

Ward: Bury East

Item 01

Applicant: AskBury Developments LLP

Location: LAND OFF KNOWSLEY STREET, TOWNSIDE - PHASE 1A, BURY

Proposal: MIXED USE DEVELOPMENT -

1. FULL PLANNING PERMISSION FOR BUILDING 1 FOR OCCUPATION BY PRIMARY CARE TRUST (COMPRISING CLASS B1 BUSINESS, HEALTH CONSULTANCY USES AND ANCILLARY PHARMACY) AND/OR CLASS B1 BUSINESS;
2. FULL PLANNING PERMISSION FOR BUILDING 2 FOR CLASS B1 BUSINESS (INTENDED FOR OCCUPATION BY BURY MBC) TOGETHER WITH A 670 M2 UNIT FOR CLASS A1 TO A4 USES AT THE LOWER GROUND FLOOR LEVEL;
3. OUTLINE PLANNING PERMISSION FOR BUILDINGS 3 AND 4 FOR CLASS B1 BUSINESS AND/OR CLASS C1 HOTEL PURPOSES; AND
4. ASSOCIATED CAR PARKING (FULL PLANNING PERMISSION), LANDSCAPING (OUTLINE PLANNING PERMISSION) AND OTHER WORKS (OUTLINE PLANNING PERMISSION).

Application Ref: 47200/Full

Target Date: 07/02/2007

Recommendation: Approve with Conditions

Description

The application site comprises an area of land 1.37ha in size located at the junction of Knowsley Street and Angouleme Way. To the west of the site is the three storey town hall building across Knowsley Street. To the east of the site is the Metrolink line and Bury Station, beyond that is the college. To the south of the site is a single level car park, ELR line and a residential development known as the sidings. To the north of the site is Angouleme Way and further beyond that is the Metrolink car park to the rear of the bus interchange.

The site falls away from street level to the junction of Knowsley Street and Angouleme Way down to the Metrolink line at its lowest level. The difference between the highest and lowest levels is some 11m.

An existing road from Knowsley Street provides access to the car park at the lowest level and a large retaining wall separates the ramped road from the car park.

The application is a product of long term plans for the regeneration of Bury Town Centre, known as 'Bury but Better'. The planning application is a mixed or 'hybrid' application with part of the proposals seeking outline permission and part seeking full permission for office/health/hotel and ancillary retail uses.

The different elements of the scheme are as follows:

Full planning permission:

- Building 1 (gross floor space 5225 sqm) – Class B1 Offices for occupancy by the Primary Care Trust (PCT); Class D1 – Health consultancy, ancillary retail shop (pharmacy);
- Building 2 (gross floor space 5645 sqm) – Class B1 Offices for Bury MBC (BMBC) and a 670 sqm unit for mixed Classes A1 to A4 (shop, financial/professional services, restaurant/Café);
- Associated 391 space car park on three levels.

Outline Planning Permission

- Buildings 3 and 4 for Class B1 business and/or Class C1 Hotel

- Landscaping of the site.

Relevant Planning History

27634 - Outline planning permission for offices and additional car parking - Approved - 26/11/92.

27635 - Outline planning permission for hotel/conference facility with additional car parking provision - Approved - 26/11/92.

31216 - Renewal of outline planning permission for offices and additional car parking - Approved - 14/9/95.

31217 - Renewal of outline planning permission for hotel/conference facility with additional car parking provision - Approved - 14/9/95.

Publicity

The application was publicised by site notices on 23/11/06 and by press notices on 23/11/06. Direct letters were sent to 9 - 41 South Bank Road, Bury Adult Learning Centre Haymarket Street, Maple House Haymarket Street, Flats 1 to 37 The Sidings Frecheville Court, 1 - 10 Frecheville Court, 1 - 14 and 32 - 62 Manchester Road, 9 - 31 Knowsley Street, The Woodbury Centre Market Street, 4 Wolstenholme House Tenterden Street and Bury Interchange on 17/11/06. The neighbour notification letter also informed consultees of a public exhibition of the proposals attended by the agents of the scheme, which was organised by AskBury at the Town Hall.

As a result of this publicity, two letters of objection have been received. One from 9 The Sidings and a 29 signature petition from residents of The Sidings Frecheville Court. Points raised include –

- The scheme contravenes accepted planning principles on sustainability, the environment urban land use and UDP Policies.
- The inclusion of 391 car parking spaces is not a sustainable approach and contravenes the objectives of the Environment Chapters of the UDP thereby increasing CO2 emissions and other pollutants. This contravenes the Council's aims to reduce pollutants. Additionally, such car parking levels would bring unnecessarily more cars into the town centre, particularly Knowsley Street, which is a bus priority route.
- The buildings are merely conventional high energy use buildings rather than carbon neutral ones and have not made use of natural energy resources.
- The scheme seeks to place several very large buildings very close to the Town Hall, which would have a detrimental impact upon public views of the Town Hall which is a building of architectural and historic interest.
- The design and materials choices would create a mismatch of materials and architectural types in the locality.
- The proposals would conflict with UDP Policy EN1/2 - Townscape and Built Design in that the buildings and car park would be out of scale with the existing buildings nearby. The choice of materials including concrete and glass would be inappropriate for this locality and surrounding buildings are no higher than 4 storeys in height and built out of red/brown brick or stone.
- The development would entirely cover what is currently a green open space leaving virtually no natural landscaping or open space for public use.
- Access for the mobility impaired would be unacceptably affected by the increase in traffic and this increase in traffic would affect the ability for buses to run on time.
- The ELR and Metrolink line are two wildlife links and corridors. The development proposals adjoining these links and corridors would affect the functionality for wildlife. No wildlife survey information has been provided to assess this part of the proposals.
- Railway noise would reverberate between the proposed development of the car park and the existing development next to the railway lines, which would become a significant noise nuisance.

- No information has been provided in terms of noise from the hotel element of the scheme.
- The site currently provides a valuable area of open space between differing land uses. The space contribute to the town centre and benefits by not being developed. The objector points out that the Council should determine its open spaces needs against development needs.

Consultations

Traffic Section – Any response shall be reported to Committee.

Drainage – No objections.

Environmental Health:

Pollution Control – No objections. Add condition to ensure that the ancillary equipment such as plant shall not increase the ambient noise levels as measured at the boundary of the site.

Contaminated Land – The application was submitted with a site investigation report. There are no objections in principle to the development. Any planning permission should include standard conditions for dealing with contaminated land issues.

English Heritage – This consultee recognises that the site is not within a Conservation Area and does not object to the proposals. However they do point out that visual information should accompany the proposals that enable the local planning authority to make an appropriate judgement on the proposals and its relationship to the historic townscape. Visual information has been provided by plans, sections, levels surveys, 3D perspectives and by a model, which were passed to EH for comments (except the model). EH state that they do not need to be consulted further.

Greater Manchester Police Architectural Liaison Officer (ALO) – The ALO does not support the retention of the underpass and feels that anti-social behaviour at the interchange may spread into the site via the underpass and it would create an unsafe environment. The underpass would be widened. Other observations include general comments that natural surveillance should be key considerations of the proposals, with carefully controlled entrances into buildings. Car parking access/egress should be controlled and designated car spaces should be used where possible.

CABE – Generally CABE consider that the scheme is an improvement on pre-application schemes and CABE are supportive in broad terms of the scale and massing. They consider that the service area is an opportunity for greater potential other than as a service area. They consider that the internal configuration of the PCT building could be reconfigured to ensure that all spaces achieve natural ventilation and daylight and further work to the elevations is needed. The BMBC building needs minor work to bring this building to an acceptable design solution. The scale of this development should benefit from high standards of energy efficiency and environmental design. The number of car parking spaces should be interrogated given the sites relationship to public transport nodes. A copy of CABE's response is appended to the report.

In response to CABE, the architect for the PCT has provided revised plans that show additional glazing and revised fenestration on the Angouleme Way frontage. In particular, the entrance foyer has been revised to achieve an extensive glazed 'shop front' facing Angouleme Way reconnecting the interior to the townscape. In relation to CABE's concern about some rooms not having natural daylight or ventilation, the architect for the PCT takes issue with this point and further information will be provided to respond to this before the Committee meeting.

The service area and its landscaping can be conditioned such that its design and layout does provide a useable space. The car parking levels are discussed below in some detail. The provision of the car parking represents a maximum provision for the full planning elements of the scheme. Further outline elements are not specified in terms of floor space and as such, the relationship of car parking to floor space would bring levels well below maximum car parking provision.

Greater Manchester Archaeological Unit - No response received.

Greater Manchester Ecology Unit – The unit concur with the Ecological Scoping Report submitted with the application. No objections to the scheme. Further developments of areas of land beyond this application site, to the east, does have ecological importance as a Site of Biological Importance.

The Environment Agency - The EA currently object to the proposals as the scheme does not fully demonstrate how it will deal with water run off that deals with 100 year storm levels. The applicants are currently liaising with the EA about an appropriate drainage scheme and Committee will be updated on the progress on this matter.

United Utilities - No objection to the proposals.

Unitary Development Plan and Policies

EC1/3 Land Suitable for Business (B1)
EN1/1 Visual Amenity
EN1/2 Townscape and Built Design
EN1/7 Throughroutes and Gateways
EN1/5 Crime Prevention
EN1/3 Landscaping Provision
EN5/1 New Development and Flood Risk
Area Manchester Road/Knowsley Street
BY4
PPS1 PPS1 Delivering Sustainable Development

Issues and Analysis

Principle - The site is allocated in the UDP under policies EC1/3/1 - Land Suitable for Business Class B1 Office, hotel and Conference Facility Uses. The policy considers a strict use of the site as offices and due to the prominent location of the site, any development proposals are expected to be of a high quality design. The policy also states that there should be no loss of car parking facilities and must consider any Council development briefs that affect the site.

UDP Policy RT4/3/1 - Visitor accommodation considers that the Council will support proposals that provide for a range of visitor accommodation and factors such as design, scale, setting and the effect upon character, quality and visual amenity of the locality shall be considered. Other factors such as access, satisfactory or parking provision and landscaping shall also be considerations of any proposals within this type of development.

The nature of the proposals sits comfortably within the ambit of the allocation and uses forming part of the proposals are readily found within a town centre site such as this.

On this basis, the proposals are considered to be acceptable in principle.

Background - The site has been subject to outline approvals for office and hotel facilities but none have resulted in detailed applications being submitted. In 2002, The Council commissioned URBED, an urban design company, to assist the Council in formulating a Town Centre Vision called "Bury But Better" strategy. This would provide a Masterplan and framework to develop the town centre onwards. The Development Framework, endorsed by the Council's Executive Committee in September 2006, describes the site characteristics and then sets out Strategic Objectives and Urban Design Principles.

The Strategy is based on a thorough assessment of Bury as it is today. It looks at the urban form of Bury, market demand for development in and around the town centre, a town centre health check and looks at access and other transportation issues affecting the town centre.

In its illustrative Masterplan it identifies seven primary areas that make up the town centre: The Shopping Quarter, The Eastern Gateway, The Southern Gateway, The Historic Core, The Phoenix Quarter, Western Waterside and Bury Ground.

The Townside site is a key identified gateway into the town centre and its importance and need for development has been a consistent intention through the land use allocation.

The purpose of the masterplan was to enable key principles to be set to guide the future development of the site and through a process of public consultation with key stakeholders, public participation, the strategic objectives could be adopted and become material planning considerations for any future proposals.

Statement of Community Involvement - The Development Framework has been subject to extensive consultation including The Commission for Architecture and the Built Environment (CABE), Area Boards, residents, traders and businesses and public sector bodies. Exhibitions took place in the summer of 2006 and this process has assisted to drive the nature, development and formulation of the scheme.

A further exhibition of the development proposals was held on 21st and 22nd November 2006. Publicity of this exhibition was included within the neighbour notification letters.

Added Value - The application proposals have been subject to many meetings between officers and the developers. Changes have been sought and supplied through negotiation and input from professionals within the department and also from statutory consultees. In summary, siting of the BMBC building has changed to respect the relationship to the Town Hall; elevational improvements to the BMBC building to split down the elevation more clearly; increased areas of glazing to the ground floor of the PCT building to provide a more active frontage; improvements to the new street in terms of levels and finish; clarification and supplementary information to the supporting documentation and the commissioning of a model of the scheme.

These amendments improve the quality of the original submission and ensures that the scheme fully considers all relevant planning and architectural issues associated with the development.

Design Issues - UDP Policy EN1/1 - Visual Amenity seeks to ensure that developments do not have a detrimental impact upon, amongst other matters, public views or prominent or important buildings, especially those of historic or architectural interest. EN1/2 – Townscape and Built Design seeks to ensure that a new development provides a high quality design and a positive contribution to the street scape. This is also includes choice of materials, lighting, landscaping and access.

The scheme has been submitted with a design and access statement and other supporting information, which assesses the proposals, their impact and consideration of the wider context. The site and the position of buildings need to connect to the town centre, to provide strong emphasis on this prominent site and also ensure to ensure that the development meets the demands, aims and objectives of the development framework.

Design, Scale and Massing - The height of the BMBC building has largely been determined by the masterplan framework, which suggests that development should be between 4 and 6 storeys in height. The height of the BMBC building is shown to be 5 storeys in height. To enable an assessment to be made of this element, the scheme is accompanied with visual 3D model, sections, elevational information and visuals. Physically, the building would be higher than the Town Hall but the relationship to this building, proportions and spatial separations have been assessed by the applicant to arrive at the submitted solution. The building is designed in a horizontal, rectangular slab form, similar to the Town Hall to provide a 'civic building' presence on the site. The massing of the building reflects that of the Town Hall and the space maintained between the two buildings would assist to limit impact of the height differences. The form of the new building is a simple grid approach with

a single coloured brick chosen so as not to 'outplay' the importance of the Town Hall.

The PCT Building is sited to 'hold the corner' of the site at an important location at the crossroads between Knowsley Street, Angouleme Way and Haymarket Street. The PCT, but is higher than Town Hall building and is proposed to be five storeys in height with a accommodation and plant storey at roof level. This upper floor on Knowsley Street would be recessed from the front facade of the buildings to mitigate the difference in terms of height when compared to the Town Hall.

The elevations are contemporary but the proposed choice of light coloured materials, interspersed with darker panels, provides a consistent grid design approach found within the proposed BMBC building.

Active Frontages - The main public faces of the development provide generous areas of glazing, particularly along Knowsley Street, the proposed new street within the scheme and then towards the subway. The proposed PCT building is more constrained and conservative in its provision of glazing along Angouleme Way, due to the internal configuration of the spaces. Some of the rooms that would face onto Angouleme Way are consulting rooms and thus privacy has driven a more constrained approach to be adopted. However towards the junction of Angouleme Way and Knowsley Street, more glazing is introduced to light the waiting spaces in this part of the building and this in turn assists to provide a higher degree of perceived activity and active frontage.

Historic Environment – The development is not within a Conservation Area, however, it does face the Bury Town Centre Conservation Area. There are no listed buildings within close proximity to this application site. Consideration has been paid in terms of this relationship to the Conservation Area in accordance with UDP Policy EN1/1 – Visual Amenity. The response from English Heritage was a neutral one, where they suggested that the Council should be comfortable in making its decision on the basis of having sufficient visual material. The development would be prominent when viewed from the Conservation Area. However, the design of the PCT building in particular would not harm the integrity of the Conservation Area as it is separated from the Conservation Area by a significant road and open car park. Elevationally, the PCT building has incorporated glazing at a high level with more solid rendered panels forming an elevational grid that would give the impression of stepping down from the roof level to acknowledge the importance of the Town Hall building. The Conservation Area when viewed from Knowsley Street would not be harmed as the new development on the easterly side of Knowsley Street with the Town Hall on the other side would frame the view of the town centre area, which is an acknowledged method of good urban design principles. In view of this, it is considered that the development would comply with UDP Policy EN1/1 – Visual Amenity.

Sustainability Issues – PPS1 – Delivering Sustainable Development sets out the Government's overarching planning policy on sustainable development, which defines the core principles underpinning planning.

Urban regeneration that improves the well being of communities, high quality and well designed environments and new opportunities are key planks of the policy approach. Mixed use developments, vibrant places to live and work, access to jobs, health facilities and well conceived dense developments should be sought by developers and decision makers.

Sustainability is clearly an important issue and one that local residents have raised some concerns over. The applicant has submitted a detailed Sustainability Appraisal Report and covers the general sustainable development principles within the supporting Planning Statement and Design and Access Statement. It is also relevant to take into account that the overall scale, massing, density, layout and mix of development has been carefully selected and designed to accord with the Council endorsed Strategic Development Principles and Urban Design Principles contained within the Townside Bury Development Framework, a document which itself was subject to a comprehensive sustainability appraisal.

The site is located with good access to public transport nodes including the Interchange and the Metrolink. The scheme does propose to link directly into the Metrolink platform and ultimately to the site across the Metrolink. The link to the Metrolink is currently in outline only, but indicative proposals show that this can be achieved and can be done in a safe, welcoming way.

The development incorporates a wide pedestrian priority street through the development maintaining a safe approach to the subway and through the site itself. Many windows from the offices and possible shops at street level would naturally survey these areas. Additionally, the siting of the hotel would also provide further natural surveillance to the new street, public square and Metrolink Areas. The scheme also proposes to make improved connections to the town centre across Angouleme Way by a pedestrian crossing, similar to the existing one on the Town Hall side of the junction.

The site is readily accessible by cycles and the scheme indicates shower facilities within the office buildings and provision for bicycle racks at street level. A further facility for secure cycle storage is intended to be located within the enclosed service area.

Disabled parking provision is to be made on Knowsley Street, for ready access to the pharmacy and PCT building. Additionally, spaces are allocated specifically for disabled use within the proposed car park.

The proposed buildings are intended to achieve a 'very good' rating under the BREEAM assessment. This system assesses the sustainability and performance of buildings in the following areas:

- *management*: overall management policy, commissioning site management and procedural issues;
- *energy use*: operational energy and carbon dioxide (CO₂) issues;
- *health and well-being*: indoor and external issues affecting health and well-being;
- *pollution*: air and water pollution issues;
- *transport*: transport-related CO₂ and location-related factors;
- *land use*: greenfield and brownfield sites;
- *ecology*: ecological value conservation and enhancement of the site;
- *materials*: environmental implication of building materials, including life-cycle impacts;
- *water*: consumption and water efficiency;

Developers and designers are encouraged to consider these issues at the earliest opportunity to maximise their chances of achieving a high BREEAM rating.

Credits are awarded in each area according to performance. A set of environmental weightings then enables the credits to be added together to produce a single overall score. The building is then rated on a scale of PASS, GOOD, VERY GOOD or EXCELLENT, and a certificate awarded that can be used for promotional purposes.

Transport – A Transport Assessment submitted with the application and incorporates a Green Travel Plan. Greater Manchester Transport Unit have been consulted and to date no significant concerns have been raised with the contents of the Transport Assessment. Furthermore, GMPTE have no objections to the proposal and considers that the site is within a highly sustainable location. The scheme has been assessed in terms of the travel plan and many measures are incorporated within it to reduce the impact of private travel to the site. A planning condition can be imposed to ensure that the occupants of the development comply with the provisions of the travel plan. Indications are that the transport assessment provisions are likely to be acceptable.

Accessibility -The scheme has been designed following close consideration of access matters for those with mobility difficulties. The site does slope significantly at present. However, the scheme proposes to raise levels by 10m at the lower end of the site, thus improving movement throughout the scheme. The existing access ramp would be where a new street would be formed, which would terminate in a public square. Strong connections

are indicated down to the Metrolink via a wide set of steps and a lift access down to the Metrolink would be provided. This part is in outline but provides a strong indication of intent and direction for any reserved matters to this area. The design and access statement includes designing out ramps, the provision of handrails, corduroy paving at the top of steps and an assessment within the internal spaces of the buildings. BADDAC have been consulted on the application and a number of changes have been incorporated into the scheme from this consultation process. In conclusion, the scheme would comply with UDP Policy HT5/1 – Access for Those with Special Needs.

Car Park – Part of the existing site is used as a car park on a single level. The scheme proposes to develop a three level facility on the site of the existing car park. The access to this would be from Knowsley Street via a ramp parallel to the East Lancashire Railway line and pedestrian access from the new street within the centre of the scheme and from Knowsley Street.

The siting of the car park would have a direct relationship with the outlook from apartments within the Sidings Frecheville Court. The separation distance between them would be 32m and separated by a railway line. Frecheville Court is elevated from the car park and would have a view over the car park rather than directly at the side of the car park. The separation of the two structures and relationship in terms of levels would ensure that there would not be significant impact upon the residential accommodation of The Sidings Frecheville Court. The visible sides and end of the car park is intended to be covered by a 'living wall' which is a naturally covered frame with bushes or other plant species which can be drip fed by recycled water or other methods as desired. This would provide a different approach to the elevations to be adopted and a planning condition concerning maintenance can be imposed.

The proposed provision of car parking within the scheme would be for 391 spaces. Planning Policy Guidance Note 13 – Transport provides a maximum provision of car parking provision for various uses including offices and hotel facilities. The known level of office provision within this scheme would be some 11,540 sqm of floor space. The guidance note suggests a maximum provision of 1 space per 30 sqm. On this basis some 384 maximum spaces should be provided. The current provision within the scheme is marginally over the provision relating to the office aspect of the development. However, considering that the scheme also seeks provision for either a hotel or further office development within buildings 3 and 4, the provision of 391 spaces for the totality of the whole scheme is considered to be appropriate bearing in mind the relationship to major public transport nodes. This aspect is considered to be consistent with National Planning Policy and would comply with UDP Policy EN1/2 – Townscape and Built Design and PPG13 - Transport.

Uses – The scheme seeks full planning permission for office development within buildings 1 and 2. Building 2 seeks a flexible use of either offices within a lower ground floor level near to the subway or small provision of Classes A1 (Shops), A2 (Financial and Professional Services), A3 (restaurants/cafes) or A4 (Drinking Establishments). This provision of retail is considered to be minor level of provision and would not detract from the significant dominant office uses proposed within the application site. A pharmacy is also proposed within the PCT building fronting onto Knowsley Street. Similarly, the provision of 154 sqm is considered to be minor and would be operated as an ancillary use to the main use of the building.

Refuse Storage – The scheme includes a full refuse storage regime to be incorporated within the service yard area between the PCT building and the BMBC building. This area would be accessed from Knowsley Street and the service area has been designed to accommodate turning facilities for refuse vehicles and a diagnostic vehicle associated with the PCT use and be able to leave in a forward gear. No objections have been received from the Refuse Section.

Safety and Crime - The Police have made some observations and the application, within its design and access statement has specifically looked at crime and design. Natural

surveillance over areas is a strong feature of the scheme and routes are wide and open thus allowing good visibility to be achieved. The scheme does not propose to close off the existing subway but seek to widen its entry point and also to provide alternative routes through the site to enable different choices to be made by pedestrians. The occupants can control access into the buildings and spaces within the car park could be allocated. This is considered to be a matter for the management of the site. A lighting scheme has not been provided but that can be secured through the imposition of a planning condition. Other factors such as limiting blank elevations, prominent access points, robust materials and car parking exits directly onto main streets have been incorporated and are all discussed within the application's design and access statement.

In view of the above, the proposals are considered to be acceptable and comply with UDP Policy EN1/5 – Crime Prevention.

Conclusion - The development would assist the continual regeneration of the town centre and would provide a landmark development within the area without undue impact upon the historic environment. Appropriate consideration has been provided in terms of the relationship to the context and urban grain of the area and the proposals would not have any undue impact upon residential amenities or surrounding infrastructure.

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:-

Well conceived development which would respond to the demands of the adopted Masterplan for the Town Centre. The scheme would comply 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. Full Planning Conditions
2. 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.
3. This decision relates to drawings numbered:

Masterplan Full/Outline Boundaries plan 19192(00)005 rev A

BUILDING 1 - PCT:

B1_L(02)01 rev R, B1_L(02)03B1_L(02)02 rev N, rev N, B1_L(02)04 rev N, B1_L(02)05 rev N, B1_L(02)06 rev Q, B1_L(02)07 rev C, B1_L(04)01 revB, 1_L(03)10 rev H, B1_I(03)11 rev H, B1_I(03)12 rev H, B1_I(03)13 rev J, B1_L(03)14

BUILDING 2 - BMBC:

20149(10)001 rev G, 20149(10)002 rev M, 20149(10)003 rev P, 20149(10)004 rev M, 20149(10)005 rev M, 20149(10)006 rev M, 20149(10)007 rev B, 06_20149(20)002 rev B, 06_20149(20)003 rev B, 20149(20)100 rev B, 20149(20)102 rev A,

CAR PARK

PL408.D.01 rev B,

NEW STREET

PL408.M.01 rev C, PL408.D.02, PL408.D.03

REPORTS

Design and Access Statement and Addendum; Planning Supporting Statement, Sustainability Report, Ventilation Strategy, Ecological Scoping Report, Pre-Construct Archaeology Report, Geo-Environmental Interpretative Report, Ian Farmer Geotechnical Environmental Specialist Report - Ground Investigation, SOL Acoustics Report, Transport Assessment by Boreham

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 within this report.

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

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

5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved remediation strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.

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

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

7. All instances of contamination encountered during the development works which

do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;

A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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

8. 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.
9. In the event of the retail unit(s) being implemented as part of the mixed development of the Bury MBC building (building 2) the details of the shop fronts and materials shall be submitted to and approved in writing by the Local Planning Authority prior to this element being occupied. The approved details only shall be implemented.
Reason - To secure the satisfactory development of the site and pursuant to Unitary Development Plan Policy EN1/2 - Townscape and Built Environment and EN1/8 - Shop Fronts.
10. 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.
11. The planting species, programme of implementation and long term maintenance regime for the 'living wall', that shall form part of the external elevations of the car park, shall be submitted to and approved in writing by the Local Planning Authority.
Any species removed, dying or becoming severely damaged or becoming seriously diseased shall be replaced by species of a similar size and quantity 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 of the Bury

Unitary Development Plan.

12. The development shall be carried out in accordance with the submitted Travel Plan Framework. In addition to its provisions a strategy shall be submitted to the Local Planning Authority that outlines the procedures and policies that the developer and occupants of the site will adopt to meet the targets of the site's Travel Plan. 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 remain 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 Travel Plan and these measures shall be adopted and subsequently implemented.
Reason - In accordance with the provisions contained within Planning Policy Guidance Note 13 - Transport.
13. 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 buildings 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.
14. The development shall be carried out in accordance with the provisions of the sustainability report carried out by Cre8 and Askbury and details relating to the BREEAM achievements shall be submitted to the Local Planning Authority through an agreed timetable.
Reason - Pursuant to the provisions of PPS1 - Delivering Sustainable Development and to secure the sustainability principles of the development of the site.
15. Details relating to the provision of a lighting scheme for both on street and building lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall incorporate the approved lighting scheme details prior to the buildings hereby approved being occupied.
Reason - To ensure appropriate steps are taken to reduce crime and disorder pursuant to UDP Policy EN1/5 - Crime Prevention.
16. The development shall be carried out in accordance with the provisions of the sustainability report carried out by Drivers Jonas and details relating to the achievement of BREEAM rating of "Very Good" shall be submitted to the Local Planning Authority through an approved timetable including pre, during and post construction.
Reason - Pursuant to the provisions of PPS1 - Delivering Sustainable Development and Associated Supplement on Climate Change to secure the sustainability principles of the development of the site.
17. Details relating to the finish for the rooftop of the car park shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented prior to the car park being occupied.
Reason - To secure the satisfactory development of the site and pursuant to UDP Policy En1/2 - Townscape and Built Design.
18. Details relating to the Maintenance agreement for the external spaces, lift and door security shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

19. Outline Planning Conditions

20. 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

21. 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; the appearance, layout, scale, means of access thereto and the landscaping of the site.

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

22. Details relating to the provision public art shall be submitted as part of the landscaping of the site. The development shall be carried out in accordance with the approved details only.

Reason - This aspect of the development proposals are in outline at this stage and pursuant to UDP Policy EN1/6 - Public Art.

23. 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.

24. 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 buildings 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.

25. 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.

26. Following the provisions of Condition 25 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.
27. 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.
28. 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.
29. 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.

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

Ward: Prestwich - Sedgley

Item 02

Applicant: PROPERTY ROUTE LTD

Location: FAIRWAYS LODGE AND LEISURE CLUB, GEORGE STREET, PRESTWICH, M25 9WS

Proposal: CONVERSION WORK TO EXISTING HOTEL WITH 44 BEDROOMS AND FITNESS AND SPORT CENTRE TO FORM 102 BEDROOM HOTEL WITHOUT SPORTS AND FITNESS FACILITIES

Application Ref: 46993/Full

Target Date: 02/02/2007

Recommendation: Approve with Conditions

Description

The hotel and leisure facilities are located off George Street and are predominantly a red brick building with the exception of the sports facilities which are constructed from steel sheeting. Car parking facilities are located to the front and side of the hotel building, with an overflow car park to the east of the hotel. To the north of the application site are residential dwellings and industrial buildings are located to the south of the site. To the west of the hotel is a golf course.

Relevant Planning History

45692 – Internal alterations to existing hotel complex to replace existing fitness and leisure facilities with a ground floor function suite and a first floor banqueting suite at Fairways Lodge & Leisure Club, George Street, Prestwich. Refused 20/02/2006

Publicity

The neighbouring properties were notified by means of a letter. Three letters have been received, which have raised the following points:

- The proposal would add to existing problems with noise
- Increase in traffic to the detriment of pedestrian and highway safety.
- Potential increase in noise to the detriment of residential amenity

Consultations

Highways Section - Comments to be reported at the meeting.

Environmental Services - The site is situated above a former reservoir that was historically associated with Dye Works. The site is also within 250 metres of a known landfill and is situated above a major aquifer.

Due to the history of the site we recommend conditions are placed on any grant of planning permission to secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to PPS 23,

Baddac Access Officer - The Access group have reservations relating to the accessibility of the disabled access rooms.

GM Police Architectural Liaison – No comments.

Salford City Council – No response

Unitary Development Plan and Policies

EC2/1	Employment Generating Areas
EC2/1	Employment Generating Areas
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
RT4/3	Visitor Accommodation
HT2	Highway Network
HT2/4	Car Parking and New Development

Issues and Analysis

Principle

The application involves the conversion of facilities within a hotel, which is located within an employment generating area, as identified within the adopted Unitary Development Plan.

Policies EC2/1 (Employment generating area) and EC2/1/17 (Mountheath, Prestwich) states that the Council will support proposals for the industrial and business use within the area, providing it does not conflict with the area's value as an employment generating area.

It is considered that as the hotel is an existing use, the extension of these facilities would not conflict with the aims of Policies EC2/1 and EC2/1/17 of the adopted Unitary Development Plan.

UDP Policy RT4/3 confirms that proposals for the provision of visitor accommodation would be considered acceptable where the scale and design of the development are considered appropriate; where suitable access and parking facilities can be provided and where there would be no conflict with other policies within the plan.

The proposed development would utilise the existing access onto George Street and parking facilities. Therefore, the proposal is in accordance with Policy RT4/3 of the adopted Unitary Development Plan.

Design and impact upon surrounding area

The proposed development primarily affects the eastern elevation of the hotel, which is adjacent to the industrial estate. It is considered that due to its design and location, being partially screened by the workshops building, that the proposed development would not be unduly prominent within the street scene and would complement the existing building in terms of height, form and scale. Therefore, the proposed development is in accordance with Policies EN1/2 and RT4/3 of the adopted Unitary Development Plan.

As a result of the proposed development, the existing function facilities will be removed. It is considered that the introduction of additional bedrooms would reduce the impact upon the neighbouring residents in terms of noise nuisance than the existing uses within the hotel. The proposed additional bedrooms would be some 45 metres away from the nearest dwellings and therefore, it is considered that the proposal would represent an improvement to the amenities currently enjoyed by the occupiers of neighbouring properties. Therefore, the proposed development is in accordance with Policy EN7/2 of the adopted Unitary Development Plan.

Highway Issues

Taking into account the existing use of the site, including leisure facilities and restaurant and function facilities, it is considered that the proposed development of 58 additional bedrooms would not result in a material increase in the number of vehicles visiting the site. The

existing parking provision at the hotel consists of 129 spaces, including 17 disabled parking spaces. The parking provision and vehicular access to the site would remain unchanged. It is considered that the existing parking provision is adequate and is in accordance with the Council's adopted car parking standards. Therefore, the proposed development is in accordance with Policy HT2/4 of the adopted Unitary Development Plan.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed and the reason(s) for granting permissions can be summarised as follows;-
The proposed development would complement the existing building in terms of height form and scale and would not impact upon the amenity of the neighbouring properties. The access and parking provision are adequate. Therefore, the proposed development would not conflict with the aims of the policies within the adopted 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. 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.
3. The car parking indicated on the approved plan 7983/07B 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. Prior to the development hereby approved commencing:
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas risks have been identified, a detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
 - Where remediation is required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved remediation strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

6. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site, and;
The approved contamination testing shall then be carried out and validatory evidence (laboratory certificates etc) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

7. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:
 - Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

8. 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.

For further information on the application please contact **Helen Longworth** on **0161 253 5322**

Ward: Radcliffe - North

Item 03

Applicant: Ascot Environmental Ltd

Location: FORMER RAILWAY TRACK, OFF AINSWORTH ROAD, RADCLIFFE

Proposal: RESERVED MATTERS APPLICATION FOR 8 NO. APARTMENTS

Application Ref: 47277/Reserved matters **Target Date:** 01/02/2007

Recommendation: Approve with Conditions

Description

The application for reserved matters follows a previous outline application (41199) approved in September 2004 for siting and access. The site forms part of the former Bolton to Bury railway line on the western side of Ainsworth Road that has been infilled and is now level with land either side. The entrance to the site is from Ainsworth Road and is situated immediately to the south of the public footway that runs to the side of the Railway Hotel. To the south of the site are residential properties fronting Ainsworth Road, Brown St and Stanley St. To the north is the Railway Hotel and bowling green and the open countryside. A public track runs along the northern boundary from Ainsworth Rd.

The application seeks permission for the external appearance of two of the three approved apartment blocks and the landscaping of the site. The third block, fronting Ainsworth Road is not part of this application but would be subject to a separate reserved matters application at future date. The two storey blocks would have a conventional appearance being constructed of brick with a tiled hipped roof and feature gables. The landscaping plan comprises a mix of shrub and tree planting within the site and along the boundaries.

Relevant Planning History

44583 Outline Residential Development (amendment to 41199) - Approved 2/08/2005
41199/03 Outline Residential Development - Approved 22/09/2004
40225/03 Outline Residential Development - Refused 25/04/2003
37281/00 Industrial Storage Building - Approved 2001
Infilling of Railway Cutting - Approved 1987

Publicity

Immediate neighbours - No comment received.

Two letters of objection have been received from The Greater Manchester Transport Campaign and Railfuture. Both bodies object to the development on grounds that it would make the future reopening of the former rail line between Bolton and Bury impossible.

Consultations

Highways Team - No comment to date.

Drainage - No objections.

Environmental Health - No objection subject to conditions relating to contamination.

Unitary Development Plan and Policies

H1/2 Further Housing Development
H2/1 The Form of New Residential Development
H2/2 The Layout of New Residential Development
RT2/2 Recreation Provision in New Housing Development
EN1/1 Visual Amenity
EN1/2 Townscape and Built Design
EN1/3 Landscaping Provision
EN6/4 Wildlife Links and Corridors

Issues and Analysis

Principle. The principle of residential development on the site was established by the previous outline approval in 2004 as were the details of the siting and access for the development. This application seeks approval only for the external appearance of the buildings and landscaping of the site.

External appearance. The new apartments are two storey in height and are conventional in design and appearance with brick elevations and tiled pitched roofs. They are not considered to be out of character with residential properties to the south and are of a similar height and conforms with UDP Policy EN1/2 Townscape and H2/1 Form of Residential Development.

Landscaping. The landscaping plan as submitted is not satisfactory. The proposed species and mix of shrubs and trees are not particularly appropriate to the site and a revised plan has been requested. An assessment of the revised landscaping plan should be included on the Supplementary Planning Report.

Residential Amenity. The closest properties to the site would be gable end on to the development so there is no problems relating to the loss of privacy through substandard window to window distances. The positioning of the new apartments are a sufficient distance away so as not to cause serious harm to the privacy of residents in those properties adjacent to the site boundary. The proposals therefore confirm in this regard to Policy H2/1 Form of Residential Development.

Objection. The objection to the development on the line of the former railway is one which was addressed at the outline stage. The principle of residential development on the site was not opposed by Unitary Development Plan policies or the Greater Manchester Passenger Transport Executive on policy grounds at the time of the outline application. Furthermore there was also an extant permission for an industrial building on the site and existing residential development on the former track at Bradley Fold. It is difficult to support an objection to the scheme at this stage of the development process.

Recreation Provision and Cycle Route. The proposed scheme at the outline stage made provision within a Section 106 legal agreement for the development of a cycle route and buffer strip along the site's northern boundary. Provision for a commuted sum for recreation provision was also included in the legal agreement.

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 detailed design proposals are considered to be acceptable and comply with the UDP policies listed. A condition requiring landscaping details to be submitted prior to the start of development is considered appropriate. 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 the expiration of two years beginning with the date of this permission.

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

2. This decision relates to drawings numbered 1106/RM/SITEPIAN/BLOCKS2&3, 1106/RM/LANDSCAPE/BLOCKS2&3, 1106/RM/PIANS/BLOCK3 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. Prior to the development hereby approved commencing:
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas risks have been identified, a detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
 - Where remediation is required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved remediation strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
6. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site, and;
The approved contamination testing shall then be carried out and 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.
7. All instances of contamination encountered during the development works which

do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;

A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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

8. 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.
9. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the buildings are first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
10. 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.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 04

Applicant: John C Lees

Location: GOLLINROD FARM, MANCHESTER ROAD, BURY, BL9 5NB

Proposal: CHANGE OF USE FROM FARM WORKSHOP TO INCLUDE REPAIR OF
CRANES (RETROSPECTIVE APPLICATION)

Application Ref: 46908/Full

Target Date: 18/01/2007

Recommendation: Approve with Conditions

Description

The site is comprised of a small workshop to the rear of a group of existing commercial storage/workshop units and small transport depot and transport cafe on the western side of Manchester Road on the north side of Bury. The existing workshop, subject to this application appears to have been erected without planning permission over 4 years ago and is now therefore immune to enforcement action. There is a relatively large unmade area to the west that is currently used for parking and turning of vehicles at Gollinrod Farm. Access to the site is via Gollinrod Lane which connects Manchester Road to the east. The applicant also owns a small triangular section of land to the south of the site and a larger expanse of land at Gollinrod Farm to the north. There is a residential bungalow on the land to the north and separated from the site by a 2m boundary hedge.

The application seeks to retain the use of the building as a farm workshop but to include a repair workshop servicing Hiab cranes. The business, a one man concern, has been in operation for a number of months. Much of the repair work to cranes are carried out off site but about once a week they are brought onto the site for repair. The applicant describes the process of 'on-site repairs' as set out below.

- Hiab cranes are brought onto the site on the back of a wagon - average of one per week
- The crane is checked for faults in the parking area immediately outside the workshop (1.5hrs)
- If the check is ok a certificate is issued and the vehicle leaves the site.
- If faults are found, the crane is repaired. Much of the time repairs require only a tool kit without machinery. Sometimes welding may be required and this is usually carried out on the same day after which the vehicle leaves the site.

Hours of operation are 8am to 5pm Monday to Friday and 8am to noon on Saturdays. It is closed on Sundays.

Relevant Planning History

41482 - Change of Use of Agricultural Building to Storage (B8) - Approved 18/02/2004

37003 - Change of Use to Caravan Storage - Refused - 22/12/2000

Publicity

Site Notice posted and Immediate neighbours notified - Objections from two businesses at Gollinrod and one local resident at 1 Southside. Objections are summarised below:

- The site is within the Green Belt.
- The building was originally erected without planning permission.
- Additional vehicles will increase vehicular conflict around the site.
- Permission for caravan parking has been refused in the past.
- Approval would set a precedent for similar farm buildings being converted in future.

Consultations

Highways Team. No objection.

Drainage. No objection.

Environmental Health. No objection subject to conditions relating to noise.

Unitary Development Plan and Policies

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

EC2/2 Employment Land and Premises

EC4/1 Small Businesses

OL1 Green Belt

OL1/5 Mineral Extraction and Other Dev in the Green Belt

H3/1 Assessing Non-Conforming Uses

EN1/1 Visual Amenity

EN6/4 Wildlife Links and Corridors

EN9/1 Special Landscape Areas

Issues and Analysis

Policy Considerations. UDP Policy EN1/1 Visual Amenity states that development will not be permitted where proposals would have a detrimental effect on the visual amenity both within the Green Belt.

Policy EN9/1 Special Landscape Areas indicates that development is required to be sympathetic to its surroundings and not unduly obtrusive.

Green Belt Policy OL1/5 Mineral Extraction and Other Development in the Green Belt indicates that development will be inappropriate unless it maintains the openness and does not conflict with the purposes of including land within it.

Siting. Although the site is within Green Belt its location adjacent to existing commercial buildings and transport yard to the east give the locality a semi-commercial nature. Given the nature and scale of the crane repair business, it is not considered that the change of use would be unduly obtrusive or have an adverse impact on the openness of the Green Belt. In terms of its impact on visual amenity the site is completely screened from Manchester Road to the east by the existing buildings and not easily seen from the west due to the presence of the M66 Motorway cutting and planting.

The applicant indicates that an average of one crane per week visits the site. Although the vehicles themselves are large it is not considered that one vehicle per week, and only one on the site at any time, would cause a great deal of concern either in terms of visual amenity or noise and disturbance to local residents. The only resident in the immediate vicinity is the tenant of the bungalow to the north and restrictions attached to any approval with regard to noise, hours of operation and number of vehicles being worked on should mitigate any impact on residential amenity.

Highways. The traffic generated by the business is unlikely to create serious enough problems in terms of highway safety.

Objections. Although the site is within the Green Belt the operation, unlike previous proposals, is not considered to have a seriously detrimental impact on it given the location of the site in close proximity to existing commercial premises and the nature and scale of the business. Concerns with regard to highway issues are not serious enough to warrant refusing the application. The concern that any approval would set a precedent for other farm buildings to be converted to other uses is not a valid reason for refusing this change of use. Every application should be decided on its individual merits.

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 scale of the business is such that it would not cause serious harm to the visual amenity of the locality or residential amenities of neighbouring residents.
There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to the drawings received on 23rd 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. Noise from the proposed activity hereby permitted shall not increase the prevailing ambient noise levels as measured at the boundary of the site.
The ambient noise levels shall be determined by survey, by the applicant, to the satisfaction of the Local Planning Authority (LPA) and a copy of the survey report shall be provided to the LPA within one month of the date of this Decision Notice.
Reason. In the interests of residential amenity.
4. No work or other activity shall take place on the site on Sundays or Bank Holidays and all work and other activity on other days shall be confined to the following hours:-
0800 hrs to 1700 hrs, Monday to Friday.
0800 hrs to 1200 hrs Saturday
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EC4/1 – Small Businesses, Industrial and Commercial Development and H3/1 – Assessing Non-Conforming Uses of the Bury Unitary Development Plan.
5. There shall only be one crane on site for the purpose of repair at any time and no cranes shall be retained on site for the purpose of storage.
Reason: To safeguard the amenities of the locality and occupiers of nearby residential accommodation pursuant to Policy H3/1 – Assessing Non-Conforming Uses of the Bury Unitary Development Plan.
6. The use hereby permitted shall be restricted to farm workshop and workshop for repairs to cranes only and for no other light industrial (B1) or general industrial use (B2).
Reason: To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EC4/1 – Small Businesses, Industrial and Commercial Development and H3/1 – Assessing Non-Conforming Uses of the Bury Unitary Development Plan.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 05

Applicant: Future Frame Ltd

Location: UNIT 1, HOPE MILL, WHALLEY ROAD, SHUTTLEWORTH, RAMSBOTTOM, BL0
0ES

Proposal: CONSERVATORY SHOWROOM AT FRONT

Application Ref: 47085/Full

Target Date: 15/01/2007

Recommendation: Approve with Conditions

Description

The site comprises a single storey factory building currently occupied by 'Future Frame', a small company with 8 employees, manufacturing windows and conservatories. The site is adjacent to the Borough's boundary with Rossendale on the southern edge of Edenfield. It is within the Green Belt and bounded on three side by open fields with residential properties fronting Whalley Road to the north.

It is proposed to add a show conservatory to the Whalley Road elevation in order to display the company's products to visitors. The structure, a upvc frame with full length glazing panels, would be positioned over the existing entrance doors at the internal corner at the front of the building and set back from the front line of the factory fronting Whalley Road. It would have a footprint measuring 5m by 5.5m and a maximum ridge height of 3.5m. The area outside the entrance is made up of rough tarmacadam and is currently used as unmarked informal parking area. The applicant proposes to mark out 4 car parking spaces on land adjacent to the conservatory.

Relevant Planning History

26486/91 Outline Residential Development - Refused 31/10/91 and appeal dismissed.

Publicity

Immediate neighbours - One letter from the occupier of 112 Bury Road, Edenfield who is concerned that the proposal may increase parking problems in the vicinity by reducing the available parking spaces in front of the factory.

Consultations

Highways Team - No objections.

Drainage - No objections.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EC2 Existing Industrial Areas and Premises

EC2/2 Employment Land and Premises

OL1/5 Mineral Extraction and Other Dev in the Green Belt

Issues and Analysis

Policy. The UDP policy EN1/2 Townscape and Built Design is relevant to the application. The policy states that proposal will be looked on favourably if they do not have an adverse impact on the character and townscape of an area. Factors to be considered in assessing proposal includes:

- external appearance,
- relationship with surrounding area,

- material,
- access, parking and servicing,
- landscaping and lighting.

UDP Policies EC2 and EC2/2 states that the Council will seek to retain existing employment land and premises outside Employment Generating Areas except where it is demonstrated that an existing employment site and premises is no longer suited to employment use.

Green Belt Policies are also relevant and state that limited extensions to existing buildings are generally acceptable if they maintain the openness of the Green Belt and do not conflict with the purpose of including land within it.

Design and Siting. The show conservatory is of a standard design, relatively modest in scale and unobtrusive, being set back from the forwardmost elevation fronting Whalley Road. It would be well screened by the existing factory when viewed from the south and seen set against the buildings when viewed from the north.

Parking. The area on which the conservatory would be located is currently part of an unmarked informal parking area. Although this area is not ideal for parking as cars cannot pull onto the hardstanding and exit in forward gear it is the only area available for visitors to the company. Two parking spaces on the hardstanding would be lost due to the location of the conservatory. A extra space for one car would however would be available on the public highway immediately in front of the new conservatory. The applicant intends to mark out four spaces at the front in order to formalise parking.

The location of the conservatory, next to the parking bays, would improve pedestrian visibility compared to the existing situation, whereby visibility is obscured by the mill buildings.

Servicing. Servicing and deliveries are carried out on the private access road to the side of the mill and this is shared by another company located at the rear of the site.

Objection. Given that there would in reality be a net loss of only one car space and that the existing spaces would be formally marked out, it would be difficult to resist this proposal on highway grounds. The concerns of the objector with regard to the occasional parking in front of his garage may be mitigated by an appropriate sign or road markings but this would be a seperate matter and not one that could be addressed through this application.

It is considered that the proposal complies with relevant UDP policies listed.

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 conservatory is modest in scale and would not cause serious impact on the amenity of the street scene or 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 FF/PL/06/002 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 development hereby approved shall not be brought into use unless and until the redundant part of the existing vehicular access onto Whalley Road has been reinstated to adjacent footway levels by extending the existing easterly footway in front of the proposed conservatory northwards to the written satisfaction of the Local Planning Authority.

Reason. To ensure good highway design in the interests of road safety.

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

Ward: Ramsbottom + Tottington - Tottington

Item 06

Applicant: Mr D Irving

Location: 321 TURTON ROAD, TOTTINGTON, BL8 3QG

Proposal: RETROSPECTIVE CONSENT TO ERECT BUILDING FOR USE AS STORE/HOBBY WORKSHOP ANCILLARY TO MAIN DWELLING

Application Ref: 47181/Full

Target Date: 29/01/2007

Recommendation: Refuse

Description

The site comprises an area of land to the rear of 321 Turton Road, Tottington, a single storey dormer type stone residential property adjacent to Holcombe Villa Farm.

The application is for the retention of a render and slate constructed single storey building used as a store/hobby workshop by the occupier of 321 Turton Road. The land surrounding the building slopes upwards from Turton Road. The building measures a maximum of 4.7m above the land at its lowest point and is 13m long by 7.3 m wide. The site was previously occupied by a portal type agricultural building and is located in the West Pennine Moor Area of Special Landscape Value.

Relevant Planning History

- Conversion of garage to residential use (now 321) 30913 given approval in May 1995.
- 2 storey extension 31123 approved December 1995
- Detached Stable/barn 33834 approved February 1998

Following the grant of the above consent for a stable/barn a building was erected on the site. Information was received that the building erected on the site was not the same as that approved in February 2006. The matter was investigated by our Enforcement Team and this application is as a result of this investigation.

Publicity

Neighbours have been notified and a site notice displayed.

One letter of support has been received from Holcombe Villa Farm and this can be summarised as follows:

- the previous building on the site was in poor condition and needed replacing
- the new building is better in design than the old and is more in-keeping with its surrounds

Consultations

None

Unitary Development Plan and Policies

OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors
EN9/1	Special Landscape Areas
H2/3	Extensions and Alterations
SPD6	DC Policy Guidance Note 6: Alterations & Extensions
SPD7	DC Policy Guidance Note 7 - Managing the Supply of Housing

Issues and Analysis

Land Use - The site is located within a predominantly agricultural area. Aerial photographs

from 2000 and 1997 show that the site had an agricultural type building on the site. The application in 1997 for a stables and barn (33834) describes the land as 'Agricultural - Grazing Land' and the case officer who visited the site noted that there was a hard standing already in situ. The letters supporting the application for the stables/barn stated that the site was 'tight onto the existing residential curtilage'. None of the previous applications for the development of 321 has indicated that the land in question is within the residential curtilage. Indeed the application for the stables and barn argues that the land is primarily in agricultural use and as such a stables/barn is an appropriate form of development in the Green Belt.

The applicant has now argued that the site is in fact within the residential curtilage of the site and that the previous use had been for residential purposes. They have argued that the use of the building on the site for stables and as workshop mean that it is part of the residential curtilage.

However, the evidence from the previous applications seems to show that there was no intent that this site should be residential curtilage and if it had been used for such purpose, it has not been demonstrated that it has been so used for 10 years or more and therefore is exempt from Enforcement.

Consequently, having considered the history of the site and the evidence of the applicants agent it is concluded that the site is not within the residential curtilage of 321 and as such should be treated as an extension of the residential curtilage into the Green Belt.

Principal -

Green Belt and West Pennine Moors - Under Green Belt policy, this application must be judged against the criteria set out in the Unitary Development Plan policy OL1/2- New Buildings in the Green Belt. The construction of new buildings in the Green Belt is regarded as inappropriate development unless it falls under the accepted criterion set out in OL1/2.

The building does not accord with the policy as it is not essential for agriculture, forestry or outdoor recreation, nor has any case for 'very special circumstances' been put forward for its retention. It is therefore to be considered as "inappropriate development".

The new building replaces an amalgamation of outbuildings but is also larger than the original buildings. The building design closely resembles the form of a dwelling, both externally and also to a degree, internally. The size and design of the building is therefore considered to adversely affect the openness and character of the green belt.

Even if the building is viewed as being an extension to the adjacent residential use it would fail to meet the criteria of UDP policies OL1/2, H2/3 - Extensions and Alterations and Development Control Policy Guidance Note 6 Alterations and Extensions to Residential Properties as it is not a limited extension, alteration or replacement, its appearance is out of character with the area and it has an adverse impact on the open character of the Green Belt.

Housing - The applicant has indicated his willingness to accept a condition that would limit the use of the building to a workshop ancillary to the main dwelling. Therefore, if the proposal was allowed, notwithstanding the comments above, it should be ensured that the building cannot be used as a self contained residential unit.

Design - The proposals in the Green Belt, West Pennine Moors and Special Landscape Area must be sensitively designed, adhering to the important character of the area and be accommodated comfortably without any adverse effect on their surroundings. The new building is of the design akin to the style of a suburban house, with the colour and materials used being highly visible in this location in comparison to the muted tones of the stone dwellings in the immediate vicinity of this building. A particular feature of the building is its linear form which is in stark contrast to the more compact nature of the two existing dwellings, which have been extended over the years in a sensitive manner. As noted earlier, the previous store/hobby workshop on the adjacent site was created from an amalgamation of outbuildings, in a style that breaks up the overall form and massing of the building which was more suited to its location. The proposal is therefore contrary to OL7/2 Special Open Land Areas - West Pennine Moors and EN9/1 - Special Landscape Areas. The building as constructed has a low profile and is set well down in the landscape.

However, its general massing, materials and scale has more relevance to an urban, rather than rural setting, especially as it is contained within the West Pennine Moors are of Special Landscape Value. Consequently, it is considered that it is contrary to UDP Policy EN9/1 - Special Landscape Areas.

Summary of reasons for Recommendation

Recommendation: Refuse

Conditions/ Reasons

1. The building adversely affects the openness, character and appearance of this part of the West Pennine Moors Area of special landscape value by virtue of its massing scale and materials which are inappropriate to its setting. The proposal therefore conflict with the following policies of the Unitary Development Plan: EN9/1 - Special Landscape Areas
2. The store/hobby workshop in its current position encroaches into and harms the openness of the Green Belt and would not be for the purposes of agriculture, outdoor recreation or forestry. As such, the garage constitutes inappropriate development in the Green Belt and the applicant has not submitted evidence to substantiate very special circumstances. The development thereby conflicts with policy OL1/2 - New Buildings in the Green Belt and EN9/1 - Areas of Special Landscape Value.

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

Ward: Whitefield + Unsworth - Pilkington Park

Item 07

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

The application was deferred at the last meeting in order to allow consultees to further consider the applicant's submitted analysis of options statement

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 7153m² 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 it 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 as 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.

Eleven objections have been received to the application. These are from eight individuals at addresses in Dales Lane, Grosvenor Road, Bleakley Street, Primrose Drive, Wilson Street and in Chester, Middleton and two in Rochdale and also include an e-mail with no postal 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 CABE 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 isfailure 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 and is an outstandingly attractive building.
- 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.
- Cannot see what difference the demolition would make to the planning and build of the area.
- The detrimental effect on Whitefield of the loss of the building would not be compensated for by any other usage of that land.
- It is a fine example of a traditional pub with woodwork of the of the highest calibre.
- The proposal is to please another mega supermarket plan and he doubts very much that Morrisons give a hoot about local history or local people.
- There would be a loss of another of Whitefield's dwindling community centres to the likes of Morrisons.
- Our heritage should not be bought by supermarkets or any form of profiteering.
- Sensitive/sensible planning could allow new and old to flourish on the same site.

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 recommended 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 and, if the applicant was 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. However, following a meeting with English Heritage and in response to their comments the applicants have submitted a supplementary options statement. A copy of this statement has been forwarded to English Heritage did request that a decision should be deferred for one month to allow sufficient time for them to be able to consider it, and this has been done. They have also indicated their intention to commission traffic consultants for advice about the QBC issue.

Currently, further comments from English Heritage are awaited and will be reported.

Council for British Archaeology - They have commented that, whilst they understand that the development proposals would have benefits for the community, 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 have asked 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 a new supermarket. However, they have, subsequent to the above comments, received a copy of the applicant's supplementary options statement and did request that a decision should be deferred for one month to allow sufficient time for them to be able to consider it, and this has been done. Any further comments will be reported.

The Georgian Group - They have expressed 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. However, they have, subsequent to the above comments, received a copy of the applicant's supplementary options statement and did request that a decision should be deferred for one month to allow sufficient time for them to be able to consider it, and this has been done. Any further comments will be reported.

The Victorian Society - They have objected 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 it in its entirety, yet the scheme has not been revised accordingly nor has sufficient evidence been provided to support the application. As a result, they have stated, the application has failed to recognise the legislative framework that exists to protect the historic environment and it should not be permitted.

In their view, 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 request for the application to be called in for determination by the Secretary of State.

Subsequently, the Victorian Society has received a copy of the applicant's supplementary options statement and did request that a decision should be deferred for one month to allow sufficient time for them to be able to consider it, and this has been done. Any further comments will be reported.

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 and a much needed local amenity. 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.

CABE (Commission for Architecture & the Built Environment) - Found little to support in the original design for the supermarket. The revised scheme is an improvement. The design

could be simpler, more refined and use fewer materials. Were not able to commend the design of the supermarket; accept improvements have been made but more work needed. No direct comments made on the demolition of the Church Inn itself.

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. This was 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. Within 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 and 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**

