

Ward: Bury East - Redvales

Item 01

Applicant: Antler Ltd

Location: LAND AT PILOT MILL, ALFRED STREET, BURY

Proposal: OUTLINE APPLICATION - RESIDENTIAL DEVELOPMENT

Application Ref: 46495/Outline Planning
Permission

Target Date: 19/10/2006

Recommendation: Approve with Conditions

Description

The application involves the southerly section of an area occupied by Pilot Mill on the easterly side of Alfred Street. The large five storey mill building is on the northerly side of its associated land. The car parks are next to the frontage with a lorry area next to the building on its southerly side. The application is for outline planning permission for residential development and includes all of the land beyond a line about 42m from the main southerly elevation of the mill and the site is almost rectangular about 50m wide and 142m long taking in about 0.18ha. It is relatively level and is for the most part in unmown grass and includes a part of the mill car park with approximately 30 spaces. There is a line of large shrubs and bushes just within the southerly and easterly perimeters.

The outline application does not seek consent for any details and is a "red line" application. There is, however, a supporting planning statement covering a description of the site, its planning history and a review of relevant policies.

Most surrounding development is residential with houses on Alfred Street facing the site. To the south beyond a buffer area of disused land and a very short cul-de-sac Durham Drive there is further residential development in Alfred Street, Wiltshire Close and Hampshire Close. To the east there is a belt of open land between the site and the River Roch a short distance away. A definitive right of way crosses the land diagonally but is enclosed within the fenced boundary of the mill.

Outline planning permission was granted for almost the same site in 1997 for 17 dwellings and has expired.

Relevant Planning History

33185/97 - Outline residential development for 17 dwellings and landscaping. Approved on 18th December 1997.

41468/03 - Outline - single storey warehouse (Class B8) and amended layout of existing parking and service area. Approved on 17th December 2003.

Publicity

92 properties have been notified, a site notice has been posted and a press notice published. There have been four letters of objection. These are from addresses in Wiltshire Close and Hampshire Close. The main concerns include:

- Would object if access were to be via Durham Close.
- If there were to be three storey buildings these would have a detrimental effect on outlook and could cause overlooking.

- Would object if either Wiltshire or Hampshire Close was utilised for access and thus became open to through traffic.
- The development would greatly interfere with the area I live in.

Consultations

Highways Section - Recommends conditions concerning replacement of displaced car parking for Pilot Mill, driveway lengths, highway visibility and measures to mitigate the effects of mud and dust on the highways.

Drainage Section - No objections.

Environmental Health - Concern about proximity to Pilot Mill and possibility of noise pollution affecting the dwellings. Recommend that a noise survey should be carried out to determine the need for noise insulation to the units. Also recommend conditions concerning land contamination and landfill gas.

Environment Agency - No objections in principle. Any approval should be subject to conditions requiring a scheme for the provision of surface water drainage works and concerning approval of details of the existing and proposed floor levels.

Unitary Development Plan and Policies

EC2/2	Employment Land and Premises
H1/2	Further Housing Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
EN1/6	Public Art
RT2/2	Recreation Provision in New Housing Development
H5/1	Area Improvement
SPD1	DC Policy Guidance Note 1: Recreation Provision
SPD4	DC Policy Guidance Note 4: Percent for Art
SPD5	DC Policy Guidance Note 5: Affordable Housing

Issues and Analysis

Principle - The development would involve the loss to Pilot Mill of an extensive open and underused area belonging to the works and consideration needs to be given under Policy EC2/2 as to whether this land ought to be safeguarded as employment land. A small proportion of the land provides a portion of the available car parking provision for the premises but otherwise there is no significant contribution to the activities at the mill and the loss of car parking can be compensated for by new provision within the remaining curtilage. The mill was originally part of a significant pocket of employment development but with the new residential development taking place on a large former warehousing site to the north it has become a relatively isolated industrial outlier with the surroundings being predominantly residential. Also outline planning permission was granted for residential development on the site in 1997. Although this has expired there has been no material change in circumstances that would point to a different decision now. Therefore, it is considered that there is no special case to retain the application land in employment use.

Being within the curtilage of an industrial premises the site is considered to be brownfield land. Furthermore, in terms of the current housing restrictions policy under DCPGN7, the site is within a specified regeneration area and residential development here will be treated as an exception to the policy.

Given the above, it is considered that residential development of the site would be acceptable in principle.

Design and Layout - The application has been submitted for outline planning permission with all details to be considered at the reserved matters stage and no detailed information even of an indicative type is provided.

The continuing presence of the mill will affect the scheme. Thus, there are about 30 car parking spaces associated with the mill within the site. These could be readily replaced by new provision within the remaining mill curtilage and any planning permission ought to ensure that this would occur. Furthermore, the mill and its lorry parking area next to the site could have a significantly adverse impact on the living conditions in the nearest part of the housing development. In order to deal with this possibility conditions should be imposed to ensure that a sizeable planted buffer zone would occur next to the future mill boundary and that a suitable level of noise insulation would be provided for the dwellings.

Affordable Housing - In the event that the number of residential units would be 25 or more it would be necessary for an element of affordable housing to be provided within the scheme to the extent required by Policy H4/1 and the associated supplementary guidance note 5. A condition should be attached to any consent to ensure that this provision would be implemented.

Public Art - Policy EN1/6 and the associated supplementary guidance note 4 require developments comprising 25 or more dwellings to make provision for an element of public art. In the event that permission is granted a condition should be attached to the permission to ensure that the artwork requirement is implemented.

Recreational Provision - Developments involving 10 or more dwellings are required to provide for the recreational needs of the future residents in accordance with Policy RT2/2 and the associated supplementary guidance note 1. A condition should, therefore, be attached to any consent to ensure that this provision would be made.

Wildlife Corridor - The easterly boundary of the site is close to the River Roch and the open land just beyond this boundary is within a wildlife corridor. Development of the site would not involve any incursion into this corridor.

Right of Way - The site is crossed diagonally by a definitive right of way from the mill frontage to the south easterly corner of the site beyond which it joins a riverside footpath. The right of way is currently obstructed by the fencing on the mill boundaries. However, before development takes place it will be necessary for the developers to seek and secure under the appropriate legislation the closure or diversion of the right of way.

The Objections - The concerns expressed relate to possible features or impacts of the development that are not yet known but would form part of a future reserved matters application.

Summary of reasons for Recommendation

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

There is no special reason to maintain the land in employment use and residential development of the land is acceptable in principle.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; layout, scale, appearance, access and landscaping.

Reason. To ensure the satisfactory development of the site and because this application is in outline only.

2. Applications for approval of reserved matters must be made not later than:
 - the expiration of three years beginning with the date of the grant of outline planning permission; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

3. Provision shall be made within the development for the recreational needs of the prospective residents in accordance with Policy RT2/3 Recreation Provision in New Housing Development of the Bury Unitary Development Plan and the associated supplementary guidance note 1.

Reason: In order to ensure that the recreational needs of the development are adequately catered for.

4. In the event that the development will include 25 dwellings or more the development shall make provision for an element of public artwork in accordance with policy EN1/6 - Public Art of the Bury Unitary Development Plan and the associated supplementary guidance note 4 - Per Cent for Public Art.

Reason: In order to enhance the visual quality of the area and to foster a sense of well being.

5. In the event that the development would include 25 or more dwellings the development shall include provision for affordable housing in accordance with the requirements of Policy H4/1 - Affordable Housing of the Bury Unitary Development Plan and the associated supplementary guidance note 5 - Affordable Housing Provision In New Residential Developments.

Reason: In order to ensure that the development would provide for affordable housing in accordance with the Council's requirements.

6. Provision shall be made for the replacement of the existing car parking spaces within the site by new replacement parking provision to be situated within the remaining mill area. Details of this replacement provision shall accompany the first application for approval of reserved matters and the provision shall be made available prior to any development taking place.

Reason: In order to ensure that the existing car parking provision for Pilot Mill would continue to be maintained.

7. The development shall incorporate a 10 metre deep planted buffer zone along the full length of the northerly boundary with the retained land of Pilot Mill.

Reason: In order to safeguard the amenity of the prospective residents of the

future dwellings.

8. A suitable noise investigation shall be carried out in accordance with PPG24 (Planning and Noise: 1994) in order to determine the possible requirements for acoustic insulation in any dwellings and those dwellings shall be insulated in accordance with the recommendations of the investigation report.

Reason: In order to safeguard the amenities of the prospective residents of the development.

9. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

Reason: To reduce the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

10. 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.

11. Following the provisions of Condition 11 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.

12. 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 validity 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.

13. 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.

14. 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.

15. Before the development is commenced , details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during construction unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the adopted highways are kept free of deposited material from the ground works operations.

16. This decision relates to the drawings received on 20th July 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.

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

Ward: Bury West - Elton

Item 02

Applicant: Plessey Investments Ltd

Location: FORMER GARAGE SITE, ADJ 383 TOTTINGTON ROAD, BURY, BL8 1TB

Proposal: FORMATION OF RETAIL STORE (CLASS A1) WITH ASSOCIATED CAR PARKING, SERVICING & LANDSCAPING INCLUDING PARTIAL DEMOLITION AND EXTENSION TO HORRIDGE STREET FRONTAGE

Application Ref: 46332/Full

Target Date: 26/09/2006

Recommendation: Approve with Conditions

Description

The site is located on Tottington Road at the junction with Horridge Street within the Woolfold Local Shopping Centre. The site is currently vacant and was last used as a garage for car sales and repairs and prior to that a retail store.

The proposal is to demolish the rear part of the building fronting Horridge Street and convert the front part to a 415 sq m Neighbourhood Convenience Store with a 17 space car park including 2 spaces for the disabled, a ramp to allow level access for people with disabilities, alterations to the elevations and landscaping to the Tottington Road frontage.

Relevant Planning History

Various applications have been submitted on the site including the following:

Change of use from supermarket to car showrooms, 16490, approved November 1984

Residential development for 18 semi detached houses, 43963, approved May 2005

Publicity

Neighbours have been notified and a site notice placed. 2 letters of objection have been received from 307 Tottington Road and 20 Lomond Drive. The objections can be summarised as follows:

- detrimental impact on the local shopping centre in that it will led to the closure of the existing shops in the centre and as such conflicts with Council Policy
- residential use on site would be of benefit to the existing local shops by improving their viability
- new store will be contrary to S2/5 in that it will adversely affect the other centres in the area
- it is contrary to S2/5 in that it will led to nuisance to resident as youths will congregate
- it will increase traffic in the area
- increased disturbance to neighbours from car parking and late night deliveries
- site could be used for sale of petrol

Consultations

Highways Team - no objections subject to conditions

Drainage Team - no objections

Environmental Health - no objections subject to standard conditions

Greater Manchester Police Architectural Liaison Unit - no objections in principal

GMPTE - no objections

Greater Manchester Fire Service - no objections

Ecology Team - no objections as the bat survey shows no presence of protected species

Unitary Development Plan and Policies

S1/4	Local Shopping Centres
S2/1	All New Retail Proposals: Assessment Criteria
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/8	Shop Fronts
HT2/4	Car Parking and New Development
PPS6	PPS6 Planning for Town Centres
HT5/1	Access For Those with Special Needs

Issues and Analysis

Principal - the site was originally given consent as a 900 sq m supermarket and is located within the Woolfold Local Shopping Centre. Policy S1/4 - Local Shopping Centres, encourages the provision of a range of shopping facilities to meet local needs and the proposed floor space of the store, 280 sq m falls within that criteria. This proposal should be judged against the criteria set out in UDP Policy S2/1 - All New Retail Proposals: Assessment Criteria. Criteria a) and b) are designed to establish the principal of the development and the size and location of the store clearly comply with these criteria in that it is limited in size and located within an existing shopping area. Consequently, the proposal accords with Unitary Development Plan Policies S1/4 and S2/1.

Residential amenity - the proposal has been assessed against criteria h) in terms of Policy S2/1 which requires the impact of the development on adjacent residential property to be assessed. In this instance the main access to the car park and for servicing is located directly off Tottington Road and as such set away from the existing residential properties. It is not considered that the development will have a detrimental impact on the residential amenity of the nearby resident and as such accords with the Policy.

Highways - the arrangements for access to the car park, deliveries and visibility splays on the site have been carefully examined and found to comply with current best practice and UDP Policy HT 2/4 - Car Parking and New Development and S2/1 - All New Retail Proposals: Assessment Criteria. With regard to deliveries, the site is close to existing residential properties and the site immediately adjacent has permission for residential purposes. Consequently it is proposed that a condition be imposed restricting the hours of deliveries to 08.00 to 20.00 in order to protect comply with criteria h) in UDP Policy S2/1.

Townscape - the main elevations of the existing building are being maintained with various small alterations to improve the scale of the building and access arrangements. The existing forecourt in front of the building is to be landscaped and in general the development will improve the frontage onto Tottington Road and as such comply with UDP Policy EN1/2 - Townscape and Built Design.

Disability Issues - the store has a pedestrian access fully accessible and two dedicated parking spaces are to be provided with a level access to the store. As such the proposal complies with HT5/1 - Access for Those with Special Needs.

Ecology - the proposal involves the demolition of part of the existing building on the site as a whole. This is an area where Protected Species can be found and the survey clearly identifies that there are none present. It also indicates that the site should be checked immediately prior to demolition and as such this is acceptable.

Objections - these have been considered in the main body of the report. The concerns have

been addressed through condition regarding the hours for deliveries and in the case of the principal of the use of the site for retail not to be valid. The issue of the site being used for the sale of petrol has not been considered as it is not proposed within the application.

Summary of reasons for Recommendation

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

The site is located within the Woolfold Local Shopping Centre where new retail use is encouraged. The redevelopment of the vacant site will improve the character of the area and as such the proposal will accord with the Unitary Development Plan.

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 P200, P201 A & P503 D and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The car parking indicated on the approved plans P503D shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being occupied 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.
5. The turning facilities indicated on the approved plans shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety.
6. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date

the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

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

7. Prior to the development hereby approved commencing:

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

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

8. Following the provisions of Condition 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. 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.

10. 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.

11. The visibility splays/forward visibility envelopes indicated on the submitted plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
12. A visibility splay measuring 4.5 metres by 90 metres shall be provided at the junction of Horridge Street with Tottington Road to the written satisfaction of the Local Planning Authority before the development is brought into use and shall subsequently be maintained free of obstruction above the height of 0.6m
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
13. 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.
14. Prior to the demolition of the building(s) permitted by this approval, a survey shall be conducted, and the survey results established as to whether the buildings are utilised by bats or owls. A programme of mitigation shall be submitted to and approved in writing by the Local Planning authority. All mitigation measures shall be fully implemented prior to the commencement of the works and 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 PPS7 – Nature Conservation.

15. No deliveries to the site shall take place other than between the hours of 0800 hrs to 2000 hrs.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy S2/1 - All New Retail Proposals: Assessment Criteria of the Unitary Development Plan.

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

Ward: Prestwich - Sedgley

Item 03

Applicant: Joseph Holt Ltd

Location: FRIENDSHIP INN, SCHOLES LANE, PRESTWICH, M25 0PD

Proposal: EXTENSION TO FORM GARDEN SHELTER; TOILET EXTENSION AT REAR

Application Ref: 46565/Full

Target Date: 08/09/2006

Recommendation: Approve with Conditions

This application was deferred for a site visit at the previous Planning Control Committee meeting on 29th August 2006.

Description

The Friendship Inn is a large two storey detached red brick Public House close to the junction of Scholes Lane and Bury New Road. There is a beer garden to the front and a car park to the side, adjacent to the north east boundary. The site is within a Neighbourhood Centre. To the south and west are commercial properties within the centre. To the north are houses fronting Hope Park Close. To the east, across Scholes Lane are detached residential properties. The area to the rear of the Public House is comprised of an overgrown garden area with a prefabricated garage adjacent to the existing enclosed rear yard area. The boundary with the houses on Hope Park Close is comprised of a brick retaining wall and waney lap fencing. There are a number of self seeded sycamore trees which affords screening of the site from the properties on Hope Park Close.

The scheme has two elements.

The single storey extension would incorporate improved male and disabled toilet facilities at the rear. It would come out 3.2m from the existing elevation at the back of the public house and run across to meet the existing female toilets. The roof would be pitched and all materials would match the existing.

The proposed shelter would extend out from the rear elevation and have a footprint measuring 7m by 4.8m. The shelter would be a painted steel framed structure with timber paneling and balustrades to a height of 1.1m. The pitched laminated glass roof would have a maximum height of 4.1m. The remainder of the garden at the rear would be landscaped. The trees on the boundary would be retained.

The prefabricated garage, which was to be relocated to a position adjacent to the boundary to the north, has now been deleted from the scheme altogether.

Relevant Planning History

None relevant.

Publicity

Immediate neighbours notified - Five letters of objection and one verbal objection have been received from the occupiers of 1, 3, 7, 9, 11 and 29 Hope Park Close, whose rear garden boundaries abut the northern boundary of the site. Their objections are summarised below:

- Increase in noise and disturbance from the Public House.
- Security risk from moving the garage closer to the boundary with adjacent houses on Hope Park Close.

- Loss of boundary trees which would expose the large Public House to the detriment of the residents amenity.
- Detrimental impact on property values.

Consultations

Highways Section - No objection.

Environmental Health Section - No objection subject to conditions restricting lighting and loud speakers.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

S2/6 Food and Drink

H3/1 Assessing Non-Conforming Uses

Issues and Analysis

Appearance and Siting - The rear brick built extension to facilitate improvements to the toilet facilities is considered to be minor in scale and in keeping with the existing public house. It would be well screened from neighbouring properties by the existing wall, fence and trees/shrubs along the boundary.

The proposed garden shelter would extend out into the landscaped garden area and also be well screened by existing boundary walls/fencing and trees/shrubs along the boundary. The vegetation is made up of primarily self seeded sycamores amongst others, which whilst not particularly great specimens individually, do create an effective buffer between the Public House and the rear gardens of houses to the north. Both extensions are considered to comply with the provisions of UDP Policy EN1/2 Townscape and Built Design.

Residential Amenity - UDP Policies S2/6 - Food and Drink and H3/1 - Assessing Non-Conforming Uses are concerned with issues of residential amenity such as noise, smell, visual intrusion and hours of operation. The concerns of the objectors on Hope Park Close regarding noise and disturbance are relevant and material considerations. Given the semi-open nature of the garden shelter there is liable to be increased noise from customers using the garden area. However it is not considered that the level of noise and disturbance would not be serious given the size of the area concerned, the boundary screening, level changes, the restrictions that can be imposed with regard to lighting and noise from loud speakers and the hours of use of the proposed shelter. It is considered reasonable to limit the use of the proposed shelter to 10pm, after which time customers in the shelter would move back into the main building. Boundary screening would be more effective in Spring and Summer when the trees are in leaf and when residents would be more likely to be in their gardens. Although screening would be less significant in the Autumn and winter the boundary trees would still create an important 'veil' along the boundary. The impact of the proposal would also be mitigated by the significant level changes between the Public House and the houses to the north which are set up by approximately 1-2m. It is pertinent to note that a beer garden within the curtilage of the Public House would not need planning permission. It is the structure(s) within the garden that need permission.

Objections - It is not considered that the noise and disturbance generated by customers in the covered area would be serious enough to warrant refusing the application given the mitigating factors referred to above. The security issues with regard to the garage have been removed with its deletion from the scheme. The revised layout with the garage removed also indicates that the existing trees, although not subject to a TPO, would be retained and pruned as required. This is considered to be acceptable. The objection with regard to property values is not a material consideration.

In the light of the above comments it is considered that the proposal complies with all the relevant UDP policies listed above and that there would be no serious harm to the amenity of nearby residents.

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 proposals are considered to be appropriate and in keeping with the existing Public House and should not seriously harm the residential amenity of the immediate neighbours. 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 4572/03A(revised), 04, 05, 06 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Details of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. There shall be no external lighting to the proposed beer garden area at any time other than for emergency purposes.
Reason. In the interests of residential amenity.
5. There shall be no loud speakers provided to the external areas, including the proposed garden shelter at any time.
Reason. In the interests of residential amenity.
6. The proposed garden shelter shall not be open for use by customers outside the following hours - 0900 hrs to 2200 hrs daily.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/6 – Food and Drink of the Bury Unitary Development Plan.
7. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of

approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.
Reason. To ensure that the site is free from Japanese Knotweed in the interest of UDP Policy EN9 - Landscape

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

Ward: Prestwich - Sedgley

Item 04

Applicant: Joseph Holt Ltd

Location: WOODTHORPE HOTEL, BURY OLD ROAD, PRESTWICH, M25 0EG

Proposal: EXTENSION TO EXISTING CAR PARK

Application Ref: 46772/Full

Target Date: 02/10/2006

Recommendation: Approve with Conditions

Description

The Woodthorpe Public House, formally a Victorian grand house, is set within its own substantial and attractive grounds. To the front is Bury Old Road with residential properties opposite. To the north is an area of well treed land. To the east, at the rear, are houses on Oakfield and Beechwood Road. The land to the south is occupied by sporting facilities associated with Manchester Maccabi School.

The proposed car park extension comprises additional 34 spaces and would be located to the rear of the existing Public House. The site is land is currently grassed with an access around to the rear service yard. The rear boundary and land immediately to the north is well treed although the proposal entails some tree removal.

A tree survey has been submitted with the application. The trees affected are not included in a TPO. Trees to be removed to accommodate the car park would include a mature sycamore (T13) close to the service yard entrance and a group of smaller Sycamore and Willow trees (G1) to the south east of this tree. These have been annotated on the plan attached to the agenda. A Lime tree close to the back boundary would also be removed due to its poor condition and this is not shown on the plan.

Access into the site would remain as existing. Of all the existing and proposed spaces created, 5 would be for the disabled.

Relevant Planning History

46322 - Extension to Car park - Withdrawn 02/08/2006

45817 - Terrace and glazed canopy - Approved 1/03/2006

44077 - Alterations and Extensions to Public House, service road and yard.

42226/04 - Alterations to vehicular Access Approved 23/04/2004

Publicity

Immediate neighbours - One letter of objection from the occupier of 12 Beechwood Road. The car park would lead to an increase in noise and disturbance from the site.

Consultations

Traffic - No objections.

Landscape - No objections.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

HT2/4 Car Parking and New Development

Issues and Analysis

Principle - The principle of a car park extension at the Public House is considered to be acceptable subject to appropriate layout and design details.

Siting and Layout - The extension to the car park would be well screened from properties to the rear on Oakfield and Beechwood Road by existing mature boundary trees and shrub planting (see photos). The screening would be more effective in summer although the trees would still create a significant 'veil' of planting in winter. The impact of the car park at the rear would be further mitigated by the fact that the closest house, at 15 Oakfield, is gable end on to the boundary and would not be seriously affected by noise and disturbance. The car park at the rear would not have a serious impact on the street scene along Bury Old Road as it is screened by the Woodthorpe itself.

Trees - The trees at the rear that would be removed are not particularly good specimens and are not subject to a Tree Preservation Order. Their removal would not cause serious harm to the overall appearance and character of the site. Despite this it is considered appropriate to require replacement tree planting along the eastern boundary, between the extension to the car park and the residential properties adjacent to this boundary.

Objection - Whilst the extension to the car park would facilitate increasing numbers of vehicles, given the amount of existing planting and new landscaping along the boundary that would mitigate noise, the impact on immediate neighbours would not be considered to be serious enough to warrant refusing the application.

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 car parking is considered to be acceptable in terms of visual and residential amenity. It complies with policies listed above. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than 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 4512/72C 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 car parking indicated on the approved plan 4512/72C shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being occupied 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.

4. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:2005 "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.

5. A landscaping scheme, including replacement tree planting along the eastern boundary 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 car park is first brought into use; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

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

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

Ward: Prestwich - St Mary's

Item 05

Applicant: Linkwise Developments Ltd

Location: RAINSOUGH BREW, 49 RAINSOUGH BROW, PRESTWICH, M25 9XW

Proposal: RESERVED MATTERS - BLOCK OF 16 NO. APARTMENTS

Application Ref: 46487/Reserved matters **Target Date:** 08/09/2006

Recommendation: Minded to Approve

The application was deferred at the last meeting of the Committee to enable a site visit to take place.

This application is recommended minded to approve subject to the completion of a Section 106 Agreement for the payment of a commuted sum under DCPGN 1 - Recreational Provision in New Housing Development. If the agreement is not signed within a reasonable period it is requested that the Borough Planning, Engineering and Transportation Services Officer be delegated to refuse the application.

Description

The site comprises the vacant public house and associated car park currently known as the Rainsough Brew (formally the Staff of Life) on Rainsough Brow, Prestwich. The site is around 0.11 ha. in extent, has residential development to the south, a public house (The Plough) to the west, land forming park of Prestwich Forest Park to the north and on the other side of Rainsough Brow and a plot of vacant land to the east. The land slopes sharply down from east to west and the residential development to the south is on higher ground with the The Plough at a lower level.

Outline planning permission was granted last year for residential development and this application is for reserved matters approval for all the details of the development.

The proposal is a development 16 apartments together with associated landscaping and access. The application shows a single block of apartments, with a central vehicular and pedestrian access from Rainsough Brow through the building. The block would be three storeys except for the section nearest to The Plough PH where there would be accommodation incorporated within the end section of roofspace. This fourth storey element would be lit by roof lights (not dormers) and would not involve a height enlargement of the building. The block has been designed so that it takes account of the steep slope on the frontage by the roof line being stepped down in sections to account for the change in levels. The development fronts onto Rainsough Brow with undercroft and surface parking and amenity areas to the rear. There would be a secure rear boundary and walled front gardens with doorway entrances to the building opening onto the frontage.

The submitted details include a cross section from Rainsough Brow to the Halliwell Walk Houses

The application follows the withdrawal of a similar application but for 18 apartments to provide time for detailed discussions about the scheme and to more fully take into account late objections from neighbours.

Relevant Planning History

44283 - Outline residential development (18 apartments). Withdrawn on 10th May 2005.

44468 - Outline office development. Approved on 29th June 2005.

44616 - Outline residential development (resubmission). Approved on 31st August 2005.

45667 - Reserved matters - erection of a block of 18no. apartments. Withdrawn on 7th March 2006.

Publicity

27 properties have been notified and there have been four responses. These include two individual letters, one from the Plough PH and the other from a householder on Rainsough Brow expressing concerns and objections. There are also a joint letter expressing concerns signed by 5 residents of Halliwell Walk and also a petition with 42 names against the development. The main issues raised include:

- It should be ensured that the access from Halliwell Walk to Rainsough Brow would be maintained to avoid the steep walk up Halliwell Road.
- The car park of The Rainsough Brew is currently used for parking by patrons of The Plough. Would there be alternative provision so that these persons would not use the rear of Halliwell Walk for parking?
- The building will be too high and would overshadow its surroundings.
- The right of way to The Plough and lower part of Rainsough Brow is shown blocked off causing pedestrians a steep climb and adversely affecting trade at The Plough.
- The aesthetic appearance of the building is unsightly and out of keeping with the surrounding area.
- The development would be too close to The Plough's beer garden and the development could lead to the closure of this pub.
- The development would not contribute any facilities to the local community. Five local pubs have closed in the last eighteen months and they do not want to lose their last one.
- Local roads are not in a fit condition for use by the additional traffic.
- There would be loss of privacy through overlooking of two bedroom windows at The Plough
- Due to its height and the change in levels the building would dominate and overshadow The Plough and also cause loss of view.
- The development would screen The Plough thus affecting passing trade.
- There would be insufficient car parking for the development.
- Too much development would be crammed onto a small piece of land.

Consultations

Highways Section - No objections subject to conditions concerning the implementation of visibility splays, proposed access improvements, car parking provision, removal of a redundant access point and requiring no highway encroachment by frontage works.

Drainage Section - No objections.

Environmental Services - Land contamination conditions recommended. These conditions are included in the outline consent and, as such, they are already effective.

Unitary Development Plan and Policies

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

Issues and Analysis

Principle - The principle of residential development is covered by the outline consent.

Design and Scale -The proposed stepped three storey development is of an acceptable standard of design and its general massing and scale would add to the streetscape quality of the area. In particular, the articulation of the front elevation, the staggered roof line and the detailing on the gables is of a good standard and as such complies with H2/1 - The Form of New Residential Development whilst ensuring that H2/2 - The Layout of New residential Development criteria are also fulfilled.

Condition 8 of the outline consent requires that the ridge height of the development should not exceed 10.3m above the level of the adjacent highway (Rainsough Brow) and the submitted elevations indicate compliance with this requirement.

The submitted cross section demonstrates that there is a substantial rise in levels to the Halliwell Road houses to the rear such that the ground floor of the existing houses would occur at about the second storey level on the proposed block. This level change would substantially mitigate the impact of the development on these nearby houses.

Highways - Detailed negotiations have taken place to ensure that a safe access can be provided on the site and conditions are recommended by the Highways Section to ensure that this is the case.

Residential Amenity - The back elevations of the existing residential properties to the rear are situated over 30m from the rear wall of the proposed building and this would achieve a reasonable standard of separation that would be adequate to protect both the amenities of the existing and new residents.

Access to Rainsough Brow - Concerns have been raised that the enclosure of the site would obstruct a public right of way established across the Rainsough Brew car park. However, this is not recorded as a definitive right of way. Nevertheless, the details make provision for a 1.7m wide pedestrian route behind the rear wall of the development from the back street behind the Halliwell Road/Halliwell Walk houses to Flashfields and this would still give a reasonable degree of access onto Rainsough Brow. This provision would fulfill the requirements of condition 15 of the outline consent but its implementation should be ensured via a condition relating to the reserved matters details.

The persons affected have a right to make a claim under the Countryside and Rights of Way Act and this would be dealt with separately from this application.

Recreational Provision - The development would have two small but usable external amenity areas for the residents. As such, it is considered that there would be sufficient open space will be allowed for passive recreation and visual relief within the development to satisfy Policy H2/2. In terms of policy RT2/2 the applicant has expressed a willingness to enter into a s106 Agreement concerning recreation provision for the future residents. In this regard a commuted sum payment of £6,104.96 would be made towards off site provision in order to fulfill the requirements of this policy.

Refuse Collection - The building would incorporate a bin store within the undercroft and located immediately adjacent to the main access. This would facilitate the collection of refuse.

Car Parking - 20 car parking spaces would be provided for the 16 apartments which is considered to be a satisfactory level of provision within with the current maximum standard for housing of 1.5 spaces per unit (PPG3).

In regard to a concern that customers of The Plough use the site for parking and that this

provision should be replaced the developer has no obligation to provide parking facilities for another property.

Bats - A bat survey submitted with the outline application indicated that there was no evidence of bat roosts and, given the proximity of the site to the Prestwich Forest Park, that this was not an issue of concern.

The Objections - The issues raised concerning the scale and design of the development, pedestrian access to Rainsough Brow, car parking and highways matters have been dealt with above. The other main issue arising is the impact on The Plough PH. The beer garden to this pub is sited adjacent to the proposed external amenity areas and not immediately to the accommodation. In addition, much of it is about one storey below the level of the nearest part of the block. Although the layout indicates that the boundary here would consist of railings on an existing brick wall, a more solid form of enclosure would be desirable to create an effective barrier between the residential area and the beer garden. If permission is granted, there should be a condition to resolve the design and provision of this boundary treatment.

Regarding the issue of effect on privacy at The Plough the residential windows in the pub and those in the proposed apartment block would not be directly facing. The westerly elevation of the apartments would overlook the beer garden while the easterly elevation would overlook the pub forecourt and car park. The pub is set over one storey lower than the nearest part of the development site meaning that the top storey of the block would be the equivalent of four storeys plus above pub's ground floor level. However, the development would not affect a main aspect of The Plough and it is considered that the impact on this property would be acceptable.

Summary of reasons for Recommendation

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

The submitted details are acceptable in terms of visual amenity, access and impact on the surrounding area. There are no other material considerations that outweigh this finding.

Recommendation: Minded to Approve

Conditions/ Reasons

1. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.

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

2. Notwithstanding the details on the approved plan 2005/12/03 Rev C, no development shall take place unless and until details of the boundary treatment between the site and The Plough Public House have been submitted to and approved in writing. The development shall not be carried out other than in accordance with the approved details.

Reason: In order to protect the residential amenities of the residents of the apartments.

3. The development hereby approved shall not be occupied unless and until the westerly redundant access onto Rainsough Brow indicated on the approved plan reference 2005/12/02 Rev A has been reinstated to adjacent highway levels to the written satisfaction of the Local Planning Authority.
Reason: To ensure good highway design in the interests of pedestrian safety.
4. The visibility splays indicated on the approved plan reference 2005/12/02 Rev A shall be implemented to the written satisfaction of the Local Planning Authority before the development is first occupied and they 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.
5. The access improvements indicated on approved plan reference 2005/12/02 Rev A shall be implemented to the written satisfaction of the Local Planning Authority before the development is first occupied.
Reason: To ensure good highway design in the interests of road safety.
6. The foundations for the proposed 600mm high boundary walls shall not encroach under the adjacent adopted highway at any point.
Reason: To ensure good highway design in the interests of road safety and to maintain the integrity of the adopted highway.
7. The car parking indicated on the approved plans reference 2005/12/02 shall be surfaced, demarcated and made available for use prior to the use authorised by this permission commencing.
Reason: To ensure adequate off street car parking provision in the interests of road safety and amenity.
8. The pedestrian route indicated on the approved details at the rear of the development between the roadway at the rear of the Halliwell Walk houses and Flashfields shall be provided prior to the occupation of any of the dwellings hereby approved and it shall thereafter be maintained free of obstruction.
Reason: In order to ensure the maintenance of a convenient pedestrian link between the Halliwell Road/Halliwell Walk area and Rainsough Brow.
9. This decision relates to drawings numbered 2005/12/01, 2005/12/02 Rev. B, 2005/12/03 Rev. C, 2005/12/04 Rev. B, 2005/12/05 Rev. B, 2005/12/08, the site location plan received on 9th June 2006 and plans confirming the correct datum level and cross sections received on 25th August 2005 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason: For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
10. No development shall take place unless and until further details of the refuse storage facility have been submitted to and approved in writing by the Local Planning Authority and which would demonstrate that this facility would be sufficient to cater for the needs of the refuse recycling system operated by the Council. The development shall not be carried out other than in accordance with the approved details.

Reason: In order to secure a satisfactory development and in the interests of amenity.

11. No development shall take place unless and until full details of the external lighting for the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason: In order to secure a satisfactory development and in the interests of amenity.

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

Ward: Prestwich - St Mary's

Item 06

Applicant: Hutchinson 3G UK

Location: LAND AT FURNITURE WAREHOUSE, OLD COOP YARD, WARWICK STREET, PRESTWICH, M25 7HN

Proposal: PRIOR APPROVAL APPLICATION FOR INSTALLATION OF RADIO BASE STATION CONSISTING OF 15M ULTRA SLIMLINE POLE, THREE NO. ANTENNAS, ONE NO. 300MM DISH ANTENNA, RADIO EQUIPMENT HOUSING AND ANCILLARY DEVELOPMENT

Application Ref: 46764/Telecom Determination **Target Date:** 29/09/2006
(56 Days)

Recommendation: Prior Approval Required and Granted

Description

The site is located in the yard of what was the Co-op Depot off Warwick Street in Prestwich. This land is currently in multiple occupation and the site is located outside the 'Furniture Warehouse' adjacent to their existing perimeter fence.

The proposal is for a 15m monopole with 3 shrouded antennas, a 300m dish and two equipment cabins.

Relevant Planning History

None

Publicity

Neighbouring properties have been notified and a site notice has been placed. An objection to the proposal has been received from 5 Sherbourne Court and the objection can be summarised as follows:

- the proposed mast is located closely to residential properties and this will cause anxiety over health issues
- site should be redeveloped as it is an eyesore at the moment

Consultations

Highways Team - do not wish to restrict consent

Environmental Heath - no objections providing the appropriate ICNIRP certificate has been supplied.

Unitary Development Plan and Policies

EN1/10 Telecommunications

Issues and Analysis

Location - the proposed monopole and its equipment cabinets are located adjacent to an existing fenced compound within the commercial yard area of what was the Co-op Depot. The site is surrounded by multi storey buildings, trees and commercial uses's on all sides and is not readily visible from Warwick Street, Church Drive or the other surrounding areas. Given the predominately commercial nature of the area, it is considered that the provision of

telecommunications equipment would not be out of character with the area. 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 several mast sharing opportunities. Having considered these locations and the reasons for rejection, it is apparent that the applicant has fulfilled the needs of the ODPM's Guidance on this matter.

Design - the proposed column has a total height of 15m which included's the antenna which are mounted. The 300mm dish is located at 13m and the cabinets are 1.6 m high and 1.2m high and all equipment is to be coloured grey. Given the placing of the equipment in the yard area and the colour, it is not considered that the design is such that it would not be out of keeping with the area and, as such, it is acceptable and, the development would accord with UDP Policy EN1/10 Telecommunications.

Residential Amenity - the proposed monopole will be set some 50m from the nearest residential properties. Given the style of the column and the commercial setting within which it is located, it is not considered that there will be a detriment to their residential amenity and, as such, the development is acceptable and would accord with UDP Policy EN1/10 Telecommunications.

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

Objections - The Health issue is dealt with in the preceding section. The perception of the impact of the mast on public health can be considered to be material. However, given the separation of the site from the nearest residential properties and its commercial setting it is not considered that this is of sufficient weight as to warrant refusal. The potential for the site to be redeveloped is not a consideration material to this determination.

Summary of reasons for Recommendation

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

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

There are no other material considerations that outweigh this finding.

Recommendation: Prior Approval Required and Granted

Conditions/ Reasons

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

Ward: Radcliffe - East

Item 07

Applicant: Marie Collins

Location: 21 BLACKBURN STREET, RADCLIFFE, M26 1NN

Proposal: CHANGE OF USE FROM SHOP (CLASS A1) TO COFFEE SHOP (CLASS A3)

Application Ref: 46811/Full

Target Date: 18/10/2006

Recommendation: Approve with Conditions

Description

The property to which the application relates is within a row of commercial units in Radcliffe's central shopping area fronting onto the pedestrianised square that forms part of Blackburn Street. The unit was formerly 'Hugs and kisses' card and gift shop (A1). It has a frontage of 4.7m and a gross ground floor area of approximately 63sq metres. On its northern side, on the corner of Blackburn St and Dale St is the Britannia Building Society. To the south is 'Zip' clothing store.

The applicant proposes to convert the vacant shop to a cafe on the ground floor. There are no plans to change the shopfront apart from introducing ramped access from Blackburn St to improve access for the disabled. Proposed hours of opening are 7.30am to 5.30pm.

Relevant Planning History

None relevant.

Publicity

Neighbouring businesses - Letters of objection have been received from businesses at Radcliffe Market Cafe, Frydays cafe and take-away. The following 8 householders also submitted separate letters of objection: 110 James St, 61 Rupert St, 31 Coomassie St, 5 Tansey Close, 6 Hollow Meadows, 22 Kenilworth Ave Whitefield, 40 Westminster Ave Whitefield, 28 Havelock Dr Salford.

A petition of 1106 names to "stop further retail units being lost to cafes, Delis, Take-aways and pie shops in Radcliffe Town Centre" has also been received.

The objections can be summarised:

- There are enough cafes and hot food outlets in Radcliffe Centre.
- The centre needs more regular shops (A1) instead.

Consultations

Environmental Health - No comments received.

Unitary Development Plan and Policies

S1/2	Shopping in Other Town Centres
S2/1	All New Retail Proposals: Assessment Criteria
S2/2	Prime Shopping Areas and Frontages
S2/6	Food and Drink

Issues and Analysis

Policy - The site is identified as forming part of the Prime Shopping Area and Frontage in Radcliffe Town Centre. As such, any proposal for a coffee shop is subject to UDP Policies S2/2 - Prime Shopping Areas and Frontages and S2/6 - Food and Drink.

Under Policy S2/2, the Council will seek to maintain retailing (A1) as the predominant land use at ground floor level. Proposals for a change of use will be assessed on their merits and by taking account of criteria (a) to (d) of the Policy outlined below:

- a) design of shopfront;
- b) provision of display window;
- c) access for the mobility impaired;
- d) issues of disturbance and nuisance.

Shopfront design and display - The existing shopfront would remain in situ and it is noted that the applicant would have a cake display on the main frontage in association with ancillary cake sales and cake decoration. This would satisfy criteria a) and b) of Policy S2/2.

Disabled Access - The existing stepped access will be altered to provide a level access into the premises. Disabled toilet facilities would be provided. This would satisfy criteria c) of Policy S2/2.

Noise and Disturbance - Given the location of the premises in the centre of Radcliffe it is unlikely that the change of use would generate enough noise and disturbance to seriously harm residential amenity as there are no residential properties in the immediate vicinity. Although the applicant intends to operate during normal office hours, later opening hours should not cause undue disturbance and therefore an hours restriction is not considered to be appropriate. This would satisfy criteria d) of Policy S2/2.

Further Policy Considerations - Policy S2/2 also states that where the proposal would lead to more than 10% of the frontage becoming non-A1 the Council will also take into account three further criteria. In this instance, the identified shopping frontage runs from no. 9 to no. 23 Blackburn Street. The change of use of the application premises would result in non-A1 uses occupying more than 10% of this frontage. As such, criteria (e) to (g), set out below, should also be considered;

- e) location and prominence within the centre;
- f) number and distribution and proximity of other non-retail uses;
- g) nature and character of the proposal.

Impact on Character of Centre - The proposal involves the relocation of an existing cafe operation from No.5 Blackburn Street (part of the prime shopping area/frontage of Radcliffe) into currently vacant premises at No. 21 Blackburn Street. Of the premises at 9-23 Blackburn Street there are currently four A1 retail shops including a double fronted unit comprising Boots Chemist. Two units are in A2 use (bookmakers and building Society) and one with an A3/A5 use (Frydays cafe and take-away). Should the proposal be approved there would be 50% of the frontage in A1 Retail use, 25% in A2 Financial and Professional use and 25% in A3/A5 Cafe/Take-away use.

The loss of one retail unit along this frontage would not be overly detrimental to the character of the centre, particularly given the number of other A1 shops within the shopping centre. The cafe premises will operate during the day and in this respect will maintain activity in and around the centre and along this particular frontage.

UDP Policy S2/6 - Food and Drink is specifically relevant to cafes and restaurants. This policy indicates that in considering proposals for these uses, the following factors need to be considered;

- Residential amenity by noise, smell, litter and opening hours.
- The resulting concentration of food and drink outlets and the impact on the character of the centre.
- Parking and servicing and the impact on road safety.
- Storage and disposal of refuse.
- Impact of flues and ducts.

The issues relating to amenity and impact on the character of existing centre have already been addressed.

Parking and Servicing - As the site is within the established centre with a pedestrianised area to the front and large service area to the rear, it is not considered that a cafe/restaurant would have as significant an impact as a cafe in terms of traffic generation, parking and highway safety.

Flues - Any proposed flues would be located to the rear of the premises and would not be easily seen from either the front or rear due to the height of the premises and the large walled service yard at the rear.

Refuse - Storage and collection of refuse would not be a serious issue given the existing service yard at the rear of the premises.

Objections - Judging whether or not there are sufficient cafes and hot food take-aways in a particular area is not straightforward. In the first instance one cannot group hot food take-aways, cafes or even pie shops together. Cafes, because they are open during the day, tend to have a more positive impact on an area than 'take-aways' which often present a 'dead frontage' on a street scene during the day. A cafe can offer a valuable service for shoppers and add to the vitality of a centre. In this particular case, it is not considered that there are too many cafes in the centre which still has a significant proportion of A1 Shops, even though they may not be the most prestige outlets. Within the immediate vicinity of the site (approximately 60m) on Dale St, Blackburn Street, Deansgate and Church St there are three cafes. The applicant's current business at 5 Blackburn St which will be vacated, one at No.5 Deansgate and another at No.13 Blackburn St (Frydays). In terms of take-aways there is one at 3 Dale Street and two across the square at 2 and 6 Church St.

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 change of use would not adversely affect the character of the existing shopping centre or seriously detract from its economic viability and vitality. The amenity of the closest residents would not be materially affected. There are no serious highway implications. 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 revised drawing No.1 received 11/11/2006 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. 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 Policies S2/2 - Prime Shopping Areas and Frontages and S2/6 – Food and Drink of the Bury Unitary Development Plan.

4. Prior to the use hereby approved commencing details of the proposed disabled access ramp shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and remain in situ thereafter.

Reason. To ensure that the development is fully accessible to disabled persons pursuant to Policies HT5/1 – Access for Those with Special Needs of the Bury Unitary Development Plan.

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

Ward: Radcliffe - West

Item 08

Applicant: FAM Engineering Ltd

Location: HOLLY BANK MILL, HOLLYBANK STREET, RADCLIFFE, M26 0SY

Proposal: RETROSPECTIVE CONSENT FOR CHANGE OF USE TO USE FOR THE STORAGE OF VEHICLES, INCLUDING ACCIDENT DAMAGED VEHICLES, BROKEN DOWN VEHICLES OR VEHICLES INVOLVED IN CRIME IN CONNECTION WITH A VEHICLE RECOVERY BUSINESS AND THE PLACING OF RAZOR WIRE ON TOP OF A SECURITY WALL AND THE ERECTION OF A SECURITY CAMERA

Application Ref: 46703/Full

Target Date: 18/09/2006

Recommendation: Approve with Conditions

Description

The site comprises the former manufacturing premises fronting Holly Bank Street and adjacent to the Manchester Bolton and Bury Canal in Radcliffe. The site has been vacant for a number of years. The premises immediately adjacent have been occupied by a motor vehicle recovery and repair business known as FAM.

The application is to regularise the use of the site for storage purposes in connection with the adjacent premises, for the installation of a security camera and security fencing on top of the existing boundary wall on Holly Bank Street.

Relevant Planning History

Various consents on the site, that latest being for offices and factory building in 1998 (34422/98)

The application is as a result of potential Enforcement action following complaints from the neighbours about the use of the site for the storage of vehicles without permission and the operation of the gates causing disturbance. (05/0175)

Publicity

Neighbours have been notified and 2 letters from 18 Saxon Street and 9 Normandy Crescent and one petition on behalf of 6 properties in Saxon Street have been received. The objections can be summarised as follows:

- object to the site becoming a scrap yard
- disturbance caused by the 24 hour operation of the existing FAM premises will be increased
- FAMs vehicles park on the double yellow lines and pavement causing a highway safety problem
- existing congestion in the area will be increased
- the development will reduce property value in the area
- poor attitude of staff of FAM towards residents

Consultations

Highways Team - no objections

Greater Manchester Police Architectural Liaison Unit - no comments

Drainage Team - no objections

Environmental Health - no comments received

Unitary Development Plan and Policies

EC2/2 Employment Land and Premises
EC3/1 Measures to Improve Industrial Areas
EN1/2 Townscape and Built Design
EN1/5 Crime Prevention

Issues and Analysis

Use - the site is located within an established employment generating area of Radcliffe where B1(light industry), B2(general industry) and B8(Warehousing/Storage and Distribution) uses's are appropriate. The site was historically used as a Mill and latter had permission for manufacturing use in the 1990's and as such its employment generation use is established. The proposal is to use the site for storage purposes, utilising the buildings and storage area granted permission in the 1990's for manufacturing use, in connection with the established FAM vehicle recovery use on the adjoining site. The use of the site and buildings for solely storage purposes would not be contrary to EC2/2 - Employment Land and Premises Outside the Employment Generating Areas and as such acceptable.

Residential amenity - the proposed premises are adjacent to residential properties and as such the impact on these properties is relevant. In this instance the site has permission for manufacturing without any restrictions on the house of operation. The main gates onto Holly Bank Street were the sole means of access to the premises and used for staff, deliveries and distribution of the manufactured goods. The applicant has indicated that he is willing to accept a condition restricting the hours of operation of the gates to between 0800 hrs and 1900hrs to ensure that disturbance to the neighbours is minimised. It is considered that this agreement to the restrictions in the operation of the gates will improve the potential situation for the residents and as such conforms with UDP Policy EC3/1 - Measures to Improve Industrial Areas. The proposed CCTV camera is located in a fixed position and has no views of the residential properties adjacent. In order to ensure the residential amenity of the neighbours is protected it is intended that a condition be imposed restricting the position of the camera to ensure this is maintained.

Townscape and Visual amenity - the alterations to the gates and new security measures on top of the wall have some impact on the visual amenity of the area but are the type of measure taken to protect private property. Greater Manchester Police Architectural Liaison Unit have been consulted on this aspect and they have no comments to make. As such the proposal would comply with UDP Policy EN1/5 - Crime Prevention.

Objections - there is a perception that the existing use of the adjacent premises by FAM is of detriment to the adjacent residential properties. However, this area is an old established Employment Generating Area and the existing Engineering and Vehicle Recovery activity of FAM is lawful within the terms of planning. Given this fact the disturbance caused by the existing use, whilst regrettable, is outside the control of planning. The proposed restriction in the hours of operation of operation of the access to the site should mitigate the impact of the use on the neighbours and is welcomed. Any commercial use on the site will cause some disturbance but it is proposed that the use be restricted solely to the storage of vehicles and as such this impact should be limited. The loss of residential value of property and the attitude of the staff are not material planning considerations.

Summary of reasons for Recommendation

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

The use of the site for the storage of vehicles will accord with UDP Policy EC2/2 - Employment Land and Premises Outside the Employment Generating Areas. additionally the restriction in the use of the site for storage and the hours of operation of the gates will mean that the impact of the development will be limited on the nearby residents and as such accords with UDP Policy EC3/1 - Measures to Improve Industrial Areas.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to the drawings received on 24th July 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.
2. The gates located on Hollybank Street shall not be used between the hours of 1900 hrs and 0800hrs.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EC3/1 - Measures to Improve Industrial Areas
3. The CCTV security camera located on Hollybank Street shall be in a fixed position and shall not view the residential properties or their associated garden areas in Saxon Street or Normandy Crescent.
Reason - To protect the residential amenity of the neighbours and pursuant to Unitary Development Plan Policy EC3/1 - Measures to Improve Industrial Areas
4. The premises to which this approval relates shall be used for storage of vehicles and for no other purpose (including any other purpose in B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification) in conjunction with the associated vehicle recovery business adjacent.
Reason: To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policies EC3/1 - Measures to Improve Industrial Areas

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 09

Applicant: Rebekah & Jon Swan

Location: 43 BOLTON STREET, RAMSBOTTOM, BL0 9HU

Proposal: CHANGE OF USE FROM SHOP AND FIRST FLOOR FLAT TO CLASS A3(COFFEE LOUNGE) AT GROUND FLOOR; OFFICE AT FIRST FLOOR AND CRECHE IN BASEMENT (RESUBMISSION)

Application Ref: 46634/Full

Target Date: 05/09/2006

Recommendation: Approve with Conditions

Description

The site comprises the premises known as 43 Bolton Street Ramsbottom which is located in the town centre and within the Conservation Area. The building is largely of stone construction and was latterly in principally A1 use as a furniture store and workshop. The premises are two storey fronting Bolton Street with a shop front at ground floor and windows at first floor. The premises are three storey at the rear and this is used for servicing off Back Square Street.

The proposal is to change the use of the ground floor to a cafe, the first floor to a cafe and food preparation area with an associated office and to change the use of the basement to a creche. There are to be no alterations to the front elevation but there are new emergency access doors and amendments to the fire escape at the rear.

Relevant Planning History

A proposal for a change of use to a hot food take away was rejected in 2002 (38716) and a previous application for a similar proposal to that now being considered was withdrawn in June 2006 to allow more detailed negotiations with the Council.

Publicity

The neighbours have been notified and a press and site notice placed.

One letter of objection has been received from 37 Back Bolton Street on the following basis:

- access to creche from Back Square Street will be dangerous
- parking of cars dropping children off will block access to Back Square Street
- placing of 'yellow bins' will block the street
- additional traffic could cause difficulties for emergency vehicles

Consultations

Highways Team - no objections following modification of scheme to prevent access to creche from Back Square Street

Drainage Team - no objections

Environmental Health - no objections subject to standard conditions

Conservation Officer - no objections subject to no alterations to shop front

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design
Area Bolton Street/Bridge Street

RM3	
S1/2	Shopping in Other Town Centres
S2/6	Food and Drink
CF5	Childcare Facilities
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
S2/3	Secondary Shopping Areas and Frontages

Issues and Analysis

Principal - Cafe - the site is located within Ramsbottom Town Centre where new proposals for changes from A1 shop use are judged against the criteria set out in Unitary Development Plan Policy S2/3 Secondary Shopping Areas and Frontages and S2/6 - Food and Drink. In this instance the site is on the edge of the town centre with a mix of A1, A2, A3, A4 and A5 uses. The current shop has now been vacant for some 6 months and the maintenance of an active frontage by the use of the site at ground floor for a cafe would comply with Policy S1/2 and S2/3 Secondary Shopping Areas and Frontages.

Creche - this is to be located solely in the basement area with no outdoor play area. The original submission had pedestrian access to the creche solely from Back Square Street with no access directly from the cafe. This was unacceptable because of the potential conflict with vehicles using this street where there is no pedestrian segregation, limited visibility and constant usage by service vehicles. The scheme has now been amended so that the only access to the creche is via the cafe and Bolton Street so that the potential for conflict with vehicles using Back Square Street is removed. Following negotiations with the applicant there is to be a condition enforcing the no access from Back Square Street to the creche. The use of the creche is envisaged as a 'short term' facility where mothers could leave their children whilst using the cafe, shopping or visiting other premises in the town centre. The provision of child care facilities within the town centre would accord with the principals of UDP Policy S1/2 and as such is welcomed.

Servicing - only deliveries for the cafe will take place from the rear and this is unlikely to cause greater disturbance than the previous A1 use. As such there are no objections but, in accord with Policy S2/6 a condition is to be imposed requiring a scheme for the disposal of waste from the site to be submitted prior to implementation of any consent that may be granted. The site is in the town centre with on street parking opposite and off street parking in the various town centre car parks in close proximity. As such this is not considered to be an issue.

Refuse - a scheme is required to be submitted prior to the commencement of the use.

External alterations - there are no alterations to the front elevation and the alterations to the rear, for emergency access/egress are small in scale and will not affect the character of the Conservation Area and as such accord with UDP Policy EN2/2 - Conservation Area Control

Objection - the issues raised in the objection are covered in the main body of the report. The principal concern about children using Back Square Street and pick ups and drop offs in the area has been covered by negotiation with the applicant and by condition.

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 multi use development of the site for a cafe and creche will accord with the

policies set out in the Unitary Development Plan and will ensure that the property is maintained within Ramsbottom Town Centre Conservation Area.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered RS101B-RHA1 AND RS104B - RHA received on 6th September 2006 as modified by the letter from Ashall Town Planning dated 4th September 2006. The development shall not be carried out except in accordance with the details hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
2. There shall be no direct means of pedestrian access/egress between the site and Back Square Street save for emergency purposes and the deliveries of goods for the cafe use. There shall be no access permitted to the creche to be located in the basement for any purpose or at any time from Back Square Street.
Reason. To ensure good highway design in the interests of road safety.
3. There shall be no alterations to the exterior of the building fronting Bolton Street, including windows and doors without the prior approval 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, EN2-1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.
4. Prior to the commencement of development, details relating to proposed method of disposal of waste materials from the office use hereby approved 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 amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan, EN2-1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.
5. Noise emissions associated with any proposed plant shall not exceed NR (Noise Rating) curve 25, as measured in the bedrooms of adjacent properties with the windows of those properties open in the normal manner for ventilation purposes.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation.
6. 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 **John Cummins** on **0161 253 6089**

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 10

Applicant: Hawthorn House

Location: 2 LODGE STREET, RAMSBOTTOM, BL0 9AW

Proposal: CHANGE OF USE FROM DWELLING TO NURSERY EXTENSION ON GROUND FLOOR AND SELF CONTAINED FLAT ON FIRST FLOOR

Application Ref: 46835/Full

Target Date: 16/10/2006

Recommendation: Approve with Conditions

Description

The application relates to an existing two storey stone built dwellinghouse on Kay Brow, close to the centre of Ramsbottom. The house lies immediately to the north of the applicant's existing day nursery on the corner of Kay Brow and Lodge street. The area is generally residential in character with houses diagonally opposite on Lodge Street and flats to the north, east and south of the site. The nursery itself has three flats above. The nursery, which was used previously as a builders office and store, obtained planning permission in 1993. Vehicular access is from Kay Brow and there is a pedestrian access from Lodge Street.

The proposal would involve converting the ground floor of the existing house to provide additional nursery facilities including an indoor play area measuring 38sq metres, a small staff room (10sqm) and kitchen (12sqm). The upper floor would be converted to a one bed apartment. A new doorway into the apartment would be provided on the existing Lodge street elevation. The existing vehicular access and parking area would continue to be utilised. Two additional staff would be employed, bring the total staff, including part-time staff to 12.

Hours of working would continue to be 0730 to 1730.

Relevant Planning History

28687/93 - C/U from Office and store to Children's day nursery - Approved 07/10/93

Publicity

Immediate neighbours notified - One letter of objection from the occupiers of 1 Lodge Street. The objectors state that the staff and parents dropping children off at the nursery often cause traffic and parking problems along Lodge street. The parking provision is inadequate and this extension would only make the situation worse.

Consultations

Traffic - No objection.

Environmental Health - No comments received.

Early Years - No comments received.

Unitary Development Plan and Policies

CF5 Childcare Facilities

Issues and Analysis

Principle - The principle of a change of use from residential to childcare facilities is considered to be acceptable subject to criteria including layout, parking and noise and disturbance. The Council recognises the increasing importance childcare facilities in UDP Policy CF5 - Childcare Facilities which states that it will look favourably on proposals for childcare facilities, such as nurseries, workplace nurseries, creches and play groups. The existing nursery is registered by Ofsted and accommodates up to 40 children aged between 0 and 5 years with opening hours of 0730 to 1800 excluding Bank Holidays and Christmas.

Residential Amenity - Given that the proposed additional space for the nursery is modest in scale, it is not considered that there will be a materially greater impact on the amenity of surrounding neighbours over and above that caused by the existing nursery.

Traffic - The Borough Engineer does not object to the scheme. The existing on site parking, accessed from Kay Brow, is used by parents dropping off and picking up children and there is a proportion of parents that will use the public highway, including Lodge Street for the same purpose. This is not considered to be a serious problem. There are currently 5 parking spaces on site accessed from Kay Brow and given the scale of the proposal and its location, close to Ramsbottom centre, it would not be appropriate to refuse the application on traffic grounds.

Objection - The concerns of the occupier of 1 Lodge street, whilst being material to the consideration of the proposal, are not considered to be serious enough to warrant refusing the application.

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 change of use would not cause serious detriment to the amenity of the immediate neighbours. There are not serious traffic issues that would warrant refusing the application. Complies with UDP policy CF5. 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 21 August 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.

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

