

Ward: Bury East

Item 01

Applicant: Pizza Pioneer

Location: 3 MARKET STREET, BURY, BL9 0AH

Proposal: CHANGE OF USE FROM RESTAURANT (USE CLASS A3) TO RESTAURANT AND HOT FOOD TAKE-AWAY (USE CLASSES A3 AND A5); NEW SHOP FRONT

Application Ref: 47603/Full

Target Date: 10/04/2007

Recommendation: Approve with Conditions

Description

The property to which the application relates is within a row of commercial units within Bury Town Centre's Prime Shopping Area and Frontage that extends from 1-3 Market Street, 30-46 The Haymarket and 22-24 Crompton Street. The site is also within the Town Centre Conservation Area. The unit was formerly a cafe and has been vacant since June 2005. The adjoining property at No.1 Market St is a bank. The property on the other side is No.46 Millgate and is a clothes shop. To the rear is Edwin Street, a service road that runs into Crompton Street.

The application is for the change of use from cafe/restaurant to restaurant and take-away with a new shopfront. Proposed hours of opening are as follows:

8am - 12 midnight Monday to Thursday

8am - 3am Friday and Saturday

8am - 1am Sundays.

The existing flue would be utilised and servicing would be from the rear.

The proposed new shopfront would be in a similar style to the existing aluminium frame with glazed panels. The main alteration involves moving the entrance door to a central position on the frontage.

Relevant Planning History

None relevant

Publicity

Immediate neighbours, press and site notices - One letter of objection from the owner of the proprietor of the Met Cafe further up Market Street. The objector states that there are already 6 take aways in the area.

Consultations

Highways Team. No objection.

Environmental Health - Comments to date.

Conservation - No objection.

Baddac - No objection.

Unitary Development Plan and Policies

S1/1 Shopping in Bury Town Centre

S2/2 Prime Shopping Areas and Frontages

EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control

Area Central Shopping Area

BY6

Issues and Analysis

Policy Background. Given that the site is within a Prime Shopping Area and Frontage, the proposal should be assessed against Policy S2/2 - Prime Shopping Areas and Frontages. This policy states that the Council should seek to maintain retailing (Class A1) as the predominant land use at ground floor level. The following factors should be taken into account.

- Design and appearance of shop frontage
- Provision of display window
- Disabled Access
- Potential for disturbance or nuisance

In addition to the above criteria, where a proposal would lead to more than 10% of the frontage becoming non-A1 use the following factors need to be considered

- Location and prominence of the proposal in the shopping frontage
- Number, distribution and proximity of other non-retail premises
- Nature and character of the proposed use.

In terms of the design and appearance of the new shopfront, it is considered to be in keeping with the frontage and therefore acceptable. The access is level and considered to be acceptable for the disabled.

Given the location of the unit within this part of the town centre there is unlikely to be a serious problem relating to disturbance or nuisance to residential amenity as there are no residential properties in the immediate vicinity. The opening hours are considered to be acceptable in this central location and it is not considered there is a need to limit opening by a planning condition.

With regard to the number and proximity of other non-retail uses, at present, there is 19% of the frontage in non-A1 retail use. However, given that the unit is not in retail use at present, the proposal would not lead to an increase in non-retail uses and the 10% threshold would not be breached as a result of this proposal. Although within a prime shopping frontage, Market Street does not really fulfil a predominantly retailing role as does the remaining frontage, particularly as it enters the Millgate. As such, there is not considered to be a conflict with shopping policy S2/2. In addition to this it should be noted that the property has been vacant since June 2005 underlining its limited potential for retail use.

Conservation Issues. The unit is part of the Millgate Shopping complex and there are no apparent conservation issues associated with this application.

Highways. No concerns with regard to highways. All servicing would be via the existing rear service road.

Objection. The objection from the proprietor of the Met Cafe states that there are already too many take-away food outlets in the locality. Whilst it is not the role of the Local Planning Authority to limit competition between businesses it does take into account the affect of the proposal on the character of the area and the vitality and viability of the centre. Given that the previous use was a cafe with a take away facility, the new use would not have a serious impact on the character of the area or the vitality and viability of the centre.

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 site is within Bury Town Centre and the change of use would not seriously affect the

viability or vitality of the shopping centre. There are no residential properties in the immediate vicinity and therefore the impact on amenity would be negligible. 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 M07-02-03 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before the use commences; any works approved shall be implemented to the written satisfaction of the Local Planning Authority before the use commences.
Reason. In the interests of amenity pursuant to Policies S2/5 – New Local Shopping Provision Outside Recognised Shopping Centres and S2/6 – Food and Drink of the Bury Unitary Development Plan.

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

Ward: Bury East

Item 02

Applicant: Bury Metro

Location: LESTER HOUSE, 21 BROAD STREET, BURY, BL9 0DA

Proposal: BANNER ADVERTISEMENTS 4.9m X 1M FOR COUNCIL INFORMATION (NONE ILLUMINATED)

Application Ref: 47702/Reg 3 Council's Own Development **Target Date:** 23/04/2007

Recommendation: Approve with Conditions

Description

The proposal is for the display of a banner sign at first floor level on the Broad Street frontage of Lester House in Bury Town Centre.

The banner is 5m wide by 1m deep and will be used to advertise and promote events and achievements of the Council. The banners will be unilluminated.

Relevant Planning History

None

Publicity

A site notice was placed on the 1st March, a press notice published on the 8th March and immediate neighbours have been notified. The last date for comments to be received is the 22nd March and any additional comments will be presented in the Planning Control Committee Supplementary Report.

Top date one letter of objection has been received from 27 Beckenham Close, Bury and this can be summarised as follows:

- the Council should not be promoting its achievements
- it should find better use for its resources
- the banners will deface public buildings

Consultations

Highways Team - no objections to the proposal.

Conservation Officer - no objections

Unitary Development Plan and Policies

Area Bolton Street/Market Place

BY3

EN1/9 Advertisements

Issues and Analysis

All advertisements are looked at in terms of the impact on amenity and public safety.

Amenity - the banner is relatively small in scale compared with the massing of Lester House as a whole. The banner have been positioned so as to fit in with the main architectural features of the building, above the ground floor canopy and as such it should not impact adversely upon the character of the building. The site is located within the Town Centre where advertising can be appropriate and as such they would not appear to be out of place or contrary to the amenity of the area. Consequently, the proposals conform with Unitary Development Plan Policy EN1/9 - Advertisements.

Public safety - the banner is located in a position where they can be readily seen and will

not hazard the interpretation of any highway or traffic signs. It will be securely affixed to the building and as such should not be a hazard to public safety. Consequently, the proposals conform with Unitary Development Plan Policy EN1/9 - Advertisements.

Objection - the necessity of the banners and activities promotes and as to whether or not the Council should its activities is not a material consideration with regard to the application and as such do not affect the recommendation. The issues of amenity and public safety have been dealt with in the main report and as such the concerns raised in the objection letter are not sufficient to warrant refusal of the application.

Summary of reasons for Recommendation

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

The proposed banners are judged not to adversely affect the visual amenities of the area nor highway safety.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

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

Ward: Bury East

Item 03

Applicant: Bury Metro

Location: TOWN HALL, KNOWSLEY STREET, BURY, BL9 0SW

Proposal: BANNER ADVERTISEMENTS 4.9m X 1M FOR COUNCIL INFORMATION (NONE ILLUMINATED)

Application Ref: 47703/Reg 3 Council's Own Development **Target Date:** 23/04/2007

Recommendation: Approve with Conditions

Description

The proposal is for the display of two banner sites on the Town Hall. One on the Knowsley Street frontage, the other on the Aungaloum Way frontage.

The banners are 5m wide by 1m deep and will be used to advertise and promote events and achievements of the Council. The banners will be unilluminated.

Relevant Planning History

None

Publicity

A site notice was placed on the 1st March, a press notice published on the 8th March and immediate neighbours have been notified. The last date for comments to be received is the 22nd March and any additional comments will be presented in the Planning Control Committee Supplementary Report.

Top date one letter of objection has been received from 27 Beckenham Close, Bury and this can be summarised as follows:

- the Council should not be promoting its achievements
- it should find better use for its resources
- the banners will deface public buildings

Consultations

Highways Team - no objections to the proposal.

Conservation Officer - no objections

Unitary Development Plan and Policies

Area Manchester Road/Knowsley Street

BY4

EN1/9 Advertisements

Issues and Analysis

All advertisements are looked at in terms of the impact on amenity and public safety.

Amenity - the two banners are relatively small in scale compared with the massing of the Town Hall as a whole. The banners have been positioned so as to fit in with the main architectural features of the building and as such they should not impact adversely upon the character of the building. The site is located within the Town Centre where advertising can be appropriate and as such they would not appear to be out of place or contrary to the amenity of the area. Consequently, the proposals conform with Unitary Development Plan Policy EN1/9 - Advertisements.

Public safety - the banners are located in a position where they can be readily seen and will

not hazard the interpretation of any highway or traffic signs. They are to be securely affixed to the building and as such should not be a hazard to public safety. Consequently, the proposals conform with Unitary Development Plan Policy EN1/9 - Advertisements.

Objection - the necessity of the banners and activities promotes and as to whether or not the Council should its activities is not a material consideration with regard to the application and as such do not affect the recommendation. The issues of amenity and public safety have been dealt with in the main report and as such the concerns raised in the objection letter are not sufficient to warrant refusal of the application.

Summary of reasons for Recommendation

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

The proposed banners are judged not to adversely affect the visual amenities of the area nor highway safety.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

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

Ward: Bury East

Item 04

Applicant: Bury Metro

Location: CASTLE LEISURE CENTRE, BOLTON STREET, BURY, BL9 0EY

Proposal: BANNERS ADVERTISEMENT 4.9M X 1M FOR COUNCIL INFORMATION (NON ILLUMINATED): 1 ON BOLTON STREET FRONTAGE, 1 FACING ELR

Application Ref: 47713/Reg 3 Council's Own Development **Target Date:** 24/04/2007

Recommendation: Approve with Conditions

Description

The proposal is for the display of two banner sites on Castle Leisure Centre in Bury town centre. One on the Bolton Street frontage, the other on the frontage facing the East Lancs Railway.

The banners are 5m wide by 1m deep and will be used to advertise and promote events and achievements of the Council. The banners will be unilluminated.

Relevant Planning History

None

Publicity

A site notice was placed on the 1st March, a press notice published on the 8th March and immediate neighbours have been notified. The last date for comments to be received is the 22nd March and any additional comments will be presented in the Planning Control Committee Supplementary Report.

Top date one letter of objection has been received from 27 Beckenham Close, Bury and this can be summarised as follows:

- the Council should not be promoting its achievements
- it should find better use for its resources
- the banners will deface public buildings

Consultations

Highways Team - no objections to the proposal.

Conservation Officer - no objections

Unitary Development Plan and Policies

EN1/9 Advertisements

Issues and Analysis

All advertisements are looked at in terms of the impact on amenity and public safety.

Amenity - the two banners are relatively small in scale compared with the massing of the Leisure Centre as a whole. The banners have been positioned so as to fit in with the main architectural features of the building and as such they should not impact adversely upon the character of the building. The site is located within the Town Centre where advertising can be appropriate and as such they would not appear to be out of place or contrary to the amenity of the area. Consequently, the proposals conform with Unitary Development Plan Policy EN1/9 - Advertisements.

Public safety - the banners are located in a position where they can be readily seen and will not hazard the interpretation of any highway or traffic signs. They are to be securely affixed

to the building and as such should not be a hazard to public safety. Consequently, the proposals conform with Unitary Development Plan Policy EN1/9 - Advertisements.

Objection - the necessity of the banners and activities promotes and as to whether or not the Council should its activities is not a material consideration with regard to the application and as such do not affect the recommendation. The issues of amenity and public safety have been dealt with in the main report and as such the concerns raised in the objection letter are not sufficient to warrant refusal of the application.

Summary of reasons for Recommendation

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

The proposed banners are judged not to adversely affect the visual amenities of the area nor highway safety.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

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

Ward: Bury East - Moorside

Item 05

Applicant: Mr David Giblin

Location: BURY GROUND, CARLYLE STREET, BURY, BL9 0HU

Proposal: ACCESS ROAD FROM PEEL WAY TO BURY GROUND; PERIMETER ROAD FROM CASTLECROFT ROAD TO JOIN ACCESS ROAD

Application Ref: 47422/Full

Target Date: 09/04/2007

Recommendation: Approve with Conditions

Description

The application site is a 1.52ha site comprising the construction of an access roadway from Peel Way to land know as Bury Ground.

The access to the site would be formed at the northerly end of Peel Way and its junction with Bury Bridge by the creation of a newly formed junction and is intended to give access to a new Business Park to be developed in the near future.

The proposed roadway would be formed by the development of a ramped embankment from the Bury Ground site up to road level at the end of Peel Way and would project into the site by 175m. The proposed roadway would then turn and head in an easterly direction towards Castlecroft Road. The ramped embankment would necessitate the closure of Carlyle Street and the diversion of a Public Right of Way and Cycle Route No.6.

Relevant Planning History

43885 – Formation of access road and bridge from Peel Way – Withdrawn – 22/2/05 - due to unresolved issues concerning traffic flows and impacts upon the junction with Peel Way.
44190 - Formation of access road and bridge from Peel Way – Withdrawn – 15/4/05 - due to unresolved issues concerning traffic flows and impacts upon the junction with Peel Way.
44509 – Outline application for the demolition of existing industrial buildings and the development of 111 houses & apartments, garages, and associated works including secondary access from Carlyle Street -
45708 - Outline application for the creation of a Division Headquarters for Police Station – Approved – 1/3/06

Publicity

The application was publicised as a major development and as affecting a Public Right of Way on 12/1/07 and 18/1/07 respectively. Site notices were erected on the site on 18/1/07 and direct letters were sent to neighbouring businesses on Carlyle Street and Castlecroft Road on 12/1/07. As a result of this publicity, no objections have been received.

Consultations

Traffic – No objections
Drainage – No objections
Environmental Health – No objections
G M Police – No objections
GM Fire Service – No objections
GM Ecology Unit – No objections
Environment Agency – No objections

Unitary Development Plan and Policies

RT3/4 Recreational Routes

Issues and Analysis

Principle – The site is allocated within the UDP under Policy EC1/3/2 - Bury Ground and land suitable for Business (Class B1), Office and Hotel/Conference Facility Uses. This development would be the initial development that would unlock the potential of this site.

The Employment Opportunities Study approved by the Councils Executive Committee on 10 January 2007 identified four locally strategic sites for employment, one of which is Chamber Hall Business Park presently known as Bury Ground. Proposals for the site include half a million square feet of B1 office space with a hotel and leisure facility. The proposals include the area of land formerly occupied by Hesketh forge works and other industrial users to the south west of the area shown in the UDP as an opportunity site.

It is proposed that Chamber Hall Business Park is developed as a series of 'villages', each aimed at a different employment sector and each with a distinctive architectural style and character. The target sectors are professional services, innovation and technology, and creative. Planning permission has already been granted for a new divisional HQ for Greater Manchester Police and Property Alliance Group has acquired the former industrial land for development of the first phase of offices and a hotel.

The total number of jobs located in the business park will be around 2,500, some of which will be relocations from other inadequate premises in the town but most will be new jobs. The buildings will vary in height and density, being taller and more urban in the south and reducing to a more suburban pattern of development in the north. Buildings will have very good environmental performance and high design quality. There will be a strong emphasis on walking or use of public transport.

Ecology – The site of the business park contains a number of strong landscape and habitat elements which will be retained. The river bank provides a pleasant walking and cycling route as well as a wildlife corridor, the remains of the Chamber Hall bathing pond is now largely a reed bed that is a protected habitat which will be enhanced and managed to maximum benefit, in front of Peel Mill a large green will be retained as a major feature in the northern part of the site. The footprint of the development would not impact upon any ecologically sensitive sites or species but would come close to the reedbed, which is also provides opportunity for bird breeding capabilities. The application has been submitted with a management plan of the wetland area and the siting of the spur arm off the proposed roundabout towards Castle croft Road which is supported by GMEU. It describes appropriate method statement of implementation, necessary buffer zones to maintain appropriate distances from the reedbed to the proposed highway and ensuring that there is no stockpiling near the areas. This should be ensured through a planning condition requiring the development to be carried out in accordance with this methodology.

Traffic Considerations - Previous applications have been subject to concerns from transport assessments carried out on behalf of the Council by Greater Manchester Transport Unit. This application is submitted with a transport statement and considers that the site is well connected in terms of cycling, walking and proximity to the Town Centre. Furthermore, the estimates of development within capable of taking place within this site and the trips generated from the employment generating uses could discharge onto Peel Way without too significant an impact upon the highway traffic flows.

Footways/Cycleways - The new road would cut through Carlyle Street, effectively closing off access along this highway. The proposals have been advertised as affecting these throughroutes. However, the long term plans for the development of the site would incorporate alternative routing to accommodate cycle routes and walkways which are protected through UDP Policies RT4/3/2 - Bury Ground (Visitor Accommodation), RT3/4/1Recreational Routes and HT6/1 - Pedestrian and Cyclist Movement.

Summary of reasons for Recommendation

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

The development would facilitate access into a proposed business park as identified within the Unitary Development Plan. The development would articulate into the wider site appropriately without undue impact upon surrounding businesses and traffic. The development would comply with adopted policies of the UDP and there are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered HS399/015, and the associated Method Statement 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. 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 building(s) is 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.
4. Any tree works must be conducted outside of the bird-nesting season unless otherwise agreed in writing with the Local Planning Authority.
Reason - In order to maintain and protect protected species and pursuant to PPS9 - Biodiversity and Geological Conservation.
5. Details relating to surface water outfalls shall be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details only.
Reason - To ensure appropriate methods of drainage are achieved for the development.
6. Prior to the commencement of development, the developer should undertake an ecological survey of the site to establish whether or not any protected, biodiversity action plan or invasive species are present. Where such species are found to be present, a mitigation report should be prepared and submitted to the Local Planning Authority. No development or site clearance should take place until the Local Planning Authority has agreed the mitigation measures in writing, and these measures should then be implemented in accordance with that agreement.
Reason - To ensure the appropriate protection of protected Biodiversity Action Plan species and pursuant to PPS9 - Biodiversity and Geological Conservation.

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

Ward: North Manor

Item 06

Applicant: Mr & Mrs M Greenhalgh

Location: LAND ADJACENT TO 9 BEECH GROVE, GREENMOUNT, BL8 4DY

Proposal: ERECTION OF DETACHED DWELLING (RESUBMISSION)

Application Ref: 47479/Full

Target Date: 09/03/2007

Recommendation: Approve with Conditions

This application was deferred for a site visit at the previous Planning Control Committee meeting on 27 February 2007 and the report has been updated.

Description

The application site is formerly the large side garden and detached double garage and driveway to No 9 Beech Grove. To the east is No 11 which has a single detached garage and shed adjacent to the boundary and has a first floor landing window on the side elevation and a conservatory at the rear. To the west of the site is No 9 which has a s/s rear extension and first floor side extension. The site is elevated above Nos 8 and 10 Belvedere Avenue which are located on the northern boundary together with the rear gardens of Nos 5 and 7 Dover Close. The garden is screened by trees and shrubs to the rear and there is a large mature tree in the north western corner of the plot.

The application is for the erection of a 3 storey detached dwelling. The house would be L shaped and set back approx 7.3m from the edge of the footpath. There would be a driveway and double garage to the front of the property with access down the left side of the house to the rear. There would be 5 bedrooms, one of which would be in the roof space and would incorporate velux windows to the rear and a small dormer style window at the front. The overall height would be 8.5m. The materials would be red facing brick with tiled roof, to be agreed by the LPA subject to approval.

Relevant Planning History

42707 - 2 storey detached dwelling - approved 28/7/2004

47271 - erection of detached dwelling - withdrawn 13/12/2006

Publicity

Immediate neighbours have been notified and objections received from 1, 4, 6,7, 9, 11, 13 Beech Grove; 8, 10 Belvedere Avenue; 7 Dover Close. The following points were raised:

- the specifications have not significantly altered from the recently withdrawn application
- a 5 bedroom detached house is out of character and out of proportion with the existing properties in the cul de sac
- the size, scale and layout would contravene the other properties on the street
- the increased volume of traffic would create problems
- parking provision for vehicles is excessive
- dominate and overlook adjacent dwellings
- impact on the privacy of adjacent dwellings to the side and rear.
- take away light and restrict views
- possible loss of trees
- intrusion of privacy from the proposed rear and velux windows to No 8 Belvedere Avenue
- questions the relevance of providing level access
- there is a previous edict restricting development on this site

- there is an existing problem with surface water run off to the properties at the rear
- permission would open the way for apartment development
- the plans inaccurately depict No 9 Beech Grove to be larger than it is
- is the moratorium relevant to this application
- concern the large sycamore in the garden would be felled

Consultations

Borough Engineer - Traffic - no objections to the application.

Environmental Health - Drainage - no objections to the application. Informative notes added for the applicants attention.

Environmental Services - No objections to the application 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
SPD6	DC Policy Guidance Note 6: Alterations & Extensions
EN1/3	Landscaping Provision

Issues and Analysis

Principle - The site is within a built up area and does not involve the release of open land. Planning permission has already been granted for the site, prior to the housing restrictions policy being adopted, and is valid until 2009. The principal of a new dwelling on this site is therefore acceptable.

Form and Layout - UDP Policy H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development seeks to assess the impact of proposals for new residential development upon the surrounding environment and demonstrate that good standards of layout are maintained.

The previously approved planning application consists of a 2 bedroom detached property with a parking area to the front. The bedrooms are situated on the ground floor with the living accommodation at first floor. This proposal seeks permission for a 5 bedroomed house but with a more traditional layout of living accommodation on ground floor, four bedrooms at first floor and one in the roof area. Although the footprint would be increased in area, the property would be set back approx 7.3m from the road and leave a separation distance of 8m from the back of the property to the rear boundary. It is therefore considered to provide an adequate amount of amenity space for the property. The overall height of the dwelling would be approx 8.5m to incorporate space in the roof for a bedroom with velux windows. Although this would make the house higher than the adjacent dwelling No 11 by 0.6m, it is considered not to have a detrimental effect on their residential amenities by virtue of being overbearing and would comply with H2/1 and H2/2.

Residential amenity - Policy H2/1 - seeks to ensure that reasonable standards of privacy and residential amenity are maintained for the neighbouring residents.

The proposed dwelling would have obscure glazed windows in the side elevations which would mitigate overlooking to the adjacent properties. No 9 Beech Grove has a rear conservatory which would face a 2 storey gable wall. However, the principle window to the conservatory is on the rear elevation with its main aspect facing down the rear garden. As such, the relationship to this property would meet the standards in DCPG Note 6 and is considered acceptable.

There would be a gap of 6.5m to the side of No 11 with the proposed dwelling projecting approx 2m past the rear elevation of this property. Given the relationship of the two properties and the arrangements of the habitable room windows on the rear elevations, the proposal would be acceptable when assessed against the 45 degree rule.

The properties at the rear most likely to be effected by the proposal are Nos 8 and 10 Belvedere Avenue and No 7 Dover Close.

With regards to No 7 Dover Close, the separation distance to the nearest part of the proposed dwelling would be 23m. Currently, the gap between No 7 Dover Close and No 9 Beech Grove is 24m, with there being a more direct relationship between these two houses. It is considered the proposed development would not add detrimentally to the overlooking or privacy issues than the existing situation.

The site is elevated 1.5m above Nos 8 and 10 Belvedere Avenue and the proposed house would be three storeys in height. However, the 3rd storey element of the house would be in the roof space and would have velux windows which would minimise the potential for overlooking. The separation distances between No 8 and No 10 from the proposal would be 20m and 22m respectively. Where there is a change in levels this can require an increase in the separation, in this case however, the rear elevation of the proposed dwelling would not directly overlook Nos 8 or 10 due to the angle of the properties in relation to each other. There is some screening along the rear boundary which would help mitigate the impact upon privacy. The separation distance of 20m is considered acceptable and as such complies with the Council's aspect standards.

There would be a gap of 20m to the property opposite, No 6 which would comply with the Council's aspect standards.

Visual amenity - Policies H2/1 and H2/2 seeks to ensure new residential development is appropriate to the character and visual amenity of the surrounding area and well related in scale and location.

The proposed dwelling would be 3 storey in height, with the top floor set in the roof space. Although the cul de sac is characterised by bungalows and semi detached two storey properties, the drawings show the ridge height would be 0.6m higher than that of No 11 and 0.3m lower than the original ridge of No 9. In terms of design, although the proposal would be individualistic with regards to the surrounding properties, given their eclectic mix of design, the proposal is considered acceptable and would conform with H2/1 and H2/2.

An existing planning approval for a two bedroomed property exists on this site. This current submission makes significant changes to the previous application, particularly with relation to its design and massing. This proposal would be set further back from the road than previously approved which would have the effect of 'shunting back' the footprint towards the rear of the site. However, it is considered there would be a reasonable amount of land to the rear and side of the proposal not to detrimentally impact on the character of the surrounding environment.

The previous approval would also allow for extension of the property up to 70 cubic metres in volume without planning permission as permitted development rights were not removed as part of the approval. It is however no recommended to remove permitted development rights in order to control further development.

Parking provision - there is proposed parking for four vehicles, two of which would be provided by the proposed double garage.

Trees - the trees along the rear boundary of the site will be retained and protected by a condition whilst work is taking place on site.

Drainage - in order to alleviate any drainage problems which may result from the development, the site is to be drained on a separate system of drainage.

Objections - the objections received which relate to material planning matters have been covered in the report above.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed and the reasons for granting permissions can be summarised as follows:-
The site is within a residential area and of adequate size to accommodate the proposed dwelling. The design is acceptable and would not adversely affect the character of the area nor the amenity of nearby 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 12th January 2007 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. Notwithstanding the terms of the General Development Order 1995, or as subsequently amended, no development shall be carried out within the terms of Classes A to H of Part 1 and Classes A and B of Part 2 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed below.
5. 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.
6. Following the provisions of Condition 5 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.

7. 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.

8. 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.

9. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:2005 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

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

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

11. The proposed windows located on the left and right hand side elevations shall be fitted and maintained with obscure glazing in perpetuity.

Reason. To protect the privacy of adjoining occupiers.

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

Ward: Prestwich - St Mary's

Item 07

Applicant: Manchester Methodist Housing Association

Location: TULLE COURT, RAMSBOTTOM ROW, PRESTWICH, M25 1BS

Proposal: ALTERATIONS TO ELEVATIONS OF 1 NO. RETAINED BLOCK OF 12 NO. FLATS AND SITE TREATMENT TO INCLUDE LANDSCAPING, CAR PARKING AND ACCESS; 26 NO. DWELLINGS WITH ASSOCIATED LANDSCAPING, CAR PARKING AND PEDESTRIAN/VEHICULAR ACCESS

Application Ref: 47336/Full

Target Date: 08/03/2007

Recommendation: Approve with Conditions

This item has been updated following the decision by Planning Committee to defer the application to permit revisions to the scheme to be made, concerning the impacts upon existing properties on Church Lane, the retention/creation of an access way off Derby Street and overlooking towards Carmona Drive properties from the retained block.

The response to these issues are at the end of the report.

Description

The application site comprises a 0.6ha site, which is currently occupied by a two rows of three and four storey flats and maisonettes within a setting of surrounding other residential properties on three sides and a builders yard on the northerly side of the site.

The existing development comprises 51 deck access flats with communal staircases providing access through to each of the levels and connects the separate block to each other.

The site can be accessed from both Church Lane and Church Drive but these two accesses do not connect to create a connecting highway for vehicular traffic. Pedestrians can cross the site using these two highways.

The site has levels changes across it with the highest part of the site at the Derby Street end of the site and the lowest at the Church Drive end of the site. The blocks within the site sit uniformly across the central and westerly end of the site with the surrounding land forming garden/grassed areas.

St Mary's Conservation area boundary does not include this site but the properties fronting on to Church Lane are included within the Conservation Area. There is also a Listed public house, The Church Inn, located to the south westerly part of the site.

The application seeks to demolish the central block across the site and its protruding southerly outrigger and the redevelopment of 26 houses. The westerly block is to be retained and completely refaced to provide 12 apartments. Car parking would be in curtilage or within a courtyard arrangement.

Relevant Planning History

No relevant planning history.

Publicity

The application was publicised through site notices erected on 9/1/07 and again on 18/1/07;

Press notices were carried out on 25/1/07. Revised plan letters were issued on Neighbour notification letters were issued to properties on Church Drive, Tulle Court, Clifton Road, Clough Drive, Carmona Drive, Church Lane and St Mary's Court. A complete list of addresses can be viewed on the working file. As a result of this publicity, 16 letters of objection/comments were received on the proposals from Prestwich Heritage Society, 1, 3, 5, 6, 8 Carmona Drive, 17, 23, 28, 30, 32, 34, 36 Church Lane, 20 Church Drive, 1 Clough Drive, email from C. Abbott, . Issues raised include:

- Concerns about overlooking from the inserted windows in the side elevation of the retained block when viewed from Carmona Drive.
- It is a mistake to refurbish and retain any of the buildings currently on site.
- The scheme appears 'cheap' in the choice of materials for the scheme.
- The connection of Church Lane through to Church Drive would create a 'rat run' for drivers wishing to avoid traffic on the main Bury New Road.
- Lots of additional traffic would be detrimental to the qualities of the Conservation Area.
- The scheme would impact upon the outlook and light of properties on St Georges Terrace.
- The proposed access path to be sited in between the new properties and St Georges Terrace would create a 'muggers alley' and should be deleted. Others consider that the alleyway should be retained.
- The removal of the existing buildings is welcomed.
- Would the existing houses be in danger from the removal of the existing properties?
- Neighbour notification letters should not have been issued through the Christmas period.
- Concerns are expressed about the sale of part of the site for private dwellings.
- The development would remove areas of public open space.
- The designs of the properties are poor.
- The scheme proposes the removal of a cherry tree, a mature specimen which is a positive visual contributor to the area.
- How can the properties be secured as affordable homes?
- Traffic calming measures would not control heavy traffic use sufficiently.
- Consultation with local residents has been inadequate both generally and in terms of the timing of the application with consultation carried out at Christmas time and at half term.
- They do not wish to share a fence with the new properties.
- The alleyway is a public right of way to the rear of Church Lane.
- The cherry tree to the rear of properties fronting Church Lane should be retained.
- The sale of the land to achieve the proposed development would be *ultra vires* in that the provisions of the Land Clauses Consolidation Act 1845 (Crichel Downs Rules) requiring that surplus land be first offered back to the original owners.
- The design and access statement is poor and inadequate and does not consider access to the site by construction traffic or future users of the site; does not provide for social aspirations recommended by CABE guidance and poor involvement of the Police Architectural Liaison Officer in advance of the submission.

Residents were re-consultation on 13th March 2007 following the receipt of amended plans changing the end house fronting Derby Street to a bungalow.

Consultations

Traffic Section - No objections.

Drainage Section - No objections.

Environmental Health

Contaminated Land - No objections subject to the attachment of conditions to finalise matters relating to contaminated land and process for treating it.

Air Quality - No objections and the development is unlikely to increase pollutants significantly.

Greater Manchester Police - No objections.

Waste Management - No objections to the proposals.

United Utilities - No objections.

Gtr Manchester Ecology Unit - No objections - attach a condition to ensure that survey work is carried out prior to the demolition of the buildings and that survey work is done during the recommended periods.

Unitary Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
EN3/2	Development Affecting Archaeological Sites
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development

Issues and Analysis

Principle - The site is currently surrounded by residential development and is currently used for residential development. The scheme proposes no net gain in terms of the numbers of dwellings on the site and therefore complies with the interpretation of the Council's Development Control Policy Guidance Note 7 - Managing the Supply of Housing Land in Bury. As such, the principle of residential development on this site is acceptable.

Height, Scale and Massing - The scheme has adopted accepted good design principles by buildings fronting onto the street, the definition of defensible space and the natural surveillance of streets. In so doing, the scheme has sought to maintain normally accepted aspect distances to existing and proposed dwellings within the scheme.

The scheme proposes the redevelopment of the majority of the site with a lower density and lower height scheme. UDP Policies H2/1 – The Form of New Residential Development and H2/2 – The Layout of New Residential Development seek to ensure that all new residential developments make a positive contribution to the form and quality of the surrounding area and that the development provides acceptable standards of layout. The character of the surrounding area is of low level dwellings predominantly terraced two storey dwellings in a mix of characters, age and design. The surrounding properties generally have front and rear garden areas fronting onto streets with associated parking either within curtilage or on street. The form of the existing buildings within the site are generally stark contrasts to the surrounding area, monolithic in design and reliant upon communal amenity space, narrow cut through's and no clear definition of spaces.

The proposed scheme seeks to remove the largest of the two blocks on site, which would then be redeveloped with the creation of a number of terraced units, each with protected garden space and allocated or in curtilage parking. Such an approach would be sympathetic with the surrounding area. The scheme does incorporate some three storey properties which would be located within the centre of the site and would make the best use of the changes in levels of the site in relation to the surrounding properties, which are generally elevated to the site. Section drawings show that the relationship of the proposals for the new build provide an improved relationship with surrounding properties, with predominantly single storey aspects to St Georges Terrace at the westerly end of the site and two storey to the terraced properties near to the corner of Church Lane and Derby Street.

The retention of the far westerly block would result in no change to the physical mass of this building to Carmona Drive. Density - The new build would cover approximately 0.5ha of the site. The development of 26 dwellings would represent some 62 dwellings per hectare, which is within the specified expectations of PPS3 - Housing. Such a density would be more in keeping with the surrounding area and provides for a more appropriate layout than can be seen on site today. Design and Appearance - The scheme has adopted a modern approach to design and this is explained within the accompanying Design and Access Statement.

Retained Block - This block would be radically refurbished and converted, re-faced, traditional materials would be used, openings created, a redesign of the external elevations it is proposed to transform the skeleton of this building into a modern and contemporary apartment block. The choices of materials have been amended due to the proximity of this block to the Conservation Area and the Listed public house, the Church Inn. The retained block presents more of a design difficulty with regard to respect for the conservation area context, built as it is predominantly from a brick of a very different colour and texture to that of the 19C terrace and now in a state of considerable visual deterioration.

The design solution adopted is to render the front and side elevations, albeit in a more contemporary fashion than the rendered rear elevations to the houses in St. Georges terrace. By this device the currently dull brick facade would be rejuvenated and enhanced to visually reduce the otherwise overbearing height and scale of this building. The top floor would be treated in a different and contrasting material comprising vertically hung slate, which reflects the flank walls of two houses on the St. Georges terrace.

New Build – The properties intentionally seek to provide a contemporary approach, but in a traditional way. The elevations comprise mixtures of brick, render or timber cladding and grey roofing tiles. Window openings are designed to present deep reveals, oriel openings and windows sited on the corners of the buildings which assist to ‘turn the corner’ and help to provide natural surveillance to the streets. This approach also assists in Eco-Homes ratings through the use gain of natural light, thus reducing the demand of energy use.

The streets within the scheme would be delineated and would incorporate different surfacing material in the courtyards to the main turning head. This approach seeks to demonstrate defensible space thus adopting an architectural approach to safety and security, rather than through the adoption of a gated community.

It is considered that the scheme would be a step change from the current development within the site and one that has been a stigma for many years. The design is considered to be well conceived and would provide a high quality design solution to this site. In view of this it is considered that the development would comply with UDP Policies H2/1 – The Form of New Residential Development and H2/2 – The Layout of New Residential Development.

Proposed properties fronting Derby Street have been amended to incorporate windows to bedrooms in the flank elevation to have an aspect along Derby Street, with landing windows to the front elevation on the northern half of the row and high level windows only in the main front elevation. All these measures ensure that overlooking and privacy of St Mary's Court would be maintained. The southerly half of this row does not have a direct aspect to St Mary's Court nor face any habitable room windows. The separation distances between this block and St Mary's Court would be 17m. As the height of the development would be similar when comparing the two blocks and that no main habitable room windows would face each other, a normal aspect distance of 13m would be sought. It is considered that this relationship is therefore acceptable.

Aspect distance between proposed blocks centrally located within the scheme and the rear of Derby Road would maintain 20m separation, which is a tested standard approach adopted by the Council when assessing new residential developments. Considering that there would be significant difference in levels between these properties, this topography would enhance privacy.

The relationship of the rear of 32 and 32 Church Lane would be drastically improved. The scheme seeks to remove an existing 3 storey building sited close to the rear of these properties by a single storey aspect to 30 and 32 Church Lane. This would be achieved through the remodelling of the land and to set the new properties into the banking, with lower ground floors well below the level of 30 and 32 Church Lane.

Traffic Considerations – The connection road originally shown on the plans was considered to be an inappropriate design in terms of highway traffic flows as there would be a greater opportunity to add to traffic using a non-signalised junction of Church Lane with Bury New Road. The retention of the severed highway design would ensure that traffic movements would be provided by junctions to the north of the site such as on Chester Street, where permeability would provide greater opportunities for traffic dispersal.

The proposed turning facility within the scheme would ensure that larger vehicles such as refuse wagons would still manoeuvre effectively and safely. Each of the properties has parking provision and there are also a number of additional parking spaces for visitors. The scheme Proposes 44 spaces for the development of 37 dwellings (new build and refurbished block). This equates to a provision of 122%, which in this highly sustainable location close to the main road and quality bus corridor is considered to be appropriate. The development would therefore comply with UDP Policy HT2/4 – Car Parking within New Development.

The retained turning head from Church Lane would be re-surfaced in either setts, cobbles or other appropriate material to soften the relationship of the development to the Conservation Area and also to enhance the setting of the Listed The Church Inn. The geometry of this turning head would be reduced slightly by approximately 1.0m to ensure that it still functions for delivery drays and refuse vehicles.

Furthermore, as the scheme would in fact reduce the density of development on this site and given the scale of the scheme, the development would not be subject to transport assessment requirements.

Conservation Area – This development is not within the St Mary's Conservation Area but does have an important relationship to it. The connection of this site to the Conservation Area would be enhanced as described above and as reflected within the accompanying Design and Access Statement, has indicated appropriate materials for such a relationship. The key consideration of development within or affecting the views to or from a Conservation Area is enhancement or preservation of the historic area. This is reflect both in PPG15 Planning and the Historic Environment and UDP Policies EN2/2 - Conservation Area Control and EN1/1 - Visual Amenity. The scheme has incorporated sympathetic materials in the retained block and seeks to improve the setting of the listed public house and approach to and from the Conservation Area. It is considered that the development would both preserve and enhance the Conservation Area and thus would comply with the UDP Policies EN2/2 - Conservation Area Control.

Public Right of Way – There is a definitive Public Right of Way that crosses the site, running from the side of the listed public house, along the front of the retained block and through onto Church Drive. The scheme has been advertised for affecting a Public Right of Way. The scheme has also been amended to ensure that the right of way remains useable, safe and close to its original line.

Refuse – The scheme incorporates both access to the site and provision of waste facilities including waste recycling and normal waste provision. No objections have been received from the Cleansing Division on the scheme.

Archaeology – The scheme is accompanied with an Archaeological assessment. The application site may contain archaeological potential for Prehistoric or Romano British activity and in the vicinity of the hut on the opposite corner to the listed public house, there

is historic potential for a coaching house. In view of this, any grant of planning permission should include a planning condition to reflect the recommendations of the report and ensure a watching brief is carried out during site clearance works. Response to Objections – The main concerns raised by objectors centre upon the connecting road from Church Lane through to Church Drive. This has now been removed from the scheme and neighbours and objectors have been notified. Aspects Materials – the granting of planning permission would include a condition to require all materials to be used in the external faces of the development to be approved by the Local Planning Authority. Such measures would ensure that the best quality materials are secured for the site.

Affordable Housing - A scheme that normally proposes 25 dwellings or more should comply with the Council's Planning Policy for affordable housing. However, as this scheme would not provide any net increases of dwellings, the planning policy would not apply in this instance. It is understood that the scheme will provide affordable housing within the retained and refurbished block through contractual agreement with the developer but this is not a planning policy requirement.

Per Cent For Art - A scheme that normally proposes 25 dwellings or more should comply with the Council's Planning Policy Per Cent for Art. However, as this scheme would not provide any net increases of dwellings, the planning policy would not apply in this instance. However, the scheme does propose to resurface the turning head from Church Lane in a material more appropriate to the Conservation Area such as setts, which recognises the inter-relationship of the site with this sensitive area.

Recreational Provision - A scheme that normally proposes 10 dwellings or more should comply with the Council's Planning Policy for recreational provision. However, as this scheme would not provide any net increases of dwellings, the planning policy would not apply in this instance.

Impact upon Trees - The scheme does propose the removal of three trees within the site, which are in poor structural condition. The removal of the trees would have no detrimental impact upon the Conservation Area nor the perception of the site as a whole. Following consultation with the Council's Landscape Officer, their removal is further agreed. Any grant of planning permission should include tree protective measures for those trees that would remain on site.

Compulsorily Purchased Land - There are objections relating to land that was compulsorily purchased for social housing in the past and they consider that under the Crichel Downs Rules, this land should first be offered back to original owners. However, Bury Legal Services have confirmed that there is a 25 year time limit that applies in law and this time limit has expired some years ago and therefore does not apply.

Updated Issues Since 27th February Committee

Aspect Distances to Carmona Drive – The scheme maintains the newly inserted windows in the side gable of the retained block. The applicant considers that these windows are necessary to provide natural surveillance to the parking area to the side of the retained block and the rear of the Carmona Drive properties. The aspect distance from this elevation to properties on Carmona Drive would be some 35m, which is in excess of the distance of some 27m (taking into account the difference in levels) that would normally be sought in this situation.

Aspect Distances and Proximity to Rear of 20/22 Church Drive - The end property to the rear of 20/22 Church Lane has been changed to a bungalow. This effectively would ensure that the rear of 20 and 22 Church Lane would have a much improved relationship from their rear aspect.

Security, Design and Rear Accessway - The scheme maintains that no access path should be created connecting Derby Street to the area of the turning head next to the Church Inn.

Greater Manchester Police Architectural Liaison Officer has been consulted on the proposals and has confirmed that it is essential for the security of the proposed scheme and existing houses that the alleyway is closed off at its furthest end from Derby Street and not continued in any way towards the Church Inn. This should be done by fencing or walling. They go on to say that they would also like to see the Derby Street end closed off with a lockable gate with those who need access to the cobbled access way to have keys. Finally, the Police state that should the accessway be continued from Derby Street towards the Church Inn, this would provide opportunities for additional escape routes to criminals, increasing the likelihood of dwellings backing onto the alleyway being attacked.

The inclusion of an alleyway is not supported by the Police and they also consider that a lockable gate should be provided at the Derby Street end. This could be carried out separately to the proposals and there are legal private matters of rights of access to consider that the applicant cannot control. As such, it is considered that the scheme as shown would be the most appropriate method of dealing with the site.

Other Issues Raised by Objectors - The applicants have provided a supporting statement to cover other issues raised by the residents surrounding the site.

Traffic impacts upon Church Drive, the development would lead to a reduction of units on the site overall and the scale of the development would not trigger the need for detailed traffic impact assessment. This view is supported by the Local Planning Authority.

Relationship to the Conservation Area, they applicants consider that their scheme has appropriately considered the relationship of the scheme to the Conservation Area and in terms of design solutions, materials have been chosen for the retained block that would sit comfortably with the Conservation Area and the change of the house type to a single storey bungalow would provide a change in scale of building to the rear of St George's Terrace in effect acknowledging the older terraced property from the new. This view is supported by the Local Planning Authority.

Summary of reasons for Recommendation

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

The development and the amended plans would ensure the appropriate redevelopment of the site and appropriate relationship with extant properties and the St Mary's Conservation Area. The development would comply with Unitary Development Plan Policies and there are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 1580/G/1-/01 rev A, SSL:8323:100:1:2:BLG rev 1, SSL:8323:100:2:2:BLG, SSL:8323:200:1:1, G/22/09 N1(21), G/22/10, G/25/30 rev A, G25/31, 1580/G/1/02, G/22/01, 02, 03 rev D, 05, 06, 07, 08, 11; G/25/01, 02, 03, 05, 07, 08; G/25/10, 20 rev a, 21, 22, 23, 24 rev C, 35 rev A, 36; Gifford Archaeological Assessment Report; Design and Access Statement December 2006 and January Addendum 2007, Bartlett Tree Survey Report; Envirotech Bat Report and Capita Symonds Report 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. No demolition shall take place unless and until a methodology for further bats surveys of the buildings to be demolished and refurbished has been submitted to and approved in writing by the Local Planning Authority. The demolition works and refurbishment proposals shall be carried out in accordance with the approved details only.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Planning Policy Statement 9: Biodiversity and Geological Conservation.

5. 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.

6. Following the provisions of Condition 5 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.

7. 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.

8. 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.

9. Prior to the clearance of the site a scoping report for the methodology for the investigation of potential archaeological remains within the site shall be submitted to and approved in writing, by the Local Planning Authority. The scoping report shall include the methodology of a watching brief. The clearance of the site shall be carried out in accordance with the approved methodology unless otherwise approved in writing.

Reason. To make a record of buildings and features of archaeological interest and to comply with legislative requirements pursuant to policies EN3/1 – Impact of Development on Archaeological Sites, EN3/2 – Development Affecting Archaeological Sites of the Bury Unitary Development Plan.

10. The car parking indicated on the approved plans G/1-/03 rev C 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.

11. A landscaping scheme including hard landscaping shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development, excluding the demolition of the buildings. It shall be implemented not later than 12 months from the date the building(s) is 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.

12. A street lighting 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 prior to the building(s) is first occupied.

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.

13. No trees, unless indicated otherwise on the approved plans and accompanying Bartlett Tree Report, shall be felled, lopped or topped before or during the construction period without the previous written consent of the Local Planning Authority.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
14. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:2005 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
15. The turning facilities indicated on the approved plans shall be provided before the development is first occupied and shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to UDP Policy H2/2 - The Layout of New Residential Development.
16. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction unless otherwise agreed in writing by the Local Planning Authority.
Reason - To ensure that the adopted highways are kept free of deposited material from the ground works operations.
17. No development shall commence unless and until a detailed front elevation of the Type N1 house type forming part of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details only.
Reason - To secure the satisfactory development of the site and pursuant to UDP Policy H2/2 - The Layout of New Residential Properties and H2/1 – The Form of New Residential Development.

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

Ward: Radcliffe - East

Item 08

Applicant: Mr M Kelly

Location: WHITTAKER STREET COUNCIL OFFICES, 7 WHITTAKER STREET, RADCLIFFE, M26 2DT

Proposal: BANNER ADVERTISEMENTS 4.9M X 1M FOR COUNCIL INFORMATION (NON ILLUMINATED) OVERLOOKING CAR PARK

Application Ref: 47717/Reg 3 Council's Own Development **Target Date:** 24/04/2007

Recommendation: Approve with Conditions

Description

The proposal is for the display of a banner on the Whittaker Street Council Officers overlooking the main car park. The banner is 5m wide by 1m deep and will be used to advertise and promote events and achievements of the Council. The banner will be unilluminated.

Relevant Planning History

None

Publicity

A site notice was placed on the 1st March, a press notice published on the 8th March and immediate neighbours have been notified. The last date for comments to be received is the 22nd March and any additional comments will be presented in the Planning Control Committee Supplementary Report.

Top date one letter of objection has been received from 27 Beckenham Close, Bury and this can be summarised as follows:

- the Council should not be promoting its achievements
- it should find better use for its resources
- the banners will deface public buildings

Consultations

Highways Team - no objections to the proposal.

Unitary Development Plan and Policies

EN1/9 Advertisements

Issues and Analysis

All advertisements are looked at in terms of the impact on amenity and public safety.

Amenity - the banner is relatively small in scale compared with the massing of the Whittaker Street Council Building as a whole. The banner has been positioned so as to fit in with the main architectural features of the building and as such it will not impact adversely upon the character of the building. The site overlooks the car park and would not appear to be out of place or contrary to the amenity of the area. Consequently, the proposals conform with Unitary Development Plan Policy EN1/9 - Advertisements.

Public safety - the banner is located in a position where it cannot be readily seen from any highway and as such will not hazard the interpretation of any highway or traffic signs. They are to be securely affixed to the building and as such should not be a hazard to public safety. Consequently, the proposals conform with Unitary Development Plan Policy EN1/9 - Advertisements.

Objection - the necessity of the banners and activities promotes and as to whether or not the Council should its activities is not a material consideration with regard to the application and as such do not affect the recommendation. The issues of amenity and public safety have been dealt with in the main report and as such the concerns raised in the objection letter are not sufficient to warrant refusal of the application.

Summary of reasons for Recommendation

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

The proposed banner is judged not to adversely affect the visual amenities of the area nor highway safety.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

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

Ward: Radcliffe - North

Item 09

Applicant: EL NINO

Location: KEYSTONE COTTAGE, TAYLORS LANE, RADCLIFFE, BL2 6QS

Proposal: ROOF OVER EXISTING MENAGE AMERICAN STABLES HAY / STRAW
MACHINERY BUILDING BLOCK 4 STABLES INCORPORATING PASSING PLACE
ON TAYLORS LANE

Application Ref: 47237/Full

Target Date: 10/04/2007

Recommendation: Approve with Conditions

Description

Keystones Cottage is currently accessed by either Taylors Lane or Ainsworth Lane, which are both single track, unadopted access roads. The site is in use as a cattery and stables, which provide activities for disadvantaged children, with no more than 6 present at any one time. There are several buildings on site, which consist of a cattery building, located adjacent to Taylors Lane; a stable block for four horses, located parallel to the cattery; a building, containing animals, which is located immediately adjacent to the rear curtilage of Taylors Lane Farm; a small riding ring, located to the south of the building containing animals and an outdoor riding arena, located to immediately to the south of Nos 5, 7 & 9 Taylors Lane.

The applicant seeks consent for the formation of a passing place on Taylors Lane; the erection of a stable block for four horses on the site of the building, containing animals; stables for 14 horses on the site of the existing stable block; a roof over the outdoor riding arena and the erection of a storage building for hay and machinery in between the covered riding arena and the proposed stable block for four horses.

Relevant Planning History

34020 – Erection of detached stable block, hay store/tack room & formation of outdoor all weather equestrian paddock and ménage. New access road (outline). Refused 11 June 1998

40465 – Erection of cover over existing horse riding arena at Keystone Cottage, Taylors Lane, Radcliffe. Refused 28 March 2003

41327 – Erection of cover over existing horse riding arena at Keystone Cottage, Taylors Lane. Radcliffe. Refused 6 December 2003

46674 – Roof over existing ménage; American stables, hay/straw machinery building; block of four stables. Withdrawn 14 September 2006

Publicity

The neighbours were notified by means of a letter. Site notices were posted on Bury New Road and Taylors Lane and a press notice was posted. 10 letters have been received from Ainsworth Community Association and Plumb Tree Residential Care Home, Smithfold Farm, Taylors Lane Farm, Weavers Cottage, 9 & 25 Taylors Lane, Ainsworth, 17 Masefield Road, Little Lever and 41 Bury New Road, Brightmet, which have raised the following issues:

- The access road, Taylors Lane, is not suitable as a principle means of access to the proposed commercial development.

- The proposed development is inappropriate development within the green belt
- There are no services to this site
- The proposed passing place makes no difference to the original application which was withdrawn
- The proposed straw barn is a potential fire hazard as it would be situated to the rear of an oil tank
- No car parking is available for this development.
- A traffic survey states that Taylors Lane and Ainsworth Hall Road are unable to sustain an increase in traffic and the junctions of Taylors Lane, Ainsworth Hall Road with Bury New Road are hazardous in the extreme.

Consultations

Drainage Section – No objections to the proposed development

Highways – No objections, subject to the inclusion of conditions in relation to access to the site.

Environmental Services – No objections, subject to the inclusion of conditions relating to contaminated land

GM Police Architectural Liaison – No comments

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN7/2	Noise Pollution
OL1	Green Belt
OL1/2	New Buildings in the Green Belt
OL4/7	Development Involving Horses
RT1/2	Improvement of Recreation Facilities
RT3/2	Additional Provision for Recreation in the Countryside
HT2	Highway Network
HT2/3	Improvements to Other Roads
HT4	New Development
SPD10	Planning for Equestrian Development

Issues and Analysis

Principle

The proposed development involves the erection of a roof over the existing riding arena, a building for the storage of hay, and two stable blocks on land at Keystone Cottage, which is located within the green belt. Policy OL1/2 states that the construction of new buildings in the green belt will be considered as inappropriate development unless it is required for forestry or agricultural purposes; would provide essential facilities for outdoor sport and recreation or limited extensions and alterations to existing dwellings.

Whilst Policy OL1/2 requires that new buildings within the green belt should be restricted to those needed for the purposes of agriculture or forestry, it also provides scope for other uses which are considered to be appropriate to the green belt. The re-use of existing buildings is preferred to the erection of new buildings. However, a new building within the green belt may be considered acceptable if it is appropriate in scale and does not detract from the openness of the green belt.

Whilst PPG 2 establishes a presumption against inappropriate development, including new buildings, within the green belt there are several exemptions, including development

required for essential facilities for outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the green belt and do not conflict with the purposes of including land within it.

Policy RT1/2 states that the Council will give favourable consideration to proposals for the appropriate improvement of existing recreational land and facilities.

Policy RT3/2 states that the Council will encourage the recreational use of the countryside, providing the proposals would not have a detrimental impact upon the environment or features of ecological importance, would not result in an unacceptable increase in traffic in the area or adversely affect the amenity of local residents.

There is a concern that the proposed development would be inappropriate within the green belt. However, it is considered that the proposal would not have a significant impact upon the openness of the green belt and would result in an improvement in the recreational facilities offered by the charity El Nino, who care for and work with vulnerable and disadvantaged children in the local community. The proposed development would not have any adverse impact upon any features of ecological importance. Therefore, due to the nature of the work of the charity, it is considered that special circumstances exist and that the proposal would not have a significant impact upon the openness of the green belt. Therefore, it is considered that the proposed development is in accordance with Policies OL1/2, RT1/2 and RT3/2 of the adopted Unitary Development Plan and government guidance in the form of PPG 2.

Design and impact upon surrounding area

The proposed development consists of the erection of a block of four stables; the erection of a block of 10 stables, incorporating the existing block of four stables; the erection of a building for the storage of hay and machinery and the erection of a roof over the existing outdoor riding arena. DCPGN10 states that in general terms, applications for three to four stables and one storage area would be considered acceptable subject to detail. However, it is considered that as the proposed stables would provide accommodation for existing horses on site and the special circumstances of the proposed development, which include improving established recreational facilities by a charity working with disadvantaged children within the community, merit the provision of 14 extra stables. Therefore, it is considered that the proposed development would not conflict with the aims of DCPGN10.

All of the proposed buildings would be located in or around the existing cluster of buildings on the site and therefore, would not have a significant detrimental impact upon the openness of the green belt. The proposed development would be constructed of timber boarding, which is considered to be appropriate within the locality. All of the buildings are single storey and have been designed so as to minimise the impact upon the openness of the green belt and the neighbouring residents.

The applicant has submitted amended plans for the riding arena, which show the southern and eastern elevations to be open. The proposed cover for the riding arena would enable the facility to be used all year round, whilst reducing the potential for overlooking into the rear curtilage of the occupiers of 5, 7 and 9 Taylors Lane. As the proposed cover to the outdoor riding arena would be open on two elevations, it is considered that the proposed development would not have a significant impact upon the openness of the green belt. Therefore, the proposed development is considered to be appropriate and is in accordance with Policy OL1/4 of the adopted Unitary Development Plan.

Neighbour Amenities

The proposed block of four stables would be located in close proximity to the rear boundary of Taylors Lane Farm. However, there is an existing building in this location, which is used to house animals and is open at the front and sides. It is considered that the proposed development would not have a greater impact upon the amenity of the adjacent residents,

as the proposed building would be approximately the same size, but would be more enclosed, therefore reducing any noise to the neighbouring residents. The proposed stable block would be approximately 16 metres away from the dwelling and therefore would not have a significant adverse impact on residential amenity. Therefore, the proposed development is considered to be in accordance with Policy EN7/2 of the adopted Unitary Development Plan and the aspect standards set out in DCPGN6.

Highway issues

The proposed development would not increase the number of horses at the site and therefore, there would not be a substantial increase in the number of vehicles accessing the site. An objection has been received, stating that the existing access to the property, via an unadopted single track road, is not suitable for use by a commercial premise. However, the nature of the activities on the site, dictate that there can not be any more than six children on site at any one time and it is considered that the access road would accommodate the increase in traffic, without being detrimental to highway safety. A passing place on Taylor's Lane would be provided as part of the proposal, which would reduce the need for vehicles to reduce long distances and the proposed development would not be detrimental to highway safety. As there would only be six children on site at any one time, the proposed parking arrangements are considered adequate for the proposal. The highways section has no objections to the proposal, subject to the provision of a passing place on Taylors Lane. Therefore, the proposed development is considered to be in accordance with Policies HT2/3 and HT4 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 not have a significant impact upon the openness of the green belt and special circumstances exist to warrant the development. The proposed development would improve existing recreational facilities and would not look out of place within the locality, subject to conditional control. The proposed development would not have a detrimental impact upon the amenity of neighbouring residents nor on highway safety. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings received on 9 January 2007 as modified by the letters dated 22 February 2007 & 12 March 2007. The development shall not be carried out except in accordance with the details hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
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. 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.

5. If during any works on site, contamination is suspected or found, or contamination is caused, the Local Planning Authority shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales to the approval of the Local Planning Authority.

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

6. 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 building(s) is 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.

7. The stables, associated buildings and cover to the menage hereby approved shall be removed from site to the written satisfaction of the Local planning Authority within 12 months of it ceasing operation.

Reason: In the interests of the visual amenity pursuant to Policies H3/1 – Assessing Non-Conforming Uses and OL1/2 – New Buildings in the Green Belt of the Bury Unitary Development Plan.

8. No development approved by this permission shall be commenced until, a scheme for the containment and storage of manure, has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed, in accordance with approved plans.

Reason: To prevent the pollution of the environment pursuant to Policies H3/1 – Assessing Non-Conforming Uses and OL1/2 – New Buildings in the Green Belt of the Bury Unitary Development Plan.

9. The development hereby approved shall not be brought into use unless and until the proposed passing place indicated on the approved plans and appropriate signing on Taylors Lane has been implemented to the written satisfaction of the Local Planning Authority.

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

Applicant: Daly International (UK) Ltd

Location: THE FRIGATE, THATCH LEACH LANE, WHITEFIELD, M45 6FW

Proposal: PRIOR APPROVAL - ERECTION OF 15M MONOPOLE, 6 NO. ANTENNAE AND 2 NO. TRANSMISSION DISHES AND 3 NO. EQUIPMENT CABINS

Application Ref: 47579/Telecom
Determination (56 Days)

Target Date: 29/03/2007

Recommendation: Prior Approval Required and Granted

Description

The site for the proposed installation is within a sizeable plot of spare land situated to the rear of the Frigate Public House. The nearest highway frontage is Sandgate Road about 25m to the east. To the south of the land is the M60 motorway that is in a cutting. The area is predominantly residential and the nearest houses are about 60m to the west in Conisborough Place and a similar distance away to the east in Derwent Close.

The land already includes an existing telecoms monopole mast situated to the south of the intended installation and set close to the motorway boundary on a higher part of the site.

The proposal is to install a 15m high monopole which would support six antennae and two 600mm diameter transmission. There would be a 1.64m high equipment cabinet and the installation would be sited within a 5m square compound bounded by 1.8m high palisade fencing. For comparison the existing monopole is 17m high and sited on land about 1m above the level of the proposal.

The application is supported by a technical justification in regard to need for signal coverage, an account of the site selection process, a design and access statement and an ICNIRP declaration of conformity.

Relevant Planning History

33018/97 - Prior approval determination for siting of telecommunications pole with antennas, equipment cabin, meter cabin compound and access track. Prior approval not required. Decision made on 7th April 1997.

Publicity

72 properties were notified and a site notice was displayed. Three letters have been received from residents in Oakbank Close, Thatch Leach Lane and Oak Lane.

The Oakbank Close and Thatch Leach Lane residents have objected expressing the following concerns:

- More antennae would be detrimental to the area given that this would be an addition to the existing one.
- The installation could have a knock on effect when selling the objectors property.
- These things are normally a eye sore and can sometimes affect your health.

The Oak Lane resident is concerned that the entrance to the existing mast has a gravel surface and vandals throw the gravel at traffic, including the motorway and his house.

Consultations

Highways Team - No objections

Environmental Services - Point out the need for an ICNIRP Guidelines compliance certificate which has been submitted.

Unitary Development Plan and Policies

EN1/10 Telecommunications

Issues and Analysis

Visual Appearance - The proposed installation is of the monopole type now regularly being utilised within urban areas. In this instance it would be sited close to a similar installation and within an area where there are already other prominent structures in evidence including a motorway CCTV camera installation and a large electricity pylon.

The site is not immediately close to dwellings and the monopole would not be an overdominant feature as viewed from the nearest house elevations about 60m way. From the rear of houses in Conisborough Place it would be partly obscured by trees. From the rear of houses in Derwent Close the view would partly shielded by Sandgate Road which is on an embankment. From Thatch Leach Lane and Oak Bank Close the view would either be partly blocked by The Frigate public house or the structure would be seen within the visual clutter of the existing monopole, lighting columns, CCTV unit and electricity pylon that occur around the motorway.

The monopole would be set back about 25m in from the nearest highway frontage in Sandgate Road and the overall impact on the street scene would not be significant.

Technical Justification: The submitted supporting statement demonstrates the need to achieve through the installation a high level of 2G coverage with a high level of service within commercial and residential indoor areas. The document also includes an account of the site selection process with eight other sites having been considered and not chosen with reasons given.

Health Concerns: The submitted ICNIRP Declaration covers the issue of health concerns as is stated within PPG8 that "If a proposed mobile phone base station meets the ICNIRP guidelines for public exposure, it should not be necessary for a local planning authority, in processing an application, to consider further the health aspects and concerns about them"

The Objections: The concerns of two local residents include visual amenity and impact on health which are covered above. The possible impact on the salability of a property cannot be taken into account as it is not a material planning consideration. The concern of the other resident about loose gravel on the existing installation being used as missiles is understandable. However, but this is not of significant relevance to the determining of this application.

Summary of reasons for Recommendation

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

The installation would not have a significantly detrimental impact on the outlook from nearby residential properties or on the visual amenities of the area on general. Health and technical justification concerns are adequately covered by the submitted ICNIRP declaration of conformity and the supporting statement.

There are no other material considerations that outweigh this finding.

Recommendation: Prior Approval Required and Granted

Conditions/ Reasons

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

