

Ward: Bury East

Item 01

Applicant: Mr R Habib

Location: 45 HURST STREET, BURY, BL9 7ER

Proposal: CHANGE OF USE FROM SOCIAL CLUB (CLASS D2) TO RETAIL SHOP (CLASS A1) WITH ANCILLARY OFFICE AND STORE; RAMP FOR DISABLED ACCESS. (RESUBMISSION)

Application Ref: 46005/Full

Target Date: 01/05/2006

Recommendation: Approve with Conditions

Description

The property is a sizeable brick built two storey building situated on a corner site within a closely built part of Pimhole characterised by terraced houses within a gridiron pattern of streets. There is access to the rear via a cobbled back street and the property relies on on-street car parking. It is currently vacant and was formerly a licensed social club. Accordingly, its current use class within Class D - Assembly and Leisure. The building itself is in a poor state of repair and in need of upgrading.

The proposal is for a change of use of part of the ground floor to a retail shop (Class A1) with an ancillary office and store room. On the Hurst Street frontage there would be a ramp for disabled access. The application has been submitted following the refusal of two previous applications for change of use to a retail shop. The net sales area of the shop would be about 65 sq m, with the associated rear store room to be about 42 sq m. The area of the ancillary office would be about 20 sq. m. The gradient of the disabled access ramp to be situated on the Hurst Street frontage would be 1:14 with supporting handrails 1m in height.

Relevant Planning History

39549 - change of use to shop. Refused on 30/8/2002 as contrary to UDP Shopping Policy and seriously detrimental to residential amenity.

45586 - change of use to shop. Refused on 23/01/2006 with reasons as for 39549.

Publicity

Neighbouring properties on Hurst Street and Andrew Street were notified. Two letters of objection from No 32 and No 43 Hurst Street have been received which raised the following points:

- disturbance from the building work at weekends
- the sale of alcohol
- disturbance from loitering youths
- increase in litter, noise and traffic
- parking problems
- there is a variety of shops within easy distance from the area.

Consultations

Borough Engineer - no objections.

Environmental Services - no objections

Urban Renewal - comments support the application. See below.

Unitary Development Plan and Policies

| | |
|------|--|
| S2/1 | All New Retail Proposals: Assessment Criteria |
| S2/5 | New Local Shopping Provision |
| S4/1 | Retail Development Outside Town and District Centres |
| H5/1 | Area Improvement |
| H3/1 | Assessing Non-Conforming Uses |

Issues and Analysis

Principle - UDP Policy S2/5 is the primary policy relating to the acceptability in principle of the development and also the consideration of the details. It concerns proposals for new local shopping provision outside recognised shopping centres. The policy supports this type of small scale shopping provision subject to an assessment of the balance of advantage and disadvantage in regard to a number of factors including local need not being met by existing local provision, the effect on the vitality and viability of local facilities, whether it would be more appropriately located within a recognised shopping centre, availability of alternative vacant premises, potential for nuisance to neighbours and parking, servicing and road safety/traffic issues.

The site is situated relatively close to the Rochdale Road Neighbourhood Centre (c.110m) and this shop would serve the local residential area. In terms of Policy S2/5 the Council needs to be satisfied that the shopping role of this established centre is protected. The previous two planning applications were for change of use to retail use and were refused due to concerns that the use would serve to undermine the role of existing local shops in the centre and that the general activity associated with the shop use would be seriously detrimental to the amenity of nearby residents. The premises are sizeable at about 310sq m gross floorspace and could accommodate a substantial shop if used entirely for this purpose. This would lead to the unacceptable impact on the neighbourhood centre and undue impact on residential amenity that resulted in the previous adverse decisions. In contrast with the previous proposals, the current application involves a much more limited shop use and the net sales area would be restricted to a 65 sq m section shown at the frontage corner of the building. At this lesser scale it is considered that the retail use would not to have a materially adverse effect on the nearby neighbourhood centre and that any impact from traffic, servicing, on street car parking and other activity would be of a scale such as not to have an excessive impact on the surrounding houses. However, to ensure that the extent of the retail use would be limited to the scale indicated any planning permission should include an appropriate condition in this regard.

Visual Amenity - The development would enable a prominently located building to be renovated both internally and externally and through the improvements in its fabric it would help to support the redevelopment and regeneration of the Pimhole Area. This would be in line with Policy H5/1 and the associated Proposal H5/1/1 concerning renewal of Pimhole.

Urban Renewal who manage the Pimhole Neighbourhood Renewal Project have confirmed that they support the scheme to renovate and re use the vacant building as a shop as this would benefit the Pimhole neighbourhood in terms of amenity and visual image.

The building has some attractive detailing but its the current condition detracts from its positive features. The external changes need careful treatment which is not successfully achieved by the submitted elevational details. If permission is granted this should be subject to a condition requiring the prior approval of external details.

Access - A ramp for disabled access and supporting handrails is proposed which would conform with Part M.

The first floor is currently vacant and not part of this application.

Residential Amenity - The objections relate to various concerns, some of which are not considered to be proper planning considerations such as disturbance from the building work or the sale of alcohol. The building currently has Class D2 use, having previously been a social club. By its very nature that type of use, which could be resumed without the need for planning permission, would involve the gathering of people, the selling of alcohol, and is likely to perpetuate a litter and noise problem. A change of use to retail on the limited scale now being proposed would create a much lesser degree of disturbance locally. Given the small size of the proposed shop, there would be relatively few deliveries and much of the trade is likely to be local with the property often accessed by local residents on foot. Furthermore, given the closeness of houses late opening is likely to cause undue disturbance to residents and any consent should include a condition restricting the hours of opening. A condition is recommended limiting evening opening to 2100hrs in line which accords with the intended closing time set down in the application.

Car Parking - Like most local corner shops the property does not have off street car parking. However, there it has more street frontage for casual on-street car parking than is the case with most local shops. Although the maximum standard of parking provision set down in the current Greater Manchester draft parking standards is 13 spaces for retail developments of less than 900 sq m floorspace, this level is reduced in the case of "smaller developments assumed to be more local in nature and accessible by other modes,". This would aptly describe the proposal and it is considered that the use could reasonably rely on on street car parking without significant detriment to road safety and 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 the development will neither harm the character of the area nor the amenity of nearby residents or potentially detract from the Rochdale Road Neighbourhood Centre. The parking and access arrangements will not be materially detrimental to highway safety or amenity.

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 6/3/2006 and, subject to Condition 3, 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 development shall take place unless and until full particulars of the elevations to Hurst Street and Tinline Street have been submitted to and approved in writing by the Local Planning Authority. These elevations shall retain the facing brickwork as exposed and with no treatment by external rendering. The development shall not be carried out other than in accordance with the approved details.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
4. The shop shall not be open outside 0900 hrs to 2100 hrs daily.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/5 – New Local Shopping Provision Outside Recognised Shopping Centres of the Bury Unitary Development Plan.
5. The size of the sales area of the shop shall not exceed 64 sq m.
Reason. To safeguard the vitality and viability of the established Neighbourhood Centre at Rochdale Road pursuant to Policy S2/5 – New Local Shopping Provision Outside Recognised Shopping Centres of the Bury Unitary Development Plan.

For further information on the application please contact **Jennie Townsend** on **0161 253-5320**

Ward: Prestwich - Sedgley

Item 02

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

The application was deferred for a site visit at the last meeting of the Committee on 28th March.

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 letter's of objection have been received from No's. 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 for the use as a Muslim Centre and the proposed classroom . Teaching is an integral park 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 03

Applicant: St. Marys C fo E Primary School

Location: ST MARYS CHURCH OF ENGLAND PRIMARY SCHOOL, RECTORY LANE,
PRESTWICH, M25 5BP

Proposal: CREATION OF DISABLED RAMP & ENTRANCE TO SCHOOL

Application Ref: 46012/Full

Target Date: 04/05/2006

Recommendation: Approve with Conditions

Description

The site is St Mary's C E Primary School, which is located to the south of the Longfield Centre. Rectory Lane follows the school boundary along the west and southern edge. The site is bounded by a wall and railings. The playing fields are located to the rear of the school buildings and abut the boundary to No 25 Rectory Lane. The existing access to the school is located opposite Nos 1 and 2 School View, Rectory Lane.

The application proposes the creation of a disabled ramp and new entrance to the school, and provision of a cycle store. The entrance would be moved in a south easterly direction along Rectory Lane and would be approximately 8.5m from the boundary to No 25 Rectory Lane. This property would be screened from the proposal by a line of trees. The access would be approx 2.3m in width and incorporate new gates through the fence line. The length of the first ramp is 10m, giving a rise of 1 in 20 and all gradients would be at this angled slope. The overall handrail height would be 1000mm to all sections of the ramp and landings. A new cycle shelter would be incorporated into the site and would be approx 2m by 4m by 2m. The existing entrance would be permanently locked.

Relevant Planning History

38769/02 - single storey extension with pitched roof - approved 21/3/2002

Publicity

Neighbours in the immediate vicinity have been notified. As a result of the publicity two letters from 20 Kenilworth Avenue and 14 Greenhill have been received and the following points raised:

- bringing the access closer to Greenhill would increase vehicle activity.
- following the creation of the new access, the old entrance would be closed thereby creating a set of steps within the school site.
- although the new footpath would be well lit, there is currently insufficient lighting around the school.

Consultations

Borough Engineer - no objections

BADDAC - recommendations made to height of hand rail and length of ramp have resulted in amended plans.

Unitary Development Plan and Policies

Area Rectory Lane

PR3

HT5/1 Access For Those with Special Needs
CF2 Education Land and Buildings

Issues and Analysis

Access - The school crossing has already been moved from opposite the existing school entrance to further down Rectory Lane. Being relatively close to the bend in Rectory Lane, the previous crossing was a danger to the safety of the children and other visitors who used the crossing to access the school. Not only would it make sense to move the entrance way to be in line with the crossing, but it would also enable a disabled access ramp and hand rails to be installed. Policy HT5/1 - Access for those with Special Needs seeks to encourage the provision of ramped accesses in preference to steps in public and private area. Following consultations with BADDAC, the dimensions of these structures would comply with Approved Document M.

With regard to the existing entrance way, this would be permanently locked and be inaccessible should the application be approved. The objector is concerned this will cause problems in negotiating steps within the school grounds. However, level access will be provided round the back of the school playing grounds towards the rear of the school, with the existing steps used as the alternative access.

Comments from BADDAC raise concerns regarding the proposed spiral steps leading from the ramp and has advised that "Although there are no regulations to say spiral steps cannot be built, there is evidence for avoiding their use. On 'straight' flights of stairs blind people can anticipate the next step, on spiral stairs they cannot." This concern has been forwarded to the school for their consideration but they have since responded they wish to proceed with the proposed stair configuration.

Highway Issues - The objector from Greenhill makes reference to the increase in vehicular activity the proposal will cause. Given this road is already used by parents as a drop off area, there is no reason to assume this would increase as a direct result of the relocated entrance.

Lighting - There is a new lighting column proposed adjacent to the new pathway which will give added security. The objection to the lack of lighting around the school building is not relevant to this application.

Cycle Store - The proposed cycle storage shelter will replace the existing. Being 2m by 4m, it would adequately suit the needs of the school. It would be modern in design and include the installation of foundations or concrete plinths.

Summary of reasons for Recommendation

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

It is considered that the proposed development is acceptable because it would not have undue impact on the residential amenities of surrounding properties. The parking and access arrangements would not be detrimental to highway safety.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered BS.MAN.2005.2111.001.001 rev B; BS.MAN.2005.2111.001.002 rev D; BS.MAN.2005.2111.001.003 rev B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. The brickwork for the proposed ramp hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

For further information on the application please contact **Jennie Townsend** on **0161 253-5320**

Ward: Radcliffe - West

Item 04

Applicant: The School Governors

Location: ST JOHNS C OF E SCHOOL, JOHNSON STREET, RADCLIFFE, M26 1AW

Proposal: ERECTION OF 2.4 METRE HIGH SECURITY FENCING

Application Ref: 46007/Full

Target Date: 15/05/2006

Recommendation: Approve with Conditions

Description

Site and Surroundings. The primary School is a single storey red brick Victorian detached building with traditional slate pitched roof. There are 1.5m high iron railings along the frontage with James St and along the southern boundary and a brick wall along the northern boundary. There are rows of terraced residential properties to the north and south of the site and an open playing field on adjacent land to the west. Across James St to the north east is a large area of vacant land which has been set aside for future employment use.

Proposal. The proposed fencing would enclose the school buildings. The adjacent playing field would not be enclosed. The 'Crusader' fence would be 2.4m high and comprise of vertical steel railings and be powder coated in dark green. Gates would be located at the existing vehicular and pedestrian entrances.

Relevant Planning History

None relevant.

Publicity

Immediate neighbours - Concern from occupier of 16 Rupert St.

- View from the back of Rupert St may be obscured by the fence.
- Security fences are already present on property on James St. This fence would add to the feeling that the area is taking on the appearance of a prison.
- Fencing such as this is often breached and becomes 'a pointless eyesore'.
- Is the fence really necessary?

Consultations

Borough Engineer (Traffic) - No comments to date.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design
CF2 Education Land and Buildings
EN1/5 Crime Prevention

Issues and Analysis

Need. The proposed fencing is in response to growing pressure from educational bodies such as OFSTED to increase security at school sites.

Amenity. Although visual more imposing than the more traditional 1.8m high railings, steel railings at 2.4m are becoming more common around schools since security issues have been given greater priority in recent years. The railings at the front would face the large

vacant employment site across James St and along the side (north west and south East) boundaries the railings would abut the rear accesses behind the houses fronting Rupert St and James St. Given that the railings are of a more traditional style and would not be located on particularly prominent thoroughfare, it is considered that they would not be seriously detrimental to the visual amenity of the area or the residential amenity of the surrounding residents.

Objections. The objections from the resident on Rupert St are not supported. A 2.4m fence is unlikely to seriously obscure views across the school site. Although there are railings around the employment land across James St, the railings around the school are considered suitable for a school site and would not appear incongruous. Given the higher priority for security in recent years it is less likely to break down.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed and the reason for granting permissions can be summarised as follows;-
The proposed fencing will improve security at the school without serious detriment to the visual amenity of the area or residential amenity of the surrounding residents. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than 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 1129-13-701 and 1129-13-702 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 **Tom Beirne** on **0161 253 5361**

Ward: Ramsbottom & Tottington - Tottington

Item 05

Applicant: The Co-Operative Bank

Location: 17 MARKET STREET, TOTTINGTON, BL8 4AA

Proposal: INSTALLATION OF 24 HOUR ATM CASH MACHINE IN EXISTING SHOP FRONT

Application Ref: 46019/Full

Target Date: 01/05/2006

Recommendation: Approve with Conditions

Description

The application property, a large Coop store, is a two storey building located at Market Street in the centre of Tottington village. Approximately 3/4th depth of the building comprising a restaurant at first floor and retail shop at the ground floor, is set back from the road in line with the adjoining public house. The shop at the ground floor has a large frontage comprising several windows. A pair of bike rails are located at the northern end of the forecourt.

The proposal involves the installation of a 24 hour ATM cash machine at the northern end of the west facing frontage window. It is proposed that the affected part of the window would be infilled with steel reinforced laminate panel in colour to match the existing surround with the ATM fascia projecting through.

Relevant Planning History

1. Planning permission ref. 40573/03 for change of use from health club to restaurant (first floor) was granted on 28 May 2003.
2. Planning Consent ref. 45431 for a shop sign at first floor was granted on 6 December 2005.

Publicity

One letter raising objection to the proposal has been received from a resident of 22 Market Street, Tottington. The points raised are:

1. The site is located in close vicinity of three public houses and there have been so many problems leading to violence in the area. The proposed cash machine would cause further similar problems in the area.
2. The store opens between 7am to 11pm daily and people can use the cash machine available inside the shop.
3. Tottington village is not a Town Centre situation and there is no need for such a cash machine.

Consultations

BADDAC - The ATM would be located close to the existing cycle stands which could cause tripping hazard to people using the machine. It is suggested that the proposed machine should be sited away from the cycle stands.

Borough Engineer - No objection

GM Police - Makes the following comments:

- Would prefer to see the ATM located further along the elevation of the store away from the recessed corner and existing bike rails.
- Lighting should be provided to the area around the ATM to an adequate and uniform level (as defined within BS 5489).
- Defensible space ground markings (e.g. painted area or change in surface texture) should be employed at the front of the ATM to indicate that only one user at a time may enter the space.
- The proposed ATM should be protected by a close circuit television system that should view the area and the user of the ATM.
- The ATM should be protected by anti-ram bollards/high rising kerbing or similar to deter against ram-raid type attacks.
- Replenishment of the ATM should be carried out from a secure area inside the host building.

Unitary Development Plan and Policies

S1/3 Shopping in District Centres

HT6/1 Pedestrian and Cyclist Movement

Issues and Analysis

The proposed cash machine would be installed on the northern end of the shop frontage and the affected part of the window would be replaced with steel reinforced laminate panel. By virtue of its size, position and the finished panel treatment, it is not considered that the proposed development would have a detrimental impact on the character of the building or the area. Furthermore, although the proposed cash machine would be clearly visible from the street, it is not considered that this would adversely affect the residential amenity of the area.

The issues raised by the objector relate to the incidents of violence in the area. Whilst it is accepted that the application property is situated in a small shopping area and the users of the proposed cash machine could cause disturbance in the area, however, it is not considered that these considerations justify the refusal of planning permission.

In view of the comments made by BADDAC, the applicant has agreed to re-locate the existing cycle stands to a location close to the adjoining window panel which is considered satisfactory.

With regard to the comments made by the Police, the applicant feels that for operational reasons, it is not practical to re-located the siting of the proposed ATM. However, the applicant has revised the scheme to incorporate within it a defensible space in front of the ATM, CCTV camera, security lighting and ram raid bollards.

Summary of reasons for Recommendation

NO51

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

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

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than 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 46019 and 46019 (Rev B) received on 4 April 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. The existing cycle rails at the northerly end of the shop shall be removed and replaced on the shop frontage as shown on drawing No. 46019 received on 4 April 2006 and thereafter be maintained to the satisfaction of the Local Planning Authority.
Reason. To ensure visits to the shop by non-motorised means.
4. Prior to the ATM hereby approved first being brought into use, the following provisions shall be made:
 - CCTV coverage
 - Security lighting,
 - Ram raid bollards
 - Marking to delineate defensible space

and thereafter be maintained to the satisfaction of the Local Planning Authority for as long as the development remains in existence.

Reason. For the avoidance of doubt and to secure the satisfactory development of the site.

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

Ward: Whitefield & Unsworth - Pilkington Park

Item 06

Applicant: Polyflor Ltd

Location: POLYFLOR LTD, RADCLIFFE NEW ROAD, WHITEFIELD M45 7NR

Proposal: EXTENSION TO EXISTING POLYTRED BUILDING

Application Ref: 46086/Full

Target Date: 16/05/2006

Recommendation: Approve with Conditions

Description

The site is a well established industrial complex on the south side of Radcliffe New Road and the adjacent metro line. The proposed extension would be built onto the existing polytred building which produces safety flooring, in the north east corner of the site. To the west are residential properties on Charter Avenue, Jubilee Avenue and Uplands Avenue. To the north across the infilled lodge is the metro line and houses fronting Radcliffe New road. To the south and east is the remainder of the Polyflor complex.

The proposed extension would come out a further 15m from the western end of the existing building. The roof would be pitched to a maximum height of 7m which level with the pitched roofs on the existing building. In order to accommodate the extension, the banking up to the western boundary would be excavated back and stabilised by gabions. The extension would be finished in insulated vertical profiled metal cladding (grey) to match the existing building. There would be a fire exit on the end (west) elevation and a roller shutter door on the north elevation.

Relevant Planning History

There have been a number of applications on the site over recent years. The most recent being the demolition of existing building and construction of new warehouse (**438470**) Approved in February 2005.

Publicity

Immediate neighbours - Two objections from a resident on Radcliffe New Road and the occupier of No.20 Charter Avenue. Concerns are summarised:

The site is already noisy and creates dust throughout the night.

Tree have been removed on the boundary making the factory more visible.

Smells from the factory, particularly in the summer when doors are open, detrimentally affect the living environment and cause headaches and sore throats.

Consultations

Borough Engineer (Drainage) - No comment to date.

Environmental Health - No objection subject to conditions relating to contamination and noise mitigation measures.

Serco Metro - No comment to date.

Unitary Development Plan and Policies

EC2 Existing Industrial Areas and Premises

EC2/2 Employment Land and Premises

EN1/2 Townscape and Built Design

Issues and Analysis

Design and Layout. In terms of design and massing the extension is considered to be in keeping with the existing factory unit. The roof would slope down from a ridge height of 7m down to an eaves level of 4.5m and the finishing materials would match the existing building.

Residential amenity. The extension would bring the factory building closer to the residential properties on Uplands Avenue and Charter Avenue. At its closest point the south west corner of the extension would be 7m from the rear boundary with No.33 Charter Ave and 19m from the rear elevation of that property. At the north west corner the distance would be 18m to the boundary with No.28 Uplands Ave and 23m to the house itself. Due to differences in levels between the site and adjacent housing, the base of the extension would be set down approximately 5.5m below the existing concrete panelled fence that sits on top of the banking and form the boundary with those properties. Because of the difference in levels it is not considered that the building itself would cause serious harm to the visual amenity of neighbouring properties. The proposed elevations indicate the difference in levels between the extension and the adjacent housing.

More of a concern with regard to residential amenity is potential nuisance from noise fumes and smells. The Borough Environmental Health Officer has no objection to the scheme subject to there being no increase in noise beyond the prevailing ambient noise levels measured from the boundary. It is noted that the walls and roof would be insulated to mitigate noise impact and revised plans indicate the new roller shutter door position would be on the north elevation rather than on the side (west elevation) elevation as previously proposed. Further measures to mitigate noise disturbance would involve planting up the area on top of the banking along the western boundary. As the distances from the top of the banking to the boundary vary the potential for planting will also vary. It is considered that the areas immediately adjacent to the boundary with No.28 Uplands Ave and No.31 Charter Avenue could be landscaped to mitigate the impact of the scheme both visually and in terms of potential noise and activity. More substantial planting would be limited at the top of the banking behind the boundary with No.33 Charter Avenue.

Objections. Noise and smells from the extended factory would be controlled by general Environmental Health legislation and in particular by conditions attached to any approval of planning permission. The removal of the larger door on the side elevation will also mitigate noise emanating from the factory. Visually the impact from surrounding houses would be mitigated by the levels differences and landscaping along the boundary.

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 design and massing of the extension is considered to be in keeping with the existing factory building. The extension would be partially screened from surrounding residential properties by the banking on the boundary and boundary landscaping. Complies with UDP policies. 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 532B/01, 532B/02/RevA, 532B/03/RevA and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

3. The external finishing materials for the proposal hereby approved shall match those of the existing building.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

4. No development shall commence on site until a detailed structural survey, construction specification and method statement for the proposed gabion mattress and soil nailing on the revised banking on the western boundary has been submitted to and approved in writing by the Local Planning Authority. No development shall take place except in complete accordance with the approved construction specification and method statement.

Reason. To ensure that the stability of the proposed banking arrangement adequate.

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

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design

6. Noise from the proposed activity/development hereby permitted shall not increase the prevailing ambient noise levels as measured at the boundary of the site.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation.

7. Before the extension hereby approved is first occupied a noise survey determining ambient noise levels and any appropriate noise attenuation measures that would be required to satisfy condition 6 shall be submitted to and approved in writing by the Local Planning Authority. The noise reduction measures that will be required shall be implemented in full and permanently retained to the satisfaction of the Local Planning Authority.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation.

8. Prior to the development hereby approved commencing:

- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
- Where actual/potential contamination and/or ground gas risks have been identified, a detailed site investigation and suitable risk assessment shall

be carried out, submitted to and approved in writing by the Local Planning Authority;

- Where remediation is required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

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

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

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

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

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and 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.

12. Prior to the commencement of the development, appropriate site investigations, gas monitoring and risk assessment shall be carried out to assess any possible risks associated with the production of landfill gas or ground gas. Where required, detailed design features shall be incorporated into the development, as shown necessary by the site investigation and risk assessment, to alleviate risks to the written satisfaction of the Local Planning Authority, and;
A Site Verification Report detailing the design and installation of the incorporated design features, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.
Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

13. All doors to the premises shall remain closed at all times except for the explicit purpose of entry to or exit from the premises.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation.

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

