

**Ward:** Bury West - Church

Item 01

**Applicant:** Ruth Goodman

**Location:** 8A WESTBURY CLOSE, ELTON, BURY, BL8 2LW

**Proposal:** TEMPORARY SITING OF CARAVAN FOR RESIDENCE AND SITE USE  
(RETROSPECTIVE)

**Application Ref:** 47184/Full

**Target Date:** 11/01/2007

**Recommendation:** Approve with Conditions

### **Description**

The application site comprises a vacant residential building plot, between No.8 and 10 Westbury Close. The site has a relatively narrow frontage and increases in width and height towards the rear. There is a timber fence along the boundary with the adjoining properties to the side and rear. There are no trees on the site.

The large caravan is already on site and located in the north-westerly corner of the site, adjacent to the rear boundary with Nos.45 and 47 Fieldhead Avenue. The caravan has a footprint measuring 10m by 4m and a roof height of 3.5m. The caravan is configured so the two main habitable room windows (living room and bedroom) are on each end and face towards the side boundaries with Nos.8 and 10 Westbury Close. There are non-habitable room windows facing the back boundary and towards the front where the main access in to the caravan is located.

Approval for a dwellinghouse was given in March this year. The application proposed a revised scheme following approval of a previous Reserved Matters application in April 2005.

### **Relevant Planning History**

Enforcement proceedings. A caravan was first located on site in September 2005. Subsequently an application for a the caravan to be used as a site office was submitted in November 2005 (45585) following complaints from the public. This application was withdrawn in same month on the applicant's understanding that a site office on an active building site was 'Permitted Development'.

An enforcement notice was served on the applicant in October 2006 to remove the caravan as works had not commenced. The same notice was withdrawn in November due to work commencing on site.

Following further complaints that the site office caravan was being used for residential purposes, which is not 'Permitted Development', the current application was submitted.

45657 Detached dwelling (Revised Scheme) Approved 01/03/2006

44181 Detached dwelling Approved 13/04/2005

### **Publicity**

Immediate neighbours notified - Letters of objection from No.43 and 94 Fielding Avenue and a letter of support from the neighbour at No.10 Westbury Close. The objections are summarised below:

- The caravan has been on site without permission for a long time already.
- It has a serious impact on the privacy of the residents to the rear of the site.
- When the house is built it will be difficult to remove it.
- It is an eyesore.

- The floodlights on the site shine directly into rooms in No.94 Fieldhead Ave.
- It will reduce property values.

### **Consultations**

Highways team - No objection

Drainage - No objection

Environmental Services - No objection

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

EN1/2 Townscape and Built Design

H1/2 Further Housing Development

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

### **Issues and Analysis**

Principle. Locating a residential caravan/ site office on a single building plot while a property is constructed is not unusual and is considered to be acceptable subject to various siting, size and design issues. It should be noted at this point that a site cabin/office is considered to be 'Permitted Development' (PD). A residential caravan however is not 'PD' and requires planning permission.

Siting. The caravan is positioned to the rear of the site, approximately 1m from the rear boundary with Nos.45 and 47 Fieldhead Avenue. It is in this position due to the location of the proposed dwellinghouse and the bore holes that are required to investigate site contamination and underground gases. Whilst the caravan is not in an ideal position given that it sits on land at a higher level (approx 1m) to the properties at the rear on Fieldhead Avenue, the impact can be significantly mitigated by the erection of a boundary fence that was initially required by the approval of the dwellinghouse that is currently being built on the site. The fence would effectively screen the caravan from the immediate neighbours to the rear and improve privacy and security. This has been agreed with the agent and a condition attached to any approval notice.

Size and design. Although the caravan is higher than the properties to the rear, given its temporary nature and screening, it is not considered to be excessive in size. The design of the caravan is acceptable.

Objections. Each of the concerns are addressed below.

The caravan has been on site for over a year. It is clear however that construction work has now begun on the house and it is generally in the interests of the applicant to complete the work in a reasonable time period.

The screen fence required as a condition of this approval would greatly improve the privacy of the neighbours to the rear.

It is likely that the caravan will have to be removed by crane. If in the unlikely event this cannot be done, the structure would need to be dismantled and removed from the site.

Although the caravan is not an attractive feature in the locality, it is well back from the road frontage and would be screened from properties to the rear.

There are two floodlights on the site. Whilst they may be required for practical and security reasons, there is a condition attached to the approval that they should not shine directly into any neighbouring property.

The impact on property values is not a material consideration in assessing the appropriateness of this planning application.

Given that the temporary nature of the use and the screen fencing that can be erected along the rear boundary, it is considered that the proposal be approved subject to the condition listed below for a 12 months.

### **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:-

Complies with UDP Policies listed and would not seriously impact on the residential amenity of neighbouring properties. There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The permission hereby granted is for a limited period only, namely for a period expiring on 18th December 2007 and the caravan and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued at the end of the said period to the satisfaction of the Local Planning Authority.  
Reason. In the interests of residential amenity pursuant to Policy EN1/2 Townscape and Built Design.
2. This decision relates to the drawings received on 16th November 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. Within one month of the date of this approval, a timber screen fence shall be erected along the rear northern boundary of the site. Full details of this fencing, including design, height and colour shall be submitted to a approved in writing prior to erection.  
Reason. In the interests of residential amenity pursuant to Policy EN1/2 Townscape and Built Design.
4. Any floodlights on the site shall not shine directly into nearby dwellings to the satisfaction of the Local Planning Authority.  
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy H2/2 Layout of Residential Development.

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

**Ward:** Bury West - Elton

Item 02

**Applicant:** Our Lady of Lourdes RC Primary School

**Location:** OUR LADY OF LOURDES RC COUNTY PRIMARY SCHOOL, RUDGWICK DRIVE, BURY, BL8 1JQ

**Proposal:** TWO STORAGE CONTAINERS

**Application Ref:** 47115/Full

**Target Date:** 10/01/2007

**Recommendation:** Approve with Conditions

**Description**

Single storey primary school building within a predominantly residential area. The school building is situated on the northern side of the site with the playing field on the southern side.

Each of the two steel containers would measure 20ft long by 8ft wide. They would be located adjacent to each other on grassed land between the school building and the northern boundary which is shared with bungalows 20 - 28 Rudgwick Drive. The boundary comprises a timber fence of varying heights between 1.8 and 2.2m. The fencing is augmented by conifer trees and mixed shrub planting on the school side. The containers would be used for general storage of school furniture and other equipment. The applicant has stated a temporary permission is sought for three years.

There is an existing steel container situated at the rear of the car park, adjacent to the northern boundary with No.22 Rudgwick Drive. It is intended to remove this should approval be obtained for the two containers.

**Relevant Planning History**

None applicable

**Publicity**

Immediate neighbours notified - One letter has been received from the occupier of No.22 Rudgwick Drive. Her comments relate in most part to the siting of an existing steel container to the rear of the shared boundary with the school. She states that the container reduces the light into her garden.

**Consultations**

Environmental Health - No comments received.

**Unitary Development Plan and Policies**

EN1/2 Townscape and Built Design

CF2 Education Land and Buildings

**Issues and Analysis**

Principle. The principle of siting a storage facility within the grounds of the school is acceptable subject to satisfactory siting, design and size.

Siting. The proposed site for the containers is considered to be acceptable. The containers would be effectively screened from the nearest residential properties to the north by the existing substantial boundary planting and fencing and from those properties further away to the south by the school building itself.

Design and size. The design of the containers is not ideal. If they were sited in a more open area and overlooked from residential properties there would be serious concerns about their suitability. However given that they are tucked in between the school building and the boundary planting and not overlooked, it is considered that they are acceptable for a temporary period of three years. The containers would be green in colour to merge with the surrounding planting.

Streetscene. The containers would be sited to the rear of the school and not readily viewed from Rudgwick Drive.

Amenity of neighbours. Given the existing screening, it is unlikely that the containers would have a seriously detrimental impact on the residential or visual amenity of neighbours. With regard to the concerns from No.22 Rudgwick Drive, the removal of the existing container is likely to improve the outlook from her property.

Benefits to the school. The primary school is small and has limited storage space. Funds for a purpose built storage building/extension are also limited. The additional space created would allow better use of facilities within the school building at a reasonable cost.

### **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 containers would be well screened from the nearest residential properties to the north by boundary planting and fencing and those properties to the south by the school building itself. There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. The permission hereby granted is for a limited period only, namely for a period expiring on 18th Decemeber 2008. The storage containers for which permission is hereby granted are required to be respectively removed at the end of the said period and the land reinstated to its former condition to the written satisfaction of the Local Planning Authority within three months of the date of this decision.  
Reason. The development is of a temporary nature only pursuant to policies of the Unitary Development Plan listed below.
3. Prior to the storage containers hereby approved being located on site, the existing storage container situated on the hardstanding to the rear of the car park and adjacent to the northern boundary, shall be removed to the satisfaction of the Local Planning Authority.  
Reason. In the interests of visual amenity pursuant to Policy EN1/2 Townscape and Built Design.
4. The containers hereby approved shall be coloured dark green, to the written satisfaction of the Local Planning, and thereafter maintained.  
Reason. In the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

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

**Ward:** Prestwich - Sedgley

Item 03

**Applicant:** Nigel Hooughan & Colette Ward

**Location:** 21-23 BENT LANE, PRESTWICH, M25 1DL

**Proposal:** CHANGE OF USE FROM OFFICE/STORAGE AND RESIDENTIAL TO TWO RESIDENTIAL PROPERTIES WITH TWO STOREY EXTENSION AT REAR; NEW ACCESS AND HARDSTANDING TO FRONT

**Application Ref:** 47065/Full

**Target Date:** 04/01/2007

**Recommendation:** Approve with Conditions

### **Description**

The site comprises a pair of two storey Victorian properties that are part of a group of three, originally built as houses around 1891. The premises were used for commercial offices and storage from the 1970's to 2005. The immediate locality is residential in character. The attached house at No.25 is in residential use. The detached house at No.19 is set well forward of No.21 and to the rear are residential properties fronting Park Street.

Currently there is no vehicular access into the site and it is the intension to widen the existing pedestrian access point to create a seperate driveway for each of the houses from Bent Lane. Two parking spaces would be located to the front of each property.

The proposal involves creating two 5-bed dwellings, utilising the existing roofspace. Apart from the alterations to the access and minor changes to the front elevation, the main external changes involve adding a two storey extension at the rear and the addition of rooflights to accommodate a loft conversion. The rear extensions would extend out 3.5m over the footprint of the existing single storey rear extension and up to the existing roof. The rooflights would be on the front and rear of the property.

### **Relevant Planning History**

16353/84 - Erection of Store at Rear - Approved 18/10/84

3977/76 - Warehouse extension at rear - Approved 16/12/76

### **Publicity**

Immediate neighbours notified - One letter has been received from the occupier of 38 Park Street to the rear of the site. His concerns are summarised below:

The extension at the rear would overlook his rear garden.

The demolition of the store at the rear may cause structural damage to his property.

There should be no access to the properties to the rear, over the neighbour's driveway.

### **Consultations**

Highways - No comment to date.

Environmental Health - No objection.

Drainage - No objection.

Policy - No objection.

Cleansing - No comments received.

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

H1/2 Further Housing Development

H2/1 The Form of New Residential Development

SPD6 DC Policy Guidance Note 6: Alterations & Extensions

H2/2 The Layout of New Residential Development

### **Issues and Analysis**

**Principle.** The principle of returning the Victorian properties back to their original residential use is considered to be acceptable subject to detailed siting and design issues, the development falls within one of the exceptions listed within the existing housing restrictions policy currently in force within the Borough and associated guidance note 7 - Managing the Supply of Housing Land in Bury. The proposal also complies with Policy H1/2 - Further Housing Development in that the site is within the urban area, infrastructure is in place and the proposals are sustainable and obviously suitable for housing.

**Siting.** The conversion of the property from commercial storage to residential is therefore likely to have a beneficial impact on the immediate locality as the area is primarily residential in character.

The changes to the frontage, including the new vehicular access points are in keeping with the existing property and street scene however the comments of the Highways team with regard to highway safety are still awaited. The scheme allows the parking of two vehicles within the site whilst retaining a reasonable portion of garden ground.

**Design and Appearance.** There are no structural alterations to the frontage apart from restoration of some existing brickwork, cills, lintels and other feature mouldings. The only significant external alterations to the property occur to the rear in the form of the two storey extension.

The existing single storey flat roofed extension between the two storey outriggers on either side of the rear elevation, would be taken down and replaced with a two storey extension on the same footprint which measure 3.7m by 6m. The ground and first floors of the extension would comprise a morning room and bedroom with Juliet balcony to each new residence respectively. It is the intention to landscape the rear yard area and split it between the future houses.

It is considered that the proposed extension at the rear and other minor alterations would be in keeping with the style and massing of existing property and bringing it back into residential use would benefit the visual and residential amenity of the locality.

**Objections.** The distance from the proposed rear bedroom windows at first floor level to the rear boundary of the site, adjacent to the driveway of No.38 is approximately 10m. This distance is considered to be acceptable and in line with general guidance relating to domestic extensions.

The concern about access to the rear is also not considered to be supportable given that the proposed scheme does not indicate any access from the rear of the site, over the neighbour's property.

The final concern of the neighbour relates to boundary issues which would also be a private matter between adjacent landowners.

It is considered that the scheme would in general benefit the existing building, surrounding neighbours and enhance the character of the immediate locality. It would comply with UDP general housing policies H1/2 and specific policies H2/1 and H2/2 relating to form and layout of residential development.

### **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 conversion of the properties back to the houses would not be out of character with the predominantly residential area. The conversion, new access and extensions to the rear would not be seriously detrimental to the amenity of neighbouring properties. There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

**Conditions/ Reasons**

1. The development must be begun not later than 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 site plan and drawings numbered 1-6, dated 9th November 2006 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. The external finishing materials for the proposal, including all boundary treatment, hereby approved shall match those of the existing building.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. Notwithstanding the details on the approved plans, minimum drive width shall be 3m.  
Reason. In the interests of highway safety.

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



**Ward:** Radcliffe - East

Item 04

**Applicant:** Bury Primary Care Trust

**Location:** JUNCTION OF BRIDGEFIELD STREET & CHURCH STREET WEST, RADCLIFFE

**Proposal:** RADCLIFFE PRIMARY CARE HEALTH CENTRE

**Application Ref:** 47034/Reserved matters

**Target Date:** 02/01/2007

**Recommendation:** Approve with Conditions

### **Description**

The application site is a 0.4ha open and part vacant site located within Radcliffe Town Centre, bounded by Quarry Street car park, Bridgefield Street and Church Street West.

The site contains a grassed area separating Quarry Street from Church Street West with two trees located within this area. To the north of the site is a fenced area, which contains a cleared former works site, with essentially leaving hollow in the ground, filled with rubble.

The site benefits from outline planning permission for the use of the land as a medical centre, which was most recently granted on 1/9/05. This application is a reserved matters application dealing with the all matters previously reserved including height, scale, layout and access.

### **Relevant Planning History**

The site has been subject to a number of planning applications in the past.

35653 - Outline residential development - Approved - 13/10/99  
35654 - Outline Class A1 non-food retail development - Refused - 13/10/99  
35655 - Outline Class D1 Clinic/medical centre - Approved - 13/10/99  
35657 - Outline development for a car showroom - Approved - 13/10/99  
39669 - Renewal of 35657 (car showroom) - Approved 16/10/02  
39672 - Renewal of 35653 (residential development) - Approved - 16/10/02  
39671 - Renewal of 35655 (Class D1 Medical centre) - Approved - 16/10/02  
44818 - Renewal of 39671 (Class D1 Medical Centre) - Approved 1/9/05

### **Publicity**

The application was publicised by press notice on 13/10/06 and by the erection of a site notice on 2/11/06. In addition to this letters were sent directly to nearby properties including- 37A 39A, 41A, 45-49, 44 - 76, 71-91, 91A, Irwell Cottage, LLandaff Cottage, all Church Street West;

28 Quarry Street;

3-39, 2-14, 2A Barlow Street;

1-7, 2-48, 25-49, International Christmas Ltd, RAPTEC, all Bridgefield Street;

8-14 New Church Walk.

As a result of this publicity, two letters of objection have been received from 40 Bridgefield Street and Keith Simister Personal Insurance Services on Church Street West. Points raised include -

- Concern about the proposed levels of traffic that would be generated from the proposals.
- Bridgefield Street is used by varying sizes of vehicles, which often results in parked cars being scraped. This proposal would add to this problem.
- There is a lack of parking within the scheme and the public using this facility would park

on Bridgefield Street and not the public car park. lay-by should be provided on the Church Street West and Bridgefield Street frontages.

### **Consultations**

Traffic Section - Response awaited.

Drainage - No objections.

Environment Agency - No objections. They suggest that any approval should include conditions on further contamination studies

United Utilities - They initially objected to the proposals as a public sewer crosses the site and the development would have required a building over agreement. This objection has since been removed following discussion between the applicant and United Utilities. As such they now have no objections to the proposals.

Greater Manchester Police Liaison Officer - No objections.

GMPTE - They consider that the site is well located in terms of public transport provision and within walking distance of the Metrolink, Radcliffe Bus Station from surrounding towns and areas. The scheme should include good pedestrian links and to this end, the applicant should look to provide two bus stops in close proximity to the site to Quality Bus Corridor standard.

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

EN1/2	Townscape and Built Design
CF1/1	Location of New Community Facilities
HT2/4	Car Parking and New Development
S2/1	All New Retail Proposals: Assessment Criteria
S2/6	Food and Drink
HT5/1	Access For Those with Special Needs

### **Issues and Analysis**

Principle - The site benefits of outline planning permission for a medical centre / Class D1 Non Residential Institutions Use, which has been renewed on two previous occasions. As such the principle of the development is already established.

Siting and Layout - The proposals are seeking to provide a number of services and facilities on a single site, each with their own demands whilst importantly trying to integrate into the urban grain on the edge of the Radcliffe Town Centre. The site is constrained by a number of factors including changes in levels to the northerly and westerly parts of the site; by the relationship to residential properties and providing appropriately sited car parking facilities for the practices and services for the new facility.

The proposals have been subject to many pre-application discussions, which have sought to ensure that the development can function and relate appropriately to surrounding development.

The development comprises a central core, which would face onto Church Street West, with a paved area at the front. The remainder of the building would then split into three separate legs over three and four storeys in height. Car parking for essential staffing and for space for a mobile diagnostic unit would be achieved from Bridgefield Street.

Design and Access - The scheme has been submitted with a comprehensive design and access statement. UDP Policy EN1/2 – Townscape and Built Design seeks to ensure that new development contribute positively to a street scene with carefully considered issues of access throughout the scheme and in terms of built design. The proposals have adopted a modern and contemporary approach to its design using modern materials, large areas of glazing, render and panelling. Height, scale and massing issues are discussed below.

In terms of access, UDP Policy HT5/1 - Access for Those With Special Needs seeks to ensure that new proposals and their services are readily accessible by users. The scheme

would provide level access from Church Street West into the building with automatic doors to enter into the building itself. Within the scheme, areas would be light and lift access would be provided to give access to all levels of the building itself. Four disabled car parking spaces would be provided close to the building's entrance and two would be provided to the rear of the site in the staffing area. An additional two drop-off spaces would be provided within a lay-by on Church Street West next to the main pedestrian route into the building. The disabled car parking provision has been commented upon by BADDAC as being appropriate for the scale of the development and they are in appropriate locations. As such, it is considered that the proposals would comply with the policy.

Height, Scale, Massing - UDP Policies EN1/2 – Townscape and Built Design and CF1/1 – Location of New Community Facilities seek to ensure that proposals provide appropriate scales of development within the townscape and to ensure that the impact upon residential amenity is carefully considered. The highest element of the scheme would be four storeys and run in a south westerly direction towards the Radcliffe Civic Suite car park from the central building core. This highest element would be set well back from Church Street West by some 26m and would not have a direct relationship with residential development. The frontage to this part of the scheme would be a glazed entrance foyer, some three storeys in height, thus stepping down the scale of the building to integrate into Church Street West. The remaining elements would be three storeys in height in separate arms to reflect the rows of terraced properties within the area. This approach assists in breaking up the massing of the building and enables the adopted design approach to integrate well into the area.

There is, and has been throughout the pre-application discussions, concerns upon the height relationship of the Bridgefield Street elevation facing the residential terraced dwellings opposite. In terms of height, the development is a true three storey facing older two storey properties with rooms in the roof spaces illuminated through small dormers. The new development would contain interview rooms on the ground floor; consultants, GP and waiting area on the first floor, consultant team rooms and waiting area on the second floor in the elevation each with windows facing the dwellings.

To mitigate overlooking problems, the proposals have incorporated a feature within the glazing to ensure that the outlook from these windows would be obscured and new windows have been carefully sited to ensure that there would not be a direct relationship of facing windows. Furthermore, the upper floor would be constructed in a 'lightweight' material and the building has been divided into vertical sections to highlight a 'terraced' feature readily visible within this street scape. These approaches attempt to reduce the overall massing of the scheme upon facing residential properties.

Notwithstanding this, the bulk, massing and additional height of the wing would have a significant impact upon these properties. Aspect standards normally applied to three storey buildings facing two storeys would be some 24m. In this instance, only 13m can be achieved.

The issue therefore rests upon whether the impact upon a limited number of properties should be outweighed by the benefits to the wider public. Much has been incorporated into the scheme, which is understood must provide set criteria and floor space for the uses within the development. The scheme has achieved this on a restricted site and incorporated as many features within it to lessen the impact. On this basis, it is a finely balanced issue and it is felt that the scheme should be supported but only as an exceptional case.

Access and Car Parking - UDP Policy EN1/2 – Townscape and Built Design seeks to ensure that proposals provide adequate car parking provision to service the development. The site is immediately adjoining the town's main public car park where there are many spaces available for this use and other town centre uses. The Quarry Street car park provides 128 general public spaces with no disabled spaces. The car parks would be readily accessible by a footpath connecting it to the entrance of the building. The proposed scheme also includes 25 staff car parking spaces to the rear of the site with a controlled access off

Bridgefield Street. These spaces are for essential staff members only. PPG13 - Transport does not provide any specific guidance upon the maximum levels of car parking that should be provided for a Class D1 use and the proposals indicate that some 121 staff members would occupy the site.

It is important to consider that the site is located adjoining differing transport nodes and is central to the area which it would serve and as such, many different choices of transport considerations would formulate in the equation of car parking provision. A Transport Assessment has been submitted with the proposals which indicates that the potential trip generation to/from the site would not cause undue impact upon the surrounding highways. In addition to this, it also provides for a Green Travel Plan, which can be used to reduce the numbers of car bourn staff and users utilising the development. Planning conditions can be used such that measures to improve sustainable transport alternatives are reviewed on a regular basis and revised to provide maximum benefit that can be offered by Green Travel Plans.

It is considered that the proposals have provided a minimum and basic level of provision of car parking for the use itself. The public car park next to the site would assist in providing for visiting clients sufficiently.

Uses - In addition to the medical related uses within the scheme, the proposals include the provision of a cafeteria and pharmacy on the ground floor. These uses are intended to provide 'associated' facilities, to assist to connect the development into the wider community and also to provide active ground floor uses within the scheme at street level. UDP Policy S2/6 - Food & Drink provides a set of criteria to assess proposals for food uses. The use would be A3 (Restaurants and Cafes). However, the use in this scheme would be ancillary to the main use of the building rather than a use in its own right. The frontage of the site is within a predominantly commercial area and indeed is on the edge of the town centre. Given the conservative scale of this aspect of the development it is considered that this aspect of the development would be a positive addition to the development with no undue impact upon amenity and would comply with the considerations of UDP Policy S2/6.

The pharmacy would similarly be an ancillary use to the larger main use of the building. The use would not normally be supported outside the town centre. However, in this instance, the limited floor space, ancillary nature of this aspect of the proposals and its contribution to an active street frontage would not conflict with UDP Policy S2/1 - All New Retail Proposals: Assessment Criteria.

Landscaping - UDP Policy EN1/2 – Townscape and Built Design seeks to ensure that proposals provide a positive contribution to the street scene including the landscaping of the site. The scheme has been submitted with well conceived landscaping proposals. The scheme provides for good levels of tree planting, soft grassed areas and hard landscaping to the main entrance areas, softened by a number of trees. The Bridgefield Street frontage would be softened by some tree planting within a landscaped strip, which would assist the difficult relationship with the three storey houses opposite.

Mobile Diagnostic Unit - This is a mobile vehicle that would visit many different NHS LifT centres to provide additional facilities that would otherwise be provided by hospitals. The purpose of such units is to improve the facilities of centralised services. Such vehicles tend to take the form of large articulated units which spend large amounts of time at each centre on a regular basis. The scheme has had to design this facility in to incorporate secured parking to it, readily accessible to the workings of the site and also manoeuvring space to enable it to leave in a forward gear. The scheme has incorporated these measures into it and the Traffic Section have been consulted on the proposals and comments are awaited. The Committee will be updated on the progress and the response from the Traffic Section.

Response to Objections - The application has been submitted with a Transport Assessment and no areas of concern has arisen as part of its consideration. Many of the transport issues are considered above including the availability of car parking and alternative modes of

transport to reach the site. Given the limited space and parking capacity of the site to the rear, the access off Bridgefield Street is not likely to be heavily used. It is more likely that more traffic would use Church Street West and would also come through the Town Centre. This view is supported by the Transport Assessment. As such, Bridgefield Street is not likely to be significantly affected by traffic from the proposals. One objector considers that the scheme should include lay-bys to assist parking provision. The scheme does include two bays but for the purpose of client drop-off. As such, the scheme does provide what the objector has commented upon.

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

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

The development would provide an essential facility within a carefully considered set of proposals. The design and scale of the building has been considered and on balance is considered to be acceptable. In terms of parking the site is readily accessible to many different forms of transport and would be developed next to a public car park to provide for clients. The scheme would comply on many levels with the adopted policies of the Unitary Development Plan and there are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. The car parking indicated on the approved plans 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.
3. Prior to the development hereby approved commencing:
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
  - Where actual/potential contamination and/or ground gas risks have been identified, a detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
  - Where remediation is required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved remediation strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and

A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.  
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

5. 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.

6. 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.

7. The development hereby approved shall not commence until proposals for the provision of cycle parking have been submitted to and approved in writing by the Local Planning Authority.  
Reason. To secure satisfactory cycle facilities on site and in accordance with Unitary Development Policies HT6 - Pedestrians and Cyclists; HT6/1 - Pedestrians and Cycle Movement.
8. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.  
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan..
9. 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.

10. A litter bin of a size and type to be approved by the Local Planning Authority shall be installed on the forecourt of the premises 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.

11. Details of a Green Travel Plan Strategy, implementation and monitoring of effectiveness shall be submitted to and approved in writing by the City Council as local planning authority. The strategy shall outline procedures and policies that the developer and occupants of the site will adopt to secure the objectives of the overall site's Green Travel Plan Strategy. Additionally, the strategy shall outline the monitoring procedures and review mechanisms that are to be put in place to ensure that the strategy and its implementation remains effective. The results of the monitoring and review processes shall be submitted annually, in writing to the local planning authority together with any measures that are identified that can improve the effectiveness of the Green Travel Plan Strategy and these measures shall be adopted and subsequently implemented.

Reason - In accordance with the provisions contained within Planning Policy Guidance Note 13 - Transport.

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

**Ward:** Whitefield + Unsworth - Pilkington Park

Item 05

**Applicant:** Greater Manchester Police Authority

**Location:** WHITEFIELD POLICE STATION, BURY NEW ROAD, WHITEFIELD, M45 8QN

**Proposal:** PROVISION & SITTING OF TEMPORARY PORTABLE BUILDINGS

**Application Ref:** 47152/Full

**Target Date:** 11/01/2007

**Recommendation:** Approve with Conditions

### **Description**

The proposal is for the siting of two stacked (2-storey) portable buildings within the confines of the existing police station buildings for a temporary period of 3 years. The buildings to be used as offices are 18.2m (L) x 4.2m (W) x 6m (H) with a proposed separation distance of between 5m and 6m (due to angled site boundary) to the 1.75m high boundary wall that borders the gardens at the rear of the properties on Nuttall Avenue.

41/43 Nuttall Avenue are semi-detached dormer bungalows that are between 2m and 3m below site level. The lengths of the gardens at the rear of 41/43 Nuttall Avenue are approx. 19.5m long.

### **Relevant Planning History**

None

### **Publicity**

30 surrounding properties have been notified. No letters of representation have been received to date.

### **Consultations**

Highways Team – No objection

Drainage Team – No objection

Environmental Services – No comments to date

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

EN1/2 Townscape and Built Design

### **Issues and Analysis**

**Principle** – The use of the land for accommodation in connection with the use as a Police Station is of long standing. For that reason the use of the two stacked temporary portable buildings for Police use is acceptable. Therefore the main considerations of this application are the impact of the proposal on highway safety, visual and residential amenity.

**Highway Safety** – The shift pattern of the Police means the impact of the temporary siting of the portable buildings will be acceptable in terms of impact on traffic generation and therefore highway safety.

**Visual Amenity** – The design and materials of the temporary portable buildings are typical of this style of structure. The siting of the temporary portable building is seen mainly with the existing Police building behind. The only direct view is from the properties on Nuttall Avenue. However, due to the height of the boundary wall, a minimum separation distance of 24.5m and difference in levels the view of the temporary portable buildings is limited to the upper storey. Therefore the proposal is considered acceptable in terms of visual



amenity and conforms to UDP Policy - EN1/2 - Townscape and Built Design.

Residential Amenity – Taking into account the difference in levels, the separation distance of a minimum 24.5m means the position of the temporary portable buildings is acceptable in terms of effect on residential amenity as it complies with the Councils' aspect standards. However to safeguard the privacy of the occupiers of the properties on Nuttall Avenue the first floor windows on the elevation facing the rear of their properties is to be conditioned to be obscure glazed.

### **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 siting for a temporary three year period of 2 stacked portable buildings to be used as offices in conjunction with the adjacent Police Station is such that they are not considered to have a seriously detrimental effect on highway safety nor the visual and residential amenity of neighbouring properties and as such complies with the Bury 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. The permission hereby granted is for a limited period only, namely for a period of three years. Written notification must be given to the Local Planning Authority of the commencement of the buildings, works and use comprising the development for which permission is hereby granted and the buildings are required to be respectively removed and discontinued at the end of the said period and the land reinstated to its former condition to the written satisfaction of the Local Planning Authority within 42 months of the commencement date. If no written notification is given the land shall be reinstated to its former condition to the written satisfaction of the Local Planning Authority by 18th May 2007.  
Reason. The development is of a temporary nature only pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.
3. This decision relates to drawings received on 30<sup>th</sup> October 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 Bury UDP Policy EN1/2 - Townscape and Built Design.
4. The proposed first floor windows located on the elevation facing 41/43 Nuttall Avenue shall be fitted and maintained with obscure glazing in perpetuity.  
Reason. To protect the privacy of adjoining occupiers.

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

**Ward:** Whitefield + Unsworth - Pilkington Park

Item 06

**Applicant:** Dransfield Properties Ltd/ W M Morrison Ltdn

**Location:** CHURCH INN, 266 BURY NEW ROAD, WHITEFIELD, M45 8QS

**Proposal:** LISTED BUILDING CONSENT FOR DEMOLITION OF PUBLIC HOUSE

**Application Ref:** 46840/Listed Building  
Consent

**Target Date:** 27/10/2006

**Recommendation:** Minded to Approve

**Minded to approve subject to the referral of the application to the Secretary of State at the Regional Office**

**Description**

The property that is the subject of the application is a public house situated within Whitefield District Centre at the junction of Bury New Road and Stanley Road. It is a two storey detached building in red brickwork set facing Bury New Road and directly opposite the junction with Church Lane.

District centre uses predominate in the immediate surroundings including the disused Whitefield Bus Station immediately to the rear which has been replaced by a bus turning area combined with a car park associated with the Metrolink Station on the opposite side of Stanley Road. Immediately to the north on Bury New Road is Roma Cafe beyond which is a public car park. Diagonally opposite on Bury New Road is the red brick Barclays bank building.

The Church Inn was spot listed Grade II in July this year. The building was erected around 1830 but was altered, extended and refitted in 1911. The predominant Edwardian Baroque style on the main frontage elevations has resulted from the work in 1911 when the building was refaced. This is characterised by a three bay symmetrical facade extended to a wide single bay on the south. The bays and other parts of the main elevations are finished in red brickwork and sandstone dressings and with a slate roof behind a brick parapet. An attached red brick wall from the 1911 improvements curves around the garden and rear of the site. Internally, the Edwardian detailing has been largely preserved. In the listing schedule the special character of the building is summarised as follows:

"The Church Inn is of special architectural interest as a high-quality example of an early C20 re-fitting of a C19 public house. The well-designed re-facing and extension of the original building, the quality of the contemporary fixtures and fittings outweigh the loss of some internal divisions, and embody the substantial investment made by the local Holts' Brewery in the building and re-fitting of its public houses in the Manchester neighbourhoods, with both exteriors and interiors finished to a high standard."

The Church Inn together with extensive areas to the north and east as well as adjoining areas of highway are affected by a proposal to erect a 7153m<sup>2</sup> foodstore and a replacement building for the Roma Cafe. Planning permission was granted for this development on 10th October 2005 (ref 42914). The developers are currently in the process assembling the land needed for the scheme and lately they have acquired the Church Inn.

In terms of the proposed development the Church Inn occupies a key position. The approved foodstore would be set to the Bury New Road and Stanley Road frontages with part of the intended building overlapping part of the listed building including a principal entrance to the store. The realigned footway and highway areas widened in connection with

the new development coincide with the other parts of the footprint of the Church Inn and its curtilage. The developers are now facing a situation whereby their development would require the removal of the listed Church Inn and they have, therefore, applied for listed building consent.

The proposed highway improvements also make provision for the creation a Quality Bus Corridor (QBC) along Bury New Road. This project is being delivered in partnership between Bury MBC, Greater Manchester Passenger Transport Executive and bus operators and is aimed at increasing the number of journeys by bus by reducing journey times and improving the reliability of bus services.

The application is accompanied by three statements to justify why the application should be granted. These cover the need for the new development, conservation and heritage issues as well as options for retaining the listed building or parts of it as well careful demolition and rebuilding it on the site or elsewhere. The main conclusions include the following:

"The approved regeneration scheme will deliver enormous social, economic and environmental benefits to the community of Whitefield, creating approximately 350 jobs in a highly accessible, and therefore sustainable location. This accords with the exceptions criteria set out at para. 3.19 of PPG 15....It is not feasible to retain the Grade II Listed Church Inn PH, and to implement the approved regeneration scheme. If the Church Inn cannot be redeveloped, it would stymie the entire regeneration of Whitefield District Centre....Options to retain the Church Inn have been systematically explored and discounted throughout the course of planning considerations associated with Whitefield District Centre, and previous Planning Applications to this effect withdrawn under threat of refusal....The wider regenerations objectives has attracted unanimous and extensive support from Whitefield residents, Bury MBC and the Constituency Member of Parliament (MP). The proposals would also act as a catalyst for the environmental improvement of the area with a development of exceptional design and quality, and are already well advanced 'on the ground' ...It is clear that the fundamental issue is with the relationship of the Church Inn Public House and Bury Metro's plans to widen Bury New road itself and the junction at Bury New Road and Stanley Road as part of the redevelopment of the District Centre. It has been demonstrated that there is no practical alternative available to the widening of Bury New Road other than that currently approved...None of the options to retain the Church Inn Public House in its current form...leave a satisfactory end product in the context of the entire development for the reasons explained...The developers and team are highly committed to delivering a quality sustainable development, to invigorate a degenerating area further promote the District Centre of Whitefield. Massive public support for the proposals is in place...In conclusion, any harm arising from the demolition of the listed building is outweighed by the benefits of the redevelopment/regeneration of Whitefield District centre...We are aware of the tests set out in para 3.19 of PPG 14 (PLanning and Historic Environment). The developers and the team have appropriately explored all options for the preservation of the Church Inn, as referred to previously. However, it has been conclusively demonstrated that retention of the pub is unachievable in this location, and in these particular circumstances. Therefore we respectfully request that Listed Building consent be granted."

### **Relevant Planning History**

36557/00 - New district centre including retail units, mixed use first floor accommodation and a fitness and rehabilitation centre. Withdrawn on 6th November 2000.

41538/03 - Demolition of existing buildings and redevelopment with Class A1 (foodstore), associated service area, car parking and landscaping and new cafe unit. Withdrawn on 14th July 2004.

42094/04 - Mixed use development including retail (Class A1), food and drink (Class A3) with associated car parking and servicing facilities (outline application). Withdrawn on 7th October 2004.

### **Publicity**

156 nearby properties were notified, a press advertisement was published and site notices were displayed.

Objections to the applications were received from six individuals at addresses in Dales Lane, Grosvenor Road and Bleakley Street and in Chester. They also include an e-mail with no address given. Concerns expressed include:

- The supporting statement does not mention that the Church Inn is situated on the boundary of the All Saints Conservation Area.
- The listed building's position opposite Church Lane contributes to the building's importance especially as it terminates the view at the end of Church Lane which is the conservation area boundary.
- There have been contradictory statements from the Council concerning the quality of the building.
- The Council has incorrectly stated that CABI have commended the design of the foodstore development.
- Does not support the developer's views stressing the design qualities of the proposed store.
- The strong local support for the scheme claimed by the applicants was for the provision of a supermarket and not for the scheme as such.
- If in the opinion of English Heritage and the Department for Culture, Media and Sport the Church Inn has character then why demolish it and replace it with a building less fit for that position?
- It is arguable that the store is excessive in size for Whitefield District Centre and the retention of the Church Inn and its incorporation into the development may provide an opportunity to reduce the size of the store.
- Given that an Engineering Manager of the Council has stated that it is not intended to have a bus lane all the way to Manchester, and only in appropriate areas, why then is it necessary to demolish the Church Inn to make way for a QBC in this part of Whitefield?
- The excessive road widening in this part of Whitefield will further contribute to the destruction of what little is left of the character of Whitefield District Centre.
- The listing was carried out in full knowledge that the building was situated within the development area of a supermarket scheme and a bus corridor, that the developer wished to demolish the public house and it was confirmed in full knowledge of opposition to it by the Council and the developers. This clearly indicates the importance attributed to the architectural and historic status of the building.
- Circumstances have not changed since the listing occurred and, in considering the application, the Council is obliged through the relevant legislation and government advice to have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses.
- It would be inappropriate to consider the demolition of this building so soon after the confirmation of listing.
- PPG15 ( paras. 1.6 and 5.2) points to the need for Councils as a highways authorities as well as in exercising their planning function to protect the historic environment. Therefore, the need for and position of the QBC should be considered in a way that protects the listed building.
- It is understood that the Council has no specific policies that require the extension of the QBC through Whitefield.
- Given its position holding the corner of Bury New Road, its relationship to Barclays Bank opposite and its position on the Church Lane visual axis the loss of the Church Inn would result in a serious diminution in the urban character of the town centre and it would be contrary to advice in PPG1 and the companion guide "By Design", including the prime objective to promote character and local identity.
- The demolition would adversely affect the setting of the conservation area.
- The proposed foodstore is of limited architectural quality and the Bury New Road elevation is inappropriate, presenting a mostly blank wall. In contrast, the Church Inn would help to create a more attractive and "active" frontage and should be integrated into the fabric of the scheme.

- This is not a case where demolition is unavoidable. What is appropriate and material to the consideration of the application is the advice in para.3.16 of PPG15 that "The destruction of historic buildings is in fact very seldom necessary for reasons of good planning: more often it is ....failure to make imaginative efforts to incorporate them into new development" (para. 3.16 of PPG15).
- In accordance with government advice concerning a proposal to totally demolish a listed building the Council needs to consider the condition of the building which is in good condition, the adequacy of efforts to retain it in use and the Church Inn is in regular use as a Public House (written on 25th September 2006), the merits of alternative proposals but claims about their architectural merits should not be held to justify the demolition of any listed building.
- Where there are claims that the proposal would bring substantial benefits to the community which have to be weighed against arguments in favour of preservation the option of incorporating a listed building within new development should be considered and can be a stimulus to imaginative design.
- There would be a supermarket car park edge there instead, no doubt with a McDonalds.
- Pride in the area would decline if one of the finest buildings on Bury New Road was to be replaced by a "anytown, anywhere" streetscape.
- Additional traffic would be generated that would strangle the lifeblood of Whitefield.
- The building is a long term local landmark providing a clear sense of identity.
- The description of the principles of the conservation area clearly apply to the Church Inn yet its boundary makes an illogical dog leg around this building.
- The Church Inn makes it possible to have a feeling of how the area would have been in the past.
- The Church Inn is as important to the identity and history of Whitefield as All Saints Church or the houses in the conservation area on Hamilton Road.
- Respects the need for a supermarket but it would be a great loss if the Church Inn was lost at its expense.
- There are very few historic buildings of significance left in Whitefield. It would be very disappointing if one of these historic gems were to be lost.

Representations in support of the applications have been received from three residents at two locations including Mather Avenue and one with no address given. Also, letters in support has been received from Roma Ltd at 268 Bury New Road and Nolan Redshaw, Chartered Surveyors as well as an e-mail expressing no objections from Whitefield Methodist Church in Elms Street. The points being made by the supporters include:

- The Church Inn is currently standing in the way of the proposed development of the area and it would be a shame for the development not to go ahead after all the hard work and effort that has been put into it so far, especially with the relocation of residents in the area.
- The public house is of no benefit to the community whereas the Morrisons supermarket will provide more jobs for the area and will be far more attractive once complete.
- Now that the development has come so far it would be ridiculous if the project could not be completed.
- All the people I know in the area are eagerly waiting for Morrisons to open as it in the best interests of our community for this application to be passed.
- As the owner of a restaurant that is willing to be relocated to make way for the new supermarket I cannot understand why this public house, which is of no architectural or historic merit, is being allowed to hold up the transformation of Whitefield.
- The number of jobs that Morrisons will provide is estimated in the region of 350. How can a Council disregard this information in order for a public house to remain?
- The site has been in a dire state for a number of years now and we need to get the redevelopment up and running.
- The road improvements planned for Bury New Road have also been long awaited and will help with the transformation of the area.
- Knows that the redevelopment plans are supported by the whole community as every customer who comes to my restaurant asks when works are due to start.

- The Church Inn should be demolished for the benefit of the Whitefield community.
- We believe that, listed or not, the Church Inn should be demolished to make way for the supermarket development thereby improving the amenities of the area.
- The property is underused, is in generally poor condition, is of no architectural merit and stands in the way of a redevelopment scheme which has planning permission and is urgently awaited in the area.

### **Consultations**

Highways Section - No objections.

English Heritage - Advise that the original prominent setting of the Church Inn Public House was a deliberate way of creating a gateway into Whitefield. It is a landmark building in views up Bury New Road from the south and from Church Lane in the conservation area opposite. It should be possible for this role to be continued by redesigning the scheme to ensure that the Church Inn becomes an integral part of the new development. They also state that, from discussions with the Council and the applicants, they believe that there is potential to realign the QBC so that the Church Inn could be retained and recommend that this option is fully and properly explored. They recommend that the applicant should be invited to withdraw the application to allow full consideration to be given to the options which would allow the retention of the building in the new scheme of development. If the applicant is not prepared to withdraw the application, then it should be refused, on the basis that a justification for demolition which meets the provisions of PPG15 has not been provided.

Following a meeting with English Heritage and in response to their comments the applicant has submitted a report concerning development options. A copy of the report has been forwarded to English Heritage and any comments will be reported.

Council for British Archaeology - They understand that the development proposals have benefits for the community but if they necessitate the demolition of this historic building it will be at the expense of Whitefield's history and they cannot accept this. They ask that further thought is given to incorporating the Church Inn into the new development as in this way the community benefits from retention of the historic building (even if it is with a new use) and new supermarket.

The Georgian Group - They express the view that part of the significance of the building lies in its age and historical development over successive generations. Locally it is of high significance due to its continued use as a public house for almost two centuries. It would not have been granted statutory protection of it were unworthy of protection and they, therefore, strongly object to its demolition. In the light of recent re-appraisal of the building's merits they do not believe that adequate justification has been given for its demolition.

The Victorian Society - Object on the basis that the proposed demolition of the Church Inn, a structurally sound and economically viable Grade II listed building, is contrary to both local and national policy, and would result in the permanent and unnecessary loss of a building of national importance. The decision to list the building should have given rise to a major review of the existing proposal to demolish the building in its entirety, yet the scheme has not been revised accordingly nor has sufficient evidence been provided to support the application. As a result, the application has failed to recognise the legislative framework that exists to protect the historic environment and it should not be permitted.

The information provided in support of the application does not prove any necessity for the total demolition of the Church Inn nor does it demonstrate why any community benefit to the Whitefield area could not be achieved without demolition of the listed building. This omission may be due to the very fact that, if required, an alternative scheme could be developed to provide the social and community benefit without the loss of the listed building.

Had the applicants been fully aware of the special architectural interest of the Church Inn from the outset their redevelopment proposals would not have envisaged total demolition. The application has, therefore, arisen due to insufficient efforts to assess the historic value

of the development site at an early stage resulting in a change of circumstances later in the development process. They have made a requested for the application to be called in for determination by the Secretary of State.

Royal Commission for historic Monuments - No response.

Ancient Monuments Society - No response.

Society for the Protection of Ancient Monuments - No response.

The 20th Century Society - No response.

Campaign for Real Ale - They have objected to the application and state that the fine Grade II listed building is a landmark and a fine example of a public house of its time. It has connections with local transport (originally called the Railway Inn). Being close to Whitefield bus and rail stations it is an excellent place to pass the time between connections. They refer to the many fine features both internally and externally.

GMPTE - Support the application to allow the highway improvement scheme to proceed on this QBC route.

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

EN1/2	Townscape and Built Design
EN1/7	Throughroutes and Gateways
S1	Existing Shopping Centres
S1/3	Shopping in District Centres
S2/1	All New Retail Proposals: Assessment Criteria
EN2/3	Listed Buildings
S3	New Retail Dev and Env Improvements
S3/3	Improvement and Enhancement (All Centres)
HT2/2	Improvements to the Strategic Route Network
HT2/3	Improvements to Other Roads
HT3/1	Schemes to Assist Bus Movement
HT3/2	Bus Services
HT3/3	Design of Roads for Bus Routes
PPS1	PPS1 Delivering Sustainable Development
PPS6	PPS6 Planning for Town Centres

### **Issues and Analysis**

Principle Material Considerations - PPG15 : Planning and the Historic Environment sets out government advice on controls for the protection of historic buildings and conservation areas, including proposals to demolish a listed building. The proposal to demolish the Church Inn to facilitate a major retail development needs, therefore, to be considered principally against the advice contained in this circular and the main issues to which weight should be given include:

1. the importance of the building, its intrinsic architectural and historic interest and rarity;
2. the particular features of the building which justify its listing;
3. the setting of the building and its contribution to the local scene;
4. the extent to which the proposal would bring substantial benefits for the community, in particular by contributing to the economic regeneration of the area or the enhancement of its environment;
5. the adequacy of efforts to retain the building in use;
6. the merits of the replacement development;

The fundamental need, in this case, is to weigh the importance of the building against the

community and economic regeneration merits of the proposed retail development and QBC and also taking into account any efforts to retain the building and, to a lesser extent, the visual merits of the replacement development. The principal test for the acceptability of this type of proposal is contained in the following sentences within paragraph 3.19 of PPG15: "There may be very exceptionally be cases where the proposed works would bring substantial benefits for the community which have to be weighed against the arguments in favour of preservation. Even here, it will often be feasible to incorporate listed buildings within new development, and this option should be carefully considered: the challenge presented by retaining listed buildings can be a stimulus to imaginative new design to accommodate them".

The Special Qualities of the Building - The special architectural and historic merits of the building are set out in the listing schedule and are a matter of fact. They are summarised in the description section of this report.

In terms of its setting the building has some group value and presence. However, the junction lost its enclosure following the removal of other buildings and, resulting from highway improvements some time ago, its group contribution and setting is reduced because of this. In terms of the interior the quality of the fixtures and fittings is good and quite well preserved and, as public houses continue to be renovated, well preserved interiors from the early 20th century may now be becoming rare and this could be influencing the listing standard.

Need for the Retail Development - The site for the retail development is currently of generally poor environmental quality, both in terms of building form and open spaces, even though it occupies an important gateway location and is positioned at the heart of Whitefield District Centre and local residential areas. The site also occupies a key area for the regeneration and expansion of Whitefield District Centre to provide a range of new attractions and to ensure that it remains competitive.

In 1999 a team co-ordinated by Nathaniel Lichfield and Partners was commissioned by the Council to undertake a combined assessment of Prestwich, Radcliffe and Whitefield. The assessment of Whitefield identified a number of underlying weaknesses, in particular that the centre "...lacks a sense of identity and retail focus." Also, especially for less mobile groups, was the centre's "...lack of a main foodstore facility". Since then the closure of the Kwiksave store in the Elms precinct with no equivalent replacement within the redevelopment of that site has exacerbated the situation.

In 2002 the Council commissioned a study of Bury by Drivers Jonas to provide specialist background analysis to aid the UDP review process and to assist the consideration of retail applications. The study highlighted retail deficiencies in the Whitefield area and concluded that: "...given the qualitative deficiency in the Whitefield area, an opportunity to provide a new foodstore in Whitefield District Centre could also be presented. Such a foodstore should be appropriate in scale and function to Whitefield and to the population that the store seeks to serve"

A further study by Drivers Jonas in 2004 to assess the appropriate size and scale of a foodstore for Whitefield District Centre identified that 91% of convenience expenditure currently leaks out of the Primary Catchment Area of Whitefield.

Against the above background of significant deficiencies within Whitefield District Centre the approved foodstore and cafe scheme provides a comprehensive redevelopment of the site and would generate the quantitative and qualitative improvements in Whitefield's retail offer necessary to claw back expenditure leakage. At the same time, the new development would address the environmental issues facing the site and would contribute economically to the overall strengthening of Whitefield District Centre with ensuing benefits to the local community. The need to achieve the comprehensive redevelopment is of prime importance to the Council and is a principal material consideration against which the proposal needs to be considered.



The Design and Appearance of the Retail Development - The first application for the Morrisons foodstore (41538/03) involved the store being set well back from Bury New Road behind an extensive car park that would have dominated the frontage area of the main road and the junction with Stanley Road. The Church Inn was shown as removed. That application was recommended to the Planning Control Committee for refusal for several reasons. One of these concerned the overall design and layout of the development and stated that "The proposed retail food store is sited to the rear of the site, is inward looking and is dominated by surface level car parking and consequently is poorly integrated with the District Centre. It does not respond to the existing street pattern and fails to provide active frontages. The development would, therefore, have a significantly adverse effect on the character and townscape of the District Centre contrary to policies EN1/2 - Townscape and Built Design and S2/1 - All new Retail Proposals: Assessment Criteria of the Bury Unitary Development Plan. In these aspects it is also contrary to advice given in Central Government policies in PPG1 and its companion guide 'By Design' (DETR/CABE), PPG3's companion guide 'Better Places to Live' (DTLR/CABE), and PPG6 which deals with Town Centres and Retail Developments"

The Planning Control Committee deferred its decision on the application with a request that the developers should reconsider the proposal in the light of the officer recommendation, including the design concerns. This then led to the withdrawal of the application and the submission of application ref. 42914. This was considered to address the concerns that led to the recommendation for refusal, including a positive response to the design issues. The buildings were shown set to the Bury New Road frontage and this allowed the provision of lively active frontages here with a highly glazed main entrance to the store located next to the Bury New Road/Stanley Road junction, extensive glazing to the customer cafe on Stanley Road, the fully glazed frontages to the Roma Cafe on Bury New Road and the remaining areas of elevation having a covered walkway. The surface car parking was orientated towards the rear of the site meaning that car parking would no longer dominate the development and the appearance of the district centre. The position of the building, however, would coincide with that of the Church Inn which is also affected by the essential major highway improvements to facilitate the extra traffic attracted to the site and to accommodate the QBC..

The first application was also recommended for refusal because of the unacceptable architectural appearance of the buildings. These were considered to be out of scale with the existing commercial and residential properties adjacent to the site and would have represented an unduly bland and bulky appearance with a significantly adverse effect on the character and townscape of the district centre. With the second application the elevations were substantially revised and the design and siting of the building was considered to have sufficient landmark qualities to enable the development to act as a strong focal point for Whitefield District Centre. On the basis of the major and positive design changes that had been made to the proposals the second application was approved following its referral to Government Office.

Considerations Involving the Retention of the Church Inn - The position of the Church Inn coincides with part of the main frontage area of the proposed foodstore, including a main entrance, as well as being at a critical location in relation to the essential highway works necessary for the development. Attempts at integrating the listed building into the current layout and design would be severely disruptive to the integrity and appearance of the store. They would also prevent a key area of the essential highway works, including part of the associated QBC improvement measures, thus rendering the development unacceptable in terms of its impact on traffic conditions.

To retain the Church Inn by returning to the original layout of the store with the main car park on the important Bury New Road frontage would involve abandoning the principles of good urban design that the Council has fostered in guiding the development towards the current acceptable form. The essential highway improvements would still be adversely affected.

Within one of the submitted statements the applicant has considered a number of development options, including some involving the retention of the listed building in its existing position. The comments made state how seriously disruptive these would be to the highway improvements, QBC provision as well as the layout and aesthetics of the proposed building. The options covered include the possibility of adapting the public house for use by Cafe Roma but the restricted layout of the building, it is stated, would not suit the requirements of this user. Furthermore, adoption of the building as a foodstore entrance from Bury New Road has also been considered but, given the narrow corridor in the building, and the need to make wholesale alterations to the listed building, the necessary signage and the incompatibility of levels would, it is claimed, render this solution not reasonably feasible. Also it is stated that retention of the facade only would, as with the whole building retention suggested solutions, prevent essential highway works. It would mean a complete redesign given the clash of styles. A new planning permission would need to be sought with the likelihood of refusal because of the inability to offer the highway works solution.

Demolition and Rebuilding - This possibility has also been considered in the supporting material. It would involve the careful dismantling of the listed building and its rebuilding either on the redevelopment site or elsewhere. It is rejected in the report on the grounds of the huge additional costs, excessive delay, compromising viability if rebuilt on the car park or building footprint. With rebuilding elsewhere the applicant states that there is no suitable site within his ownership or known to be available. Also, planning permission would need to be obtained.

Preservation of Building Elements - A concern is expressed in the supporting options statement that there would be a clash of styles between the modern store/restaurant and the interior fittings of the Church Inn which would look out of place in the new setting and may have to be modified thus altering their character. In addition, the applicant has expressed willingness to commit to salvaging the listed items from the demolition and making them available for re-use by interested breweries/public houses. A condition, however, making this a requirement would lead to difficulties of enforcement.

Conclusion - Policy EN1/2 of the UDP states that "The Council will actively safeguard the character and setting of Listed Buildings by not permitting works...which would have a detrimental effect on their historical or architectural character and features. Proposals for demolition will be opposed and will only be considered where it is demonstrated conclusively that the building(s) cannot be retained". In the policy justification it is also stated that "In respect of Listed Building Consent for demolition, applicants will have to demonstrate conclusively why the building cannot be retained". The policy is reflective of the advice contained in PPG15 on demolition and quoted in the principal material considerations section above.

The overriding need within Whitefield District Centre is for regenerating this area by providing the retail development and, given the insurmountable problems that retention of the Church Inn would cause to the ability to deliver this redevelopment, it is considered that there are very exceptional circumstances in this case whereby there would be significant benefits to the area from the retail development that would outweigh any harm caused by the demolition of the listed building. It is not considered that the options for rebuilding the public house on another site would be a reasonable requirement. Although it is listed it is not of such exceptional quality for this to be an appropriate course of action. The resulting structure would no longer be a listed building.

The objections contain understandable concerns about the need to preserve the listed building. Nevertheless it is considered, in this exceptional case, that the balance should be weighed against its retention to facilitate the much needed redevelopment of the wider site and to secure the much needed regeneration of the Whitefield area.

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

Permission should be granted having regard to the policies and proposals listed and the reason(s) for granting permissions can be summarised as follows;-  
It is considered that the balance of argument is in favour of enabling the implementation of the new retail development within Whitefield District Centre which would bring substantial benefits to the town and that this creates exceptional circumstances that outweigh the merits of retaining the listed building.  
There are no other material considerations that outweigh this finding.

**Recommendation:** Minded to Approve

**Conditions/ Reasons**

1. The development must be begun not later than five years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the building works for the redevelopment of the site has been made and signed by all parties, and planning permission has been granted for the redevelopment for which the contract provides, and evidence of that contract has been supplied to the Local Planning Authority.

Reason - In the interests of visual amenity and for the avoidance of doubt, and to ensure that redevelopment of the site takes place following demolition of the existing building.

3. The building shall not be demolished unless and until:
  - (a) notice has been given in writing to English Heritage, and
  - (b) reasonable access to the building has been made available for at least one month to the members and officers of English Heritage for the purpose of recording it; and
  - (c) English Heritage has stated in writing either that it has completed its recording of the building or that it does not wish to record it.Reason. To allow for the proper recording of archaeological evidence both before its disturbance by the works and also uncovered by the works hereby approved.

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

