site the existing ground level by the boundary wall/fence will be lowered by 1m and this means that the height of the roof will be lower than the existing building and below the top of the boundary wall/fence by 1m.

Building and its visual impact - the building will be set some 0.6m from the boundary wall of the properties fronting Woodthorpe Court, 3m from the existing building and is some 17m wide which is 4m wider than the existing building, but it is wholly contained within the existing boundary fence. It is set some 38m back from the frontage with Bury Old Road and as such will have little visual impact on the street scene or the outlook from the properties fronting Woodthorpe Court.

Residential amenity - the proposed roof of the building is set down 1m from the top of the solid wall/fence line of the properties to the rear and the hours of operation are restricted to 21.00. The distance between the proposed class room and the rear wall of the residential properties would be 11.5m.

Whilst there would be some noise from the use of the building as a classroom and whilst there would be some impact on the outlook of the properties to the rear, it is not considered that this will be of a level as to cause such a loss of residential amenity as to warrant refusal of the application given the separation distance of the site and the residential properties and particularly the height difference between the site and Woodthorpe Court.

Objections - the issue of the use of the site for education purposes and the impact on residential amenity have been covered above. With regard to security matters, the site has a 2.4m high fence and this is sufficient to provide adequate protection to the residential properties to the rear.

Summary of reasons for Recommendation

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

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

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. Permission is hereby granted for a limited period only, namely for a period expiring on 27th March 2009, and the building, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued at the end of the said period and the land reinstated to its former condition unless a valid application is received by the Local Planning Authority for its retention.

Reason. The development is of a temporary nature only.

2. This decision relates to drawings numbered 2124/01 & 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.

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

Ward: Prestwich - St Mary's

Item 06

Applicant: TESCO STORES LTD

Location: LAND OFF BURY NEW ROAD/VALLEY PARK ROAD PRESTWICH

Proposal: MIXED DEVELOPMENT INCLUDING RESIDENTIAL DEVELOPMENT (173 DWELLINGS), EXTENSIONS TO EXISTING TESCO STORE, CHANGES TO EXISTING CAR PARKING AND SERVICING ARRANGEMENTS, PROVISION OF ADDITIONAL CAR PARKING AND PUBLIC OPEN SPACE, LANDSCAPING AND ASSOCIATED WORKS.

Application Ref: 37297/Full

Target Date: 04/04/2001

Recommendation: Refuse

Description

The site includes an extensive area to the north west of Prestwich Town Centre but not adjacent to the centre. The 14ha area includes the Tesco superstore and its associated car parks and petrol filling station, adjacent areas, now disused, that used to form part of Prestwich Hospital, a junior football pitch and the surrounding open partly wooded areas off Clifton Road and a computer centre on Kingswood Road. The easterly side includes a large section of Bury New Road.

The surroundings are varied. Most of the area the south between the site and Prestwich Town Centre includes a well established residential area along Kingswood Road. However, this also includes the post office premises at the corner with Bury New Road and adjacent to the site. There is similarly well established housing on the opposite side of Bury New Road. To the west is the remaining complex of Prestwich Hospital. The M60 motorway with junction 17 is a short distance to the north along Bury New Road with a large restaurant, a hotel and a petrol filling station before the motorway is reached. A major junction has been established at the access point to Tesco, the hospital, the restaurant and the hotel.

The proposal involves a mixed development with three main elements which are described in turn as follows:

Tesco store extensions

Three separate extensions are shown. The main proposal is for a substantial extension of about 2870sq m total floorspace on the south side onto part of the car park. This would expand the sales area and include a mezzanine floor for a customer cafe (approx 360sq m) moved from the ground floor.

On the frontage there would be a smaller extension that would square off a recessed area on the north easterly corner (approx. 225sq m). This would also contribute towards the sales floorspace area.

At the northerly side there would be a minor extension of about 46sq m to improve servicing facilities.

The proposals would increase the gross floorspace of the store by about 3141sq m. This

compares with the existing gross floorspace of about 6700sq m. and represents an increase of about 47%.

In conjunction with the extensions there would be changes to parts of the external areas, particularly on the south side. The main extension would displace a large section of the existing side car park with about 100 parking spaces to be lost. However, the store curtilage would be expanded southwards to incorporate part of the Health Trust Computer Centre grounds and the whole of a vacant site on Bury New Road, formerly occupied by staff accommodation for Prestwich Hospital. These extra areas would be used for additional car parking with about 170 extra spaces, giving a net increase over the present number of spaces of about 70. The application area includes the computer centre where 76 spaces would be provided for its use with the main building to remain. One additional pedestrian access point would be provided on the Bury New Road frontage about 45 metres to the north of the post office.

Alongside the westerly edge of the computer centre site there would be a pedestrian link created to Kingswood Road. This would also connect to part of the housing layout. There would also be a second such link from the westerly side of the Tesco complex down an embankment and into the housing development.

Housing development

A new housing estate of 173 units is proposed on currently disused land to the west and south of the store building and its side car park. This land adjoins the remaining operational area of Prestwich Hospital. The housing would include a mixture of types including 79 flats mostly in three storey blocks, 25 detached houses, 18 semi-detached and 51 terraced houses. The houses would include both two storey and three storey types. Vehicular access to the housing would be entirely from Valley Park Road with a spur to be created off the mini roundabout at the store service entrance. In addition, there would be an emergency only access created from Clifton Road to the south. There would also be pedestrian only links off a footway that would link the store with Kingswood Road giving access to both the store and towards the town centre and also directly to the southern end of the store where the main extension is proposed.

Recreational development

The application includes the existing football field on the southerly side of the proposed housing area. This is used by a junior football club. This area would be enhanced both for the needs of the club and for informal recreation. The proposals show the location a small club room and 40 space car park plus the addition of two under 8/9 soccer pitches. The attractive wooded areas that surround the pitch area would have a footpath constructed for public use as a countryside walk and this element would be provided to satisfy the recreational need of the new residents.

Vehicular access onto the recreational area would be via the housing development with pedestrian only access also available from Clifton Road.

It should be noted that since the application was received the junior football club has applied for and received planning permission for the recreational development with the approved details being on a similar basis (ref. 43686).

Vehicular Access

The proposed developments would utilise the Bury New Road/Valley Park Road signalised junction for all vehicular access and this junction and Valley Park Road are shown on the

submitted details as unchanged. There would also be emergency access only for the residential development from Clifton Road.

Deleted Retail Proposal

Originally, the application included a significant additional non-food retail development to be occupied by users other than Tesco. This was located on the area of the computer centre with access off Kingswood Road. However, that proposal was subsequently deleted from the application.

Supporting Material

The application is accompanied by a Transport Assessment, a Retail and Economic Assessment and a Preliminary Arboricultural Implications Study for the residential scheme. There are also sketch proposal drawings included showing possible improvement works for pedestrians between Tesco and Prestwich Town Centre.

Relevant Planning History

C/15397/83 - Residential Development. Objection made on 12th January 1984.
C/20067/87 - Retail store, petrol station and car parking. Refused on 23rd August 1989.
C/25004/90 - Residential development, retail store, petrol filling station and hotel. Refused on 20th December 1990. Appeal allowed on 5th April 1993.
C/25005/90 - Residential development (outline). Refused 20th December 1990.
29082/93 - Erection of retail food store, petrol filling station, car parking, landscaping and alterations to Bury New Road access. Approved on 23rd December 1993.
29779/94 - Amended siting of petrol filling station (related to 29082/93). Approved on 11th September 1984.
30111/94 - Amended car parking lighting scheme. Approved on 6th October 1994.
32414/96 - Erection of conservatory in front of store. Approved on 4th October 1996.
33383/97 - Extension to existing store. Approved on 16th October 1997.
35734/99 - Single storey extension for ATM machine. Approved on 29th September 2000.

Publicity

In terms of those main elements of the development that remain within the application Ivan Lewis MP has expressed the following views in a letter to the developer's agent:

The store extension - He has no objections to the proposal to extend the existing store which will simply encroach on land currently used for car parking.

The proposed housing development - Welcomes the development which would represent the development of a Brown Field site. Further consideration needs to be given to the density and layout of the proposed housing. He hopes that the maintenance of the Perimeter Walls on Kingwood Road and West Road would be guaranteed and adequate distances/screening between houses on these roads and the proposed new residential dwellings would be ensured. Also, he hopes that the developer would work closely with the Local Authority to minimise the impact of the extra traffic volume inevitably created by such a housing development. He points out that residents of Highfield Road, Stanhope Avenue and other residential areas are already suffering significant traffic related problems as a consequence of the traffic volume from the Tesco site.

Football pitch - Welcomes the plans to enhance the football pitch and surrounding area and hopes that serious consideration will be given to creating a park providing a pleasant "green" environment for local people wishing to take a walk and extensive high quality children's play facilities. There should be enhanced facilities to users of the football pitch

including changing areas, showers and the option of an "all weather surface".

General points - The MP makes an acknowledgment of the positive contribution that Tesco has made to Prestwich. However, he asks them to refrain from any steps that would undermine the vitality of the Village and that they should consider making resources available to enhance the Council's current plans for the Bury New Road 'corridor'.

A total of 78 written objections have been received. The comments made are summarised as follows but excluding those made concerning the deleted retail proposal on Kingswood Road:

The store extensions

- The development would be contrary to the approved Development Plan and Draft Regional Planning Guidance.
- There is no demonstrable need.
- The PPG6 sequential test would not be satisfied.
- Investment in Prestwich Village centre would be prejudiced.
- The development would be contrary to the aspirations of the Urban White Paper in that it does not aid regeneration but may stimulate decline.
- The proposal is not truly sustainable in that it would generate more vehicle journeys and not take account of Metrolink as an alternative transport link.
- Increased local traffic will result in increased danger and loss of amenity.
- Would lead to a further decline in the vitality and viability of Prestwich Village resulting in damage to the social life of the community.
- The social exclusion of the elderly, less well off and less mobile will result.
- Any new such development should be in the Longfield Centre.
- Concern about the disruption that would be caused by building operations.
- Concern about resulting loss of trade in Prestwich Town Centre.
- A walk to Tesco from Prestwich Town Centre would be too much if Sainsburys close.
- Competition from Tesco and other supermarkets has depleted the small shops selling convenience goods and these are being replaced by second hand shops and non-retail outlets.
- The pathway linking Tesco with Kingswood Road would encourage their shoppers to park in this road especially in view of the strain on their main access at busy times.
- Tesco only want more money. That's what it's all about.
- It's already difficult to park outside their house in Kingswood Road and Tesco aren't going to improve the situation.
- The Tesco development will destroy the character of Prestwich even more, not just businesses but an identifiable community and the quality of life and health.
- Tesco, whilst expressing welcome to an integrated development plan for Prestwich, have no real interest in it at all except to further expand their existing site.
- Is not convinced that the Tesco business development would, in any way, shape or form, benefit the local businesses of the area as the development is so isolated and self-contained and people are not likely to move further into the village to check out other shops.

The residential development

- New housing should be limited to existing areas or the redeveloping of buildings.
- Would disturb what is, at present, a peaceful and pleasant place to live.
- Concern that certain amenities should be left untouched e.g. trees, wall, hedges.
- The development would be isolated and car based. Thus the residents would be unlikely

to use the existing district centre.

- There would be undue disruption to wildlife.
- There would be an undesirable loss of mature trees.
- The three storey units would be highly visible in the surrounding landscape and would be out of character with housing in the surrounding area.
- Concern about the level of traffic that would be generated.
- Concern that the emergency access to Clifton Road would, in fact, become a rat run and therefore increase the amount of traffic on this road.
- At £90,000 the houses will not be affordable.

The football facility

- Should be located elsewhere on the hospital site to create less disruption to wildlife.
- It could be better designed.
- Concern about loss of trees.

Comments concerning both the retail and residential developments

- The increase in road traffic will have a severe impact on the local community due to air and noise pollution, congestion and danger of accidents.
- The extra traffic would undermine the implementation of the Quality Bus Corridor and other proposed changes to Bury New Road designed to improve conditions for pedestrians.
- This would be a car based development that would result in a further increase in car borne journeys to the site and worsen conditions for pedestrians Bury New Road, especially in terms of safety.
- It would be contrary to the Council's attempts to try and reduce the traffic on Bury New Road and make it a safer and more pleasant environment for pedestrians.
- It would involve an over-intensive development of the site.
- Approval of the development would involve a breach of the Human Rights Act (right to substantive peaceful enjoyment of one's possessions, including one's home and other land).
- The traffic generated would result in a volume that would exceed the capacity levels at of the Valley Park Road junction with Bury New Road.

Two written comments in support were received including the following points:

- Approve extension in any form.
- A successful Tesco would breath new life into Prestwich.
- Tesco is here to stay so why can't we all benefit - Tesco, shopkeepers, residents and shoppers local and elsewhere.

Consultations

Borough Engineer - Highways: Refusal recommended on the basis that access arrangements to the development would not be satisfactory in terms of highway safety and maintaining the free flow of traffic, insufficient information has been provided to enable the acceptability of the proposed emergency access to be properly assessed, the residential layout is sub-standard in terms of highway visibility and thus detrimental to road safety and that access would be restricted to facilities served by the un-named road off Clifton Road.
Drainage: A separate system of drainage required.

Environmental Services - Need for a site investigation to assess potential contamination risks and implementation of remediation measures as required.

Highways Agency - They had requested further details/clarification from the developer and their consultants and were awaiting this. They require this before any conclusions could be

drawn regarding the materiality of the impact of the development on the motorway network. Environment Agency - Conditions recommended requiring prior approval to surface drainage, a scheme for the disposal of foul and surface waters and a scheme for the management of fuels, oils, effluents etc. Car park drainage to be passed via an oil interceptor.

GM Archaeological Unit - There are no known features of archaeological interest on the site.

GMPTE - Concerned that access from housing to public transport should be improved by creating a pedestrian link to Kingwood Road and thus improving access to stops on Bury New Road.

City of Salford - Need for a retail impact assessment. Interested as to how retail development would impact on Swinton District Centre and Cheetham Local Centre.

Rochdale MB - No comments.

Prestwich Business Forum - Carried out an extensive consultation with their members. A large proportion in the Prestwich area are not concerned by the proposed development. Of the rest about half are generally in favour/supportive and the other half are generally negative/against the proposals.

Prestwich Heritage Society - Concern about the impact on TPO trees including a fine avenue of chestnut and plane trees next to the former cricket pitch. There is a need for a comprehensive tree survey.

Unitary Development Plan and Policies

S1	Existing Shopping Centres
S1/2	Shopping in Other Town Centres
S2	Control of New Retail and Non-Retail Development
S2/1	All New Retail Proposals: Assessment Criteria
S4	New Retail Dev outside Town and District Centres
S4/2	Assessing Out-Of-Centre Retail Development
H1/1	Housing Land Allocations
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/6	Public Art
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN8	Woodland and Trees
EN8/1	Tree Preservation Orders
HT5/1	Access For Those with Special Needs
HT6/1	Pedestrian and Cyclist Movement
SPD1	DC Policy Guidance Note 1: Recreation Provision
SPD4	DC Policy Guidance Note 4: Percent for Art
SPD3	DC Policy Guidance Note 3: Planning Out Crime
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD6	DC Policy Guidance Note 6: Alterations & Extensions
SPD7	DC Policy Guidance Note 7: Managing the Supply of Housing

Issues and Analysis

The Residential Development

Principle - The site is a housing land allocation in the UDP. It was occupied until relatively recently by hospital buildings and grounds and is, therefore, considered to be previously developed land site in terms of PPG3. Also, at 46 units per hectare the proposed residential

density complies with this guidance being within the required 30 to 50 range that is set down within the guidance.

Given the above factors it is considered that the residential development is acceptable in principle.

Design and Layout - The scheme has been amended a number of times during the life of the application and, in its current form, it is beginning to approach a more acceptable form. However, there are still a significant number of outstanding shortcomings that need to be resolved before the residential layout can be accepted. These include the following main items:

- Insufficient information to enable a proper appraisal as to impact on protected trees.
- Insufficient landscaping details.
- The pedestrian link shown towards the town centre is not a sufficiently strong feature.
- The pedestrian link shown towards the store where there is a steep slope is not shown to be workable and suitable for the less mobile or persons with prams and pushchairs.
- The details of the area where the housing is next to the recreational space are unclear and with contradictory information.
- Poor detailing of the hard landscaped area at plots 7 to 27. This space would be overdominated by vehicles.
- Level access not shown to various house types and blocks of flats.
- Significant degree of inconsistency between details shown on different drawings.
- A survey for bats is required as the development would entail the removal of trees but this has not been submitted.
- The layout is sub-standard in terms of visibility and forward visibility at a number of junctions and points on the proposed estate roads which would be detrimental to highway safety.
- Lack of sufficient information to enable the acceptability of the proposed emergency access arrangements to be properly assessed in regard to national and local design guidance.
- Access would be restricted to facilities served by the un-named access road off Clifton Road.

Tesco Store Extensions

Principle - Bury UDP shopping policies have the primary aim of seeking to protect and enhance the vitality and viability of the Borough's shopping centres by encouraging and controlling the type and location of retail and non-retail development to the benefit of the retailing activities of the centres (Policies S1, S1/2 and S2). This policy approach is entirely in line with national guidance in PPS6 and the regional approach in RPG 13, particularly Policy EC8 – Town Centres: Retail, Leisure and Office Development.

UDP Policy S2/1 - All New Retail Proposals: Assessment Criteria states that new retail proposals which accord with the stated factors will be supported. The proposal fails criterion a) of the policy as it is not within or immediately adjoining the main shopping area of an existing centre (as defined in the Prestwich Town Centre Inset Plan). Given the wording of the policy, the development site is clearly out-of-centre. PPS6 gives the following definition of Edge-of-Centre as a location that is well connected to and within easy walking distance (i.e. up to 300m) of the primary shopping area. In the case of the Tesco store proposal in Prestwich this distance exceeds this figure. As the proposal would be clearly out of centre, it therefore needs to be considered against UDP Policies S4 and S4/2.

Policy S4 states that "the Council will not permit new retail development to be located

outside the main shopping area of the Borough's town and district centres, unless it is to meet purely local needs or satisfies the criteria set out in Policy S4/1 or S4/2." As the proposal is not for the type of retail facilities which are considered appropriate to be located outside the main shopping area of the Borough's town and district centres (as set out under Policy S4/1), it must be assessed against Policy S4/2.

Policy S4/2 – Assessing Out-of-Centre Retail Development sets out a number of criteria against which the proposal needs to be assessed. Briefly, these criteria relate to the effect on urban regeneration; impact on vitality and viability of any existing shopping centre; environmental and social effects; effects on highway network; accessibility; sequential approach; and need for the site for other land uses.

In considering the above criteria it is noted that the applicant has not considered the possibility that the additional goods to be sold from the extended Tesco store (in particular comparison/non food items) could also be sold in outlets in nearby centres, in particular Prestwich. For example, the Radius Scheme (currently under construction) in Prestwich Town Centre comprises nine new retail units which may sell some of the goods that an extended Tesco may retail, but are in a sequentially preferable location in planning policy terms. The proposal is also considered likely to be detrimental to the regeneration and revitalisation of Prestwich town centre.

In conclusion, the Tesco site is considered to be out-of-centre and the retail element of the proposal falls to be considered against PPS6, regional policy EC8 and UDP Policies S2, S2/1, S4 and S4/2. The proposal is considered contrary to national, regional and local retail planning policies, including the need to ensure that the health of town and other centres are sustained and enhanced.

Design - The extensions would faithfully reflect the existing external appearance of the store. The main extension would involve re-locating the main entrance including the feature raised section of curtain glazing from the existing position to become part of this extension.

The area onto which the car park would be extended contains a number of protected trees that would need to be removed. However, the proposals do not include a case to justify this.

The submission lacks details of the following:

- recycling facilities.
- external lighting.
- a survey for bats as it would involve demolition of existing buildings in the computer centre and removal of trees.
- An access statement concerning access for the disabled.

The Recreational Facility

Principle - The site for this element of the proposals is already a recreational provision and is an area of Protected Recreation Provision in the Urban Area in the UDP (Policy RT1/1). This use would be enhanced for the benefit of the new residents as well as the general public as a result of the scheme which makes provision for a woodland walk and this would be in line with Policy RT1/2 which encourages appropriate improvement of existing recreational land and facilities as well as RT2/2 which requires residential developments of 10 or more dwellings to provide for recreational provision for the needs of the prospective residents. Planning permission has already been granted for the recreational scheme the application having been submitted by the current junior football club that utilises the pitch. However, the site is under the control of Tesco and the details on the current application have significant shortcomings in terms of the details submitted.

Design - Part of the layout details do not match adequately with the adjoining housing layout and there are no details provided of the proposed clubhouse.

Vehicular Access

The vehicular traffic for the three schemes would utilise the current main signal controlled junction of Valley Park Road with Bury New Road. This is currently utilised by traffic associated with the present Tesco store and petrol filling station, Prestwich Hospital, TGI Friday's restaurant and the Travelodge Hotel.

Having considered the submitted plans and transport assessment the Borough Engineer has come to the conclusion that the proposed access arrangements are unsatisfactory in terms of their physical configuration and capacity and that, therefore, the development would be detrimental to highway safety and maintaining the free flow of traffic on the surrounding highways. The Highways Agency were not in a position to comment on the application in regard to the materiality of the impact on the motorway network as they were awaiting further details/clarification from the developers and their consultants.

Public Artwork

The development is of a scale that justifies the need for it to incorporate an element of public artwork in accordance with Policy EN1/6 and the associated Development Control Policy Guidance Note 4 - Per Cent for Public Art. However, the proposals do not provide for such an element.

Summary of reasons for Recommendation

Recommendation: Refuse

Conditions/ Reasons

1. The proposed development involving the retail store extensions is contrary to national and local retail planning policy, including the need to ensure that the health of town and other centres is sustained and enhanced, in particular, at the national level PPS6, at the regional level RPG13 (Policy EC8) and at the local level UDP policies S1, S1/2, S2, S2/1, S4 and S4/2.
2. The information contained in the application and submitted plans is inconsistent and insufficient in regard to the following matters making it not possible for them to be properly assessed:

The retail development

Access and facilities for the disabled.
Recycling facilities.
External lighting.

The residential development

Landscaping.

Significant inconsistency in the details between different drawings of this development and with the details of the recreational development.

Insufficient information to enable the acceptability of the proposed emergency access arrangements to be properly assessed in accordance with national and local highway design guidance.

Generally

Information to allow a full appraisal of the effect of the development on protected trees.

A survey for bats.

A phase 1 environmental investigation.

The development is, therefore, contrary to the following policies of the Bury Unitary Development Plan:

H2/1 - The Form of New Residential Development.

H2/2 - The Layout of New Residential Development.

EN1/2 - Townscape and Built Design.

EN1/3 - Landscaping Provision.

EN6/3 - Features of Ecological Value.

EN7 - Pollution Control.

EN8 - Woodland and Trees.

EN8/1- Tree Preservation Orders.

S2/1 - All New Retail Proposals: Assessment Criteria.

HT5/1 - Access for Those with Special Needs.

3. The design and layout of the residential scheme is materially deficient in regard to the following matters:

There is a lack of a sufficiently strongly developed pedestrian link with Prestwich Town Centre.

The submitted details fail to demonstrate that the pedestrian link to the Tesco store, to be located where there is a significant change in levels, would provide satisfactory access for the mobility impaired and those with special needs.

Level access is not shown as being provided to various house types and blocks of flats.

The detailing of the hard landscaped area at plots 7 to 27 would provide a poor residential environment overdominated by parked vehicles.

The proposed layout is sub-standard in terms of visibility and forward visibility at a number of junctions and points on the proposed estate roads to the detriment of highway safety.

The proposed development would restrict access to facilities served by the unnamed access road located off Clifton Road.

The development would, therefore, conflict with the following policies of the Bury Unitary Development Plan:

H2/1 - The Form of Residential Development.

H2/2 - The Layout of Residential Development.

HT5/1 - Access for Those with Special Needs.

HT6/1 - Pedestrian and Cyclist Movement.

4. The access arrangements to the proposed development are unsatisfactory in terms of physical configuration and capacity which would be detrimental to highway safety and maintaining the free-flow of traffic on the surrounding highway network.
5. The proposed development does not include provision for the incorporation of an element of public artwork and the development would, therefore, conflict with the following policy of the Bury Unitary Development Plan:

EN1/6 - Public Artwork and the associated Development Control Policy Guidance
Note 4 - Per Cent for Public Art

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

Ward: Radcliffe - East

Item 07

Applicant: Bury MBC

Location: TOWER FARM SITE, SANDFORD STREET, RADCLIFFE

Proposal: OUTLINE APPLICATION FOR FORMATION OF PLAYING FIELDS ASSOCIATED WITH RADCLIFFE RIVERSIDE SCHOOL & NEW SERVICE ACCESS ROAD EXTENSION

Application Ref: 45597/Reg 3 Council's Own Development **Target Date:** 17/03/2006

Recommendation: Minded to Approve

This application is one of a group of 5 planning applications which are connected to the development of East Lancashire Paper Mill (ELPM), Land on Tower Farm (45597), Radcliffe High School (45673), Coney Green (45672) and Land at Outwood Road (45599).

This report is intended to be an interim report of the current situation for the Tower Farm site and will be presented again to Members on 18th April Planning Committee for final resolution. Currently, this application is Minded To Approve, subject to the receipt and assessment of the outstanding Statutory consultees, completion of the s106 agreement and conditions.

Description

The application site covers some 3.6ha and is situated to the east of the proposed school site itself. The site is generally level and to the north of the application site is the Radcliffe Tower, which is a Scheduled Ancient Monument. To the south of the site is the Radcliffe Ee's landfill site. To the east is Close Park and to the west is the ELPM site.

This is an outline planning application submitted to provide for the playing fields relating to the secondary school to proposed on the ELPM site.

Relevant Planning History

The site has been subject to planning applications related to the Radcliffe Ee's site.

01560/75 – Outline Residential development – refused – 20/4/77

02047/75 – erection of fencing – Approved – 16/9/75

02212/75 – Amended sipping contours. Refused – 27/5/76 (appeal dismissed)

04689/77 – Reclamation of landscaping of existing waste site, tipping, soiling and grassing – Refused – Appeal allowed (21/6/79)

18377/86 – Restoration of derelict land by land filling controlled waste – Approved – 19/2/87

33590/97 – Restoration of former landfill site & cover material & change of use to golf course, relocation of cricket ground, associated changing facilities & car parking – Approved – 10/9/98

38240/01 – Variation of conditions 2&10 of 33590 to extend workings and final restoration until end of January 2004 – Refused 12/11/03

43976 – Importation of dry inert landfill from construction industry to form playing fields

and change of use of land for recreational purposes – still under consideration

Publicity

The application has been publicised by press advert on 10th February 2006, site notices erected on 8th February 2006 and by direct letters to 88 nearby residential and commercial properties on the 6th and 20th February 2006. A full list of the neighbours notified of the planning application can be read in the file. As a result of this publicity, some 5 letters of objection have been received from 3, 4, 10, 20, 22 Tower Street. Point raised include:

- The proposed extension of Tower Street would impact upon residential amenity if used for car parking associated with the new pitches.
- Car parking should be concentrated on existing facilities within Close Park.

Consultations

Environment Agency - No response received to date. However, their response is understood to be issued shortly.

Sport England - No response received to date. However, indications from informal discussion are that Sport England would not have an objection to the proposal providing that planning conditions are imposed to secure the provision of all recreational facilities including land at Outwood. They are likely to suggest that this is imposed through a Grampian style condition requiring the site at Outwood achieve planning permission prior to the remainder of the sites being developed.

Gtr Manchester Ecology Unit - No response received.

Gtr Manchester Archaeological Unit - No objections and are satisfied with the scope of mitigation and request a condition to provide investigative work and recording.

United Utilities - No objection in principle to the scheme. Further discussions may need to take place between United Utilities and the developer to ensure that their assets are not affected.

G M Police Architectural Liaison - No objections

Borough Engineer -

Traffic - No response received as the transport assessments relating to all the ELPM applications are still under review.

Drainage - No objections.

Environmental Health -

Land Contamination - No response to date. However, the land contamination reports are still under assessment. Members will be updated on progress in April.

Unitary Development Plan and Policies

CF1/1 Location of New Community Facilities

OL1/2 New Buildings in the Green Belt

RT2/1 Provision of New Recreation Sites

EN1/1 Visual Amenity

EN6/4 Wildlife Links and Corridors

Issues and Analysis

Background - In 2003, BMBC commissioned URBED as a lead consultant to prepare a vision for Radcliffe as a Sustainable Urban Neighbourhood, with the 'Reinventing Radcliffe' vision. The strategy focuses on making the town "a good place to live" with attention

focusing particularly on increasing the quality of housing around and within walking distance of the town centre and to improve the quality of local facilities, particularly in providing a new secondary school.

The strategy indicated that the redevelopment of the ELPM site for a new secondary school, mix of employment and new residential development would be a key opportunity to respond to the social, economical and environmental difficulties that Radcliffe had endured over a long period of time. Furthermore, the status of the UDP, particularly since its original adoption in 1997, reflected Radcliffe in its past, rather than looking to the needs of the town today.

Coupled with this historical position of the town, the need for a new school has arisen following the declaration of the existing education facilities in Radcliffe as being poor and failing. The Masterplan sought to provide an opportunity to reassess the existing situation in an informed way and to drive possibilities forward to secure many facets of concern for Radcliffe on multiple levels. The Masterplan indicates that the redevelopment of the existing school sites for housing, which would provide further opportunities to secure the future of Radcliffe.

Furthermore, in response to the changing approach to regeneration of towns, Government policy has recognised that sustainable approaches to regeneration, including improved mixes of uses and their disposition to each other would provide opportunities to improve sustainable growth, improve liveability, provide more opportunities for indigenous population and engender sustainable economic growth for new businesses. The re-development of the ELPM sites and existing school sites were considered to uphold the objectives of the Government's sustainable approach and in an informed way, would deliver a much needed opportunity for the town.

The Three Sites Masterplan was considered by the BMBC Executive Board on 13 April 2005 and subsequently approved with amendments as a material planning consideration when assessing future planning applications and in the formulation of future planning policy.

Principle & Green Belt - The site is located within the Green Belt as identified within the UDP, and as such, the main thrust of Green Belt policy contained within Planning Policy Guidance Note 2 – Green Belts and UDP Policies OL1 - Green Belt and OL1/2 – New Buildings Within the Green Belt is to-

- to provide opportunities for access to the open countryside for the urban population;
- to provide opportunities for outdoor sport and outdoor recreation near urban areas;
- to retain attractive landscapes, and enhance landscapes, near to where people live;
- to improve damaged and derelict land around towns;
- to secure nature conservation interest; and
- to retain land in agricultural, forestry and related uses.

This proposal is seeking to determine the acceptability of the principle of recreational facilities, in association with the development of the school. UDP policy OL1/2 New Buildings Within the Green Belt confirms that development is inappropriate unless proposals conform to the uses identified as appropriate.

The development proposals seek to provide three under 18 playing pitches and a running track. Currently, no other developments are proposed other than the pitches. The open nature of these proposed land uses would conform with the UDP policies and PPG2 – Green Belts. As such, the principle of the development would be acceptable.

Design – There is a need to submit further details through reserved matters applications relating to the design and external appearance of any proposed materials involved with the development of the running track.

Access – The Masterplan submitted with the ELPM site indicates that the access to the playing pitches would be achieved through a connection to the riverside walkway at the south-easterly end of the residential development. This walkway would be a significant walkway in design and width to ensure that the path is safe and usable. The GM Police Architectural Liaison Officers have been consulted on the proposals and discussions are still continuing with the applicant, developer and agents to ensure that the path meets the Council's and Police best design criteria.

Residential Amenity – The sports pitches would be some 35m to the most southerly property on Tower Street. Sport England guidance considers that a 35m distance be provided from main elevations to sport pitches. As the pitches would conform with this aim, it is considered that there would not be a significant impact from the location of the pitches.

Landscaping and Ecology - The landscaping of the site is a reserved matter. And therefore not under consideration as part of this application.

Ancient Monument – English Heritage have responded to confirm that they consider that the development would not have any significant impact upon the Radcliffe Tower Ancient Monument. As such the proposals would comply with UDP Policy EN3/3 - Ancient Monuments.

Sports Facilities - The Council had embarked upon the need to provide a 3 site Masterplan encompassing the ELPM site, Radcliffe High School and Coney Green site. The planning application is thus preceded by an extensive consultation exercise by Bury MBC and its appointed urban designers URBED in respect of the sites' future development over several years demonstrating that they are integral to the Council's regeneration strategy for Radcliffe. This strategy involved extensive public consultation prior to its adoption by the Council as a material planning consideration. In response to this, the adopted Three sites Masterplan is a material planning consideration and must also be read in conjunction with the other planning applications submitted centring upon the ELPM site.

The ELPM planning application contains a planning overview statement, which takes into consideration the redevelopment of all the sites including this one linked to the ELPM site. Key issues with this site rest upon the previous tipping of the site and cross contamination, finished levels of the site, usage as flood storage and impact upon the Green Belt.

This planning application also contains a sport pitch audit, which looks at the provision of existing recreation/play facilities across all 5 planning application sites to ensure that any loss of playing pitches are replaced to an equal or better quality and quantity.

On the basis of the submitted proposals, Three Site Masterplan and full consideration of PPG17 - Planning for Open Space, Sport and Recreation, recognises the important contribution that sport and recreation facilities make to the liveability of towns. Additionally, in recognition of the pressures that many urban playing fields have come under in recent years, it is for this reason that the applications have been submitted together to provide a comprehensive approach is adopted to ensure that the presumption against the loss of playing fields is adequately considered and re-provided for.

Sports England has been a key consultee on the applications connected with the ELPM and associated sites. Initial indications are that the developments and proposals read together would ensure that there would not be an overall loss of sports facilities.

The application has been submitted with a Sports Pitch Audit and pre-application discussions with Sport England have indicated that across all of the applications, the number of sports pitches and public accessibility will be maintained. would under Sport England criteria ensure that there would be improved facilities.

The management of the facilities would be under the control of Bury MBC. The assessment criterion requires consideration of proposals to provide equal or greater quality and quantity in a suitable location and be subject to better management arrangements. All of the

replacement facilities are designed to be highly accessible to the public, including out of hours usage, with good changing facilities.

Indications from Sport England are that they are satisfied with the replacement facilities but are yet to confirm this. Members will be updated on this matter when the item is represented in April.

Land Contamination - The application has been submitted with a comprehensive land contamination report. Early indications are that the site would be readily able to support the development proposed with appropriate methods of remediation and mitigation. This also includes the potential need to protect the site from cross contamination from outside the site. When the reports have been fully assessed, the matter will be updated in April.

Response to Objections -

The access road is intended to provide access for grounds maintenance only and a response to improving the setting the Ancient Monument by re-instating its curtilage.

The pitches are intended to be usable by the public. However, the usage of these pitches would be subject to the agreed management arrangements to be agreed through the school. General public users of the pitches would have the ability to use the school car park and would have to walk through to the site as pupils would be intended to do.

Summary of reasons for Recommendation
by the Borough Planning and Economic Development Officer:

Current Status - The planning application still has some outstanding points that require further resolution and consideration. It is intended to finalise the application and its proposals for the next meeting of the Planning Control Committee on 18 April 2006.

Recommendation: Minded to Approve

Conditions/ Reasons

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

Ward: Radcliffe - East

Item 08

Applicant: P & F Properties Ltd & Bury MBC

Location: EAST LANCS PAPER MILL SITE, CHURCH STREET EAST, RADCLIFFE

Proposal: HYBRID OUTLINE APPLICATION FOR MIXED USE DEVELOPMENT COMPRISING CLASS B1, B2, B8, INDUSTRY, RESIDENTIAL DEVELOPMENT, WATER FEATURE, OPEN SPACE AND FULL APPLICATION FOR SECONDARY SCHOOL AND HIGHWAY INFRASTRUCTURE.

Application Ref: 45598/Outline Planning
Permission

Target Date: 21/04/2006

Recommendation: Minded to Approve

This application is one of a group of 5 planning applications which are connected to the development of East Lancashire Paper Mill (ELPM), Land on Tower Farm (45597), Radcliffe High School (45673), Coney Green (45672) and Land at Outwood Road (45599).

This report is intended to be an interim report of the current situation for the ELPM site and will be presented again to Members on 18th April Planning Committee for final resolution. Currently, this application for the ELPM site is Minded To Approve, subject to the receipt and assessment of the outstanding Statutory consultees, completion of the s106 agreement and conditions.

Description

The application relates to the former East Lancashire Paper Mill Site (ELPM), located to the easterly side of the Metrolink line and Radcliffe Town centre.

The site itself occupies some 17.5 hectares and is currently a vacant site.

The site was formerly occupied by a large paper manufacturing factory, which has since been demolished and a number of lodges. All but one lodge has been drained. There was also a combined heat and power plant on the site, again which has since been demolished.

The application has been submitted with an accompanying Environmental Impact Assessment (EIA) and planning permission is sought, both in full and outline for a mixed use development comprising 520 new dwellings, a secondary school for 900 pupils, water feature, riverside walkway and commercial development under Use Classes B1 (Business), B2 (Industry) and B8 (Storage and Distribution).

The application is a 'hybrid' proposal, which seeks full planning permission only for the school and its immediate curtilage in addition to three new highways to provide access to the school (Cock Clod Street, Church Street East and part of Croft Lane). The remainder of the application is seeking outline planning permission for the housing, remaining highways, commercial development and water feature and other landscaping.

Relevant Planning History

There have been numerous planning applications in connection with the development of the

site, principally concerning works to the former mill. A full precis of the planning applications history can be seen on the working file. No applications of direct relevance to the site's redevelopment have been submitted in the past.

Publicity

In accordance with the EIA regulations, the scheme has been publicised by press notices on 3rd February 2006, site notices erected on 8 February 2006 and residents have been notified directly by letter on 15th February and 12 March 2006. Altogether, some 900 residents have been notified by letter of the application and a full address list can be seen on the file.

As a result of this publicity, to date 4 letters have been received from 13 Brook Street, 15 Howard Street, 4 Tower Street and 16 Bury Street. Points raised include:

- The resident of Brook Street wishes their street to remain closed to through traffic as they consider that the use of the school would disrupt access to their property and also impact upon other residents of Brook Street similarly.
- Brook Street is not physically wide enough to accommodate drop-offs/pick ups and would cause congestion to this area.
- They object to the opening up of Howard Street on to Cross Lane as children play in this street.
- They object to the potential development of the proposed green area/play area within the proposals.
- Additional traffic in the Howard Street area would impact upon residential properties.
- The access to the industrial/commercial uses is appropriate.
- There are objections to the siting of the industrial units to the resident of Bury Street. The industry should be sited elsewhere.
- The industrial units would cause
- Church Street East should be permanently blocked otherwise there would be a serious impact upon residents of Sandford Street from traffic.

Consultations

Environment Agency - Response awaited.

G M Police - The Police offer comments over the design of the site at the time when reserved matters are submitted. They do have concerns over the arrangement for courtyard parking and wish to discuss this further. Otherwise they encourage the developer to seek Secured By Design accreditation. In terms of the school, the Police are concerned about the piazza arrangement and there could be potential problems to the school due to its design if the fencing is breached.

National Grid - No response to date.

United Utilities - No objection in principle to the scheme. Further discussions may need to take place between United Utilities and the developer to ensure that their assets are not affected.

Serco Metrolink - No response to date.

G M Fire Authority - No response to date.

GMPTE - No objections in principle. The site is well located in relation to public transport including the Metrolink and bus services. They also suggest that consideration of the pedestrian area should ensure that they are safe in design terms so as to not discourage people from walking within the site. They also consider that the bus stops used for the

existing schools should be relocated so as to relate to the proposed new school. Any further advice concerning the need to develop further the school travel plan should be directed to the GMPTE's Education Liaison Officer.

Gtr Manchester Ecology Unit - No response received.

English Nature - No response received.

Health & Safety Executive - The HSE have no interest in the site following the removal of the power station under the COMAH regulations. Otherwise, they have no further comments to make.

Bury PCT - No response received.

English Heritage - No objections and they consider that the scheme would not have an adverse impact upon the nearby Radcliffe Tower, which is a Scheduled Ancient Monument. They request a planning condition and legal agreement to ensure appropriate archaeological recording of the site and its historical evolution through the sites industrial past.

Sport England - No response received.

G M Archaeology Unit - No objections and are satisfied with the scope of mitigation and request a condition to provide investigative work and recording.

British Waterways - No response received as yet.

The Countryside Agency - No wish to comment.

GONW - The applications will be subject to referral when the Council's intended decision is reached.

Gtr Manchester Geology Unit - No comments provided.

CABE - No response received.

Bury Chamber of Commerce - No response received.

Borough Engineer:

Traffic – No response received as the transport assessment is still under review.

Drainage – No objections.

Environmental Health:

Air Pollution – No response received.

Contaminated Land – No response received but are in the process of assessing the investigation reports. An update on this matter would be put back to Members in April.

Pollution Control – No response received.

BADDAC – Have provided comments concerning the levels around the entrance to the school and the split level within the school.

Coal Authority - have no objections. The area has a history of previous mine workings and it is the responsibility of the developer to take potential hazards into account.

Borough Engineer -

Drainage - No objections.

Unitary Development Plan and Policies

CF1/1	Location of New Community Facilities
EC1/1	Land for Business (B1) (B2) (B8)
EC2/1	Employment Generating Areas
EC4/1	Small Businesses
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
SPD3	DC Policy Guidance Note 3: Planning Out Crime
EN1/6	Public Art
SPD4	DC Policy Guidance Note 4: Percent for Art
EN3/3	Ancient Monuments
EN5/1	New Development and Flood Risk
EN7/2	Noise Pollution
EN8/2	Woodland and Tree Planting
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
SPD5	DC Policy Guidance Note 5: Affordable Housing
HT2/2	Improvements to the Strategic Route Network
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
OL5/2	Development in River Valleys
OL7/1	East Lancashire Paper Mill Water Catchment Area
RT2/2	Recreation Provision in New Housing Development
RT2/4	Dual-Use of Education Facilities
RT1	Existing Provision for Recreation in the Urban Area

Issues and Analysis

Background - In 2003, BMBC commissioned URBED as a lead consultant to prepare a vision for Radcliffe as a Sustainable Urban Neighbourhood, with the 'Reinventing Radcliffe' vision. The strategy focuses on making the town "a good place to live" with attention focusing particularly on increasing the quality of housing around and within walking distance of the town centre and to improve the quality of local facilities, particularly in providing a new secondary school.

The strategy indicated that the redevelopment of the ELPM site for a new secondary school, mix of employment and new residential development would be a key opportunity to respond to the social, economical and environmental difficulties that Radcliffe had endured over a long period of time. Furthermore, the status of the UDP, particularly since its original adoption in 1997, reflected Radcliffe in its past, rather than looking to the needs of the town today.

Coupled with this historical position of the town, the need for a new school has arisen following the declaration of the existing education facilities in Radcliffe as being poor and failing. The Masterplan sought to provide an opportunity to reassess the existing situation in an informed way and to drive possibilities forward to secure many facets of concern for Radcliffe on multiple levels. The Masterplan indicates that the redevelopment of the existing school sites for housing, which would provide further opportunities to secure the future of Radcliffe.

Furthermore, in response to the changing approach to regeneration of towns, Government

policy has recognised that sustainable approaches to regeneration, including improved mixes of uses and their disposition to each other would provide opportunities to improve sustainable growth, improve livability, provide more opportunities for indigenous population and engender sustainable economic growth for new businesses. The re-development of the ELPM sites and existing school sites were considered to uphold the objectives of the Government's sustainable approach and in an informed way, would deliver a much needed opportunity for the town.

The Three Sites Masterplan was considered by the BMBC Executive Board on 13 April 2005 and subsequently approved with amendments as a material planning consideration when assessing future planning applications and in the formulation of future planning policy.

Principle - The site is allocated under UDP Policy EC2/1/12 as Radcliffe East Employment Generating Area. In response to this, the Council had embarked upon the need to provide a 3 site Masterplan encompassing the ELPM site, Radcliffe High School and Coney Green site. The planning application is thus preceded by an extensive consultation exercise by Bury MBC and its appointed urban designers URBED in respect of the sites' future development over several years demonstrating that they are integral to the Council's regeneration strategy for Radcliffe. This strategy involved extensive public consultation prior to its adoption by the Council as a material planning consideration.

To this end, the application for mixed uses would be a departure proposal from the adopted UDP policy. However, the Three Sites Masterplan is an important planning consideration, representing positive steps taken by the Local Planning Authority to enable an up to date approach to be adopted for the redevelopment of the site.

The application is accompanied with an Environmental Statement (ES), due to the complexity of issues and scale of the development. Adopted local, regional and National policies are fully assessed within the ES and it also draws upon the importance of the adopted Three Sites Masterplan and its clear intentions, formulated by the Local Planning Authority, in taking the town forward in today's world.

The site also lies within the Radcliffe Regeneration Area, as specifically identified within Development Control Policy Guidance Note 7 - Managing the Supply of Housing Land In Bury. This policy seeks to redirect any proposals for new housing to particular areas, including amongst others, the town centre of Radcliffe. The policy document has been adopted by the Council as a response to initiatives contained within PPG3 - Housing and the Regional Spatial Strategy for the North West, where new housing should be located in sustainable locations and in areas of need. The document has yet to be fully included within the revised Local Development Scheme, the replacement for the UDP. However, the document has been through various publicity exercises and is 'minded to approve' by the Council's Executive Committee. It is anticipated that the DCPG Note 7 would be fully incorporated into the new planning framework in April. As such, whilst full weight cannot be attached to the document yet, it still is a significant planning material consideration and has been supported through recent appeal decisions.

The site offers a mixed use development maintaining a level of employment, in recognition of the previous extent of employment on the land, together with housing and school. Given the process of the local planning authority in terms of the Masterplan, an up to date planning document, the application would be in conformity with the uses advocated. As such, in terms of land use the proposals are considered to be acceptable in principle.

School, Design and Accessibility - The development proposals are seeking full planning permission for the school. In design terms, the school would be contemporary in elevation and would also provide an anchor within the site, upon which the development of the rest of

the site would focus upon.

The orientation of the school would be on an east/west alignment sited near to Rectory Lane at its westerly end and north of the loop in the River Irwell. To the immediate south of the school would be a riverside walkway, continuing from the Ee's site to the river crossing near to Pioneer Mill.

The school is seeking to meet a 'very good rating' in terms of BREEAM assessment criteria and has also built in design quality indicators promoted by CABI. The school design has evolved over a number of different options, seeking to meet the needs for the best methods for the delivery of education and in design terms to be varied and yet cohesive.

The school would have a principle entrance from Church Street East for visitors and staff, with a large pupils entrance from the Rectory Lane end of the site. The car parking would be accessed off Church Street East at the site's northeasterly end with sufficient parking to accommodate staff, visitors and also disabled users. The pupils entrance is designed to be a large open space accessed from a piazza, which would be predominantly accessed by pedestrian routes from the westerly side of the site, the Metrolink and bus routes. The planning application also seeks full planning permission for the loop road into the site from Cock Clod Street, and Croft Lane, which provides multiple entrances into the whole site, but are designed to accommodate the needs of the school.

The layout of the school would be to provide a single internal street under a glazed agora, with a number of 'year pods' running off the central spine. Externally, the central spine would be marked by a fin wall, linking each element of the school together.

To the easterly end of the school would be a sports hall, with its own entrance for out of hours usage. To the south east of the school would be a number of outdoor sports pitches. The sports pitches for the school would be supplemented by a separate outdoor facility further to the east located on Tower Farm. This development has been submitted separately from the ELPM site and is still under assessment. This separate area is required to ensure that the overall levels of external space, when added to the internal sports areas demonstrate that there would be no net loss of facilities, when compared to the two existing school sites.

The school's design brief includes the need to cater for out of hours activities including recreational sporting facilities, library and adult learning. To facilitate this, the school has been designed to permit the remainder of the school to be 'locked off' and to permit secure access to the 'public' uses within the school.

Accessibility of the school from disabled users is still under discussion as there are issues over the changes of levels at the entrance into the school and within the school itself. The issues of levels are closely linked with the need to maintain clearance of 100 year flood levels and therefore are not yet finalised. This issue will be discussed at the next planning committee when the item is represented in April.

Industry/Commercial - The site was formerly occupied by a single industrial user with extensive areas of land used for lodges. The Borough has undertaken an employment study to identify where and the levels of industry/commercial development that should be provided within the Borough. The Three Sites Masterplan advocated an area of industrial/commercial land to the region of 7,500 to 10,000sqm., which would reflect the needs for this area. The Employment Land Study also has identified four other strategic employment sites, which does not include the ELPM site. In view of this, the principle of a mixed use approach on the site and of the scale proposed in the outline application is considered to be appropriate.

Transport - The scale of the development on this site, together with the two existing school sites, would potential have significant ramifications for transport and travel within Radcliffe. As such, the ELPM site and other school sites have been submitted with Transport Assessments. Due to the potential impact of the sites coming on line together, the Borough Engineer has consulted the Greater Manchester Transport Unit (GMTU) to run the proposals through computer modelling. The Saturn modelling will provide a view of how traffic and transport issues would be affected within the Radcliffe area as a result of the developments. Results from this modelling have yet to be returned to the Council. As such, when the results are available, they shall be reported to Members at their next meeting in April.

Land Contamination - The application has been submitted with a comprehensive land contamination report. Early indications are that the site would be readily able to support the development proposed with appropriate methods of remediation and mitigation. This also includes the potential need to protect the site from cross contamination from outside the site. When the reports have been fully assessed, the matter will be updated in April.

Land Contamination - The application has been submitted with a comprehensive land contamination report. Early indications are that the site would be readily able to support the development proposed with appropriate methods of remediation and mitigation. This also includes the potential need to protect the site from cross contamination from outside the site. When the reports have been fully assessed, Members will be updated on the proposals.

River and Flooding Considerations – The site lies within the 100 year flood zone of the River Irwell. The site levels indicated for the school will readily achieve the 600mm freeboard levels of the risk potential to accommodate the possibility of flooding. The site to the east to be used for the outdoor playing pitches has been design to act as a potential flood storage area following advice from the Environment Agency. The formal response from the Environment Agency has yet to be received for the planning consultation and Members will be updated on their response.

Ecology – The site and development proposals include many mitigating features within the ES to deal with ecology. The site itself currently offers little in terms of ecological value, particularly since the lodges were drained under licence from the Environment Agency. The development would incorporate commuted sums to improve existing ecological features in the vicinity of the development sites including the canal adjoining Coney Green, Radcliffe High School and Scotson Fold Farm. Withins Reservoir to the north of the site provides a feed into the proposed water feature and would remain open to permit continued flows into the River Irwell. The need to maintain a free flow would form part of the legal agreement affecting the site. These matters will form part of any required legal agreement for the development of the site.

Visual Effects - Field studies have been undertaken to assess the current baseline conditions of the site within the ES and a full photographic survey has been undertaken. The effects both during and after the construction of the site have been considered using accepted methodologies such as 'Guidance for Landscape and Visual Assessment'. There is little vegetation within the site, with the majority of vegetation to be found to the south and east of the site. Most of the site is now covered by building rubble following the demolition of the factory. A public right of way crosses the site and land is also accessible via a footbridge over the river to the south of the site. The site sits adjoining the river and is bounded to the north and west predominantly by housing. Given these varying characteristics, the nature, density and layout of the proposals changes to enable the site to fit into the varying surrounding context.

The entire site is only visible from a very limited number of locations, principally, from a higher level on Radcliffe New Road. Elsewhere, only limited aspects of the development can be seen either due to the existing tree planting, existing buildings or as there are only limited private views by the public. The ES provides commentary upon scenarios of no development, development solely for employment purpose or mixed use development.

In the first case, should no development take place, the site would remain undeveloped with areas of Japanese Knotweed able to continue to colonise.

In the second scenario, the nature of development for employment uses would likely result in more economic or rudimentary design coming forward. Coupled with this would be extensive areas of parking and servicing and other industrial paraphernalia, which given the scale of the site would have a potentially a significant impact upon visual amenity.

The third scenario permits for a greater degree of articulation, design and better opportunities to sit in context with the surrounding uses. There would be greater scope for the introduction of planting, landscaping features and varying uses.

Essentially, whilst any development of the site would undoubtable have a profound impact upon the visual characteristics of the site long term, the proposals offer the largest benefits and opportunities to improve the site and its articulation into the surrounding context. The site would include areas of planting, landscaping and improved views from both public areas and also from private aspects over the site. As such, the development's positive impact upon the visual amenities of the site are welcomed.

Legal Planning Agreement - The nature of the scheme would be such that there would be a need for a legal planning agreement to be made under S 106. The contents of such an agreement, currently identified, would need to include:

- The development of a transport plan for the school and employment uses;
- A new link to the Metrolink platform from Festival Gardens;
- Commuted sum payments under UDP Policy RT2/2 – Recreation Provision in New Residential Developments;
- Provision for Affordable Housing;
- Per Cent for Public Art;
- Wildlife mitigation and enhancement relating to ecological issues;
- Phasing of development implementation;
- The delivery of transport/highway infrastructure;
- Landscape management;
- The monitoring of the likely environmental effects and long term sustainability of the site.

**Summary of reasons for Recommendation
by the Borough Planning and Economic Development Officer:**

Current Status - The planning application still has some outstanding points that require further resolution and consideration. It is intended to finalise the application and its proposals for the next meeting of the Planning Control Committee on 18 April 2006.

Recommendation: Minded to Approve

Conditions/ Reasons

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

Ward: Radcliffe - East

Item 09

Applicant: Bury MBC Children's Services

Location: CONEY GREEN HIGH SCHOOL SITE, SPRING LANE, RADCLIFFE, M26 2SZ

Proposal: OUTLINE APPLICATION - RESIDENTIAL DEVELOPMENT INCLUDING ASSOCIATED INFRASTRUCTURE & OPEN SPACE

Application Ref: 45672/Reg 3 Council's Own Development **Target Date:** 22/05/2006

Recommendation: Minded to Approve

This application is one of a group of 5 planning applications which are connected to the development of East Lancashire Paper Mill (ELPM), Land on Tower Farm (45597), Radcliffe High School (45673), Coney Green (45672) and Land at Outwood Road (45599).

This report is intended to be an interim report of the current situation for the Coney Green site and will be presented again to Members on 18th April Planning Committee for final resolution. Currently, this application is Minded To Approve, subject to the receipt and assessment of the outstanding Statutory consultees, completion of the s106 agreement and conditions.

Description

The Radcliffe Riverside East Campus (formerly known as Coney Green High School) occupies approx 6.5 hectares of land to the immediate north of the Radcliffe Metrolink Station. It was built on land that was formerly railway sidings and the shape of the site is determined by the curving route of railway lines that originally bordered all sides and ran through the site.

At the southern end, the application site fronts onto Spring Lane and Radcliffe Metro link car park and station. To the north is the Manchester, Bolton and Bury canal and open countryside in the Green Belt. It is bounded to the east by the Metrolink line and to the west by a mix of some terraced housing, some modern suburban property and institutional uses such as BMBC Housing Office and Whittaker House, a Council run elderly persons home.

The application site - Within the site itself, the school buildings occupy the southern part of the site, closest to Spring Lane. This includes a sports hall which is currently available for public use outside of school hours. The remaining two thirds of the site encompass tarmac playgrounds and playing fields which due to poor drainage are not well used. The majority of the landscaping fronts onto Spring Lane with the main tree cover along the southern boundary and the railway embankment to the east. There are scrub and trees along the disused railway line which forms a buffer between the site and an adjoining SBI. The other site boundaries have sparse tree cover and the site has an open feel with views over to the surrounding farmland to the north and north west.

The site fronts onto Spring Lane which provides pedestrian and vehicular access to the site. There are also pedestrian connections to the residential area to the west of the site linking to Whittaker Street.

The application is seeking outline planning permission for residential development including associated infrastructure and open space. The scheme proposals provide an indicative layout of the site, for illustrative purposes only and indicates that circa 250 dwellings could be accommodated within the site. The principle of the development together with the means of access is under consideration with the application.

Relevant Planning History

Publicity

The application has been publicised by press advert on 10th February 2006, site notices erected on 8th February 2006 and by direct letters to 149 nearby residential and commercial properties on the 1st and 2nd February 2006. A full list of the neighbours notified of the planning application can be read in the file. As a result of this publicity, some 55 letters of objection have been received. The addresses of the correspondants can be read in the file. Points raised include:

- Concern regarding the drop in sports facilities in the area and the potential for a diminished level of future sports facilities available to the people of Radcliffe.
- The existing clubs and groups would become 'homeless'.
- The development will create extra traffic.
- Radcliffe does not need more houses and less recreational facilities.
- What extra facilities would be provided for the children on this site?
- Is there another site that could be used for the house building?
- Concern the environmental balance of the area is maintained.
- Concern the emergency exit would create a rat run by bikers and children and therefore reduce the house values.
- The residents of Kingmoor Avenue strongly oppose any emergency access roads coming close to the avenue.

Consultations

Environment Agency - No response received to date.

Sport England - No response received to date.

British Waterways - No response received as yet. However, a meeting is to take place to discuss their issues prior to the next meeting of the Planning Committee in April.

Serco Metrolink - No response to date.

Gtr Manchester Ecology Unit - No response received.

Gtr Manchester Fire Officer - No response to date.

Gtr Manchester Archaeological Unit - No objections and are satisfied with the scope of mitigation and request a condition to provide investigative work and recording.

GMPTE - No objections in principle. The site is well located in relation to public transport including the Metrolink and bus services. They also suggest that consideration of the pedestrian area should ensure that they are safe in design terms so as to not discourage people from walking within the site. They also consider that the bus stops used for the existing schools should be relocated so as to relate to the proposed new school. Any further

advice concerning the need to develop further the school travel plan should be directed to the GMPTE's Education Liaison Officer.

United Utilities - No objection in principle to the scheme. Further discussions may need to take place between United Utilities and the developer to ensure that their assets are not affected.

G M Police Architectural Liaison - No objections

Borough Engineer -

Traffic - No response received as the transport assessment is still under review.

Drainage - No objections

Unitary Development Plan and Policies

CF1/1 Location of New Community Facilities

EN1/1 Visual Amenity

EN1/2 Townscape and Built Design

H1/2 Further Housing Development

H2/1 The Form of New Residential Development

H1 Housing Land Provision

Issues and Analysis

Background - In 2003, BMBC commissioned URBED as a lead consultant to prepare a vision for Radcliffe as a Sustainable Urban Neighbourhood, with the 'Reinventing Radcliffe' vision. The strategy focuses on making the town "a good place to live" with attention focusing particularly on increasing the quality of housing around and within walking distance of the town centre and to improve the quality of local facilities, particularly in providing a new secondary school.

The strategy indicated that the redevelopment of the ELPM site for a new secondary school, mix of employment and new residential development would be a key opportunity to respond to the social, economical and environmental difficulties that Radcliffe had endured over a long period of time. Furthermore, the status of the UDP, particularly since its original adoption in 1997, reflected Radcliffe in its past, rather than looking to the needs of the town today.

Coupled with this historical position of the town, the need for a new school has arisen following the declaration of the existing education facilities in Radcliffe as being poor and failing. The Masterplan sought to provide an opportunity to reassess the existing situation in an informed way and to drive possibilities forward to secure many facets of concern for Radcliffe on multiple levels. The Masterplan indicates that the redevelopment of the existing school sites for housing, which would provide further opportunities to secure the future of Radcliffe.

Furthermore, in response to the changing approach to regeneration of towns, Government policy has recognised that sustainable approaches to regeneration, including improved mixes of uses and their disposition to each other would provide opportunities to improve sustainable growth, improve livability, provide more opportunities for indigenous population and engender sustainable economic growth for new businesses. The re-development of the ELPM sites and existing school sites were considered to uphold the objectives of the Government's sustainable approach and in an informed way, would deliver a much needed opportunity for the town.

The Three Sites Masterplan was considered by the BMBC Executive Board on 13 April 2005 and subsequently approved with amendments as a material planning consideration

when assessing future planning applications and in the formulation of future planning policy.

Principle - The site is unallocated within the UDP, as such the proposals must be considered on their merits.

The Council had embarked upon the need to provide a 3 site Masterplan encompassing the ELPM site, Radcliffe High School and Coney Green site. The planning application is thus preceded by an extensive consultation exercise by Bury MBC and its appointed urban designers URBED in respect of the sites' future development over several years demonstrating that they are integral to the Council's regeneration strategy for Radcliffe. This strategy involved extensive public consultation prior to its adoption by the Council as a material planning consideration. In response to this, the adopted Three sites Masterplan is a material planning consideration and must also be read in conjunction with the other planning applications submitted centring upon the ELPM site.

The ELPM planning application contains a planning overview statement, which takes into consideration the redevelopment of all the sites including this one linked to the ELPM site. The key issues of the Coney Green school site is the principle of residential development and loss of open playing fields/facilities.

This planning application also contains a sport pitch audit, which looks at the provision of existing recreation/play facilities across all 5 planning application sites to ensure that any loss of playing pitches are replaced to an equal or better quality and quantity.

On the basis of the submitted proposals, Three Site Masterplan and full consideration of PPG17 - Planning for Open Space, Sport and Recreation, recognises the important contribution that sport and recreation facilities make to the livability of towns. Additionally, in recognition of the pressures that many urban playing fields have come under in recent years, it is for this reason that the applications have been submitted together to provide a comprehensive approach is adopted to ensure that the presumption against the loss of playing fields is adequately considered and re-provided for.

Sports England have been a key consultee on the applications connected with the ELPM and associated sites. Initial indications are that the developments and proposals read together would ensure that there would not be an overall loss of sports facilities.

The proposal for housing is within an identified regeneration area specified under Development Control Policy Guidance Note 7 - Managing the Supply of Housing Land in Bury (DCPGN7). The purpose of this document is to focus new housing proposals to areas of need. As this site is clearly within the identified area of Radcliffe, the principle of the residential development reflects the aims of the Planning Policy Guidance Note 3 - Housing (PPG3), the Regional Spatial Strategy for the North West (RSS) and the DCPG Note 7.

Given the significance of the Three Site Masterplan, its adoption as a material planning consideration, methodology of reprovision across all of the planning applications would ensure that there would be no overall loss of sports provision, PPG3 and the RSS, the principle of the development is considered to be acceptable.

Access - UDP Policy H1/2 - Further Housing Development and H2/2 - The Layout of New Residential Development seeks amongst other matters, to ensure that developments have suitable access into proposed development sites.

The proposals are seeking planning permission for the means of access into the site as part of this application. The scheme has been submitted with a transport assessment (TA) indicating road and junction works at the sites connection to Spring Lane. To assess the full

impact of traffic from all of the developments, the Borough Engineer has forwarded the TA to the Greater Manchester Transport Unit. A full response to this has yet to be received. Members shall be updated on the full response at their next meeting on 18 April 2006. Indications are, however, that the access arrangements would be satisfactory for the scale of the development proposed.

There would also be a requirement for an emergency access into the site, due to the depth of the site. The scheme indicates that an existing access would be suitable for this purpose to the north of Kingmoor Avenue and forms part of the application site. Full details of this access would need to be submitted at the reserved matters stage, however, indications are that the access would provide for this purpose.

Residential Amenity - The siting of proposed dwellings and numbers of dwellings is to be reserved for subsequent approval. The siting of new dwellings would be required to ensure that appropriate aspect distances are provided and suitable garden spaces and also sufficient car parking space. With these matters yet to consider, the impact from the siting of new residential development would be subject to further consideration at reserved matters stage. This consideration would also relate to the form, design and layout of the site.

Following consultation of the applications, residents, principally from Kingmoor Avenue have commented upon the proposed emergency access. The emergency access could be readily designed to ensure that it would not serve as a rat run as highlighted by nearby residents. The physical geometry of the emergency access would preclude this together with other measures that could be put into place to prevent vehicular usage. With this in mind, the principle of the existing access into the site to the north of Kingmoor Avenue is considered to be acceptable and would not have any undue impact upon residential amenity.

Landscaping and Ecology - The landscaping of the site is a reserved matter. The school buildings have been assessed for their potential to provide habitat for bats. The buildings as they stand offer little potential. However, a series of recommendations can be included within any conditional planning approval for the building and subsequent development to accommodate bats in the vicinity of the site and for procedures to be followed during any demolition.

Open space - The indicative layout closely follows the adopted Three Site Masterplan layout and incorporates areas of open space within the site as required under UDP Policy RT2/2 - Recreational Provision Within New Residential Developments. The final details of the siting and associated landscaping would be subject to a reserved matters application.

Sports Facilities - The application has been submitted with a Sports Pitch Audit and pre-application discussions with Sport England have indicated that across all of the applications, the number of sports pitches and public accessibility will be maintained. Coney Green playing fields are notorious for being waterlogged and are unusable for much of the year. The proposals overall would ensure that adequate drainage and facilities are available throughout the year and thus would under Sport England criteria ensure that there would be improved facilities.

The management of the facilities would be under the control of Bury MBC. The assessment criteria requires consideration of proposals to provide equal or greater quality and quantity in a suitable location and be subject to better management arrangements. All of the replacement facilities are designed to be highly accessible to the public, including out of hours usage, with good changing facilities.

Indications from Sport England are that they are satisfied with the replacement facilities but are yet to confirm this. Members will be updated on this matter when the item is represented

in April.

Noise - The site abuts the Metrolink line and as such, has been submitted with a noise assessment report. The report identifies that the layout and separation distances from the housing to Metrolink line would need to be fully considered when the siting is considered as a reserved matters stage. Various mitigating measures could be incorporated into the development and buildings to ensure that there would be no undue impact upon new residents from noise caused by the Metrolink.

Response to Objections - Many of the letters from residents express concerns over the loss of facilities rather than to object to the proposals per se. Sport England have been kept continuously involved in the evolution of the proposals on this site and the sister applications throughout the whole process. The presumption of the loss of playing fields is a key concern to the Council and the developers alike and with the methodology followed throughout the Three Site Masterplan and subsequent planning applications, it is evident that facilities would be replaced by a better quality and quantity of provision.

In terms of the emergency access, this is discussed above.

In terms of the need for housing, the area is within an identified regeneration area specified under Development Control Policy Guidance Note 7 - Managing the Supply of Housing Land in Bury. The purpose of this document is to focus new housing proposals to areas of need. As this site is clearly within the identified area of Radcliffe, the principle of the residential development reflects the aims of the Planning Policy Guidance Note 3 - Housing, the Regional Spatial Strategy for the North West and the DCPGN7.

Legal Planning Agreement - The nature of the scheme would be such that there would be a need for a legal planning agreement to be made under S 106. The contents of such an agreement, currently identified, would need to include:

- The development of a transport plan for the school and employment uses;
- A new link to the Metrolink platform from Festival Gardens;
- Commuted sum payments under UDP Policy RT2/2 – Recreation Provision in New Residential Developments;
- Provision for Affordable Housing;
- Per Cent for Public Art;
- Wildlife mitigation and enhancement relating to ecological issues;
- Phasing of development implementation;
- The delivery of transport/highway infrastructure;
- Landscape management;

**Summary of reasons for Recommendation
by the Borough Planning and Economic Development Officer:**

Current Status - The planning application still has some outstanding points that require further resolution and consideration. It is intended to finalise the application and its proposals for the next meeting of the Planning Control Committee on 18 April 2006.

Current Status - The planning application still has some outstanding points that require further resolution and consideration. It is intended to finalise the application and its proposals for the next meeting of the Planning Control Committee on 18 April 2006.

Recommendation: Minded to Approve

Conditions/ Reasons

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

Ward: Radcliffe - East

Item 10

Applicant: Bury MBC

Location: LAND AT ALMA STREET, RADCLIFFE

Proposal: EXTENSION OF EXISTING CARPARK

Application Ref: 45784/Reg 3 Council's Own Development
Target Date: 17/03/2006

Recommendation: Approve with Conditions

Description

The site is at the side of the existing car parking area provided at the top of Alma Street for local residents and visitors to the Greenbank Road linear Country Park.

The proposal is to extend the car park to provide a disabled space (none are provided at the moment) and one additional parking space giving a total of 10 spaces.

Relevant Planning History

Consent was granted in October 2003 for the car park as currently laid out (41610).

Publicity

Neighbours have been notified and one objection has been received from No. 229 Alma Street together with a petition signed by 9 other residents. The objection can be summarised as follows:

- the existing car park has increased the amount of traffic on Alma Street which as caused a deterioration in highway safety and any increase in spaces will cause a further detriment to highway safety.
- the car park is used by youths who gather on bikes and cause disturbance to the adjacent residents.
- there are sufficient spaces at the moment and additional spaces are not needed.
- if the car park is used by people who live on Ainsworth Road they should have their own parking.

Consultations

Borough Highways Engineer - No objections

Engineering Consultancy - No objections

Environmental Health - No objections subject to standard conditions about the importation of any materials onto the site from the construction of the car park.

BADDAC - welcome the provision of a disabled space which was not included in the original scheme.

Unitary Development Plan and Policies

HT2/5 Public Car Parks

HT5/1 Access For Those with Special Needs

EN1/2 Townscape and Built Design

EN8/2 Woodland and Tree Planting

Issues and Analysis

Principal - the principal of car parking being located at the end of Alma Street for both

residents and the public using the park was established during a public participation exercise for the creation of the linear park in 2000 and then ratified by the granting of consent for the car park itself in 2003 (41610).

The extension of the car park to provided an additional 2 spaces, including a disabled space, will not impact adversely on the park area now developed. The provision of a disabled space is to be welcomed and the application complies with Unitary Development Plan Policies HT2/5 - Public Car Parks and HT5/1 - Access for those with Special Needs.

Location - the site for the extension of the car park is between the footpath linking Alma Street to Ainsworth Road and the existing car park. It will come within 2m of the existing trees on this adjacent to this path but, but given the small canopy spread of these trees and the level site it will not impact adversely on the trees viability and they will remain. In order to ensure they are protected a condition requiring the submission of a scheme for the protection of the trees during building works should be imposed. The land itself is currently grassed and level and the loss of this small green area will not be of detriment to the park as a whole.

Highways - the Borough Engineer has examined the scheme and has raised no objections. The development of the two new spaces will also allow for the slight re-alignment of the corner at Alma Street and the road way at the rear of the properties fronting Ainsworth Road, by creating a 2m wide access strip in front of the spaces which will result in easier access for the waste disposal vehicle.

Residential amenity - whilst the existing spaces have had some impact on the residential amenity of the area it is not considered that the additional two spaces will have a materially greater impact and the benefit of providing a dedicated disabled space outweighs any detriment that may be caused and as such the scheme complies with UDP Policy - HT5/1 - Access for those with Special Needs.

Objection - the increase in traffic caused by the development of the two spaces will not lead to a deterioration in terms of highway safety that would warrant refusal. The use of the car park by youths, the sufficiency of existing spaces and its use by other residents are also material planning considerations. However, it is not considered that the addition of these spaces will worsen the situation to such an extent as to warrant refusal and the advantage of providing a dedicated disabled space outweighs any detriment there may be.

Summary of reasons for Recommendation

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

Having studied the submitted documents, assessed the proposed development on site and taken into account all representations and consultation responses; it is considered that the proposed development is acceptable because it would lead to an further material detriment to the residential amenity of the area and the provision of disabled parking accords with Bury Metro Unitary Development Plan Policy HT5/1 - Access for those with Special Needs.

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 HS415/005 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. 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.
4. 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.
5. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained adjacent to the site in accordance with BS 5837:2005 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

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

Ward: Radcliffe - West

Item 11

Applicant: Bury MBC Children's Services

Location: FORMER RADCLIFFE HIGH SCHOOL SITE, ABDEN STREET, RADCLIFFE, M26 3AT

Proposal: OUTLINE APPLICATION - RESIDENTIAL DEVELOPMENT INCLUDING ASSOCIATED INFRASTRUCTURE & OPEN SPACE

Application Ref: 45673/Outline Planning
Permission

Target Date: 21/04/2006

Recommendation: Minded to Approve

This application is one of a group of 5 planning applications which are connected to the development of East Lancashire Paper Mill (ELPM), Land on Tower Farm (45597), Radcliffe High School (45673), Coney Green (45672) and Land at Outwood Road (45599).

This report is intended to be an interim report of the current situation for the Radcliffe High School site and will be presented again to Members on 18th April Planning Committee for final resolution. Currently, this application is Minded To Approve, subject to the receipt and assessment of the outstanding Statutory consultees, completion of the s106 agreement and conditions.

Description

The Radcliffe High School site covers 4.9 hectares and lies to the north west of the town centre. It is built in a traditional 1930's style building in a cloister layout with a formal garden area at the end of Abden Street.

The surrounding environment - The predominant land use to the north east and south of the site is residential. To the north and east the housing style is largely terraced. To the south, the former Strebor Engineering site is currently being developed for a mix of modern housing. To the west and north west, the site is bounded by the Manchester, Bolton and Bury canal. Across the canal to the west is open farm land, although this is detached from the school site given the significant change in levels and a belt of mature trees.

The application site - The majority of the school buildings are located in the eastern third of the site next to the formal gardens by the main entrance. A number of small additional outbuildings have been erected within the school grounds. The western part of the site are designated playing fields and a tarmac playground is situated to the south of the buildings. The site is predominantly open with quite dense mature trees along School Street and the canal. Beyond the canal to the west is an extensive area designated as Green Belt.

Access - Pedestrian and vehicular access to the site is currently from two public highways; Abden Street provides the main entrance to the school and access to the small car park; School Street runs east west along the southern site boundary. Pedestrian access is fairly limited. Aside from the links to the housing to the east, the only other pedestrian links are along the canal and over a canal footbridge at the end of School Street. The canal towpath is also a designated cycle route.

The application is seeking outline planning permission for residential development including associated infrastructure and open space. The scheme proposals provide an indicative layout of the site, for illustrative purposes only and indicates that circa 200 dwellings could be accommodated within the site. The principle of the development together with the means of access is under consideration with the application.

Relevant Planning History

There is no relevant planning history affecting the site.

Publicity

The application has been publicised by press advert on 10th February 2006, site notices erected on 8th February 2006 and by direct letters to 617 nearby residential and commercial properties on the 2nd February 2006. A full list of the neighbours notified of the planning application can be read in the file. As a result of this publicity, some 54 letters of objection have been received. The addresses of the correspondents can be read in the file. Points raised include:

- Concern regarding the drop in sports facilities in the area.
- The existing clubs and groups would become 'homeless'.
- The development will create extra traffic
- The development would increase the pressure on the restricted right of way that currently exists in the area.
- Does Radcliffe need yet more houses and less recreational facilities?
- What extra facilities would be provided for the children on this site?
- Is there another site that could be used for the house building?
- Wish to ensure that the environmental balance of the area is maintained.

Consultations

Environment Agency - No response received to date.

Sport England - No response received to date. However, indications from informal discussion are that Sport England would not have an objection to the proposal providing that planning conditions are imposed to secure the provision of all recreational facilities including land at Outwood. They are likely to suggest that this is imposed through a Grampian style condition requiring the site at Outwood achieve planning permission prior to the remainder of the sites being developed.

British Waterways - No response received as yet. However, a meeting is to take place to discuss their issues prior to the next meeting of the Planning Committee in April.

Gtr Manchester Ecology Unit - No response received.

Gtr Manchester Fire Officer - No response to date.

Gtr Manchester Archaeological Unit - No objections and are satisfied with the scope of mitigation and request a condition to provide investigative work and recording.

GMPTE - No objections or comments to make.

United Utilities - No objection in principle to the scheme. Further discussions may need to take place between United Utilities and the developer to ensure that their assets are not affected.

G M Police Architectural Liaison - No objections.

Borough Engineer -

Traffic - No response received as the transport assessment is still under review.
Drainage - No objections

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design
EN10/2 Riverside and Canalside Improvement in Urban Areas
EN6/4 Wildlife Links and Corridors
SPD2 DC Policy Guidance Note 2: Wildlife Links & Corridors
H1/2 Further Housing Development
H2/1 The Form of New Residential Development
RT2/2 Recreation Provision in New Housing Development
H4/1 Affordable Housing
SPD5 DC Policy Guidance Note 5: Affordable Housing
EN1/6 Public Art
SPD4 DC Policy Guidance Note 4: Percent for Art

Issues and Analysis

Background - In 2003, BMBC commissioned URBED as a lead consultant to prepare a vision for Radcliffe as a Sustainable Urban Neighbourhood, with the 'Reinventing Radcliffe' vision. The strategy focuses on making the town "a good place to live" with attention focusing particularly on increasing the quality of housing around and within walking distance of the town centre and to improve the quality of local facilities, particularly in providing a new secondary school.

The strategy indicated that the redevelopment of the ELPM site for a new secondary school, mix of employment and new residential development would be a key opportunity to respond to the social, economical and environmental difficulties that Radcliffe had endured over a long period of time. Furthermore, the status of the UDP, particularly since its original adoption in 1997, reflected Radcliffe in its past, rather than looking to the needs of the town today.

Coupled with this historical position of the town, the need for a new school has arisen following the declaration of the existing education facilities in Radcliffe as being poor and failing. The Masterplan sought to provide an opportunity to reassess the existing situation in an informed way and to drive possibilities forward to secure many facets of concern for Radcliffe on multiple levels. The Masterplan indicates that the redevelopment of the existing school sites for housing, which would provide further opportunities to secure the future of Radcliffe.

Furthermore, in response to the changing approach to regeneration of towns, Government policy has recognised that sustainable approaches to regeneration, including improved mixes of uses and their disposition to each other would provide opportunities to improve sustainable growth, improve livability, provide more opportunities for indigenous population and engender sustainable economic growth for new businesses. The re-development of the ELPM sites and existing school sites were considered to uphold the objectives of the Government's sustainable approach and in an informed way, would deliver a much needed opportunity for the town.

The Three Sites Masterplan was considered by the BMBC Executive Board on 13 April 2005 and subsequently approved with amendments as a material planning consideration when assessing future planning applications and in the formulation of future planning policy.

Principle - The site is unallocated within the UDP, as such the proposals must be considered on their merits.

The Council had embarked upon the need to provide a 3 site Masterplan encompassing the ELPM site, Radcliffe High School and Coney Green site. The planning application is thus

preceded by an extensive consultation exercise by Bury MBC and its appointed urban designers URBED in respect of the sites' future development over several years demonstrating that they are integral to the Council's regeneration strategy for Radcliffe. This strategy involved extensive public consultation prior to its adoption by the Council as a material planning consideration. In response to this, the adopted Three sites Masterplan is a material planning consideration and must also be read in conjunction with the other planning applications submitted centring upon the ELPM site.

The ELPM planning application contains a planning overview statement, which takes into consideration the redevelopment of all the sites including this one linked to the ELPM site. The key issues of the Coney Green school site is the principle of residential development and loss of open playing fields/facilities.

This planning application also contains a sport pitch audit, which looks at the provision of existing recreation/play facilities across all 5 planning application sites to ensure that any loss of playing pitches are replaced to an equal or better quality and quantity.

On the basis of the submitted proposals, Three Site Masterplan and full consideration of PPG17 - Planning for Open Space, Sport and Recreation, recognises the important contribution that sport and recreation facilities make to the livability of towns. Additionally, in recognition of the pressures that many urban playing fields have come under in recent years, it is for this reason that the applications have been submitted together to provide a comprehensive approach is adopted to ensure that the presumption against the loss of playing fields is adequately considered and re-provided for.

Sports England have been a key consultee on the applications connected with the ELPM and associated sites. Initial indications are that the developments and proposals read together would ensure that there would not be an overall loss of sports facilities.

The proposal for housing is within an identified regeneration area specified under Development Control Policy Guidance Note 7 - Managing the Supply of Housing Land in Bury (DCPGN7). The purpose of this document is to focus new housing proposals to areas of need. As this site is clearly within the identified area of Radcliffe, the principle of the residential development reflects the aims of the Planning Policy Guidance Note 3 - Housing (PPG3), the Regional Spatial Strategy for the North West (RSS) and the DCPG Note 7.

Given the significance of the Three Site Masterplan, its adoption as a material planning consideration, methodology of re-provision across all of the planning applications would ensure that there would be no overall loss of sports provision, PPG3 and the RSS, the principle of the development is considered to be acceptable.

Access - UDP Policy H1/2 - Further Housing Development and H2/2 - The Layout of New Residential Development seeks amongst other matters, to ensure that developments have suitable access into proposed development sites.

The proposals are seeking planning permission for the means of access into the site as part of this application. The scheme has been submitted with a transport assessment (TA) indicating road and junction works at the sites connection to surrounding streets including Abden Street, Chard Street and School Street. To assess the full impact of traffic from all of the developments, the Borough Engineer has forwarded the TA to the Greater Manchester Transport Unit. A full response to this has yet to be received. Members shall be updated on the full response at their next meeting on 18 April 2006. Indications are, however, that the access arrangements would be satisfactory for the scale of the development proposed.

Residential Amenity - The siting of proposed dwellings and numbers of dwellings is to be reserved for subsequent approval. The siting of new dwellings would be required to ensure that appropriate aspect distances are provided and suitable garden spaces and also sufficient car parking space. With these matters yet to consider, the impact from the siting of new residential development would be subject to further consideration at reserved matters stage. This consideration would also relate to the form, design and layout of the site.

The Three Sites Masterplan indicated that the existing context of a grid iron layout should be continued through into the site to secure the optimal arrangement in terms of good design and layout, without providing a high density of development. The illustrative layout plan submitted with this application has replicated this approach and further encouraged such an approach through an accompanying design document. This approach would ensure that the site would articulate into the area without undue impact upon amenity and improve the liveability of the site.

Landscaping and Ecology - The landscaping of the site is a reserved matter. The school buildings have been assessed for their potential to provide habitat for bats. The buildings as they stand offer little potential. However, a series of recommendations can be included within any conditional planning approval for the building and subsequent development to accommodate bats in the vicinity of the site and for procedures to be followed during any demolition.

Open space - The indicative layout closely follows the adopted Three Site Masterplan layout and incorporates areas of open space within the site as required under UDP Policy RT2/2 - Recreational Provision Within New Residential Developments. The final details of the siting and associated landscaping would be subject to a reserved matters application.

Sports Facilities - The application has been submitted with a Sports Pitch Audit and pre-application discussions with Sport England have indicated that across all of the applications, the number of sports pitches and public accessibility will be maintained. Coney Green playing fields are notorious for being waterlogged and are unusable for much of the year. The proposals overall would ensure that adequate drainage and facilities are available throughout the year and thus would under Sport England criteria ensure that there would be improved facilities.

The management of the facilities would be under the control of Bury MBC. The assessment criteria requires consideration of proposals to provide equal or greater quality and quantity in a suitable location and be subject to better management arrangements. All of the replacement facilities are designed to be highly accessible to the public, including out of hours usage, with good changing facilities.

Indications from Sport England are that they are satisfied with the replacement facilities but are yet to confirm this. Members will be updated on this matter when the item is represented in April.

Response to Objections - Many of the letters from residents express concerns over the loss of facilities rather than to object to the proposals per se. Sport England have been kept continuously involved in the evolution of the proposals on this site and the sister applications throughout the whole process. The presumption of the loss of playing fields is a key concern to the Council and the developers alike and with the methodology followed throughout the Three Site Masterplan and subsequent planning applications, it is evident that facilities would be replaced by a better quality and quantity of provision.

In terms of the emergency access, this is discussed above.

In terms of the need for housing, the area is within an identified regeneration area specified under Development Control Policy Guidance Note 7 - Managing the Supply of Housing Land in Bury. The purpose of this document is to focus new housing proposals to areas of need. As this site is clearly within the identified area of Radcliffe, the principle of the residential development reflects the aims of the Planning Policy Guidance Note 3 - Housing, the Regional Spatial Strategy for the North West and the DCPGN7.

Legal Planning Agreement - The nature of the scheme would be such that there would be a need for a legal planning agreement to be made under S 106. The contents of such an agreement, currently identified, would need to include:

- The development of a transport plan for the school and employment uses;
- A new link to the Metrolink platform from Festival Gardens;

- Commuted sum payments under UDP Policy RT2/2 – Recreation Provision in New Residential Developments;
- Provision for Affordable Housing;
- Per Cent for Public Art;
- Wildlife mitigation and enhancement relating to ecological issues;
- Phasing of development implementation;
- The delivery of transport/highway infrastructure;
- Landscape management;

Summary of reasons for Recommendation

by the Borough Planning and Economic Development Officer:

Current Status - The planning application still has some outstanding points that require further resolution and consideration. It is intended to finalise the application and its proposals for the next meeting of the Planning Control Committee on 18 April 2006.

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Recommendation: Minded to Approve

Conditions/ Reasons

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

Ward: Radcliffe - West

Item 12

Applicant: EDS - Leisure Services

Location: RED BANK PLAYING FIELDS, UNSWORTH STREET, RADCLIFFE, M26 0RN

Proposal: EXTENSION & SURFACING OF EXISTING CAR PARK

Application Ref: 45768/Full

Target Date: 07/03/2006

Recommendation: Minded to Approve

Should the Committee wish to grant consent the application will have to be referred to the Government Office for the North West for Approval as part of the site is designated as Protected Recreational land in the Unitary Development Plan and the use for car parking could be construed as a Departure from the UDP.

Description

The site comprises an area of unsurfaced land used as an informal car park between the Pharmacy and storage hut and a grassed area of land to the rear of the Pharmacy all contained within the land known as the Red Bank Playing Fields. adjacent to the Medical Centre on Unsworth Street in Radcliffe.

The proposal is to demarcate and surface this informal car park and the land to the rear of the pharmacy so that it can be used for the medical centre, pharmacy and the users of the playing field.

Relevant Planning History

The land is designated as Protected Recreation Land within the Unitary Development Plan and as such the application has been advertised as a departure from the Unitary Development Plan.

Publicity

The application was advertised in the press, a site notice posted and neighbours consulted. No comments have been received.

Consultations

Highways Engineers - no objections in principal subject to conditions.

Unitary Development Plan and Policies

HT2/5 Public Car Parks

CF1 Proposals for New and Improved Community Facilities

RT1/1 Protection of Recreation Provision in the Urban Area

EN1/2 Townscape and Built Design

Issues and Analysis

Use - the land has been used for informal unsurfaced car parking for over 20 years since the medical centre and pharmacy were developed. The proposal involves the surfacing of the existing car park and the development of an additional 7 spaces to the rear of the existing pharmacy on land currently used for informal recreation. The parking is also used by the people who use the Playing Fields and as such will help prevent on-street parking which will improve both the residential amenity of the nearby properties and improve highway safety.

The additional spaces to the rear of the pharmacy will be seen in the context of the buildings

fronting Unsworth Street and given its limited extent will not impact adversely on the viability of the rest of the land designated for Protected Recreational Provision. The existing informal car park and additional land will not materially impact on the use of the rest of the site at for Protected Recreational Land at Red Bank Playing Fields and as such its use for surfaced car parking in connection with both the recreational use of the site will accord with UDP Policy RT1/1 - Protection of Recreation Provision in Urban Areas. However, the use for car parking for the pharmacy and medical centre appear as to fall outside the provisions of RT1/1 and as such the approval will be a departure from the UDP.

Visual amenity - the car park is set between two buildings and as such its impact on the street scene is limited. It is proposed that the treatment to the boundaries should be the subject of a condition so that the impact will be limited. The surfacing of the existing parking will improve its general appearance of the area, make it more acceptable for use and help prevent parking on the highway and as such the proposal conforms with the requirements of UDP Policy HT2/5 - Public Car Parks.

Residential amenity - the car park is opposite residential development but due to it being unsurfaced, the highway tends to get used for parking in poor weather. The surfacing and layout of the car park should mitigate this and as such the properties opposite should see a reduction of on street parking which should lead to an improvement in their residential amenity.

Summary of reasons for Recommendation

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

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

There are no other material considerations that outweigh this finding.

Recommendation: Minded to Approve

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. Prior to the commencement of development, details relating to the proposed boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented.
Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
3. This decision relates to the drawings received on 10th January 2006 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.

4. Prior to the commencement of works on site a scheme for the surfacing and demarcation of the car park shall be submitted to and approved by the Local Planning Authority and the car park shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority and thereafter maintained at all times.

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.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 13

Applicant: Peel Investments (North) Ltd/Marshalls Mono Ltd

Location: FLETCHER BANK, MANCHESTER ROAD, RAMSBOTTOM, BL0 0DH

Proposal: QUARRY EXTENSION; CONSTRUCTION, DEMOLITION & EXCAVATION WASTE LANDFILL OPERATION; CONSTRUCTION & DEMOLITION WASTE RECYCLING FACILITY; GREEN WASTE COMPOSTING FACILITY

Application Ref: 43048/Full

Target Date: 04/10/2004

Recommendation: Minded to Approve

Minded to approve subject to S106 Agreement securing a financial contribution from the applicant for the provision of vehicle activated speed signs on Manchester/Whalley Road, Ramsbottom.

Description

The application site

The application site, approximately 19 hectares in area, is situated largely within the confines of the existing Fletcher Bank Quarry, Manchester Road, Ramsbottom. The quarry is located upon the upper section of the eastern side of the valley and the land rises to the south east to a maximum of 290 m Above Ordnance Data (AOD) adjacent to the quarry boundary. In general terms, the application site comprises the northerly section of the operational quarry containing the excavated void and the abutting undeveloped grazing land to the north east and east of the quarry boundary.

Currently, the existing operations and development at the quarry are broadly split into two areas; the northern and southern sections of the site. Within the northern section of the quarry lies the main quarry void which has been excavated to a depth of around 175m (AOD). The northern half of the quarry void is currently being used for the deposit of quarry wastes including belt press materials from the quarrying operations. The majority of the stone reserve in the northern half of the quarry has been extracted and quarrying operations are currently taking place along the eastern edge of the quarry along a face which is around 60-70m high. The majority of the gritstone extracted from the quarry for stone, crushed sand and aggregates is used on site for the manufacture of concrete kerbs, flags and paving blocks. The southern section of the quarry is largely occupied by an existing concrete products buildings, stocking area, site offices and quarry plant.

The application has been submitted by S L R Consulting Ltd on behalf of the owners of the quarry i.e. Peel Investment (North) Ltd and Marshalls Mono Ltd. Since the administrative boundary between this Borough and Lancashire County Council runs through the centre of the quarry, the application has been submitted to both Councils for determination.

The proposed development.

The proposed development is a Schedule 2 Project under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and the

application includes an Environmental Statement (ES) and Non-Technical Summary. The Environmental Statement provides details of the proposed development and considers the proposal in terms of the planning policies and its potential impacts in respect of geology, hydrogeology, landscape and visual impact, ecology, noise, blasting and vibration, air quality, highways, archaeology etc. Mitigation measures are proposed for each of these potential impacts where necessary.

In general, the proposed development consists of the following four elements:

1. An extension to the operational site boundary to allow extraction of gritstone reserves from a 4.5 hectare area of undeveloped grazing land to the east of the quarry, which would provide approximately 4.5 million tonnes of aggregate. Based upon an output of 500,000 tonnes to 600,000 tonnes per annum, it is anticipated that the extraction would be completed within approximately 7 to 10 years. The proposed extraction of minerals would also result in the production of 600,000 tonnes of Upper Sandstone which would be utilised as a bulk fill material to increase the height of the northern screening embankment by approximately 8m. These materials would also be used for the construction of bunds for two belt press lagoons proposed at the north-western end of the quarry. These lagoons would have a void space of approximately 230,000 cu m to contain belt press materials comprising the washing resulting from the aggregate working process over a period of 10 years. The remaining materials would be used for the restoration of the site.

It is proposed that the mineral extension area would be worked out in a southern and eastern direction in three phases and stone would be extracted by blasting from both the existing and proposed areas at the same time. Due to the relatively complex geology at the Fletcher Bank site, the quarry face design would consist of four separate faces with benches of maximum vertical height of 15m.

2. Progressive restoration of the north-eastern part of the existing quarry and the northern half of the proposed extension through landfilling with imported construction, demolition and excavation wastes in sequence with the mineral extraction proposals would be carried out. The landfill would have a void space of approximately 1.2 million cu m and it is proposed that the rate of input for the filling of the void would be in the region of some 100,000 cu m (180,000 tonnes) of material per annum. The proposed infilling of the landfill area void would result in the restoration of the north-eastern part of the quarry to a final level of around 200m AOD, and the north-eastern quarry faces would be covered with wastes to produce a restored slope .

The landfill site would be prepared on a lining system comprising a geological barrier, an artificial sealing liner and a leachate drainage system. The geological barrier on the base and side slopes of the landfill site would help keep the landfilled waste separate from the groundwater.

3. An inert construction and demolition waste re-cycling facility to produce secondary aggregate products, separate out re-cyclable materials and to provide a more sustainable overall quarry operations, is proposed in the northern section of the site. The waste re-cycling facility comprising a mobile crusher and screening plant would be constructed on an area of flat land (approximately 10,650 sq m) at around 200m AOD. It is anticipated that the facility would process approximately 100,000 tonnes of materials per annum, of which 75,000 tonnes of the processed materials would be exported from the site in the form of soils and secondary aggregates and the remaining 25,000 tonnes of non-recyclable and deleterious materials would be deposited in the on-site landfill facility.

4. An open air composting facility is also proposed at the northern section of the site adjacent to the waste recycling facility. The composting operations would be undertaken on

a reinforced concrete slab on an area of flat, infilled land at around 200m AOD. The facility would be used for the treatment and processing of green waste collected from civic amenity sites, doorstep collections and council works departments and would cover an area of approximately 11,475 sq m. It is proposed that the facility would be able to accept and process approximately 20,000 tonnes of green waste per annum. It is proposed that the resultant compost would partly be taken for sale off site and partly used as a restoration material in the restoration of the quarry. To prevent pollution of surface or groundwater, the drainage from the proposed composting slab would be collected and directed into a buried tank. The collected liquor would then be re-circulated into the windows to maintain moisture content.

It is proposed that new site infrastructure including the provision of a single storey weighbridge office, two weighbridges and a wheel wash facility, would be established at the south of the proposed recycling and composting facility.

It is anticipated that the proposed works would generate a total of 290 HGV visits to the quarry per day (580 movements) compared to an existing level of 216 HGVs per day (432 movements). In addition, it is estimated that 177 light vehicles (354 movements) would access the quarry per day compared to an existing level of 171 light vehicles (342 movements). On this basis, the extra number of vehicle movements in and out could be 160 daily (twice of 74 HGV plus 6 light vehicles).

The access to the site would be gained via the existing quarry access off Manchester Road (A56) and an internal access road which has recently been extended northwards along the western edge of the quarry. According to the applicants, the quarry access junction with Manchester Road (A56), in capacity terms, is adequate and will continue to remain adequate for the additional traffic generated by the proposed development.

On completion of the proposed extraction and infill operations, the site would be capped with inert waste/quarry waste overlain with a minimum of 450mm of interburden and quarry waste and 300mm of interburden/quarry waste and soils recovered from the composting facility and the stripping of the mineral extraction area. Following this, the site would be restored to grassland/woodland and water amenity areas.

According to the applicant, the proposed restoration landform would not only be consistent with the local rolling topography and pasture but would also provide ecological diversification with the introduction of 12.3 hectares of grassland and an ephemeral water body close to the northern boundary of the site for the establishment of marginal aquatic habitats.

It is proposed that a programme of aftercare management and monitoring of the restored site would be submitted to the Local Planning Authority on an annual basis for approval.

Relevant Planning History

Minerals have been worked out from Fletcher Bank Quarry since 1949 and since then, a number of planning permissions have been granted for quarry extensions. These old minerals permissions are currently under review in accordance with the provisions of the Environment Act 1995. In this respect, two applications, one from each owner of the site (i.e. Peel Holding and Marshalls Mono) are currently being considered for modification to the existing planning condition. Both applications are identical in context and propose conditions involving the restoration of the site with imported waste.

Planning application ref. 34752/98 for landfill and restoration of the northern part of the Fletcher Bank Quarry by importing and depositing a full range of controlled wastes including special wastes was refused on 7 March 2002,

Planning application ref. 36935/00 for the erection of 10,500 sq m building for use as a Materials Recycling Facility (MRF) at Fletcher Bank Quarry was refused on 7 March 2002.

The main reasons for the refusal of these application were that they:

1. lacked necessary information
2. failed to justify the proposals on the basis of need and their provision in the Green Belt
3. failed to demonstrate that the proposals would adequately avoid the creation of environmental nuisance
4. failed to provide sufficient information to enable a proper assessment of the traffic impact on the highway

Planning permission for the construction of a new production building to replace the existing at Fletcher Bank Quarry was granted permission, subject to condition, on 11 February 2004.

Publicity

The application has been advertised in the local press and by site notices and neighbouring properties notified. 49 letters or e-mails raising objection to the proposed development have been received from the residents of Shurtleworth and Ramsbottom. The main points raised are:

- The road infrastructure in the Ramsbottom area is already overloaded. The proposed development would add more load to it and would exaggerate the traffic congestion in the area.
- Concerned about the increased volume of traffic to and from the site and the impact on the surrounding area in terms of emissions, noise, potential damage to property and danger to road users.
- The area suffers from a heavy traffic flow, particularly HGVs and the proposed increase in both HGV and light vehicle traffic accessing and regressing the site will only exacerbate this existing situation.
- In addition to the vehicles visiting Fletcher Bank, the route (A56) is heavily used by large vehicles from other local companies. There is also a regular flow of heavy lorries from Bury and Rosendale heading towards the motorway network. As a result the A56 already takes a disproportionate amount of HGV and other large vehicles.
- Roads are already subjected to heavy traffic, causing noise, disturbance, vibration and damage to the properties in the area.
- There is a possibility of contaminated rain water flowing down the hillside from the quarry into the residential area. This may cause pollution to waterways. Any leachate emissions and gases produced from landfill would be carried downhill, causing pollution and potential health risks.
- Operations at Fletcher Bank are being carried out 24 hours a day during the week. The provision of crushing and screening plant, would result in further increase of air pollution within the quarry.
- Blasting could have a detrimental impact on the structural integrity of the properties in the area.
- The dust and mud left as the lorries pass Whalley Road/Manchester Road could cause health problems.
- The composting facility would result in the emission of smells in the area. This will cause detriment to the amenity and attract flies/insects in the area. The facility is wholly inappropriate in scale and location so close to major residential areas.
- The proposed development would have detrimental consequences to the environment, traffic congestion as well as health and safety.
- The proposal would affect the residential amenity of the area by way of noise, disturbance, smell etc. It would also affect the environment and wildlife in the area.

- The project, if approved, would result in driving people away from Ramsbottom and do nothing to promote the area.
- The current quarry is already a huge blot on the landscape and the proposed works would have profoundly negative effect upon the property value in the area.
- The proposed landfill will adversely affect the lives of the residents and visitors alike for many years to come and would significantly damage the image of Ramsbottom as a tourist area.
- Ramsbottom and the surrounding area has been promoted as an area of conservation and as an attractive tourist location. The area promotes the green belt and has moved away from its past history as a working industrial town. The siting of the landfill does not promote these themes.
- The proposal would result in the emission of gases which would further decrease the air quality and increase associated risks in respect of cancer, asthma etc.
- Objections were raised to the previous application which was refused. This application does not appear to be any different and will have the same disastrous consequences to Ramsbottom and the surrounding area.
- Groundwater pollution and seepage at the site would have adverse effects on soil.
- The proposed development is in conflict with the Green Belt and Special Landscape Area policies of the UDP. Also the proposed development would be unduly obtrusive in the area.
- The waste recycling facility in this area would not be in keeping with the residential ethos.
- There are other landfill sites within the Borough. The creation of a further landfill site will increase the capacity for dealing with waste which would be greater than the Borough's needs.
- What guarantees are there to ensure that the type and amount of waste deposited comply with that stated in the application.

Ramsbottom Against Landfill (RALF) - Make the following comments:

- Concerned that the proposal would lead to a future application for the deposit of biodegradable waste. Any such application would be vigorously opposed.
- Only construction, demolition and excavation waste should be tipped at the site and this material should not contain any hazardous waste.
- Specific design details of landfill pollution control measures should be provided before the application is determined.
- Further details of restoration proposals including the water attenuation pond are required.
- The application makes no consideration of the neighbouring Scout Moor Quarry.
- There does not appear to be a balanced assessment for the siting of the composting waste facility at Fletcher Bank and consideration of alternative sites.
- The assessment of traffic is not fully representative of the local area.
- Proposed increases in traffic would impact on the highway network.
- Should the application be approved, consideration would need to be given to improving current site access arrangements.

Consultations

Lancashire County Council - The County Council do not object to that part of the development within the Metropolitan Borough of Bury but recommend the removal of the proposed recycling/composting operations and the restoration of the land on which they are sited on completion of restoration of the landfill on the site.

Environment Agency - No objection subject to conditions concerning the submission and

approval of a scheme for the provision of foul drainage works and prevention of contaminated water entering surface or groundwater and trade effluent being discharged to the foul sewerage system. The Agency also points out that a Waste Management Licence would be required in this respect.

Borough Engineer - No objection subject to conditions with regard to the visibility splays and to securing a financial contribution (£10,000) from the applicant towards the provision of vehicle activated signs on Manchester Road/Whalley Road, through a S106 Agreement.

Environmental Health - No objection subject to conditions concerning the monitoring/control in respect of noise, dust, odour etc arising from the site.

Health and Safety Executive - No observations received

Health Authority (Bury PCT) - The PTC will ensure that all public health aspects of the proposed development are controlled through the inclusion of appropriately worded conditions within the Pollution Prevention and Control permit which the applicant will need to gain from the Environment Agency prior to commencing works. The PCT will fully assess the public health implications of the proposed development when it receives a copy of the PPC permit application from the Environment Agency.

DEFRA - Accept that the agricultural land classification (ALC) of the proposed extension area is very poor Grade 4 agriculture land. The proposed method of handling and storing soil in accordance with the MAFF Good Practice Guide for Handling Soils 2000, is acceptable.

Red Rose Forest - Make the following comments:

- The Environment Statement fails to identify that a section of land within the application area is registered as Open Country in the Countryside and Rights of Way Act maps.
- Peregrine falcons breed within 225m just outside the application area. As such, some suitable faces for breeding sites should be maintained within the restoration proposals. These faces could also be utilised for rock climbing.
- The landscape and visual assessment appears to be fairly comprehensive but the quality of photographic reproduction is poor.
- Further archaeological assessment is required.
- A commitment to recycling of construction and demolition and green wastes is welcomed. However, their use should be restricted to the completion of restoration.
- Restoration to pre-quarrying contour levels would be preferred.
- More comprehensive restoration details are required including a masterplan to account for parts of the quarry outside the application area.
- On completion of restoration, the site should be open for public access to a level experienced on surrounding common land.
- A mitigation package should be identified to provide environmental improvements along the A56 to compensate for increased traffic movements.

Greater Manchester Ecology Unit - No objection subject to the following considerations.

1. The Biological Heritage Site boundary shown on the submitted drawings should be checked with Lancashire County Council for accuracy.
2. The timing of both Phase 1 Surveys undertaken on this site are considered to be sub optimal.
3. If the Council is minded to grant planning permission, the Unit suggests that a condition requiring details of a survey for breeding birds is submitted for approval prior to the

development commencing on the site.

Highways Agency - The Agency has reviewed all the information provided and has determined that the development will not cause detriment to the trunk road network. The Agency has no objection to this application.

The Countryside Agency - The Agency does not wish to comment.

Bury NHS- The Primary Care Trust will seek to control all public health aspects of the proposal through the inclusion of appropriately worded conditions within the Pollution Prevention and Control (PPC) permit which the applicant will need to gain from the Environment Agency prior to commencing works. The PTC will fully assess the public health implications of the proposed activities when it receives the PPC permit application from the Environment Agency.

Department for Environment, Food and Rural Affairs (DEFRA) - The Department does not want to comment on the principle of the proposals where agriculture is not the proposed afteruse. However, the Department would like to point out that it accepts the broad interpretation of the site's 'soil description' as described in the application. The proposed method of handling and storing soil in accordance with the MAFF Good Practice Guide for Handling Soils 2000, is acceptable.

Greater Manchester Geological Unit - The Unit makes the following comments:

- The proposals shown on the submitted drawings are very general and lack essential information including internal haul roads, surface and groundwater control measures, direction of extraction and quantities of minerals to be extracted from each phase, stockpiling storage areas etc. No information has been provided on the pre/post settlement levels.
- Although mineral extraction and deposit of waste to secure the restoration of mineral working need not be inappropriate development within the Green Belt, however inert recycling and composting operations do not fall within the types of development that are normally considered to be "appropriate development" in the Green Belt. Despite the fact that the site is set within an existing quarry and relatively well screened from public view, the provision of a large scale industrial use with increased levels of activity including HGV movements, additional plant, machinery, infrastructure, stockpiles and storage heaps will have an impact on the openness of the Green Belt. The recycling operations are not ancillary to the main operations and therefore do not necessarily need to be located at this site.
- The National and Regional Guidelines for the provision of aggregates require the North West to provide for 55 million tonnes of sand and gravel and 167 million tonnes of crushed rock for the 2001-2006 period. The apportionment of the guidelines to sub-regional areas in the North West has not been agreed by the North West Regional Aggregates Working Party. In order to assess the need for high grade sand extraction, several factors including the number of planning applications received by Lancashire County Council need to be considered. In this respect, the views of Lancashire CC as to how they intend to apply their policies on mineral extraction, are necessary.
- Whilst both the Regional Waste Strategy and revised Regional Policy Guidance provide an indication of the number and type of composting facilities required for North West, there is no indication where these facilities are likely to be located. Under the Planning Reforms, it has been agreed by all ten authorities that a joint Waste Management Plan

identifying amongst others, sites for waste management facilities be produced for Greater Manchester. It could be argued that if land is to be released for large scale waste developments, then such decisions are made within the framework of the intended Waste Development Plan. Furthermore, the proximity principle suggests that waste should generally be disposed as near to its place of origin as possible. Although, it is recognised that there is a general shortage of facilities for recycling in the region, it is unclear why this particular proposal is required at this location.

- The Environment Statement states that two major regional faults lie within the vicinity of the northern and southern ends of the quarry. The northern fault is located approximately 300m to the north of the site at its closest point. The fault present within the north-eastern corner of the quarry raises issues in terms of stability and therefore additional information regarding location, dimensions and nature of the fault should be provided.

English Nature - No observation received

Health and Safety Executive - No comments received

Coal Authority - No comments

United Utility - No objection subject to a condition requiring the installation of a permanent vibration monitor in a borehole close to the Haweswater Aqueduct to ensure that vibration levels would not exceed 5mm/s.

Ramblers' Association - No objection subject to conditions to control the duration of phased quarrying, infill and restoration and that a Section 106 Agreement be provided to secure a bond to cover the costs of restoration in the eventuality of the applicant failing to complete the restoration.

Unitary Development Plan and Policies

OL1/1	Designation of Green Belt
OL1/5	Mineral Extraction and Other Dev in the Green Belt
OL4/1	Agricultural Land Quality
EN9/1	Special Landscape Areas
MW1/1	Areas of Search
MW1/2	Mineral Working Within Areas of Search
MW1/4	The Need for Aggregates
MW2/1	Assessing Mineral Extraction Proposals
MW2/2	Planning Applications for Mineral Workings
MW2/3	Development Control Conditions (Minerals)
MW2/8	Materials for Restoration
MW2/9	Standards of Restoration (Minerals)
MW3/2	Waste Recycling and Bulk Reduction
MW4/1	Assessing Waste Disposal Proposals
MW4/2	Development Control Conditions (Waste)
MW4/6	Standards of Restoration (Waste)
MW4/4	Transport Routes for Waste Disposal Sites
MW3	Waste Disposal Facilities
MW4	Environmental Considerations for Waste Disposal Sites
EN1/1	Visual Amenity
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/3	Water Pollution

Issues and Analysis

Fletcher Bank Quarry is a large site straddling between the administrative boundary of Lancashire County Council and Bury MB Council. The site has a long history of mineral extraction, concrete products manufacturing and tipping of mineral waste and block plant waste generated at the site. The applicant is seeking planning permission for an extension at the site to release an additional 4.5 million tonnes of mineral reserves, restoration of the north and east of the site by the deposition of imported waste and the provision of waste recycling and open air composting facilities.

It is necessary that in considering this application, the proposal as a whole is examined in respect of the need for the release of additional mineral reserves, the need for suitable restoration of the site through the tipping of construction and demolition waste as well as the need for a site to recycle and compost green waste, against the impact of the development on the Green Belt and/Special Landscape Area and neighbouring residents.

Mineral extraction - the proposed extension to the quarry.

The existing old mining permissions provide, in part, for the extraction of minerals for the period up to 2042. Stone will continue to be extracted along the eastern flank in a southerly direction until all the material is removed. This will produce a total of up to 10 million tonnes of stone and overburden, which at the current rates of production, in the region of 5000-6000 tonnes of stone per annum, would provide sufficient reserves for between 16 and 20 years.

The proposal would provide an additional 4.5 million tonnes of material to the site's available reserves to provide between 7 and 10 years landbank at or around current rates of production. The applicant anticipates that of the total annual production, 70,000 tonnes per annum would be in the form of aggregate for concrete products manufactured on-site, 180,000 tonnes per annum would be crushed down as washed grit sand for export, 100,000 tpa would be worked as dimension stone and the remainder of worked gritstone would be sold as dry aggregate. It is expected that the quarry, including the extension, could be worked until 2036 and the site restored within a further two years. This would reflect the proposed method of working for the review of the old mining permissions.

Since part of the site proposed for the extraction of stone lies within Lancashire, this element of the development, in so far as its impact on Lancashire is concerned, has been accepted and approved, subject to conditions in respect of the use of explosives for blasting, noise control measures, restoration etc, by the Lancashire County Council at their meeting on 1 March 2006.

In accepting the proposals for the extraction of minerals within Lancashire, the County Council considered that

- a) the existing reserves of gritstone in Lancashire were more than adequate for meeting both the basic MPG6 provision requirements and the longer-term 10 year landbank requirement.
- b) given the history of the quarry, the presence of a major block making plant and the level of the contribution made in the past towards the aggregate provision for Greater Manchester, it was considered justifiable to increase the workable reserves at the site to ensure that as much raw material as possible originate from the site.
- c) the proposed extension would allow for the extraction of part of the last remaining viable

mineral resources from the area to the north east and east of the quarry prior to its restoration, thereby preventing the sterilisation of the resources.

Restoration of the quarry with imported waste materials.

The second element of the proposed development comprises the progressive backfilling and restoration of the mineral workings with waste materials affecting the northern and eastern sections of the site and provision of the re-cycling and composting facilities. The proposed deposit of waste would result in the restoration of the landfill void (approximately 1.2 million cu m) to a landform to the level of around 200m (ADO), which it is considered, would be more consistent with local topography and would provide a level surface within the quarry floor for the proposed recycling and composting facilities.

The proposed recycling facility, comprising a mobile crusher and screening plant, would be located at the northern section of the quarry on an area of infilled land and would process approximately 100,000 tonnes of materials per annum. 75% of the processed materials would be exported from the site and the remaining non-recyclable and deleterious materials would be deposited in the landfill site together with the other imported waste. To help reduce the need for landfill capacity, Policy MW3/2 of the UDP seeks to promote facilities for recycling and reclamation of waste materials.

The open air composting facility would be located to the south of the recycling facility on an area of infilled land and would be used for the treatment and processing of green waste. Following the processing process, the resultant compost would partly be taken off the site for sale and partly used for the restoration of the site.

Government guidance on waste management has been revised with the publication of PPS10, which replaces PPG10. The Statement establishes key sustainable waste management principles and removes the concept of Best Practicable Environmental Option (BPEO). Proposals for waste disposal should now be assessed in terms of their contribution towards driving waste management up the waste hierarchy in a manner which safeguards human health, does not harm the environment, and enables waste to be disposed off in one of the nearest appropriate installations.

European, National, Regional and Local policies support the increased recycling of waste to meet the need to conserve limited resources, to move such waste higher up the Waste Hierarchy and to reduce the amount of waste going to landfill. It is recognised that there is a shortage of such facilities at the regional level in the North West and that a number of additional facilities will be required in the future.

Whilst it is recognised that the use of imported inert materials can provide a means of reclaiming former mineral workings, however, Policy MW4/1 of the UDP seeks to ensure that this does not have an unacceptable adverse impact on the dwellings or on other environmentally sensitive properties, the environment and that it is acceptable in terms of access, traffic generation and road safety.

Fletcher Bank Quarry is located in close proximity to the large conurbation of Greater Manchester, is served by a highway network including M66 motorway and the proposed landfill facility, it is considered, would contribute towards meeting local needs and comply with the proximity principle. In view of this, it is considered that the proposed development would comply with policy MW4/1 of the UDP provided that it does not have an unacceptable impact in the area and its environment in terms of noise, atmospheric pollution and highway safety.

It is clear that the provision of facilities for the re-use and recycling of construction and

demolition waste and composting of green waste would promote a move up the waste hierarchy and this is supported by the policies of the UDP. As stated previously, the site is located in close proximity to large conurbations in Greater Manchester and Lancashire, is served by a highway network and the proposed waste management facilities would contribute towards meeting local needs. In view of these considerations, it is considered that the proposed waste management facilities for recycling and composting of materials, would comply with both the government guidance given in PPS10 and policies of the UDP provided that they do not have an unacceptable impact on the area and its environment in terms of noise, atmospheric pollution and highway safety. However, to ensure that the quarry environment is restored to agricultural and nature conservation after use in a reasonable timeframe, it is considered appropriate to restrict the duration of waste management operations to a minimum period of 15 years based on the applicant's projected rates of waste infill in relation to the total void space.

Green Belt

PPG2 states that mineral extraction and the deposit of waste to secure the restoration of mineral workings need not be inappropriate development and that they need not conflict with the purposes of including land in the Green Belt, provided high environmental standards are maintained and the site is well restored.

Whilst policy OL1/5 of the UDP seeks to ensure that proposals for mineral extraction and the restoration of mineral workings contribute to the objectives of land within the Green Belt and maintain the open character of the area, policies MW2/1, MW2/2, MW4/1 and MW4/2 aim to ensure that proposed mineral and waste disposal activities are carried out to high environmental standards and the sites are adequately restored.

Fletcher Bank Quarry is located within the Green Belt and as such the proposed activities for mineral extraction and waste disposal would be located within the Green Belt. It is recognised that the openness of the quarry site has already been, to some extent, compromised by the existing operations in particular for the facilities associated with the concrete products including the provision of the concrete production plant, open storage area, office buildings etc. However, given the nature of the proposed activities involving the importation of waste to restore the mineral workings resulting in the afteruse of the area as open land, it is not considered that the proposed development would be detrimental to the open character of the Green Belt.

Facilities for the recycling of waste and composting would not normally be considered to be appropriate development in the Green Belt. In such cases very special circumstances need to be present which clearly outweigh both the harm caused by the virtue of inappropriateness and any other harm. It is considered that the application site is set within the existing quarry and is relatively well screened from public view by the existing bunds along the northerly and north easterly boundary. Furthermore, the proposed recycling and composting facilities would be of an open character and would not only be complimentary to the proposed landfill and restoration operations at the site but would also help achieve the acceptable use of land in the Green Belt. In view of these considerations, it is considered that the proposed recycling and composting facilities are acceptable within the Green Belt so long as they are removed from the site on completion of the landfilling operations.

Highway issues

It is proposed that the site would be accessed via the existing access off Manchester Road (A56). It is anticipated that a total of 290 HGV would visit the site per day (580 movements) compared to existing level of 216 HGV per day (432 movements). In addition, it is estimated that 177 light vehicles (354 movements) would access the quarry per day compared to an

existing level of 171 light vehicles (342 movements). On this basis, it is estimated that the proposed activities for the importation of waste including recycling and composting operations, would generate an additional 37 HGV and 6 light vehicles per day.

The Borough Engineer commissioned consultants to undertake a review of the planning application and consider the implications of the proposed development on the local highway network. The report concludes that the proposed development would have no material impact on the existing quarry access junction with the A56. However, to improve road safety, the report recommends that measures be imposed to enforce the speed limit and that a wall either side of the access be lowered and an existing sign be removed to improve visibility. On the basis of these considerations, the Borough Engineer has raised no objection subject to conditions.

Noise/air pollution

The Environmental Statement contains a noise assessment including details of existing background noise levels at noise sensitive receptors and details of predicted noise levels based on sound power levels of the plant to be used, relative to noise reflection and attenuation through absorption and distance. The assessment concludes that the predicted worst-case noise levels from normal operations would not exceed background levels by more than 10dB(A) at selected noise sensitive properties identified on the submitted drawing number FBQ11/1. In addition, short term events such as construction of soil storage mounds which have the potential to generate higher level noise events would not exceed 70db(A) Laeq(1 hour)(free field).

With regard to air quality, the Environmental Statement concludes that the proposed development would be unlikely to lead to a decrease in local air quality and that any dust occurrence events would be limited and of short duration and could be controlled by recognised dust control practices such as water spraying, installation of the upward facing exhausts, access road sweeping/cleaning etc.

It is recognised that minerals and waste developments have a potential to give rise to adverse impacts on the quality of life of people through a variety of factors such as noise, disturbance, air pollution, visual intrusion etc. However, given that the proposed mineral extraction activities would take place along the eastern boundary of the quarry away from the main residential areas along the A56, it is unlikely that the residents in the area would be subjected to additional noise resulting from the proposed mineral workings. The development of green waste composting facilities, waste recycling and landfilling however, raises concerns in relation to noise, dust and emission of potentially harmful bioaerosols.

In response to the issues raised by the Environment Health Officer, particularly in respect of the emission of noise and its impact along the access road and the adjacent properties, the emission of dust in terms of wind spread and direction, odour from composting facility etc, the applicant has provided additional information. Although the additional information helps clarify some of the issues, however, the Environment Health Officer remains concerned about the effect of the noise, dust, bioaerosols and odour likely to be caused by the proposed development. The Environment Health Officer considers that whilst some of the concerns raised can be dealt with by the Environment Agency through the Waste Management License, the others could be dealt with by way of imposing conditions in the planning permission.

Most of the comments received from Ramsbottom Against Landfill (RALF) and the residents relate to the emission of noise, dust, odour, atmospheric pollution, traffic congestion etc. If planning permission is granted, it is anticipated that the recommended conditions for the control and monitoring of noise, dust and other atmospheric pollution, would help alleviate

some of the concerns raised by the residents.

Haweswater Aqueduct

United Utility has raised concerns regarding the potential impact of blasting on the Haweswater Aqueduct. They point out that the proposed quarry extension within Lancashire would reduce the horizontal distance to the aqueduct from approximately 270m to 110m and the installation of a permanent vibration monitor would be necessary to ensure that the vibration levels would not exceed 5mm/s, close to the Haweswater Aqueduct. However, the applicant believes that this is an over-restrictive blasting limitation particularly as no documentary evidence has been found to suggest that damage could be caused to structures at levels as low as 5mm/s. The applicant therefore maintains that a blasting limit of 12.5mm/s would be more appropriate in accordance with guidance detailed in MPG9 and MPG14.

This issue has been considered by the LCC which decided to impose conditions to accord with the recommended levels requested by United Utilities to ensure that no element of risk would be presented to this important water supply.

Hydrology and Hydrogeology

The proposed development would include areas of former mineral extraction to a depth of 175m and a quarry extension at the east boundary. The base of the quarry would lie above the permanent groundwater elevations within the underlying bedrock and there would be no proposed dewatering of the site during mineral extraction. Groundwater level monitoring data indicates that the groundwater flow is to the north, north west and west ranging between approximately 178m AOD in the south east and approximately 170m AOD in the northern part of the quarry.

The Environment Agency has raised no objection to the proposed development subject to conditions for the provision of foul drainage works and measures to prevent pollution of surface or groundwater. In addition, the Agency would control and monitor activities at the site under the provisions of the Water Resources Act 1991 and Groundwater Regulations 1998 in terms of protecting controlled waters from pollution. In respect of the proposed landfill operations, a detailed qualitative hydrogeological risk assessment would be required as part of a PPC Permit application which would require prescribed engineering standards.

Ecology/Archaeology - There are no issues relating to ecology/archaeology affecting part of the application site within this authority.

Landscape and Visual Impact

Fletcher Bank Quarry is surrounded by settlements of Ramsbottom and Shuttleworth to the west and north, moorland and isolated dwellings and farmhouses in the east and south on higher ground. The application site is situated in the northern half of the quarry with the north-easterly edge of the quarry already forming a prominent feature of the local landscape.

A substantial landscaped screening mound exists along the north, south and west boundary of the quarry. Furthermore, it is proposed that screening bunds in the north would be extended and increased in height which would help improve screening in the area. Since the proposed recycling and composting operations would be carried out within the confines of the quarry and that their views would be obscured by the existing and proposed screening bunds on the boundary, it is not considered that their visual impact would be minimal when viewed from outside. The eastward extension for mineral extraction would

have some impact on the landscape, however, it is considered that this would be no more intrusive than the current quarrying activities and in the long terms, there would be benefits resulting from the overall restoration of the site.

Summary of reasons for Recommendation

NO51

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

It is considered that the proposed development involving the extraction of minerals and provision of waste management facilities, due to its location within the existing quarry site, would neither have an adverse impact on the open character of the area as Green Belt nor the residential amenity of the area. Furthermore, it is considered that the anticipated increase in the number of vehicles visiting the site on daily basis, would not be detrimental to highway safety.

There are no other material considerations that outweigh this finding.

Recommendation: Minded to Approve

Conditions/ Reasons

1. The permission hereby granted relates to part of the application site included within Bury MB area as shown, hatched red, on the submitted plan marked FBQ 2/1A (Land Ownership), forming part of planning application ref. 43048.
Reason: For the avoidance of doubt.
2. The landfilling operations authorised by this permission shall cease not later than 31 December 2036 and the area landfilled shall be restored in accordance with the conditions of this permission by 31 December 2038, or within 24 months from the cessation of landfilling operations, whichever is the earlier.

Reason. For the avoidance of doubt and to provide for the completion and progressive restoration of the site within the approved timetable in the interest of local amenity, the visual amenity and to secure the proper restoration of the site.

3. The construction and demolition waste recycling and composting operations authorised by this permission shall cease not later than 31 December 2036 and the affected land shall be restored in accordance with the conditions of this permission by December 2038, or within 24 months from the cessation of the recycling/composting operations, whichever is the earlier.

Reason. For the avoidance of doubt and to provide for the completion and progressive restoration of the site within the approved timescale in the interest of local amenities, the visual amenity and to secure the proper restoration of the site.

4. Unless otherwise required by this permission or approved in writing by the Local Planning Authority, the working and restoration of the site shall be carried out in accordance with the following documents, forming part of the planning application ref. 43048:

a) The submitted planning application received on 9 August 2004.

b) Ecological Addendum report dated November 2004.

- c) Updated Air Quality Assessment report dated April 2005
- d) Letter from SLR dated 4 November 2005 regarding BPEO, restoration proposals and sand quality.
- e) Bioaerosol Risk Assessment report dated November 2005
- f) Submitted Plans including drawings no.

FBQ 1/1 - Site Location Plan, FBQ2/1 - Application Area and Setting,
 FBQ 2/2 - Site Layout,
 FBQ 3/1 - Existing Site Layout (March 2003),
 FBQ 3/2 - Quarry Extension Phase 1,
 FBQ 3/3 - Quarry Extension Phase 2 (Demolition and Excavation Waste Landfill Phase 1),
 FBQ 3/4 - Quarry Extension Phase 3 (Construction, Demolition and Excavation Waste Landfill Phase 2),
 FBQ 3/5 - Quarry Extension Phase 3 (Restored, Construction, Demolition and Excavation Waste Landfill),
 FBQ 3/6 - Mobile Crushing and Screening Equipment,
 FBQ 6/1 Rev 1 (October 05) - Restoration,
 FBQ 11/1 - Noise Monitoring Locations,
 FBQ 1 (Nov 05) - Site Cross Sections.

Reason. To accord with the terms of the application and to enable the Local Planning Authority to monitor and adequately control the development.

- 5. A topographical survey of the landfill operation shall be submitted to the Local Planning Authority annually by 31 December until the completion of restoration, as defined in this permission. The survey shall consist of a plan drawn to a scale of not less than 1:1250 which identifies all surface features within the site.

Reason. To enable the Local Planning Authority to monitor the site to ensure compliance with the planning permission.

- 6. No materials with the exception of soil making materials to be used for restoration purposes, green waste for composting, as defined in this permission and non-hazardous, non-putrescible and non-biodegradable construction, demolition and excavation waste, shall be brought to the site from elsewhere for the purposes of the development hereby permitted. No such waste shall be removed from the site once it has been deposited in the landfill area.

Reason. In the interest of proper site restoration and the amenities of the area.

- 7. No landfilling or restoration shall take place outside the hours of:

0730 to 1830 hours, Monday to Fridays
 0800 to 1300 hours Saturdays.

No such development or restoration shall take place at any time on Sundays or Public Holidays without the prior approval of the Local Planning Authority. This condition shall not, however, operate so as to prevent the carrying out, outside these hours, of essential maintenance to plant and machinery used on the site.

Reason. In the interests of the amenities of the area.

8. No composting operations shall take place outside the hours of;

0730 to 1830 hours, Monday to Fridays
0730 to 1400 hours on Saturdays

No such development shall take place at any time on Sundays and Public Holidays without the prior approval of the Local Planning Authority. This condition shall not, however, operate so as to prevent the carrying out, outside these hours, of essential maintenance to plant and machinery used on the site.

Reason. In the interests of the amenities of the area.

9. No recycling operations shall take place outside the hours of:

0730 to 1830 hours, Mondays to Fridays
0730 to 1400 hours on Saturdays

No landfilling shall take place at any time on Sundays or Public Holidays without the prior approval of the Local Planning Authority. This condition shall not, however, operate so as to prevent the carrying out, outside these hours, of essential maintenance to plant and machinery used on the site.

Reason. In the interests of the amenities of the area.

10. No development shall commence until details of the design, specification and location of the single weighbridge office, two weighbridges and wheel cleaning facilities have been submitted to and approved in writing by the Local planning authority.

Reason. To ensure the site is satisfactorily developed and in the interests of highway safety and amenities of the area.

11. The wheel cleaning facilities shall remain available for use at all times during the development and restoration so as to ensure that no debris from the site is deposited by vehicle wheels upon the public highway and shall be maintained in full working order at all times throughout the development and restoration.

Reason. In the interests of highway safety and the amenities of the area.

12. Any internal haul road or private way between the wheel cleaning facilities and the public highway shall, throughout the development and restoration, be drained and kept clear of debris along its entire length at all times.

Reason. In the interests of highway safety and the amenities of the area.

13. All vehicles transporting minerals, of a size less than 100mm in any dimension, from the site shall be securely sheeted.

Reason. In the interests of highway safety and the amenities of the area.

14. All plant, equipment and other machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment

or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with the specification at all times throughout the development.

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

15. No development hereby approved shall be commenced until a scheme for the provision of foul drainage works has been submitted to and approved by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans.

Reason. To prevent pollution of the water environment.

16. Any chemical, oil or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the container or container's total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. There must be no drain through the bund floor or walls. Double skinned tanks may be used as an alternative only when the design and construction has been approved, in writing, by the Local Planning Authority.

Reason. To prevent pollution of the environment.

17. Repair, maintenance and fuelling of plant and machinery shall, where practical, only take place on an impervious surface drained to an interceptor and the contents of the interceptor shall be removed from the site completely.

Reason. To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land.

18. Noise emitted from the development shall not exceed the following levels when measured from any of the following properties as shown on drawing no. FBQ11/1 at a point closest to the noise source:

a) Shipper Farm Bottom	55dBL Aeq (1 hour) (free field)
b) Greenacre Close	55dBL Aeq (1 hour) (free field)
c) Bye Road	55dBL Aeq (1 hour) (free field)
d) Green Hill	55dBL Aeq (1 hour) (free field)
e) Moorside Farm	45dBL Aeq (1 hour) (free field)

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

19. The noise limits set out in Condition 18 shall not apply during the stripping of soils and overburden at the site, the construction of storage mounds for these materials and their respreading during restoration of the site or the construction of landscape or baffle mounds. Noise from any of these activities shall not exceed 70 dBL Aeq (1hour)(free field), as defined in this permission, as measured from any of the properties identified in Condition 18 at a point closest to the noise source. This condition shall only apply for up to 50 days in any one calendar year unless otherwise agreed in writing by the Local Planning Authority. A written record shall be made of the dates that these activities are taking place and shall be made available to the Local Planning Authority on request.

Reason. In the interest of the amenity of the area.

20. Noise emitted from the site, including the access road shall not exceed 55dBL Aeq (1 hour)(free field) at any other position which the Local Planning Authority consider properly represents any noise sensitive building, in accordance with the guidance given in Mineral Planning Statement (MPS) 2.

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

21. An acoustic barrier shall be constructed along the open edge of the access road, to the satisfaction of the Local Planning Authority, to connect with the cutting at the northern end.

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

22. The development hereby approved shall not take place unless and until a scheme and programme for the treatment of leachate from the landfill site, the composting facility and any storage area has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme and programme shall be implemented in its entirety on commencement of the development and be utilised at all times during the development.

Reason. In the interests of proper site restoration and to avoid the pollution of land.

23. Equipment suitable for measuring and logging the prevailing wind affecting the site shall be installed and used to the satisfaction of the Local planning Authority and the results of that monitoring shall be made available to the Local Planning Authority at a request.

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

24. Prior to the commencement of the development hereby approved, a scheme indicating measures to be taken to ensure that no dust or wind blown material is carried on to adjacent property and in particular shall include the watering of all haul and access roads and the spraying of storage heaps or areas as necessary during dry weather condition, shall be submitted to and approved in writing by the Local Planning Authority.

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

25. The types of reversing alarms to be used on the vehicles and equipment associated with the development shall be agreed with the Local Planning Authority prior to the use on the site.

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

26. By 31 December 2020 or within 12 months of the cessation of landfilling operations, whichever is the sooner, a scheme and programme for the final restoration and aftercare of the site shall be submitted for approval in writing by the Local Planning Authority.

The scheme and programme shall include details of:

- a) the removal of all plant, machinery, buildings, structures, erections and their foundations including the removal of all internal haul roads and subsidiary site

roads;

b) the re-spreading of any available top-soils, sub-soils and soil making materials and seeding specification;

c) the treatment of lagoons and water areas;

d) details of fencing to the boundary of the site and landscape areas;

e) native tree/shrub planting and seed specification and their cultivation;

f) the methods to be employed to promote plant growth;

The approved scheme and programme shall be carried out in its entirety.

Reason. To ensure satisfactory restoration of the site.

27. A monitoring report shall be submitted to the Local Planning Authority annually by 31 December until the end of the aftercare period.

The report shall include:

a) any operations carried out on the land during the previous 12 months in respect of the landfilling operations;

b) measures taken to implement the landscaping, progressive restoration and habitat creation;

c) measures taken to implement the aftercare provisions; intended operations for the next 12 months.

Reason. To ensure that the site is returned to a beneficial afteruse.

28. Within 3 months of completion of the restoration operations, a scheme and programme for the aftercare of the site for a period of 5 years to bring the land to a standard for agriculture and amenity after-uses of the site shall be submitted to and approved by the Local Planning Authority and thereafter implemented to the satisfaction of the Local Planning Authority.

The scheme and programme shall include details of:

a) maintenance of the restored site to promote agriculture/amenity afteruses;

b) a regime for controlled grazing;

c) maintenance of tree/shrub planting which shall include, where necessary, watering, replacement of dead, dying or diseased trees, thinning and weeding.

d) an annual inspection, to be undertaken in connection with representatives of the Local Planning Authority, to assess the works that shall take place in the following year.

Reason. To ensure that the site is returned to a beneficial afteruse.

29. Visibility splays measuring 4.5 metres by 90 metres shall be provided at the junction of both site entrances with Manchester Road to the written satisfaction of the Local Planning Authority before the development is brought into use and shall subsequently be maintained free of obstruction above the height of 0.6m
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.

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

Ward: Whitefield & Unsworth - Pilkington Park

Item 14

Applicant: E Morris

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

Proposal: CHANGE OF USE FROM SHOP (A1) TO FORM FORM COFFEESHOP (A3)/ WINE BAR (A4) AND GIFT SHOP AND ASSOCIATED CAR PARKING.

Application Ref: 45888/Full

Target Date: 31/03/2006

Recommendation: Approve with Conditions

Description

The application relates to a two storey detached building at the junction of Bury New Road and Higher Lane, adjacent to the Khan Saab Indian restaurant. The traditional facade is rendered with a central brick feature gable. The building has three distinct sections, a hairdressers (A1) and a Learndirect centre (A2) with an internet cafe (A1) attached to it. To the rear of the property is a car park for the Khan Saab restaurant. Across Higher Lane to the front is the free public car park serving the adjacent shopping centre. Higher Lane has double yellow lines immediately outside the property. The property is located with a District Shopping Centre as identified in the Unitary Development Plan.

The application seeks planning permission for the change of use of the building to form coffee shop and wine bar on ground and first floors with a card and gift shop on the ground floor. Opening hours are indicated as 11am to 1am. It should be noted that planning permission was granted in November last year to change the use of the building to coffee shop, beauty salon and gift shop with opening hours until 8.30pm. On 28th February this year the applicant was granted a licence to sell alcohol from the premises subject to the proposed building work being completed. The licence restricted opening hours from 11am to 11.30pm Sunday to Thursday and from 11am to midnight Fridays and Saturdays.

There would be a total of 10 staff on the site. The car park to the rear of the site is included within the application site but is owned by the Khan Saab restaurant.

Relevant Planning History

45396 - Change of use from A1 shop to form coffee shop, gift shop, children's play area and beauty salon - **Approved 24/11/2005**. Amongst others, there was a condition restricting opening hours to 9pm Monday -Saturday and 6pm Sunday.

Publicity

Immediate neighbours - Objection from the occupier of 1 Top O'th Fields. Concerns are summarised.

- Noise and disturbance to nearby residents late at night from customers returning to cars. He states that the car park to the rear is unlikely to be available for use by customers of the wine bar at night when the Khan Saab is busy.
- Road safety and the danger caused by customers crossing from the public car park across Higher Lane.

A letter from the owner of the Khan Saab has been received and indicates that no permission to use the car park to the rear of the property has been given.

Consultations

Borough Engineer (traffic) - No objection.

Environmental Health - No objection subject to condition on extraction system.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EC4/1 Small Businesses

S2/1 All New Retail Proposals: Assessment Criteria

S2/3 Secondary Shopping Areas and Frontages

S2/6 Food and Drink

HT2/4 Car Parking and New Development

Issues and Analysis

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

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

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

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

The location of the site, cut off from the main shopping area by the busy section of Higher Lane, limits the viability of many A1 shop uses. Although the Khan Saab restaurant is adjacent, the proposed coffee shop/wine bar would be very different in nature and would not detrimentally affect the character of the existing centre as a whole, rather the scheme with its mix of uses, would improve the appearance and overall viability of the commercial area. It should be noted that the larger unit, occupied by Learndirect, was already in non retail use.

Car Parking and Residential Amenity. Waiting restrictions outside the property and along Higher Lane would prevent cars parking directly in front of the bar to the detriment of road safety. Given the proposed opening hours of the wine bar to 1am, there is a concern that without a certain amount of dedicated parking, customers with vehicles may park on London Street and to a lesser extent Fountain Place and cause disturbance to residential amenity later in the evening. The public car park across Higher Lane may facilitate some customer parking without serious harm to residential amenity, however there is still a likelihood that some customers would park on nearby streets. It is considered that eight dedicated spaces would be required to be provided on the car park within the application site.

The car park to the rear of the property and owned by the Khan Saab restaurant at the rear seems to be the logical place to accommodate customer parking. This car park was included within the red edged site and has to be considered as part of the overall scheme despite the fact that the applicant does not appear to have the permission at present to use it. The applicant has indicated that she is in discussion with the Khan Saab to obtain use of the car park. No evidence of this has so far been submitted to confirm this. Notwithstanding

any ongoing negotiations, it is considered appropriate to impose a condition requiring the provision of 'on site ' parking

Sustainability. The property in a sustainable location, close to main public transport bus and metro routes. Although the area is well served by existing public car parks, it is considered that the new bar requires eight dedicated spaces on the adjacent car park.

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

On balance it is not considered that the change of use would not detrimentally affect the overall viability of the secondary centre. Given an appropriate condition requiring eight spaces to be marked out for use by patrons of the proposed coffee shop/wine bar, the impact on the residential amenity of local residents would be mitigated to an acceptable level.

Summary of reasons for Recommendation

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

The change of use would not cause serious harm to residential amenity of neighbours and would have an adverse impact on the existing nearby shopping centre. There are no highway safety issues of concern. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than 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 M2404-05 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Before the development commences, eight parking spaces shall be marked out and made available for the use of customers of the coffee shop and wine bar during the hours of 11am to midnight every day and shall be retained thereafter to the satisfaction of the Local Planning Authority.
Reason. To ensure adequate off street parking provision in the interests of residential amenity, pursuant to policy S2/6 - Food and Drink, of the Bury Unitary Development Plan
4. Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before the use commences; any works approved shall be implemented to the written satisfaction of the Local Planning Authority before the use commences.
Reason. In the interests of amenity pursuant to Policy S2/6 – Food and Drink of

the Bury Unitary Development Plan.

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

