

Ward: Bury East

Item 01

Applicant: Mr Q H Shah

Location: 104 ROCHDALE ROAD, BURY, BL9 7AY

Proposal: CHANGE OF USE TO SHOP (CLASS A1) WITH FLAT ABOVE; SINGLE AND TWO STOREY EXTENSION AT REAR; NEW SHOP FRONT

Application Ref: 48172/Full

Target Date: 09/08/2007

Recommendation: Approve with Conditions

Description

The site is an empty residential property at the end of a row of mixed commercial properties. It is within a Secondary Shopping Area of Bury Town Centre of the Bury UDP. To the east is Iceland/Leisure Lakes. To the south across the 'dead-end' cobbled back street is a light industrial unit whose car parking/service area is directly behind the site.

The proposal is to change the use of the property to Class A1 (retail) with flat above together with a new shop front; single and two storey extensions at the rear that completely cover the rear yard area. The proposed opening hours for the shop are 08:00hrs to 20:00hrs Monday to Saturday and 10:00hrs to 16:00hrs on Sunday.

It was noted on the case officers site visit that some building work has already taken place. However, this is in the process of being removed by the Building Control Section as it is unauthorised and does not meet the constructional requirements of the current Building Regulations.

Relevant Planning History

23694 – Change of Use of ground floor from residential to shop and new shop front – Approved Conditionally 11th January 1990

24920 – New shop front & two storey extension – Approved Conditionally 4th October 1990

Publicity

29 immediate neighbours were written to on the 20th June 2007. An e-mail of objection has been received from 99-101 Rochdale Road, which has raised the following issue:

- There is not sufficient parking at present and the addition of another shop will cause further problems.

Consultations

Highways Team – No objection subject to condition

Environmental Health – No objection subject to condition

Policy Team – No objection

Unitary Development Plan and Policies

S2/1 All New Retail Proposals: Assessment Criteria

S2/3 Secondary Shopping Areas and Frontages

EN1/2 Townscape and Built Design

EN1/8 Shop Fronts

HT2/4 Car Parking and New Development

Area Rochdale Road/Lord Street/York Street

BY10

Issues and Analysis

Principle - The site is within an area allocated for shopping in the Bury UDP and the site has had a previous application for change of use to retail that was been approved in 1990 (see history above). As such the principle of the proposed use as Class A1 (Retail) with residential above is acceptable pursuant to Bury UDP Policy S2/1 – All New Retail Proposal: Assessment Criteria. Therefore the main considerations of this application are the impact of the proposal on highway safety, visual and residential amenity.

Highway Safety – As there is no on-street parking at the front of the property the only vehicular parking to the site is on Back Mason Street at the rear. The proposal is to cover the whole of the yard area at the rear. This is not unlike many other properties on the row whose rear yard areas are surrounded by a typical high yard wall. A purpose built bin storage area is shown on the plans accessed from Back Mason Street. Therefore the change of use of this one property at the top of the 'dead-end' backstreet in this commercial area is not going to significantly alter or add to the existing servicing/parking situation. As such the proposal is considered to conform to Bury UDP Policy HT2/4 – Car Parking and New Development.

Visual Amenity – The scale, massing and design of the proposed extensions are considered to be acceptable in this commercial area given the size and position of the adjacent properties. As such the proposal conforms to Bury UDP Policies EN1/2 - Townscape and Built Design and S2/3-Secondary Shopping Areas and Frontages.

The new shop front retains the existing front door as the access point to the first floor accommodation with a new shop window and door adjacent. The shop door has level access and the style of the shop window is typical for in a terrace row of commercial properties. As such the proposal conforms to Bury UDP Policy EN1/8-Shop Fronts.

Residential Amenity – The nearest residential accommodation is above 100 Rochdale Road (next door but 1) therefore the position of the extension is within the guidelines for separation distances to relevant habitable windows as adopted in Development Control Policy Guidance Note 6 – Alterations and Extensions to Residential Properties. The position of the first floor window on the side elevation of the two storey extension faces the wall of the covered stair way at the rear of 102 Rochdale Road and not across the rear areas of the adjacent properties therefore there is no effect on the privacy of the adjacent properties.

The applicant has the proposed hours of opening to be 08:00hrs to 20:00hrs Monday to Saturday and 10:00hrs to 16:00hrs on Sunday but for a Class A1 (Retail) property within a Secondary Shopping area and it is not considered necessary for an hours of opening condition to be imposed.

Given the above the proposal is considered acceptable in terms of effect on Residential Amenity and conforms to Bury UDP Policy S2/3-Secondary Shopping Areas and Frontages

Comments on Representations – The objector's property is across the road from the site. As the shops on both sides of Rochdale Road in this area have parking restrictions at the front there is an existing situation where customers arriving in cars for all the surrounding shops have to park away from the premises they are visiting. As analysed under Highways Safety above the change of use of this one property within a Secondary Shopping Area of Bury Town Centre that has in excess of 40 other commercial properties is not going to significantly exacerbate the existing situation.

Summary of reasons for Recommendation

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

Having studied the submitted documents, assessed the proposed development on site and

taken into account any representations and consultation responses, in particular Bury UDP Policies S2/1-All New Retail Proposals: Assessment Criteria; S2/3-Secondary Shopping Areas and Frontages; EN1/2-Townscape and Built Design; EN1/8-Shop Fronts and HT2/4-Car Parking and New Development it is considered that the proposed development would not effect the character of the area nor cause harm to the occupiers of the adjacent shops and residential properties. It would not cause demonstrable harm to other interests of acknowledged importance.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings received on 11th July 2007 as modified by the e-mail from peterdext@aol.com dated 9th July 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 Bury UDP Policy EN1/2 - Townscape and Built Design.
3. The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The foundations of the proposed extension shall not encroach under the adjacent adopted highway.
Reason. To ensure good highway design and to maintain the integrity of the adopted highway.
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.

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

Ward: Bury East

Item 02

Applicant: Mr Stephen Wright

Location: 8 BELL LANE, BURY, BL9 6AR

Proposal: VARIATION OF CONDITION NO. 3 OF PLANNING PERMISSION 45221 TO AMEND OPENING HOURS FROM 09:00 HRS - 18:00 HRS MON - FRI & 09:00 HRS - 13:00 HRS ON SAT TO 11:30 HRS - 22:55 HRS MON - SAT & 13:00 HRS - 22:55 HRS ON SUN

Application Ref: 48315/Full

Target Date: 17/08/2007

Recommendation: Approve with Conditions

Description

The site is an existing shop unit within a row of 4 shops and the Old Blue Bell Public House at the start of Bell Lane. At the eastern side of the row is Carlton Carpets with a small car park and on the opposite side of Bell Lane is a car sales area. The area in general is mainly commercial although there is residential above one of the shops in the row and the public house. There are some houses on Wash Lane but the nearest property is over 50m away.

Change of use of the site to a hot food takeaway was approved under 45221 with opening hours of 09:00hrs - 18:00hrs Monday - Friday and 09:00hrs - 13:00hrs on Saturday. This application is to vary the opening hours to 11:30hrs – 22:55hrs Monday – Saturday and 13:00hrs – 22:55hrs on Sunday. Opening times beyond 11.00pm would require a license.

Relevant Planning History

45221 – Change of use to sandwich shop (with hot food) (Class A5) – Approved Conditionally 24th November 2005

Publicity

7 immediate neighbours were written to on the 26th June 2007. No letters of representation have been received to date.

Consultations

Highways Team – Comments awaited

Drainage Team – No objection

Environmental Health – No objection

Unitary Development Plan and Policies

S1/5 Neighbourhood Centres and Local Shops

S2/6 Food and Drink

Issues and Analysis

The principle of the use has been previously agreed so the main consideration for the proposed change in opening hours is the effect on the residential amenity for the adjacent residential accommodation.

Residential Amenity - The site is located in a commercial context on a busy, well trafficked main road leading to the centre of Bury. There is noise created by customers coming and going to and from the adjacent public house until late in the evening and potentially in relation to other nearby hot food takeaways as well as traffic noise. As a result, noise levels are higher than in a predominantly residential area. In this context it is considered

that the proposed hours of use would not result in any significant additional noise or disturbance to the occupants of nearby residential property.

Summary of reasons for Recommendation

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

Having assessed the proposed development on site and taken into account any and all representations and consultation responses; it is considered that the proposed alteration to the opening hours is acceptable because it would not cause demonstrable harm to the residential amenity of the adjacent residential accommodation.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason: Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. The shop shall not be open outside 11:30hrs – 22:55hrs Monday to Saturday and 13:00hrs – 22:55hrs on Saturday.
Reason: To safeguard the amenities of the occupiers of nearby residential accommodation and 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 **Janet Ingham** on **0161 253 5325**

Ward: Bury East - Redvales

Item 03

Applicant: Hussamy Investments Ltd

Location: LAND NORTH OF EXPERT LOGISTICS WAREHOUSE, BURY ROAD, RADCLIFFE

Proposal: PROPOSED CAR PARK (207 SPACES) WITH SECURITY FENCING AND LANDSCAPING

Application Ref: 47949/Full

Target Date: 05/07/2007

Recommendation: Minded to Approve

The application is Minded to Approve subject to an agreement being entered into for a commuted sum payment to adequately fund the cost of replacement recreational playing facilities in order to mitigate the loss of the Protected Recreational Land as designated under Policy RT1/1 of the Unitary Development Plan.

Description

The application area concerns land to the north of Expert Logistics Warehouse, located off a private slip road on the east side of Bury Road, Radcliffe. The site is bounded by a private road to the west, the existing Expert Logistics warehouse to the south and the River Irwell to the east. To the north is open land which has no definitive boundary. The land is currently an overgrown field which was previously used as cricket pitch associated with the former works. A link mesh fence with concrete posts runs along southern edge of the site adjacent to the northern elevation of the warehouse.

The area falls within a Wildlife Corridor and River Valley which is covered by Policies EN6/4 and OL5/2 of the adopted Bury UDP. The site is also designated as Protected Recreational Provision under UDP Policy RT1/1, to reflect the previous use of the site as a cricket pitch, and which aims to safeguard the existing level of provision for recreation in the urban area.

The scheme involves the development of an area of open land to the north of Expert Logistics warehouse for use as a staff car park with 207 spaces. The proposal is necessary to facilitate changes to the operations of the warehouse to allow for expansion of the business, creating over 100 new jobs in the Borough. Expert Logistics is part of Iceland Foods Limited specialising in the distribution of white and brown goods. The service incorporates order processing, transportation, delivery installation and subsequent disposal of products where required. The Bury site is used for delivery operations for the whole of the U.K.

The land to be developed forms a rectangular area measuring 64m by 99m and would be enclosed by steel palisade fencing 2.4m high. The car park would be laid out in six bays of 24 spaces with landscape reservation areas at the end of each bay. Additional spaces are provided adjacent to the east and south boundary of the site. There would be provision for 10 disabled spaces. Vehicular circulation space is provided between and around each parking bay.

Vehicular access will be from the existing service road into the north west corner of the proposed car park. It would be 6.5m wide and have 1.2m wide footpaths to both sides. Access would be gated and operated manually and opened and closed at the beginning and end of the day by security personnel. A pedestrian only access in the south west corner of the site adjacent to the security gatehouse would facilitate movement for staff and visitors to the warehouse and associated offices. This would be in the form of a ramp and steps with handrails to be fitted on both sides. The ramp gradient would be 1 in 15 over 5m lengths and finished in a non slip concrete material.

Relevant Planning History

Non Applicable

Publicity

Neighbours were written to on the 17th May 2007.

A press advert was posted on 24th May 2007 in The Bury Times.

A site notice was displayed in the near vicinity on the 24th May 2007.

A letter was received from 12 Keswick Drive which raised the following issue:

- unhappy about the gates being left open all day which had previously led to travellers moving on the land behind their property. They should be maned or electronic.

Consultations

Highways team - No objections subject to a conditions being attached.

Drainage Team - No objections.

Environmental Health - No objection subject to standard conditions

Wildlife Officer - No objections subject to ecological survey.

Sport England - Initial submission of the application made no reference to any form of recreational provision although pre-application discussions indicated otherwise, which raised an objection from Sport England. Following negotiations with the applicant and his agent with regard to satisfactory provision, revised comments have been agreed with and are awaited from Sport England which will allow the application to progress.

Environment Agency - No objection subject to conditions attached.

Landscape Practice - No objection.

Unitary Development Plan and Policies

PPS1	PPS1 Delivering Sustainable Development
PPG4	PPG4 - Industrial and Commercial development
PPG17	PPG17 - Planning for Open Space, Sport and Recreation
RSS 13	Regional Spatial Strategy for the North West
EC2/1	Employment Generating Areas
OL5/2	Development in River Valleys
EN6/4	Wildlife Links and Corridors
RT1/2	Improvement of Recreation Facilities
RT1/1	Protection of Recreation Provision in the Urban Area
PPG25	PPG 25 - Development and Flood Risk

Issues and Analysis

Principle - The application site is subject to a number of key policies in the Bury Unitary Development Plan against which the principle of the proposal will be determined. These are EC2/1 -relating to employment; OL5/2 - Development in River Valleys; EN6/4 - Wildlife Links and Corridors; and RT1/1 - Protection of Recreation Provision in the Urban Area.

UDP Policy EC2/1 - Employment Generating Areas seeks to protect existing industrial areas and premises in employment uses. Specifically, the Dumers Lane EGA has been specified for Business (B1), General Industry (B2), and Warehousing (B8). The proposal falls outside the EGA. However, it is related to the existing warehouse which is within the identified employment zone and is therefore relevant to the application site. In addition, the Dumers Lane area has been identified in the Bury Employment Opportunities Study (King Sturge, 2006) as being one of the Borough's locally strategic employment sites that should continue to be a focus for economic growth. The proposed development would be of benefit to the local and wider community in Radcliffe and Bury through the creation of over 100 new jobs in the distribution sector. PPS1 - Delivering Sustainable Development states that local authorities should provide for improved productivity of existing businesses, whilst PPG4 - Industrial, Commercial Development and Small Firms states that local authorities should not place unjustifiable obstacles in the way of development which is necessary to provide homes, investment and jobs.

River Valleys - Policy OL5/2 seeks to retain the open character of river valleys by controlling

development to protect the open land and as such does not permit new building, change of use of existing buildings or change of use of land unless it meets with one of seven criteria. Criteria b ii) where "an extension to, or renewal of an existing industry, where the economic and employment factors are of overriding importance" is the relevant exception to this proposal. Given the application equates to an extension of an existing employment use which would be ancillary to the warehouse and which would generate employment to the area, it would be acceptable in principle and therefore comply with Policy OL5/2.

Ecology - Policy EN6/4 - Wildlife Links and Corridors seeks to ensure that areas within or adjacent to identified links or corridors would not be adversely affected by new development, and that where appropriate, development would contribute to their effectiveness through design, landscaping, siting and mitigation works. An Ecological Assessment of the site was undertaken on 4th July 2007 which concluded that the development would have little impact on the wildlife corridor, although the site would benefit ecologically from more tree and shrub species. In terms of mitigation for the development, it is proposed the car park should be landscaped using native species of trees and shrubs which would increase the ecological value of the site and maintain and enhance the Irwell Valley Wildlife Corridor. As such, the proposed development would comply with UDP Policy EN6/4.

Recreational allocation - The proposed site is identified as Protected Recreation in the Urban Area under UDP Policy RT1/1 - Protection of Recreation Provision in the Urban Area. This policy restricts development which would result in the loss of outdoor public or private recreation facilities. Exceptions to this policy may be permitted where i) sport and recreation facilities can be best retained and enhanced through the redevelopment of a small part of the site; ii) alternative provision of equivalent community benefit is made available or iii) it can be demonstrated that there is an excess of sports pitch provision and public open space in the area, taking account of the recreation and amenity value of such provision. PPG17 - Planning for Open Space, Sport and Recreation stresses the importance of protecting existing recreational facilities. Paragraph 15 (iii) requires the replacement of playing fields lost through a result of proposed development with playing fields of better quantity and quality and in a suitable location. The replacement site should be equivalent in size, usefulness, attractiveness and quality. Where possible there should be effort to achieve qualitative improvements to the facility. PPG17 also highlights that where facilities are under used this should not necessarily be taken as indicating absence of need - this would simply encourage private owners to prevent access to sites in sports use in the hope of redevelopment for a more profitable land use.

Sport England are a key consultee on this application whose policy states: " Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the specific circumstances applies." In this instance the proposal would affect land which is protected for recreational use and developers would normally be required to provide replacement facilities in order to satisfy Sport England.

This situation was leading to a refusal of planning permission and the loss of this employment opportunity. However the Council has liaised with Sport England and the applicant in order to consider an alternative option to upgrade existing facilities in the area. This is not always acceptable to Sport England as their policy generally requires a replacement be at least equivalent in terms of quality, size and community benefit in accordance with PPG 17. However, negotiations with the applicant, site owner and Sport England has resulted in an option to upgrade and renovate the Red Bank Playing fields in Radcliffe. A scheme of works is being drawn up by the Council to upgrade and bring back into use playing field provision at Red Bank in Radcliffe, providing two new sports pitches, together with improvements to the Bowling Club, which will be an acceptable replacement for the loss of the designated land on the application site.

We are currently awaiting written confirmation but Sport England have indicated their acceptance of this alternative arrangement.

The arrangements will be secured by contractual arrangements and the payment of a sum in the region of £200,000 which is the estimated cost of the works involved.

This arrangement will secure the additional jobs, satisfy Sport England and provide an important enhancement of the Council's recreational facilities in the area.

Appearance and Siting - The car park is low lying and seen in the context of the major commercial uses adjacent. The proposal for landscaping along the river means that the car park will not impact adversely on the amenity of the area. Its setting immediately adjacent to the operational land means that it is ideally located within the existing commercial complex.

Residential amenity - The proposed car park would be situated more than 140m from the nearest residential property and no part of the access to or from it would pass any residential property. It would therefore have no impact on amenity of local residents. The objection raised relates to the electronic security gates at the top of the private road, fronting Bury Road. These are kept open during the day but are locked at night. Whilst these gates do not form part of the application, the objection to them being open is not a material planning consideration in this case.

Flood risk - The site is within a flood risk zone but the type of development is one that can be permitted with conditions and as such the proposal will accord with PPG25.

Highways and Access - The site is served from the existing distribution road within the complex. The car park will allow the existing staff employed on the site to be adequately served and will not generate additional traffic movements. The car park has disabled spaces and a ramped access for people with ambient disabilities to access the site as a whole and as such the car park accords with UDP Policy HT2/4.

An Environmental Impact Assessment was not required as the development is minor in scale and the issues are likely to be mitigated within the scheme.

Summary of reasons for Recommendation

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

Having studied the submitted documents, assessed the proposed development on site and taken into account any and all representations and consultation responses; particularly the replacement recreational facilities, the mitigation measures to be contained in the proposed landscape scheme and the improvement to the existing employment infrastructure, it is considered that the proposed development is acceptable because it would not cause demonstrable harm to interests of acknowledged importance.

There are no other material considerations that outweigh this finding.

Recommendation: Minded to Approve

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 410-07-04 01 A; 410-07-04 02 B; 410-07-04 03 B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. 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. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan..
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. The car parking indicated on the approved plan shall be surfaced, demarcated prior to being brought into use 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.
7. No works of development shall take place until an area of land has been defined and a habitat enhancement plan produced for that land. The plans shall be for the enhancement of the Wildlife Corridor and shall be approved in writing by the local planning authority before commencement of development. The landscaping and other works identified in the plan shall then be implemented within 3 months of the completion of the works and thereafter maintained in perpetuity.
Reason: To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN6/4 – Wildlife Links and Corridors of the Bury Unitary Development Plan.
8. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and giant hogweed is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the

date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

Reason: To ensure that the site is free from Japanese Knotweed and giant hogweed in the interest of UDP Policy EN9 - Landscape

9. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from the development shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with, the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of any watercourse.

10. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason: To prevent the increased risk of flooding.

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

Ward: Bury East - Moorside

Item 04

Applicant: Oakbank Properties Ltd

Location: THE THRUSH HOTEL, THRUSH DRIVE, BURY, BL9 6JD

Proposal: RESIDENTIAL DEVELOPMENT - 8 NO. HOUSES AND 6 NO. FLATS

Application Ref: 48254/Full

Target Date: 19/09/2007

Recommendation: Approve with Conditions

Description

The application site comprises a vacant, burnt out public house and surrounding car parking, within a wider residential housing estate. The site fronts onto Thrush Drive which is a main through route to the wider estate.

To the west of the site is a pair of bungalows, which are elevated to the street by approximately 2.0m. Houses to the east of the site are similarly elevated to the street. Levels generally rise from the street, through the site to dwellings fronting Kestrel Drive at the rear of the site, where there are high conifer trees to the rear of the pub boundary.

The application is for the erection of 8 dwellings and 6 apartments. The dwellings would be arranged by 5 of the dwellings fronting onto Kestrel Drive and the remaining houses and the apartment block at the rear of the site. The site would be accessed through a new roadway running up through the central part of the site to an extended turning head arrangement.

The buildings are all shown to be contemporary in design and all would be three storeys in height.

Relevant Planning History

There is no relevant planning history for the site.

Publicity

A site notice was erected on the site on 22/6/07 and press notice on 28/6/07. Letters were sent to 39 properties on Kestrel Drive, Kingfisher Drive, Swallow Drive and as a result of this publicity, one letter has been received from 22 Kestrel Drive. The letter requests that the buildings backing onto their property should be two storey not three and they also request that the development retains the trees along the boundary.

Consultations

Traffic - Any response shall be reported.

Drainage - No objections.

Environmental Health - Contaminated Land conditions are recommended to be attached to the granting of any planning permission.

Cleansing/Waste Section - Any response shall be reported.

Environment Agency - No objections.

United Utilities - Any response shall be reported.

GM Police - No objections.

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

HT2/4 Car Parking and New Development

HT5/1	Access For Those with Special Needs
PPS9	PPS9 Biodiversity and Geological Conservation
EN1/2	Townscape and Built Design
EN8/2	Woodland and Tree Planting

Issues and Analysis

Principle - The site lies within a wider residential area and is also within the East Bury Regeneration area as identified within DCPGN 7 - Managing the Supply of Housing Land in Bury. Within such areas, new housing can be considered to be acceptable where it can be clearly be demonstrated that there would be environmental or regenerative benefits.

This site is clearly within an environment in need of significant improvement. The building itself is in a very poor state of disrepair and indeed has been fire damaged. Furthermore, there has been little interest in redevelopment proposals on this site. Given this situation it is considered that the principle of the development is acceptable.

Layout and Design - UDP Policy H2/2 – The Layout of New Residential Development provides a means of ensuring that development appropriately works in context with existing development. Issues such as car parking, density, amenity space, aspects, screening and landscaping, safety and security and access are all matters of detail to consider. The scheme has been submitted with a Design and Access Statement to support the proposals. The site layout provides a reasonable means of varied housing types on the site of varying kinds. The development proposals would provide a density of 56 dwellings per hectare, however, the scheme would produce a mix of housing types to suit varying demands. Access would utilise the best position within the site considering levels are elevated on either side of the site. The properties fronting Kestrel Drive would be double fronted in appearance to ensure that both the internal and external faces of the development are of a high quality appearance.

Amenity Space - The plots for the houses indicate that they would have generous garden provision and their aspect, size and layout is considered acceptable. The apartment block does not have any significant levels of amenity space. The building does incorporate a skirt of land around the building but not significant levels of amenity land. This is a balanced decision. The scheme has not come forward with a particularly high density of development, but instead, has provided a mix of accommodation type, whilst maintaining good levels of amenity space for the dwellings and appropriate levels of parking provision. The site has been derelict for a significant amount of time and has not proven to be a particularly popular site to develop. It is considered that the concession of amenity space for the apartments is an exceptional circumstance and the need for regeneration is by far an overriding need.

Scale - Given the varying levels around the site, the proposals show that the site would be remodelled to take account of this. This would be achieved through making the dwellings along the frontage appear to sit into the slope. This would ensure that the roof lines of the new and existing dwellings sensibly relate to each other and to make the best use of the site. Levels continue to rise further north of the site to the properties fronting Swallow Drive, by a further 2m higher than the proposed apartments. The relationship of scale between the apartments and the houses to the north would be mitigated by the levels difference and furthermore, the boundary is screened by 10m high leylandii trees, which are intended to be retained but lowered by some 3m. All these features would permit the site to relate appropriately to existing development.

Aspects - The properties along the frontage would face a public open space and as such, aspect relationships would not be an issue. Within the scheme itself, the apartment block would have main aspects looking down the new access road and would achieve a suitable aspect distance between the new properties within the scheme. Beyond the site to the north the apartment block indicates that no habitable room windows would overlook the garden areas of properties fronting Swallow Drive. A separation distance of some 21m would be provided to the properties to the west of the site and due to their orientation, there would not

be a direct relationship between properties and the new apartment block. There would be no direct relationship issues with properties to the east of the site.

Lighting - The scheme has not provided details of street lighting within the internal roadway. This can be secured through the use of a planning condition to ensure that the scheme meets aspirations of the Local Planning Authority. There would be no fundamental reason why appropriate lighting could not be provided and the Police Architectural Liaison Officer has not raised any objections to the scheme on this point.

Car Parking and Access - Each dwelling would provide parking spaces for two vehicles each. In terms of the apartment block, some 8 spaces are shown including 2 disabled parking spaces, this represents a parking ratio of 135% which meets and slightly exceeds the requirement of the Council's Development Control Policy Guidance Note 11 - Parking Standards in Bury. This provision takes into consideration parking for visitors. It is considered that the development would comply with the guidance.

Refuse - The scheme has provided bin storage on each property and also a secure enclosure for the apartment bin store. The bin enclosures for the apartments and the dwellings are so designed to accommodate recycling to the Council's standards.

Given the above considerations, it is considered that the development would comply with policies H2/1 – The Form of New Residential Development and H2/2 – The Layout of New Residential Development.

Ecology - The current vacant property on the site has been assessed to determine the presence of bats. The accompanying report concludes that the property is considered to be very unlikely to be inhabited by bats. The surrounding area is considered to be low in potential for foraging and that demolition works can proceed with negligible risk of roosting bats. On this basis, it is considered that there are no significant ecological issues affecting the site.

Recreation Provision - UDP Policy RT2/2 – Recreation Provision in New Residential Developments confirms that new residential schemes can make provision for recreational space through a commuted sum for developments less than 50 dwellings. The requirement in this instance would be for a commuted sum of £8929.86. The applicant has confirmed their acceptance of this and intends to make the payment of this sum unilaterally under s106.

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 redevelopment of this prominent site within a residential area would be a significant improvement to the wider townscape. The development would sit appropriately with the wider context and would provide a mix of accommodation to the area. The scheme 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 03, 04/A, 05, 06/C, 07, SSL:11191:200:1:1 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. A landscaping scheme, to also include street lighting provision, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development including site clearance. 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.
5. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being occupied and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
6. 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.
7. Following the provisions of Condition 6 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.

8. 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.
9. 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.
10. Prior to the commencement of the development, details of Lifetime Homes provision to be incorporated within the scheme, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason - To make provision for Lifetime Homes within the development pursuant to UDP Policy HT5/1 - Access for Those with Special Needs.

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

Ward: Bury West - Church

Item 05

Applicant: Pedro Properties

Location: THE NURSERIES, LEIGH LANE, WALSHAW, BURY, BL8 1RL

Proposal: OUTLINE APPLICATION FOR DEMOLITION OF EXISTING BUNGALOW AND OUTBUILDINGS AND ERECTION OF NEW BUNGALOW (RESUBMISSION)

Application Ref: 48156/Outline Planning
Permission

Target Date: 19/07/2007

Recommendation: Approve with Conditions

Description

The application site is located at the former Ainsworth Nurseries and consists of an existing bungalow, which is boarded up and the remains of a garage to the west of the application site. To the east of the application site is a dwelling, which is in a state of disrepair and attached outbuildings. To the north of the site are the playing fields to Elton High School and there are residential dwellings to the east and these are located some 130 metres away. The only access to the site is via Leigh Lane, which is a single track, unmade road.

The applicant seeks outline consent for the demolition of an existing bungalow and the erection of a new bungalow at the above site.

Relevant Planning History

40485 – Outline – demolition of two dwellings and erection of two new dwellings at land at Leigh Lane, Bury. Refused – 31 March 2003

The application was refused on grounds of inadequate information

42386 – Demolition of two dwellings and erection of two new dwellings at land at Leigh Lane, Bury. Refused 7 June 2004

The application was refused on grounds of inadequate information in relation to the siting and design of the dwellings and the layout in terms of driveways and the extent of the domestic curtilage.

47412 – Outline application for demolition of existing bungalow and erection of new bungalow at The Nurseries, Leigh Lane, Bury. Refused

The application was refused on grounds of inadequate information and the proposed garden curtilage was too large.

48157 – Outline application for demolition of existing house and erection of new house (resubmission) at The Nurseries, Leigh Lane, Bury. Approved with conditions - 5 July 2007

Publicity

The neighbouring properties (1 Crompton Fold; 8 - 11 Ettington Close; Scholes House; Owlbarrow House; Brook View & Leigh Nurseries) were notified by means of a letter on 1 June and a press notice was posted on 7 June. Site notices were posted on Leigh Lane and Moreton Drive on 6 June 2007. One letter of objection has been received, which has raised the following issues:

- the impact of the proposal on the protected trees

Consultations

Highways Team – No objections

Drainage Team – No objections

Environmental Health – No objections, subject to the inclusion of conditions relating to

contaminated land.

Wildlife Officer – No response

Landscape Practice – No objections, subject to conditions relating to the retention of all trees protected by a TPO, and the provision of tree protected measures during construction.

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
EN1/2	Townscape and Built Design
EN6/2	Sites of Nature Conservation Interest LNR's
EN6/4	Wildlife Links and Corridors
EN9/1	Special Landscape Areas
OL1/2	New Buildings in the Green Belt
HT2/4	Car Parking and New Development
HT4	New Development
SPD8	DC Policy Guidance Note 8: New Buildings in the Green Belt
PPG2	PPG2 - Green Belts

Issues and Analysis

Principle - The proposed development involves the demolition and replacement of a bungalow at Leigh Lane, Bury. The application site is located within the green belt and therefore, the following policies are considered relevant.

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, including the replacement of an existing dwelling. 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. DCPGN8 provides additional guidance on the siting, scale and form of new buildings within the green belt.

Policy H2/1 states that all new residential development should make a positive contribution to the surrounding area and should have regard to the heights and roof types of adjacent buildings, the position and proximity of neighbouring dwellings and the density and character of the surrounding area.

Policy H2/2 of the Unitary Development Plan states that the new residential development should demonstrate acceptable standards of layout including, adequate parking available, suitable landscaping and open space.

The proposed development would involve the demolition and erection of a new dwelling in the green belt. The replacement of an existing dwelling is considered to be appropriate within the green belt, providing that the new dwelling would not be 'materially larger' than the one it is replacing. The application has been submitted in outline and therefore, only the siting and the floorspace of the proposed dwelling are known. The proposed dwelling would be sited to the south of the existing dwelling. Whilst the proposed siting is not on the original footprint of the dwelling, it is still within the curtilage and is considered acceptable. Therefore, it is considered that the proposed development would comply with Policy OL1/2 of the adopted Unitary Development Plan.

It is stated that the floorspace of the existing dwelling and the garage is 175 square metres. From the site visit, it is clear that the existing garage has been partly demolished and that any proposed garaging should be proportionate to the size of the proposed dwelling. It is considered that the floorspace for the proposed dwelling, including a garage of 149 square metres is appropriate when compared to the existing floorspace of 175 square metres. The

extent of the domestic curtilage has been reduced to an acceptable size following the previous application (47412). Therefore, the proposed development would not be detrimental to the openness of the green belt. Therefore, the proposed development is in accordance with Policy OL1/2 of the adopted Unitary Development Plan.

Impact upon neighbouring properties - The proposed development is located within the green belt and the nearest residential property is some 130 metres away, which is well in excess of the aspect distances contained within DCPGN6.

The bat survey submitted as part of this application states that there is the potential for bats to be present within the existing bungalow. The bat survey recommends a series of measures to be undertaken, if consent is granted to ensure that no harm comes to the protected species. It is proposed to secure these measures via a condition. Therefore, it is considered that the proposed development is in accordance with Policy EN6/3 of the adopted Unitary Development Plan.

It is considered that the impact of the proposed development in terms of the design and landscaping upon the special landscape area would be assessed as part of a reserved matters application. However, it is considered that the proposed development would not conflict with Policy EN9/1 of the adopted Unitary Development Plan.

An objection has been received in relation to the impact of the proposal upon the trees, which are protected by Tree Preservation Orders (TPOs) in the locality. The proposed development may impact upon one of the protected trees, which is located to the northwest of the application site. The protected tree is located some 6.5 metres away from the siting of the proposed dwelling. The Landscape Practice has no objections to the proposed development subject to the retention of all the protected trees. Therefore, it is proposed to secure a tree survey, which shall be submitted with the reserved matters application, via a condition. Therefore, it is considered that the proposed development would not have an adverse impact upon the protected trees and is in accordance with Policy EN8 of the adopted Unitary Development Plan.

Highway issues - The proposed development would not result in an intensification of the existing access roads and the highways team has no objections to the proposal. Therefore, it is considered that the proposed development would not be detrimental to highway safety and is in accordance with Policy HT2/4 of the adopted Unitary Development Plan.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed and the reason(s) for granting permissions can be summarised as follows;-
The proposed development is acceptable in principle and would not be detrimental to the openness of the green belt. The proposed development would not have an adverse impact upon highway safety.
There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

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

matter to be approved.

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

2. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the design, external appearance, means of access thereto and the landscaping of the site.

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

3. This decision relates to the drawings received on 24 May 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.

4. Prior to the development hereby approved commencing:

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

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

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

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

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

The approved contamination testing shall then be carried out and validity evidence (laboratory certificates etc) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.

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

Planning and Pollution Control.

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

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

8. The landscaping scheme to be submitted as a "reserved matters" shall include a survey of all existing trees on the site, indicating species, height, branch spread and condition and should indicate the trees which it is proposed to retain.

Reason. To secure the satisfactory development of the site and 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.

9. No trees subject to a Tree Preservation Order, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before, during or after 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.

10. 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.

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

Ward: Bury West - Church

Item 06

Applicant: Bury Metro Children's Services

Location: ST STEPHENS C OF E PRIMARY SCHOOL, COLVILLE DRIVE, BURY, BL8 2DX

Proposal: SINGLE STOREY BUILDING AND ASSOCIATED WORKS FOR CHILDCARE SERVICES; EXTENSION TO PLAYGROUND; ADDITIONAL PARKING PROVISION

Application Ref: 48200/Full

Target Date: 01/08/2007

Recommendation: Approve with Conditions

Description

The proposal site is within the grounds of St Stephen's Primary School and the development comprises a single storey building (18.4m x 10m, 2.4m high to eaves level and 4.4m to the ridge) located to the northerly side of the school's nursery building to be used as a 'Children's Centre'.

A new access path leading from the existing access to the nursery would be provided, extending the current nursery path to the centre via its own separate dedicated gate. Car parking and servicing would be shared with the schools existing provision.

Further to the north of the site and to the east are school playing fields. The easterly boundary is partly bounded by housing and partly playing fields. The westerly boundary is shared with housing. A designated Grade 'A' Site of Biological Importance (Barracks Lodge) is found beyond the northerly boundary of the school fields important for Great Crested Newts.

The scheme is submitted as part of a Borough wide initiative to provide a Sure Start Children Centres as part of the 'Every Child Matters: Change for Children Programme'. Each building is to offer core services through an arrangement of co-ordinated outreach links to offer -

- Links to early years provision, through the existing school and other local provider provision;
- Child and family health services;
- Family support and outreach services;
- Links to Job centre Plus and Childrens' Information Services for information and guidance provision;
- A central point / hub of delivery and co-ordination for integrated services for 0-5 year olds and their families.

The proposed hours of opening would be between 0800rs and 1800hrs Monday to Friday inclusive.

The application also includes the extension of the playground comprising two narrow strips of land to the southerly and south-easterly boundaries of the playground. The proposals are to extend the area of playground.

Relevant Planning History

41706 - Extension to admiistration block - Approved - 12/01/2004

Publicity

The application has been publicised through letters sent directly to 56 addresses including Newington Drive, Colville Drive, Chislehurst Close, Bolton Road and Ashford Close. As a result of this publicity, 19 letters of objection have been received and two petitions

containing 55 and 56 signatures. Objection letters have been sent from 19, 29, 33, 43, 45, 47, 49 Newington Drive; 2, 4, 6, 8/10, 14, 18, 26, 51 Colville Drive and 2 Kenmor Avenue.

Issues raised include -

- The development would destroy an established wildlife area.
- The proposals would add to car parking problems experienced in Colville Drive and Newington Drive.
- The proposal would operate at unsociable hours 8am to 10pm, thereby affecting amenity.
- The development would affect the safety of properties backing on to the development through apparent open access.
- Ecological mitigation should not be contemplated. The development should not be accepted.
- The development should be located near to the area that it is intended to serve - Bolton Road, not near to properties occupied by retired/owner occupied population.
- The development would be a mere 3m away from residents' gardens and thus too close.
- The development must be accompanied with an ecological assessment and must pass the three DEFRA licence tests of - i) being in the public interest, ii) no satisfactory alternative, iii) the development would not be detrimental to the maintenance of the species concerned.
- The scheme would be located on land that assists to maintain habitat for amphibians.
- The development would serve only some of the community not all of the community.
- The survey of the site was carried out outside the optimal period of surveying and thus not representative of the true population of amphibians and other wildlife there.
- Strangers visiting the centre may put the existing children at the school and nursery at risk.
- There would be disruption to education when visitors are coming to the site.
- The building would be too close to the residential properties.
- A more appropriate location could be considered at the corner of the playground near to Bolton Road, thus not affecting an ecologically sensitive area.
- No parking provision has been provided for potential clients/visitors.

Consultations

Traffic - No objections.

Drainage - No objections.

Environmental Services - Any response shall be reported.

Greater Manchester Police Architectural Liaison - No objections.

Greater Manchester Ecology Unit - They advise of the proximity to Barracks Lodge and European Protected Species. Should Great Crested Newts be found, then a licence is required to be obtained from Natural England. Three tests are applied when considering whether to grant which are that the development needs to be in the public interest, that there is no satisfactory alternative for the development and that there would be no derogation to the protected species. A licence would not be issued until a full planning permission is in place and that the three tests have been considered in the determination of the proposal.

Unitary Development Plan and Policies

CF1/1 Location of New Community Facilities

HT2/4 Car Parking and New Development

EN6/1 Sites of Nature Conservation Interest SSSI's NNR's

Issues and Analysis

Ecological Matters - UDP Policy EN6/1 - Sites of Nature Conservation (SSSI's, NNR's, Grade 'A' SBI's) states that developments will not be granted for proposals in the vicinity of

such designated sites which would destroy or adversely affect, directly or indirectly, the nature conservation interest of the site unless it can be demonstrated that material considerations outweigh the special interest of the site.

The scheme has been submitted with an ecological assessment. In the consideration of the scheme, the report considers that the scheme would conform to the requirements of the Natural England licence tests. It states that the scheme is in the public's overriding interests as -

- the Government is committed to providing a Children's centre for every community, children and their parents;
- The location of the site chosen is within the area it is intended to serve (Seddons Farm) and no alternative sites have sufficient space for the development;
- The impact upon the habitat would be small and there would be positive enhancement, thus no derogation to the population.

The report confirms that results were optimal and the best areas of habitation will not be affected. The Barracks Lodge is of exceptional amphibian quality yet the proposed area of land to be developed, compared to unaffected land would be marginal. Some 7.2ha of open space would be available for newt use compared to 409.33sqm of land required for the development. This would equate to circa 5% of lost habitat. Other areas would be allowed to become suitable newt habitat land and school management intend to plant trees and create an additional pond. The report suggests mitigation and compensation for the lost habitat comprising -

- a new pond
- translocation using appropriate fencing and other methodologies to capture
- Improved terrestrial habitat, management and maintenance regime
- population monitoring
- programmed implementation.

The three tests for the proposal must be strong considerations in the assessment of the scheme. In terms of the first test, (in the interest of public health and safety or for other imperative reasons of overriding public interest including social or economic mature and beneficial consequence of primary importance to the environment), the development is part of a Central Government initiative to ensure that children and their carers have good access to crucial services to enhance their social and economical well being. The provision is seen to be key in the choice of location in that the development should be in the heart of the area that the uses serve and would provide a range of services accessible to all covering a multitude of critical socio-economic objectives.

The second test, (no satisfactory alternative), the applicant has confirmed that the development is required to serve the Seddons Farm estate which is a substantial residential area. The funding for such developments and constraints imposed through Government guidance on the funding package, require that the sites developed for the scheme must be within the ownership of the Council. As such, this strictly limits the choices of available sites in this area. Greenhill School 0.6km to the west simply does not have the available land to accommodate the building, albeit conservative in size and scale.

The third test, (the derogation is not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range) the scheme has put forward a mitigation package and detailed methodology of translocation, clearance and further enhancement of the remaining habitat areas.

Given the above, it is considered that the development location and type has extremely limited choices of alternative sites, is in the public interest and that the scale of development together with the levels of mitigation proposed would not adversely affect the value or population of species of the SBI. Conditions however must ensure that the scheme, including its mitigation proposals, remain effective throughout implementation and reflect

any changes that Natural England impose should a licence be forthcoming to carry out ecological works.

Community Facilities - The proposal seeks to provide a local family services facility utilising an existing education facility and its grounds. UDP Policy CF1/1 - Location of New Community Facilities considers that issues should be assessed when determining developments of this kind -

- the impact upon residential amenity;
- traffic generation;
- car parking;
- size, scale and design
- the proposals location in relation to the area it is intended to serve;
- accessibility and the needs of the disabled.

Height, Scale and Design - The scheme has been submitted with a design and access statement. The proposed building would be a single storey building set well within the site from the main access and floor levels would follow existing levels of the school land which are lower than the residential land to the west. The appearance of the building is simple and functional, with brick elevations and concrete roof tiles to match the neighbouring nursery building. The siting of the building would be well screened by domestic fencing, well back from the main roads and would be set in the context of other buildings. As such, the building would be acceptable in terms of height, scale and design.

Impact upon Residential Amenity - The proposed development would physically be close to the boundary of the school with residential properties. However, the scheme would be laid out to provide the narrowest elevation towards the residential properties and outdoor areas for children would be nearest to the school playing fields, thus furthest away from residential properties. The nearest dwellings to the new building would be 43 to 49 Newington Drive. These properties are elevated to the development and have circa 12.5m long rear gardens and most have good screening next to the site comprising bushes, trees and fencing. The nature of the development is expected to be low key and would provide for a limited number of staff. The scheme states three. Given that the scheme represents a similar type use to those already occupying this wider site; the low profiled building and distances/screening separating the residential development from the proposals, there would be no detrimental impact upon residential amenity.

Car Parking and Traffic - The scheme anticipates that for the staff, three parking spaces would be required. This reflects a recently approved scheme at Woodbank Primary school for the same type of development. The proposed parking would be provided by slightly extending the existing car park to the south of the school taking a minor part of the existing playground. The playground would be then extended along its southerly and easterly boarder by 3m and 1m respectively to compensate for playground affected by the car parking needs. The playground extension work would simply bring currently unusable land on the edge of the playground into beneficial use. No alterations to levels or removal of trees would be required to facilitate this proposal, simply surfacing would be required. As such, this aspect of the development would have no detrimental impact beyond the boundaries of the site and would ensure that parking provision is provided for the development proposal.

In terms of traffic, the scheme is not of sufficient scale to warrant a transport statement. Further the scheme is located within the centre of the area which it is intended to serve. As such, it is likely that users would be largely pedestrian visitors. Given this situation, it is considered that traffic generation is not likely to be a significant issue nor one to impact upon highway safety or the need for additional parking provision. As such the development would comply with UDP Policy CF1/1 and HT2/4.

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 has properly considered ecological matters and the need to comply with Natural England test for licence. The development would not impact detrimentally beyond the site itself and 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 H 06332 A.DP. issue 1, E 06332 A. 01 issue 3, H 06332 A 02 issue 2, H 06332 A 03 issue 2, H 06332 A 04 issue 3, H 06332 A 05 issue 2; H 06332 A 06 issue 2 and Ecological Report by D Bentley dated July 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. No works shall commence unless and until mitigation measures and a programmed scheme of implementation of such measures relating to ecologically protected species, flora and fauna have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
Reason - To secure appropriate alternative roosting habitation for protected species, flora and fauna pursuant to UDP Policy EN6/1 and PPS9 Biodiversity and Geological Conservation.
4. The additional car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being occupied and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
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 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.

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 landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

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

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

Ward: North Manor

Item 07

Applicant: Mr P Walsh

Location: FIELD ADJACENT TO HOLCOMBE HEY FOLD FARM, HAWKSHAW LANE,
HAWKSHAW, BL8 4LD

Proposal: ERECTION OF TWO STABLES WITH TACK ROOM AND HAY STORE

Application Ref: 48048/Full

Target Date: 28/06/2007

Recommendation: Approve with Conditions

This item was deferred for a site visit requested by the Planning Committee at its last meeting on 19th June 2007.

Description

The site comprises the corner of a field at the top of Hawkshaw Lane adjacent to Holcombe Hey Fold Farm and Footpath No. 7 in Hawkshaw.

The site is bounded by a stone wall on the south and western sides and there is a tree in the south western corner. The land slopes up from Hawkshaw Road and Footpath No. 7 runs immediately to the west of the sites stone boundary wall.

The proposal is for a stable block of 2 stables with associated tack room and hay store. The building is to be of timber construction and measures some 12m by 5.6m floor area and 2.8m to the eaves, 4.2m to the ridge. The building is to be set at the ground level at the southern end so that it will be set some 644mm into the ground at its northern end.

The walls are to be of timber construction and the roof will be black corrugated sheeting.

Relevant Planning History

Two previous applications for 3 stables on the site were withdrawn by the applicant to allow negotiations with the planning department (46656 & 47761)

Publicity

Immediate neighbours and people who had made representations on the previous applications were written to on the 11th May 2007. A site notice was placed on the 11th May 2007 and as a result of this publicity comments have been received from Holcombe Hey Fold Farm & Holcombe Hey Fold Hawkshaw, 66 Bolton Road Hawkshaw, 63 Keates Road Greenmount, 320 Turton Road Tottington, Holcombe Hey Fold, Holcombe Hey Fold Farm, 66 Bolton Road Hawkshaw, 10 Grosvenor Way Horwich and the Ramsbottom Heritage Society. In addition 2 letters have been received from Gee Squared Ltd of Liverpool on behalf of un-named local residents. The comments can be summarised as follows:

- due to its location and size the proposed development would be injurious to the landscape quality of the area in general and the West Pennine Moore area of Special Landscape Value in particular
- the proposal is contrary to Development Control Policy Guidance Note 10 - Planning for Equestrian Development
- the leveling of the site will damage the landscape
- the foundation construction is of a permeant type
- internal block work partitioning is inappropriate
- position of septic tank and soakaway may affect existing spring water.
- there is inadequate land to cater for 2 horses and the grazing is only suitable for sheep
- the height of the proposed stables is similar to a domestic building and inappropriate
- the development is too large for just 2 horses
- land is unsuitable for horse grazing

- potential contamination to ground water which is abstracted for domestic use and farm animals.
- Hawkshaw Lane is narrow and already runs at its traffic capacity and any increase will cause congestion and accidents
- Conditions restricting the use are too weak

Consultations

Highways Team - no objections subject to standard conditions

Drainage Team - no objections

Environmental Health - no objections

Landscape Practice - no objections

Unitary Development Plan and Policies

OL1/2 New Buildings in the Green Belt

OL4/7 Development Involving Horses

OL7/2 West Pennine Moors

EN9/1 Special Landscape Areas

SPD8 DC Policy Guidance Note 8: New Buildings in the Green Belt

SPD10 Planning for Equestrian Development

Issues and Analysis

Green Belt and West Pennine Moor Area of Special Landscape Value - Policies OL4/7 - Development Involving Horses and Development Control Policy Guidance Note 10 - Planning for Equestrian Development are particularly relevant to this application along with OL7/2 - West Pennine Moors.

Policy OL4/7 states ' The keeping of horses for recreational purposes or as part of commercially based equestrian activities will be considered acceptable where it would not have an adverse effect on the appearance of the rural areas. In particular, high standards of design, construction and maintenance will be expected as part of any development proposals.' DCPGN 10 then explains in more detail the types of locations, siting and materials that are appropriate so as to ensure that the buildings do not harm the appearance of the rural area and they are itemised below:-

Need - the applicant currently owns 2 horses and lives at Holcombe Hay Barn. The land surrounding the property is not in the applicants ownership and there are no buildings available for conversion nearby. As such the proposal is considered to comply with DCPGN 10 and is acceptable.

Siting - the proposed stables and associated tack room/hay store are located at a corner of a field immediately to the north of Hawkshaw Lane. The boundary to Hawkshaw Lane is formed by a stone wall and there is a mature tree situated in the corner. The stables are to be located some 9m north of the wall, 5.5m north of the tree and an average 4.5 m from the stone wall on the west of the site forming the boundary to Footpath No. 7. The filed slopes up from Hawkshaw Lane at this point and as such the building will be seen against the tree, stone walls and hillside and will not break above the skyline. As such the siting is considered to comply with DCPGN 10 and is acceptable.

Design - The size of the stables and store, together with the main construction of dark brown stained timber wall and black corrugated roof comply with DCPGN 10. The interior block work wall of 1.2m in height also comply with the guidance set out in DCPGN 10 and as such are acceptable.

Drainage & Waste - surface water run off from the building is via a soak away and it is proposed that the manure produced in the stables will be managed by storage on a sealed trailer which will be emptied by a local farmer or recycled for domestic use. Both the Drainage Team and Environmental Health have been consulted and they have no objections to the proposal in principal. This is in accordance with guidance set out in DCPGN 10 and as such is acceptable.

External Areas - the area immediately outside the stables is to be formed from local crushed and compacted sandstone. As such this conforms with DCPGN 10 and is acceptable.

Consequently, the policy framework allows development for equestrian purposes providing

that it conforms with the detailed guidance set out in DCPGN 10.

West Pennine Moors Area of Special Landscape Value - The site is also located in the area covered by UDP Policy OL7/2 - West Pennine Moors. This policy states 'Throughout the area of the West Pennine Moors, as defined on the Proposals Map, the Council will control development and manage recreational activity and public access, so as to reduce any possible detrimental effects these may have on the important character of the area. In considering proposals for development particular regard will be had to the effect on the following:

- agriculture and forestry;
- water catchment;
- settlements;
- landscape character;
- ecological and geological features;
- archaeological and historic features.'

This policy sets out the criteria that need to be assessed when considering any application within its designation. In this instance the principal criteria relates to the buildings impact on the landscape character of the area. Given the fact that the building is located in the corner of a field, below the skyline and screened from the south and west by a stone wall it is not considered that it would impact so adversely on the landscape character of the area as to warrant refusal. However, given the importance of the landscape value it is proposed that a condition be imposed requiring the removal of the stables should it cease to be used. As such it is considered that the proposal is in accord with UDP Policy OL7/2.

Access - The access is off Hawkshaw Lane which is a narrow road maintained by Bury MBC. It has a number of passing spaces along its length. The Highways Team have been consulted and have no objections to the proposed stables.

Public Comments - the issues raised in the public comments with regard to the adverse impact of the character of the area, contrary to DCPGN 10 and the internal block work have been covered in the sections above. The issue of the foundations is a Building Regulations issue and for a building of this size are appropriate. The setting of the building on a level site will need some excavation of a maximum of 644mm along a length of 12m. This is not, within the context of the site, considered to be so great as to cause harm to the character of the area sufficient to warrant refusal under UDP Policy OL7/2 and as such is considered acceptable.

Summary of reasons for Recommendation

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

Having regard to the stated policies of the Unitary Development Plans and, in particular Development Control Policy Guidance Note 10 - Planning for Equestrian Development, it is considered that the need for the building is reasonable and the siting of a stables and associated tack room and hay store at the corner of the field will not impact adversely on the character of the area and as such is acceptable.

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 2006/06/06/0204 DWG/04R rev. D/02/05/07 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. The stables hereby permitted shall be used for the domestic purposes only. They shall not be used in part or whole for any commercial livery, equestrian or other use.
Reason. In the interests of amenity having regard to the location of the site pursuant to Policies OL1/2 – New Buildings in the Green Belt and OL4/7 - Development Involving Horses of the Bury Unitary Development Plan and the associated Development Control Policy Guidance Note 10: Planning for Equestrian Development.
4. Any removeable structures related to the equestrian use of the site such as jumps shall be removed and stored to the satisfaction of the Local planning Authority, away from public view, when not in use.
Reason. In the interests of visual amenity pursuant to Policies OL1/2 – New Buildings in the Green Belt and OL4/7 - Development Involving Horses of the Bury Unitary Development Plan and the associated Development Control Policy Guidance Note 10: Planning for Equestrian Development.
5. The scheme for the containment and storage of manure shall be constructed, completed and implemented, in accordance with approved plans and statement.
Reason. To prevent the pollution of the environment pursuant to Policies OL1/2 – New Buildings in the Green Belt and OL4/7 - Development Involving Horses of the Bury Unitary Development Plan and the associated Development Control Policy Guidance Note 10: Planning for Equestrian Development.
6. 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.
7. The stables hereby approved shall be removed from site, to the written satisfaction of the Local Planning Authority, within 3 months of it ceasing operation for the stabling of horses.
Reason: In the interests of the visual amenity pursuant to Policy OL1/2 – New Buildings in the Green Belt of the Bury Unitary Development Plan.

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

Ward: Prestwich - Holyrood

Item 08

Applicant: PRESTWICH CRICKET TENNIS BOWLING CLUB

Location: PRESTWICH CRICKET, TENNIS, BOWLING CLUB, HEYS ROAD, PRESTWICH, M25 1LA

Proposal: SINGLE STOREY EXTENSION AT SIDE AND REAR AND VIEWING DECK TO FRONT

Application Ref: 48234/Full

Target Date: 01/08/2007

Recommendation: Approve with Conditions

Description

The site is situated between the metrolink rail line and Heys Road. The existing single storey pavilion is on elevated land, close to the southern boundary, closest to the banking along the metrolink although the ground is generally level. The southern boundary is characterised by mature deciduous trees.

The small concrete equipment store would be demolished and a single storey extension added onto the southern side of the pavilion. The extension would facilitate new changing facilities and the reorganisation of facilities within the existing pavilion. A small single storey brick built extension would project out 1.5m from the existing cellar at the rear.

The new extension would be a contemporary design with a flat finished mono-pitched metal clad roof that would be set lower than the existing pitched roof of the pavilion. External finishing would be in a combination of timber panels and boarding with a rendered front facade. The timber columns and decking at the front (facing the cricket pitch) will link across the front of the extension and the existing pavilion to form an external viewing platform.

Relevant Planning History

43255 Wooden Shelter Approved 11/10/2004.

32707 Flood lighting Approved 30/12/96

Publicity

Site Notice posted 13/06 and neighbours notified at 15, 17, 19 and 20 The Heys, 74, 76 and 79 Rectory Green, 17, 19 and 21 The Drive, 20 - 26 Hill Top Avenue.

One letter of concern received from the occupier of 19 The Heys. Whilst having no objection to the extension, if the club as a consequence of a larger lounge holds larger functions, it may give rise to noise and disturbance.

Consultations

Traffic Team - No comment to date.

Drainage Team - No objection.

Environmental Health - No objection

GM Police - No objection.

Metrolink - No objection.

BADDAC - No objection subject to doors onto decking being 'wheelchair friendly'.

Unitary Development Plan and Policies

RT1/1 Protection of Recreation Provision in the Urban Area

EN1/2 Townscape and Built Design

CF1 Proposals for New and Improved Community Facilities

Issues and Analysis

Principle - The site is an established sports ground and improved facilities are generally encouraged.

Siting, Appearance and Design - The pavilion as extended would be approximately 55 metres from the nearest residential properties on Hilltop Avenue to the east and The Heys to the north west. The site is screened along the southern boundary by the bank of mature trees. Residential properties on Heys Road are about 150m away across the cricket ground and tennis courts.

In terms of its size, the extension is modest in scale and would appear as ancillary to the existing pavilion and would be set against the backdrop of the trees to the rear. The design and appearance, whilst not appearing incongruous next the existing pavilion, is contemporary in character and fits in well with the immediate surroundings.

Disabled Access - The overall scheme is considered to be acceptable subject to doors onto the decking being widened to allow wheelchair access. An appropriate informative will be attached to the approval notice.

Objection - Whilst the concerns of the occupier of 19 The Heys are understandable it is not considered that the additional space created within the existing pavilion would be significant enough to cause concerns with regard to noise and disturbance given the distances to residential properties and existing screening. It is also noted that the licence for the bar at the club does not include external areas, thereby mitigating potential noise disturbance in the evening from the decked area.

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 extension is considered to be in keeping with the character of the area and will not have a seriously adverse impact on neighbouring properties. Complies with UDP policies listed. 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 MH553-02, 03, 04, 05, 06, 07 and 08 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. 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.

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

Ward: Prestwich - Holyrood

Item 09

Applicant: Mr G Hopley & S Pheby

Location: LAND ADJACENT TO MOUNT PLEASANT FARM, NUTT LANE, PRESTWICH, M25 2SJ

Proposal: ERECTION OF STABLES FOR FOUR HORSES

Application Ref: 48239/Full

Target Date: 02/08/2007

Recommendation: Approve with Conditions

Description

The application site is located within the green belt and consists of an open grassed field. There are residential properties to the north (Mount Pleasant) and a narrow grassed access to the site. Mount Pleasant Farm is located to the south of the application site and access can be gained via Nutt Lane to the southern edge of the site.

The proposal involves the erection of a stable block for four horses at the south-western point of the application site. The application is partially retrospective, as two stables and a tack room have been built.

Relevant Planning History

No previous applications for this site.

Publicity

The neighbouring properties (22 – 32 Mount Pleasant; 31 Mount Pleasant; Mount Pleasant Farm, Wild Goose Farm, Brook Farm, Nutt Lane) were notified by means of a letter on 13 June. Two letters have been received from the occupiers of Nos. 29 Mount Pleasant and one letter via e-mail, which have raised the following points:

- The application is retrospective
- The removal of fencing and the replacement with a steel barrier at the end of Mount Pleasant is not in keeping with the rural environment
- A request for conditions, if permission is granted to avoid the change of use of the building to a dwelling.

Consultations

Highways Team – No objections, subject to a condition restricting the use of the stables for domestic purposes only.

Drainage Team - Comments to be reported at the meeting

Environmental Health – Recommend an informative, if the site is to be used for commercial purposes.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design
EN1/3 Landscaping Provision
OL1/2 New Buildings in the Green Belt
OL4/7 Development Involving Horses
HT2/4 Car Parking and New Development
HT4 New Development
SPD8 DC Policy Guidance Note 8: New Buildings in the Green Belt
SPD10 Planning for Equestrian Development
PPG2 PPG2 - Green Belts

Issues and Analysis

Principle - The proposed site is located within the green belt and therefore, the application should be judged against the criteria of Policies OL1/2 and OL4/7 of the adopted Unitary Development Plan as well as PPG 2 (Green Belts).

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.

The Council's advice is that three to four small stables and one storage area for tack or hay may be acceptable, subject to detail. The proposed development would be located a short distance from the cluster of buildings at Mount Pleasant Farm and in close proximity to an existing access track from Nutt Lane. It is therefore considered that the proposed development would not be prominent within the landscape and it is considered that the proposed development would not be detrimental to the openness of the green belt in accordance with Policies OL1/2 and OL4/7 of the adopted Unitary Development Plan and DCPG8 and DCPGN10.

Design and impact upon surrounding area - The proposed stables would be 60 metres away from the residential properties at Mount Pleasant and Mount Pleasant Farmhouse. Therefore, it is considered that the proposed stables would not impact adversely upon the amenity of the neighbouring residents. The proposed development consists of a single storey building and it is considered that the proposed building is appropriate to the surrounding area in terms of height and scale. Part of the proposed stable block has been built and it is considered that the proposed materials (render, wood and light grey profile sheeting) are appropriate and would not look out of place within the locality. During the consultation process, a concern was raised regarding the removal of the fencing at the boundary of the site with Mount Pleasant and its replacement with a steel barrier. The applicant has confirmed that the steel barrier is to be replaced with wooden fencing, which is considered to be more in keeping with the locality. It is proposed to secure this via a condition. Therefore, the proposed development would not look out of place within the locality and is in accordance with Policies EN1/2 and OL4/7 of the adopted Unitary Development Plan and DCPGN 8 and 10.

Highway issues - There is an existing vehicular access to the site from Nutt Lane and it is considered that this is adequate for any additional traffic resulting from the proposal. However, it is considered that the access from Mount Pleasant is not suitable for vehicular access to the stables and it is proposed to limit the access via a condition. The proposed stables would be used for domestic use and not for commercial and therefore, it is considered that there are adequate parking facilities at the top of the access track. The highways team has no objections to the proposal. Therefore, the proposed development is in accordance with Policies HT2/4 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 is acceptable in principle and the proposed external alterations

are appropriate in terms of design, scale and layout. The proposed development would not be detrimental to highway safety.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to the drawings received on 7 June and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. The materials on the proposed element of the scheme shall match those on the existing element of the scheme, unless otherwise agreed in writing with the Local Planning Authority.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The stables hereby permitted shall be used for the domestic purposes only. They shall not be used in part or whole for any commercial livery, equestrian or other use.
Reason: In the interests of amenity having regard to the location of the site pursuant to Policies H3/1 – Assessing Non-Conforming Uses and OL1/2 – New Buildings in the Green Belt of the Bury Unitary Development Plan.
5. The stables hereby approved shall be removed from site to the written satisfaction of the Local planning Authority within 3 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.
6. Prior to the commencement of development, details relating to the proposed fence and gate shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented.
Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
7. All vehicular access shall be from Nutt Lane and shall not be from Mount Pleasant.
Reason. In the interests of pedestrian and highway safety and to accord with Policy HT2/4 of the Bury Unitary Development Plan.
8. Details of a fence or gate, which shall replace the steel barrier at the northern point of the site, shall be submitted to and approved in writing by the Local PLanning Authority within 2 months from the date of this decision. The steel barrier shall be removed within 6 months of the date of this decision and shall be replaced by the approved fence or gate.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

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

Ward: Prestwich - Sedgley

Item 10

Applicant: T Mobile (UK) Ltd

Location: PAVEMENT ADJACENT TO WOODTHORPE HOTEL, (OPPOSITE NOS. 121-123)
BURY OLD ROAD, PRESTWICH, M25 0EG

Proposal: PRIOR APPROVAL APPLICATION FOR TELECOMMUNICATIONS INSTALLATION
COMPRISING 15M IMITATION TELEGRAPH POLE, 3 ANTENNAS WITHIN A
SHROUD, RADIO EQUIPMENT CABINETS AND ANCILLARY DEVELOPMENT

Application Ref: 48235/Telecom
Determination (56 Days)

Target Date: 01/08/2007

Recommendation: Prior Approval Required and Granted

Description

The proposed development is located at the back of the footway, which serves a bus layby on the eastern side of Bury Old Road. To the rear of the application site is a bank of mature trees and beyond that is the grounds of the Woodthorpe Hotel. Opposite the application site are residential properties, with the exception of the property, which directly overlooks the site, which is in use as a surgery. Heaton Park, which is a listed park and the Grand Lodge which is a Grade II listed building within the park are located some 100 metres to the north of the application site and St Monicas RC High School is located some 240 metres to the north west.

The proposal involves the installation for a 15 metre imitation telegraph pole, 3 antennas within a shroud, radio equipment cabinets and ancillary development.

Relevant Planning History

Surrounding Sites

38242 – Telecommunications installation consisting of 6 No. sectored antennae located upon 1 No. 12.5m street column with 2 equipment cabins at Sheepfoot Lane/Bury Old Road, Prestwich.

Withdrawn – 11 September 2001

41477 – Prior approval determination – telecommunications installation comprising 15 metre high streetworks column, 3 antennae, 2 equipment cabinets & associated development

Withdrawn – 6 November 2003

46772 – extension to existing car park at Woodthorpe Hotel, Bury Old Road, Prestwich.

Approved with conditions – 27 September 2006

Publicity

All properties, including St Monica's RC High School, within 100 metres of the application site were notified by means of a letter on 11 June and a full list of these properties is contained on the file. Site notices were posted on Bury Old Road and Parkfield Avenue on 13 June 2007. 12 letters have been received from St Monica's RC High School, 121, 123, 125, 127 Bury Old Road; 1, 11 Parkfield Avenue; 10 Hartley Avenue; 9, 10, Oakdene 12, 13, 15 Beechwood Avenue, which have raised the following issues:

- The proposed development would be too near to the secondary school
- The impact of the proposal upon health
- The impact of the proposal upon visual amenity

Consultations

Highways Team – No objections, subject to an informative

Environmental Health – No objections, as a statement confirming that the application

complies with ICNIRP guidelines has been submitted.

Landscape Practice – No objection in principle, but require the applicant to demonstrate that the equipment would be able to operate throughout its life without recourse to request the pruning or removal of the trees, as this would cause unacceptable detriment to the character of the area.

The colours chosen need to be clarified by a swatch sample and this needs to be supplied to check the visual impact of the structure

Manchester City Council – Comments to be reported at the meeting.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design
EN1/4 Street Furniture
EN1/7 Throughroutes and Gateways
EN1/10 Telecommunications
EN8 Woodland and Trees
EN2/3 Listed Buildings
HT2 Highway Network
PPG8 PPG8 - Telecommunications

Issues and Analysis

Health Issue - Current government guidance (PPG 8) with respect to the potential health risks, states that providing such proposals meet the ICNIRP guidelines, local authorities should not consider those aspects, or any concerns about them, any further. In this case, the applicants have indicated that the proposal will meet the ICNIRP guidelines, through the submission of a certificate to this end.

Supporting Information - The applicant has provided a list of 8 sites, which were considered but were discarded in favour of this submitted proposal. The 8 sites were discarded as either the site provider not being interested in the proposal or there were planning or technical difficulties with the proposal. The applicant has provided information which justifies the need in terms of improved coverage from this site. Therefore, the proposal is considered to be in accordance with Policy EN1/10 of the adopted Unitary Development Plan.

Visual Amenity - The application site is located at the back of the footway on a bus layby with Heaton Park and the gatehouse to the north of the application site. The proposed development is located some 105 metres from the listed park and some 150 metres from the listed gatehouse. Due to the distances between the proposed mast and the listed building and park, it is considered that the proposed development would not impact adversely in terms of the historic and architectural value. No works are proposed to the trees and it is considered that the proposed development would not be prominent within the street scene, when viewed from Parkfield Avenue or Bury Old Road. Existing street furniture in the vicinity of the site includes a bus shelter, signs and lampposts. The proposed mast has been designed so as to reflect and match the existing street furniture. Therefore, it is considered that the proposed development would not look out of place within the locality, subject to conditional control and would not appear as an unduly intrusive feature in the surrounding landscape. The proposed development has been sited at the rear of the footway and it is considered that the proposed development would not reduce the width of the footway to a substandard level and therefore, would not impact upon highway safety. Therefore, the proposal is in accordance with Policies EN1/2, EN1/4, EN1/7, EN2/3 and HT2 of the adopted Unitary Development Plan.

Trees - No works are proposed to the existing trees, which would provide a busy background for the proposed development. The Landscape Practice has requested additional information to show that no pruning or felling of trees would be required during the life of the proposed equipment. This additional information is in the process of being compiled. Therefore, further analysis upon the impact of the proposed development upon the trees will be included within the supplementary agenda.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed and the reason(s) for granting permissions can be summarised as follows;-
Having due regard to both National and Local Policy, in particular UDP Policy EN1/10 (Telecommunications), it is considered that the proposed development is acceptable in relation to health and safety issues, due to the submission of the relevant Certificate under ICNIRP. The location of the proposed apparatus would not be unduly prominent within the street scene and would not be detrimental to the setting of the adjacent listed park (Heaton Park) or Grade II listed building (Grand Lodge). Therefore, the proposed development is considered to be acceptable.

There are no other material considerations that outweigh this finding.

Recommendation: Prior Approval Required and Granted

Conditions/ Reasons

1. Prior to commencement of development, details of the exact colour of the mast and related equipment hereby approved shall be submitted to and agreed in writing by the Local Planning Authority.
Reason. In the interest of visual amenity pursuant to Policy EN1/2 of the Bury Unitary Development Plan.
2. The development hereby approved shall not commence unless and until a detailed method statement, **including details of the proposed pruning works (REMOVE?)**, 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.

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

Ward: Prestwich - Sedgley

Item 11

Applicant: Salford R C Diocesan Trustees

Location: ST MONICAS RC HIGH SCHOOL, BURY OLD ROAD, PRESTWICH, M25 1JH

Proposal: REPLACEMENT AND NEW FENCING TO TWO EXISTING HARD PLAY/GAMES AREAS. TARMACING OVER OF GRASSED STRIP BETWEEN THE TWO HARD SURFACED SECTIONS OF THE SOUTHERLY PLAY/GAMES AREA.

Application Ref: 48255/Full

Target Date: 10/08/2007

Recommendation: Approve with Conditions

Description

The proposal involves two tarmac surfaced playground/games areas at St Monica's RC High School situated at Bury New Road, Prestwich.

The smaller of the areas is at the northerly end of the school site and is situated close to the school boundary with the Ostrich Inn, terraced houses in Ostrich Lane and Heaton Court, a three storey block of flats. It is also close to part of the Bury Old Road frontage of the school where it is on an area raised well above road level. This playground/games area is currently surrounded by 3m high weldmesh ball stop fencing. The fencing is outworn and rusty.

The other larger playground/games area involved is at the southerly end of the building complex. This consists of two hard surfaced areas separated by a strip of grass about 6m wide. It is relatively close to part of Nazareth House which is the modern section of this building and not the listed part. This area is partially enclosed by similar weldmesh fencing to that around the northerly playground/games area. It is about 10m in from the Bury Old Road frontage from which it separated by a small single storey school building and it is well separated from Scholes Lane by about 40m of playing field. The nearest houses from it are on the opposite side of Scholes Lane and over 50m away.

The proposal for the northerly playground/games area is to replace the existing fencing with new weldmesh fencing very slightly taller than the existing at 3.06m. The existing fencing on the other area would also be replaced by new weldmesh of the same height but this would extend around the whole perimeter, including the sections unfenced at present.

Describing the proposed fencing in more detail the lowest 1m would be in a finer 50mm x 17mm mesh with the upper sections in a larger 50mm x 50mm mesh. The final finish would be in green polyester powder coating RAL6005. The school also intends to replace the hard surface of the playground/games areas involved with a new tarmac surface but this does not require planning permission to be obtained. However, the grassed strip separating the two hard surfaced sections of the southerly area would also be tarmaced over to unify the play surfaces into one. This part of the work needs planning permission and is being considered as part of the application.

Relevant Planning History

37752/01 - Two storey extension to provide a classroom teaching block and to form a new dining area/store and office to drama teaching block. Approved on 26th July 2001.

40499/03 - Two storey extension to existing teaching block. Approved on 2nd May 2003.

Publicity

35 properties in Bury Old Road, Scholes Lane, Ostrich Lane, Heaton Court and Beech Close were notified on 20th June. There have been two responses as follows:

The occupier of 104 Scholes Lane has requested further information regarding the type of fencing and this has been provided. The occupier of 12 Heaton Court has objected. She is concerned that the school has felled numerous trees along the line of the fencing before the application was submitted resulting in loss of landscape and environmental benefit and the creation of an ugly outlook in the neighbourhood. She suggests that the school should replace this landscaping as part of an environmental regime.

Consultations

Highways Team - No response.

Conservation Officer - There would be no impact on the setting of the listed building at Nazareth House.

GM Architectural Liaison - No objections

English Heritage - No comments.

Unitary Development Plan and Policies

CF2 Education Land and Buildings
RT1/2 Improvement of Recreation Facilities
EN1/2 Townscape and Built Design
EN1/7 Throughroutes and Gateways

Issues and Analysis

Principle: The developments are part of a scheme to upgrade outworn recreation facilities at the school and, as such, are supported by policies CF2 and RT1/2.

Design and Appearance: For the most part the new fencing would simply replace similar but outworn weldmesh fencing around existing hard surfaced areas, thus improving the appearance of the enclosure. The only situation where such fencing would be erected where no fencing now exists would be the completion of the enclosure of the southerly playground/games area.

The new fencing would be only marginally higher than the existing and the height difference of about 0.06m would not be easily perceivable. The development would have very little impact on public views of the school. The nearest dwellings in Ostrich Lane, including Heaton Court, are well screened from the northerly playground/games area by high boundary walls and vegetation that is not affected.

The extra hard surface on the southerly area would have no significant visual impact outside the site.

Overall, the developments would not involve any conflict with policies EN1/2 and EN1/7 that safeguard the visual quality of the townscape and of major throughroutes within the Borough.

Trees: A resident of Heaton Court has raised an objection concerning the removal of trees at the school. No trees have been removed or are intended to be removed within the site in the vicinity of Heaton Court. However, three trees have recently been removed on a grass verge running across the southerly playground/games area. It is understood that the trees were examined and found to be diseased. Also, their roots have pushed up through the playground surface and are still in place. This is a health and safety issue to be remedied as part of the improvements. The three trees were in a central part of the school site away from public vantage points. Their loss has already occurred and has not significantly harmed the appearance of the locality. It would not be reasonable to impose a condition requiring their replacement.

A number of trees have also recently been removed on the school frontage near the junction between Bury Old Road and Scholes Lane. This has happened in preparation for highway improvements associated with the Quality Bus Corridor scheme. This removal has

not been undertaken by the school and is entirely unrelated to the playground/games area improvements. None of the trees removed either on the frontage or within the playground/games area were the subject of a tree preservation order.

Nazareth House: The southerly playground/games area is close to Nazareth House part of which is a listed building. However, the listed section is on the other side of the complex to the affected area and its setting is not materially affected.

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 improve recreation facilities at the school, would not have an adverse impact on the visual appearance of the surrounding area and would not have a materially detrimental effect on the residential amenity of nearby occupiers.

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 105, 100A, 102A, 103A, 104A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

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

Ward: Prestwich - St Mary's

Item 12

Applicant: Dr Hafiz Rehman

Location: 3 PRESTWICH PARK ROAD SOUTH, PRESTWICH, M25 9PF

Proposal: DEMOLITION OF EXISTING BUNGALOW AND THE CONSTRUCTION OF A NEW DETACHED 2 STOREY DWELLING TOGETHER WITH SUB-BASEMENT PARKING

Application Ref: 48035/Full

Target Date: 04/07/2007

Recommendation: Approve with Conditions

Description

The application follows a previous approval in October 2006 (46800) for a scheme that proposed various extensions to the existing house on the site - see relevant Planning history.

This proposal involves the demolition of the existing bungalow and the reconstruction of a house along the lines of the previously approved scheme. The resulting two storey house would have an undercroft double garage and would sit centrally within the plot.

The house would be constructed in brickwork with a render at first floor level. The roof would have a traditional hipped roof design with tiles. Access would be from Prestwich park Road South in the north west corner of the site.

The proposal would, as with the previous scheme, involve the removal of two trees along the Prestwich Park Road South frontage and three trees along the boundary with No.5. The two on the front are in poor condition and are suppressed by the two larger trees that are to remain. The trees on the side boundary are in better condition but are very close each other and the existing houses at No.3 and No.5. The applicant proposes to replant a replacement oak tree in the front garden and a copper beech hedge around the rear garden boundary.

Relevant Planning History

48116 - Conservation Area Consent for Demolition of Bungalow to Allow construction of Detached Dwelling - Considered at this planning Control Committee.

46800 - Two storey side extension, first floor roof and first floor side extensions, conservatory at rear - Approved 20/10/2006

46337 - Similar application refused 07/07/06 - insufficient information and unacceptable impact on the Conservation Area.

Publicity

Site Notice posted 14/05 and Press Notice (17/05). Neighbours notified at the following addresses:

1-16 Hornby Lodge , 1, 2 and 5 Prestwich Park Road South, 2 and 8 Butterstile Lane, 1- 6 Princess Court.

One letter of objection from the occupier of 5 Prestwich Park Road South. The objector states that the proposal will have a detrimental affect on the character and appearance of St Mary's Conservation Area and conflict with the Council's conservation policies EN 2/1 and EN2/2.

Consultations

Environmental Health - No objection in principle.

Conservation Officer - No comment.

Landscape - No objection subject to details of tree and hedge planting.

Unitary Development Plan and Policies

EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control

EN1/2 Townscape and Built Design

EN8/1 Tree Preservation Orders

PPG15 PPG15 - Planning and the Historic Environment

Issues and Analysis

Principle. The principle of a larger house on the site has been accepted by the previous approval of a householder application for substantial extensions and alterations to the existing bungalow in October 2006.

Siting, Design and Appearance. The siting, design and appearance of the proposed house, with its conventional styling, external brickwork and render, is similar to that scheme approved in 2006. This scheme was found to be acceptable within the Conservation Area and as such the proposal accords with UDP Policies EN2/1 and EN2/2 relating to conservation area control.

Trees and Landscaping. The trees to be removed are the same as those to be removed under the previously approved scheme. Those to be removed on the frontage are not good specimens and their loss would not be seriously detrimental to the street scene and would allow additional growth space for those protected trees that remain. The landscaping scheme involving turfing the gardens, planting a replacement oak tree to the front and Beech hedging to the rear is considered to be acceptable. As such the proposal complies with UDP Policy EN8/1 relating to trees.

Access. The access is in the same position as the previously approved scheme and is considered to be acceptable.

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 replacement house is considered to comply with policies listed and would not be seriously detrimental to the street scene or amenity of immediate neighbours.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 20636/08, 09/G, 11/F, 10/F, 12/F, 13/B, 14/A 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. A minimum of 5 working days written notice shall be provided to the LPA of intended commencement of the development. The notification of commencement shall include a timetabled schedule of the intended tree protection measures and tree works. Any subsequent variation of the timetable shall be subject to further written notice.

Reason - To ensure that the development is carried out in accordance with the approved plans, to protect trees which are of amenity value on the site and pursuant to Policies EN8/1 – Tree Preservation Orders and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

5. No trees subject to a Tree Preservation Order, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before, during or after 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.

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 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.

8. The development hereby approved shall not be first occupied unless and until the redundant vehicular access onto Prestwich Park Road South has been reinstated to adjacent footway levels to the written satisfaction of the Local Planning Authority.

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

9. The foundations for the proposed boundary walls shall not encroach under the adjacent adopted highway at any point.

Reason. To ensure good design in the interest of road safety and maintain the integrity of the adopted highway.

10. The proposed windows located on the western elevation, adjacent to No.5 shall be fitted and maintained with obscure glazing in perpetuity.

Reason. To protect the privacy of adjoining occupiers.

11. 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.
12. Following the provisions of Condition 11 of this planning permission, where remediation is required, the approved remediation strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.
- Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
13. 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.
14. 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.

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

Ward: Prestwich - St Mary's

Item 13

Applicant: Dr H Rehman

Location: 3 PRESTWICH PARK ROAD SOUTH, PRESTWICH, MANCHESTER, M25 9PF

Proposal: CONSERVATION AREA CONSENT FOR DEMOLITION OF EXISTING SINGLE STOREY BUNGALOW TO ALLOW THE CONSTRUCTION OF A NEW BUILD DWELLING ON THE SITE

Application Ref: 48116/Conservation Area Consent

Target Date: 11/07/2007

Recommendation: Approve with Conditions

Description

This application is to be considered with the full application to construct a new two storey detached house on the site. The application (48035) is also on this agenda. The property is a large detached bungalow within St Mary's Conservation Area. The bungalow, which is of no particular architectural merit, is set back and elevated above the road with a stone retaining wall along the frontage. Trees within the plot are protected by a Tree Preservation Order and there other trees and vegetation. A steep driveway that separates the property from the detached bungalow at number 1 Prestwich Park Road South would be removed and the land regraded to form part of the front garden. Number 5 is a detached bungalow in a similar elevated position with a large kitchen window in the side.

Relevant Planning History

48035 - Demolition of bungalow and construction of two storey detached house - to be considered on this agenda.

46800 - Two storey extension at side; roof extension to create first floor; conservatory and basement garage - Approved 20/10/2006

46337 - Two storey extension at side; roof extension to create first floor; conservatory and basement garage - Refused 14/07/07 - insufficient information and unacceptable impact on the Conservation Area.

Publicity

Site Notice posted 16/5 and Press advert (24/5) and immediate neighbours notified at Nos.1 and 5 Prestwich park Road South, 2 and 8 Butterstile Lane and 1-6 Princess Court.

The resident of 5 Prestwich Park Road South objected to the original submission and maintains objection to the current proposal.

- The dwelling would not be in keeping with the area because of its size and higher roof line.
- The loss of trees would be of detriment to the Conservation Area.
- The previous grounds of refusal should still stand.

Consultations

Conservation Officer - No objection.

Landscape Practice - No objection.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control

EN8/1 Tree Preservation Orders

Issues and Analysis

Character of the Conservation Area - The bungalow is within St Mary's Conservation Area however, given that it is a relatively modern house of little historical or architectural merit it is not considered to contribute significantly to the character of the area. Its loss to the streetscape therefore would not harm the character of the conservation area and satisfy the provisions of Unitary Development Plan Policies relating to Conservation Areas and Central Government Guidance contained within PPG15 - Planning and the Historic Environment.

The loss of the trees on the site has already been accepted by the previously approved application which proposed major extensions and alterations to the existing bungalow.

Summary of reasons for Recommendation

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

The proposed demolition would not be detrimental to the character of the conservation area and complies with UDP policies listed and guidance contained within PPG15 - Planning and the Historic Environment. 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 Planning (Listed Buildings and Conservation Areas) Act 1990.
2. This decision relates to drawings numbered 20636/08, 09/G, 11/F, 10/F, 12/F, 13/B, 14/A 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. No trees subject to a Tree Preservation Order, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before, during or after 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.
4. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:2005 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
5. A landscaping scheme 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.

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

Ward: Prestwich - St Mary's

Item 14

Applicant: Bury MBC-Children's Services

Location: BUTTERSTILE COUNTY PRIMARY SCHOOL, SCHOOL GROVE, PRESTWICH, M25 9RJ

Proposal: CONSTRUCTION OF NEW SINGLE STOREY CHILDREN'S CENTRE WITH ASSOCIATED PARKING AND PLAY AREA

Application Ref: 48132/Full

Target Date: 16/08/2007

Recommendation: Approve with Conditions

Description

The proposal site comprises sloping land to the front of Butterstile Lane Primary School, a 1930's flat roofed building, and involves a single storey flat roofed building (18.3m x 10.5m, 4.8m to the roof parapet) and car park. The site is open and dotted with mature and semi mature trees and falls in gradient from north to south. The proposal is to accommodate a 'Children's Centre' and includes the creation of an 8 space car park and retaining structure to the north of the children's centre. A new access path leading from the turning head would provide pedestrian access to the facility and the car park would be accessed off the turning head. The proposed hours of opening would be between 0800rs and 1800hrs Monday to Friday inclusive.

The boundaries of the front of the school with properties on Agecroft Road West and Sandy Lane are heavily planted with mature trees and dense shrubbery.

The scheme is submitted as part of a Borough wide initiative to provide a Sure Start Children Centres as part of the 'Every Child Matters: Change for Children Programme'. Each building is to offer core services through an arrangement of co-ordinated outreach links to offer -

- Links to early years provision, through the existing school and other local provider provision;
- Child and family health services;
- Family support and outreach services;
- Links to Job centre Plus and Children's' Information Services for information and guidance provision;
- A central point / hub of delivery and co-ordination for integrated services for 0-5 year olds and their families.

Relevant Planning History

There is no relevant planning history affecting the site.

Publicity

40 Letters were sent to properties on 25/6/07 including School Grove, Agecroft Road West, Barnhill Road and Sandy Lane. As a result of this publicity, 2 objections have been received from 18 Agecroft Road West and 16 School Grove. Issues raised include -

- There has been no close consultation with residents (by the developers) and despite a request from residents for a meeting with the Governors, nothing has come forward.
- There has been no thought about the implications of traffic. The turning head is always congested and resident's driveways are regularly blocked.
- School Grove road surface is very poor currently, more traffic would exacerbate

this.

- Additional traffic would have significant implications on health and safety of pedestrians.
- Fire engine access is impossible due to congestion.
- Undesirables would be encouraged to visit the site.
- Given the lack of neighbour involvement, the complainant will pursue any course of re-dress if the project is approved including appeals and ombudsman.
- There is concern over the impact of the scheme over drainage problems affecting properties to the south.

Consultations

Traffic Team - Any response shall be reported.

Drainage Team - Any response shall be reported.

Environmental Health - No objections. Add standard conditions to ensure appropriate measures are taken to deal with any potential contamination that may be present within the site.

Unitary Development Plan and Policies

CF1/1	Location of New Community Facilities
EN1/2	Townscape and Built Design
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs

Issues and Analysis

Principle - The proposal seeks to provide local family services development utilising an existing education facility and its grounds. UDP Policy CF1/1 - Location of New Community Facilities considers that issues such as -

- the impact upon residential amenity;
- traffic generation;
- car parking;
- size, scale and design
- the proposals location in relation to the area it is intended to serve;
- accessibility and the needs of the disabled.

Siting, Height, Scale and Design - The scheme has been submitted with a design and access statement. The proposed building would be a single storey building set back from the main road frontage by approximately 4m. There are currently two mature multi stemmed trees where the building entrance would be located and as such the aspect from the street would change as a result of the development with the loss of the trees. However, the trees are not considered to be high quality species and their replacement within the school site could be provided for through the use of a planning condition.

The site currently slopes and to accommodate this, the development would have to sit within a newly created plateau. A planted crib lock retaining wall would be required to retain the higher land to the north. This would be landscaped. To the south of the proposed centre, would a another retaining wall to take account of the lower levels. This would have a brick appearance, but as there is dense screening to the southerly and easterly boundaries, this would have no impact upon these properties.

The building would be single storey and simple in design, which would match the main school building. Brick elevations would match the existing school and the development would assimilate appropriately into the street scene. As such, the building would be acceptable in terms of siting, height, scale and design.

Trees - The scheme would require the removal of 12 trees to accommodate the development. None of the trees are subject to a tree preservation order. The Design and Access Statement proposes to replace these trees within the school site and details would

have to be finalised through the imposition of a planning condition. The trees to be lost are largely within the centre of the site, however as noted above two of the trees are along the site frontage and have a presence within the street scene. These latter trees have been closely assessed and are not of significant merit to be retained nor to seek an amendment to the scheme.

Access and Car Parking - The design and access statement confirms that there would be level access into the building and that there would be a level access from the pavement with no cross falls on the proposed path access. One disabled parking bay would be provided within the proposed car park, which would comply with Council planning policy.

The car park element is a joint proposal between the school and Children's Services to provide additional car parking for the school to resolve car parking problems currently experienced by the neighbouring residential properties and also to provide some facility to the children's centre.

The staffing numbers are limited within the development with four full time staff proposed and three part time. It is understood that not all staff are there at the same time. Of the 8 spaces proposed, four would be for the centre and the remaining four for the school. It is considered to be appropriate for the scheme and this approach has been taken on other similar schemes at Woodbank and Sedgley Park Schools. The scheme does not preclude parking for clients in the new car park, but as the intention of these proposals is that the centres are to be located within the heart of the area that they serve, its users are likely to be pedestrian. This is a consistent approach that has been adopted on other recently approved schemes. Given the above, it is considered that the proposals have adopted an approach to resolve existing parking issues and also provided for the new development. As such the scheme would comply with UDP Policies HT2/4 and HT5/2.

Residential Amenity - The building would be a low profile development and given the existing tree cover, differences in levels and siting, the development would not have a significant impact upon residential amenity or outlook to properties to the south of the development. The scheme would have an external area where children would be able to use to the rear of the building. It would be partly enclosed by walling and would have railing above it. However, the synergy of the use with the existing school, separation distances of no less than 20m, design of the external play area and dense tree screen between the development and the south and easterly boundaries, it is considered that noise or privacy would be affected to any significant degree. No objections have been raised to the proposals from Environmental Health on this matter.

Response To Objectors - The objections from School Grove have centred upon parking issues related to the school as it currently exists. The proposal has sought to address this by providing some space for the school and also for the new development as explained above. In terms of drainage matters, the scheme indicates that drainage would connect into the existing system. The scheme has incorporated a 'green roof' design in order to reduce the water run-off to lower levels of land. Collected water can be used as 'grey water' and excesses can run into appropriate drainage systems. Such a proposal should improve the run off. Details of the roof are being sought through the imposition of a planning condition. The Council's Drainage Team has been consulted on the scheme and their response will be reported to Committee.

Given the above considerations, it is considered that the principal and the details of the scheme are acceptable and would comply with the UDP policies used to consider such proposals.

Summary of reasons for Recommendation

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

The development would provide an additional community facility which would not have any undue impact beyond the site itself. The development would assimilate into the street scene

appropriately and the development would comply with adopted policies of the Unitary Development Plan and there are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered PL01, PL02, PL03, PL04, PL05, PL06 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. Prior to the development hereby approved commencing:
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas risks have been identified, a detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
 - Where remediation is required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved remediation strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
6. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to

works commencing on site, and;

The approved contamination testing shall then be carried out and validatory evidence (laboratory certificates etc) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.

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

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

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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

8. A landscaping scheme including a tree replacement 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.

9. Details of the proposed 'green roof' shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved details only shall be implemented.

Reason - To secure the reduction of waste water run off and pursuant to objectives of PPS1 - Delivering Sustainable Development.

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

Ward: Radcliffe - East

Item 15

Applicant: Orchid Group

Location: THE AINSWORTH ARMS, 465 BURY & BOLTON ROAD, RADCLIFFE,
MANCHESTER M26 4LJ

Proposal: CONSTRUCTION OF A MESH COVERED TIMBER PERGOLA TO EXISTING
BEER GARDEN

Application Ref: 48006/Full

Target Date: 05/07/2007

Recommendation: Approve with Conditions

This application was deferred for a site visit at the previous Planning Control Committee Meeting.

Description

The Ainsworth Arms is a large public house on the corner of Bury and Bolton Road and Starling Road. There is a large car park to the side and rear of the building with vehicular access from Starling Road. The area between the existing car park to the side and the west side of the public house is given over to a small uncovered patio/beer garden although some of the tables in this area have large parasols.

To the west across the car park is a detached dwellinghouse whose gable is adjacent to the boundary. There are no habitable room windows on the gable. The shared side boundary is planted up with a 3m high hedge and tree and shrub planting. Across the car park at the rear is a large detached dwellinghouse at No.13 Starling Road. To the south, across Bury and Bolton Road is an area of open land planted with trees and shrubs round the periphery. The proposed all weather shelter would be attached to the western side of the public house. It would have a footprint of 9m by 4.5m and cover the area of the existing beer garden and patio area. The frame would comprise a timber frame with a flat roof covering over half of the area made up of polycarbonate sheeting. There would be a timber trellis erected on top of the existing wall that separates the car park from the beer garden. Access from the public house into the shelter would be via the existing side entrance which also has a ramp up to the car park.

The proposal also involves erecting lights and heaters on the timber frame around the enclosed area.

The public house, including the existing beer garden, has a licence to sell alcohol up to 11pm Monday to Saturday and to 10.30pm on Sundays.

Relevant Planning History

The premises has had various extensions over the years but this is the first planning application since 1998.

34190 - External Children's play area - Approved 2/7/98

33846 - External Children's Play Area - Refused 19/3/98

32760 - Single Storey Extension and Covered Walkway - Approved 6/2/97

31626 - Illuminated Signage - Approved 19/02/96

31427 - Single storey front, side and rear extension, Alterations to access, car park and patio - Approved 14/12/95

Publicity

Site Notice posted and immediate neighbours notified at 2, 29 and 457 Bury and Bolton Rd, 2, 4 and 13 Starling Road and 82 Higher lane - Letters of objection has been received from the occupiers of 29, 455 and 457 Bury and Bolton Road and 13 Starling Road. The objections are summarised below.

- The creation of the shelter is likely to be a source of noise and disturbance during opening hours both from customers under the pergola and cars within the car park.
- Light pollution from the external lights.
- There is already a covered area that could cater for smokers.
- The pergola could be screened from the car park to reduce potential noise disturbance.

Consultations

Traffic Team - No objection.

Drainage Team - No objection.

Environmental Health - No comment to date.

Police - No objection.

BADDAC - No objection.

Unitary Development Plan and Policies

OL1 Green Belt

OL1/2 New Buildings in the Green Belt

EN1/2 Townscape and Built Design

EN1/5 Crime Prevention

SPD8 DC Policy Guidance Note 8: New Buildings in the Green Belt

S2/6 Food and Drink

HT5/1 Access For Those with Special Needs

Issues and Analysis

Appearance and Siting. The proposed garden shelter appears to be modest in scale and in keeping with the existing public house. It would not extend out significantly from the building and be set well back into the site. It would also be well screened by existing walling and proposed timber trellis next to the car park and planting along the boundary with 457 Bury and Bolton Road. It is considered to comply with the provisions of UDP Policy EN1/2 Townscape and Built Design.

Residential Amenity - UDP Policies S2/6 - Food and Drink and H3/1 - Assessing Non-Conforming Uses are concerned with issues of residential amenity such as noise, smell, visual intrusion and hours of operation. The concerns of the objector regarding noise and disturbance are considered to be relevant and material. It is noted that the area to be covered is part of the existing beer garden/ patio area along the side of the public house. The layout submitted shows seating for 18 customers although there is also seating for a further 30 people on the adjacent patio area.

The proposal is to cover about a quarter of the area of the existing beer garden with the proposed pergola. Whilst it is likely that there would be additional noise coming from the patio area during winter and periods of poor weather when the covered area would allow smokers and other customers to gather outside, the critical question is whether the level of noise and disturbance serious enough to refuse permission given the size of the area concerned, the existing boundary screening, the distance to the adjacent dwellinghouse and the restrictions that can be imposed with regard to lighting and noise from loud speakers and the hours of use of the proposed shelter.

It is considered reasonable to limit the use of the proposed shelter to 10pm, after which time customers in the shelter would move back into the main building. Boundary screening would be more effective in Spring and Summer when the trees are in leaf and when residents would be more likely to be in their gardens. Although screening would be less significant in the Autumn and winter the boundary trees would still create an important 'veil' along the boundary. It should also be noted that the plans include a trellis that would partially screen the area, aid noise reduction - particularly if it encourages further planting on the structure - and discourage potentially noisy interaction between customers in the beer garden and those on the car park as one objector has stated sometimes occurs.

Access - The existing ramp to the beer garden and main entrance would remain in situ and present an acceptable access point for disabled customers.

Objections - The closest residential property at 457 Bury and Bolton Road is approximately 18m away from the proposed shelter. It is not considered that the noise and disturbance generated by customers in the covered area would be serious enough to warrant refusing the application given the mitigating factors referred to above.

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

Summary of reasons for Recommendation

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

The proposed shelter is modest in scale and should not cause serious harm to visual or residential amenity given the restrictions imposed through conditions. The proposal complies with Unitary Development Plan Policy. 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 revised drawings numbered 0711-07-02/A and 03/A 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 development shall take place unless and until a scheme of lighting has been submitted to and approved by the Local Planning Authority for all of the external areas of the building. The external areas shall not contain any external lights other than that which would be in accordance with the approved scheme.
Reason. In the interests of residential amenity.
5. There shall be no loud speakers provided to the external areas, including the proposed shelter at any time.
Reason. In the interests of residential amenity.
6. The proposed garden shelter shall not be available for use by customers outside the following hours - 0900 hrs to 2200 hrs daily.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/6 – Food and Drink of the Bury Unitary Development Plan.

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

Applicant: Salford R C Diocesan Trustees

Location: ST MARYS RC SCHOOL, BELGRAVE STREET, RADCLIFFE, M26 4DG

Proposal: EXTENSION TO EXISTING SCHOOL TO PROVIDE ASSEMBLY/SPORTS HALL AND NEW CHURCH; FORMATION OF CAR PARK AND ERECTION OF BOUNDARY WALL TO NORTHERN BOUNDARY

Application Ref: 48061/Full

Target Date: 21/08/2007

Recommendation: Approve with Conditions

Description

The application site consists of a single storey school, with a single access from Belgrave Street. The playground for the school is located at the eastern end of the application site and beyond that are playing fields. To the rear of the application site is Gorsefield Primary School. There are residential properties located to the north, west and east of the site. The residential properties to the east of the site can only access the school via a footpath, which is designated as protected recreational land. Access to the school is gained from Belgrave Street, which forms a cul-de-sac and there is an existing lay-by located opposite Belgrave Drive

The proposal involves the demolition of an existing school building and the erection of an extension to the main school building consisting of a replacement of the existing windows with those of a similar style and appearance.

Relevant Planning History

23753 – Additional classrooms at St Marys RC Primary School, Belgrave Street, Radcliffe. Approved – 11 January 1990

31589 – link extension and external alterations at St Marys RC Primary School, Belgrave Street, Radcliffe. Approved with conditions – 14 December 1995

32686 – Erection of 2.4metre high palisade fence and gates to replace existing at St Marys RC Primary School, Belgrave Street, Radcliffe. Approved with conditions 19 December 1996.

Publicity

The neighbouring properties (Gorsefield Primary School; 1 Belgrave Drive; 35 – 49 Belgrave Street – odd Nos; 2 – 12 Belgrave Close – even Nos; 1, 3, 5 Chestnut Fold; 1 – 7 Bridle Fold) were notified by means of a letter on 24 May and a press notice was posted on 31 May. Site notices were posted on the corner of Belgrave Drive & Belgrave Close and Belgrave Street on 31 May 2007.

26 letters have been received from the following properties - 23, 25, 27, 28, 29, 31, 33 Belgrave Street; 2, 6, 11, 21, 23 Belgrave Drive; 2, 3, 4, 5 Belgrave Close; 49, 69 Lowton Street; 71 Ainsworth Road; 115 Knowles Street; 7 The Shires, which have raised the following issues:

- A letter of support for the proposal
- The impact of the proposal on parking arrangements, especially as the road can be blocked during school opening and closing times at present.
- The impact of the proposal upon pedestrian safety
- The proposal would lead to an increased volume of traffic travelling up and down Belgrave Street, seven days a week
- A request for the speed limit to be dropped to 20mph
- The replacement of fencing with a brick wall may lead to vandalism

- A request for a site visit before the application is determined
- The school hall may be used for other functions, thereby increasing the levels of noise and air pollution would be increased to the detriment of local residents
- The proposal would be detrimental to the amenities of the neighbouring residents
- The proposed drop off point would create a back up of traffic especially if parents have to wait for their child
- The development does not take into consideration the large vehicles and HGVs which deliver to the site already.

A letter has been received from Ivan Lewis MP, detailing the concerns of the occupiers of No. 29 Belgrave Street, Radcliffe, which relate to the impact of the proposal upon traffic and a request that a site visit is undertaken by members of Planning Committee.

Consultations

Highways Team – No objections, subject to the inclusion of conditions relating to traffic calming measures, visibility splays and parking.

Drainage Team – No objections

Environmental Health – No objections, subject to the inclusion of conditions relating to contaminated land. No comments in relation to noise pollution.

Landscape Practice – No objections to the proposals. However, the scheme may benefit from the provision of some soft landscaping works and tree planting to enhance & compliment the scheme.

BADDAC – Provide accessible routes from public footway. Seek true level access.

GM Police Architectural Unit – No objections

United Utilities – No objection

Unitary Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN7/2	Noise Pollution
RT2/3	Education Recreation Facilities
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
CF1/1	Location of New Community Facilities
CF2	Education Land and Buildings
SPD6	DC Policy Guidance Note 6: Alterations & Extensions

Issues and Analysis

Principle

Policy CF1/1 states that proposals for the provision of improved community facilities would be considered acceptable where the scale and design of the development are acceptable, where suitable access and parking facilities can be provided and where there would be no conflict with other policies within the plan.

Policy CF2 states that the Council will, where appropriate, consider favourably proposals for the provision, improvement and dual use of educational facilities.

The proposed development is appropriate in scale and design and it is considered that suitable access and parking facilities would be provided. The proposed development would result in the improvement of the facilities provided by the school and would result in a shared use of the education facilities, including the car park and assembly/sports hall. Therefore, the proposed development is considered to be in accordance with Policies CF1/1 and CF2 of the Bury Unitary Development Plan.

Design and impact upon surrounding area - There is a mix of architectural styles within the

locality, including terraced properties and properties dating from the seventies and early eighties. The proposed development is fairly modern in design and it is considered that in design terms, the proposed development is appropriate in terms of height, form and scale. The proposed school hall extension would have a ridge height of 7.25 metres and the proposed church would have a ridge height of 6.6 metres. It is proposed for the whole extension to have a finished floor level of 103.1 metres. Therefore, it is considered that the proposed development would not be unduly prominent within the street scene, subject to conditional control.

The proposed development has been sited parallel with Belgrave Street. The proposed siting would allow the school and church to function independently, whilst allowing for interaction and the dual use of each building to be maximised. The location of the proposed extension ensures that the existing play area can be relocated to the rear of the site, which would ensure no loss of educational recreational space. The re-sited play area would be in a secure location and would be used as an overflow car park when the school was closed.

The proposed assembly/sports hall would have high level windows and therefore would not impact upon the privacy of the neighbouring residents. The position of the proposed extension ensures that the aspect distances, as set out in DCPGN6, to Gorsefield Primary School are maintained, as there would be 48 metres separating the existing and proposed buildings. On the northern elevation of the proposed development, there would be floor to ceiling openings, which would relate to the main area of the church. The distance between the proposed church and the rear elevation of Nos 2 to 6 Belgrave Close would be 38 metres, which is well in excess of the aspect distances contained within DCPGN6. In terms of noise, it is considered that the proposed development would not have a significant adverse impact upon the neighbouring residents and Environmental Health has no comments in relation to noise pollution. It is considered that the proposed development would not impact adversely upon the amenity of the neighbouring residents. Therefore, it is considered that the proposed development is in accordance with Policies EN1/1, EN1/2, EN7/2 and RT2/3 of the adopted Unitary Development Plan.

The proposed development would provide level access at all entrance points, with ramps or lifts being provided where appropriate. An accessible route would be provided from the pavement on Belgrave Street to the school. Therefore, it is considered that the proposed development would be accessible for all, in accordance with Policy HT5/1 of the adopted Unitary Development Plan.

Highway Issues - The proposed development would involve the provision of a second access point onto Belgrave Street, to serve a proposed additional parking facility. The existing parking area would be retained for staff parking. The proposed parking area would be located between the church and Belgrave Street and it would be available for use by the church. The objectors have raised the issue of parking and access during the consultation period and the applicant has acknowledged the access problems during school opening and closing times. Therefore, it is proposed to make the additional parking area available for use by parents during school opening and closing times as a drop off area. This would reduce the number of cars parking on Belgrave Street and would ease access for the residents of the neighbouring properties.

It is envisaged that the re-sited playground would act as an overflow car park for any events for either the church or the school outside of school hours, again reducing the need to park on the road and the impact upon the neighbouring residents. The highways team has no objections to the proposal, subject to the provision of traffic calming measures, which would be controlled via a condition. It is considered that there would be adequate parking facilities provided and the proposed development would not have a detrimental impact upon highway safety. Therefore, the proposal is in accordance with Policies HT2/4 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 is acceptable in principle and would not have a significantly adverse impact upon the amenity of the neighbouring residents. The proposed development is considered to be acceptable in terms of height, form and scale and would not look out of place within the locality, subject to conditional control. The proposed development would not be detrimental to highway or pedestrian safety. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 4288/01, 4288/02, 4288/03, 4288/04, 4288/05, 4288/06 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Prior to the development hereby approved commencing:
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas risks have been identified, a detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
 - Where remediation is required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved remediation strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
5. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to

works commencing on site, and;

The approved contamination testing shall then be carried out and validatory evidence (laboratory certificates etc) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.

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

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

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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

7. Prior to the commencement of the development, appropriate site investigations, gas monitoring and risk assessment shall be carried out to assess any possible risks associated with the production of landfill gas or ground gas. Where required, detailed design features shall be incorporated into the development, as shown necessary by the site investigation and risk assessment, to alleviate risks to the written satisfaction of the Local Planning Authority, and;

A Site Verification Report detailing the design and installation of the incorporated design features, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.

Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

8. The development hereby approved shall not be commenced unless and until a scheme of traffic calming measures on Belgrave Street and between its junctions with Knowles Street and Belgrave Drive and a programme for their implementation has been submitted to and agreed in writing with the Local Planning Authority.

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

9. Notwithstanding the details indicated on the approved plans, footway visibility in accordance with Section 7.8 of Manual for Streets shall be provided at the junction of the proposed car park access with Belgrave Street before the development hereby approved is brought into use.

Reason. To ensure the intervisibility of the users of the site and the adjacent highway in the interests of road safety.

10. The proposed car parking strategy detailed in the approved Design and Access Statement shall be implemented to the written satisfaction of the Local Planning Authority before the development hereby approved is brought into use, unless otherwise agreed in writing with the Local Planning Authority.

Reason. To ensure adequate off-street car parking arrangements and provision in

the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

11. The car parking indicated on the approved plans shall be surfaced, demarcated (other than the proposed overspill car park on the school playground) and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

Ward: Radcliffe - East

Item 17

Applicant: Martin's Food

Location: MARTINS FOOD, 137 ETON HILL ROAD, RADCLIFFE, M26 2XQ

Proposal: FREEZER ENCLOSURE EXTENSION

Application Ref: 48068/Full

Target Date: 31/07/2007

Recommendation: Approve with Conditions

Description

The site lies on the western side of Eton Hill Road, within Eton Hill Industrial Estate and is an established food (cake and other frozen produce) manufacturer in the locality. The factory is one large interlinked building set back from Eton Hill Road with car parking at the front. There is a short service road and turning head down one side for deliveries. There are offices to the front with the main factory to the rear. The factory is separated into freezer, store and main production and packaging areas.

To the north and east of the site are industrial premises. To the south and west are residential properties.

The proposal involves the demolition of a small packaging area at the rear of the existing freezer and the construction of an extension to the freezer. The new build would extend out 6m from the existing rear elevation and run 15m across. The height of the of the extension would be 6.6m at its apex and 5.6m at the eaves. Overall an additional 45sq metres of floor space would be created. The extension would be steel framed and clad in profiled sheeting to match the existing factory unit. When complete the rear elevation of 150 Bury Road as extended, would be 16m away.

Relevant Planning History

40143 - New Service Road and Erection of New Bulk Storage Unit - Approved 26/03/2003

Publicity

Immediate neighbours notified at 15 residential properties and a neighbouring factory:

134 -156(evens) Bury Road, 10-13 Wilton Gardens, 25 and 130 Cranbrook St, and B&P Grinding Ltd on Eton Hill Rd.

Two letters of objection from occupiers of 11 Wilton Gardens and 130 Cranbrook Street.

Concerns are outlined below:

- The freezer units would be closer to houses and therefore noisier than they are at present.
- The landscaping proposed when the previous extension was added has not been carried out and this has a detrimental affect on privacy.
- Trucks coming onto the site are very noisy and can cause disturbance.

Consultations

Environmental Health - No objection subject to appropriate noise levels being agree prior to development commencing.

Drainage Team - No objection.

Unitary Development Plan and Policies

EC2/1 Employment Generating Areas

EN1/2 Townscape and Built Design

Issues and Analysis

Principle - Unitary Development Plan Policy EC2/1 relating to Employment Generating Areas, states that the Council will allow Business (B1), General Industrial (B2) and Warehousing (B8) within this area. As such the extension of this factory is in principle acceptable subject to other relevant policies of the UDP and other material considerations.

Siting, Design and Appearance - UDP Policy EN1/2 - Townscape and Built Design states that the council will give favourable consideration to proposals which do not have an unacceptable adverse affect on the particular character and townscape. Factors to be considered include external appearance and design, relationship of the surrounding area, materials, access and parking, landscaping and lighting.

Visual Amenity - The design and appearance of the extension is considered to be acceptable in that it is in keeping with the existing freezer units both in terms of its scale, massing and finishing materials.

Residential Amenity - Although the site lies within an established industrial area, it is adjacent to housing and therefore there is potential for development to cause harm to the amenity of local residents. From the two letters received there appears that some disturbance is caused by delivery vehicles and noise from the site. From a recent site visit the noise that seems to be causing the disturbance is emanating from condenser units on the side of the factory across from the objectors' property. These control the temperature within the main factory rather than the freezer itself. The freezer is actually cooled by three seperate condensers to the rear of the building. It is not considered therefore that the proposed extension would have an impact on noise levels from the site as the extension would be on the back of the freezer away from the objectors' properties. The concerns seem to be of a more general nature and would be addressed by Environmental Health controls. It is noted that no objections have been received from those houses closest the extension over the western boundary, on Bury Road. These properties are partly screened from the site by existing hedging and trees along this boundary. The applicant has stated that the existing older condenser units on the rear of the freezer are due to be replaced in the near future. Notwithstanding the current noise levels around the freezer condenser units it is considered appropriate to mitigate noise nuisance by requiring an acoustic insulation scheme to the new extension and external equipment such as condensers to be approved prior to development commencing.

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 extension is designed to be in keeping with the existing factory unit and should not seriously affect the visual amenity of the locality or residential amenity of the immediate neighbours. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 2029.05AL(2)P01 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

3. The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

4. Before the development hereby approved commences, the building, together with any external ancillary equipment such as condenser units, shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the local planning authority in order to secure a reduction in the level of noise emanating from the site.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation.

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

Ward: Radcliffe - East

Item 18

Applicant: Punch Taverns plc

Location: BRIDGE INN, 409 DUMERS LANE, RADCLIFFE, M26 2QN

Proposal: SMOKING SHELTER AND NEW RAILINGS TO BEER GARDEN (RESUBMISSION)

Application Ref: 48335/Full

Target Date: 20/08/2007

Recommendation: Approve with Conditions

Description

The application site is the Bridge Inn Public House, fronting Dumers Lane with York Street to the rear. The area is characterised by a mix of industrial and residential properties, with residential properties to the immediate rear and opposite the site. Adjacent to the south western boundary is a United Utilities sub station. Along the frontage of the pub is an area for parking and to the side an existing beer garden and which is bounded by a small wooden fence adjacent to the pavement.

It is proposed to erect a smoking shelter to the front of the premises within the existing beer garden and new railings to the beer garden. It would project from the front elevation approx 2m and be 3.2m wide with a mono pitched roof in materials to match the existing building. There would be a part blockwork wall with rendered finish to a height of 1.1m on the right hand elevation. The gable ends would be timber framed with rendered panels. The total height of the shelter would be 3m. Access would be gained via a new door opening to the bar area 1m wide. The proposed railings would replace the existing fence panels to a height of 1.2m.

Relevant Planning History

48119 - new timber smoking shelter to front and new railings to beer garden - withdrawn May 2007

Publicity

Neighbours were notified at 246 - 260 (evens) Dumers Lane; 1, 3, York Street and an e-mail correspondent. One letter of objection received from a resident on Dumers Lane (no address given), summarised as follows:

- there is already disturbance from the pub
- the addition of a smoking shelter would increase noise and disturbance outside the pub and on the street
- increasing the height of the fence would encourage children to climb the roof of the sub station
- suggestion that hours be restricted to 10pm or the application refused

Consultations

Highways Team - No comments received

Environmental Health - No objections subject to conditions

GM Architectural Liaison Unit - No objections to the application. Would prefer the proposed railings to be 1.5m in height instead of 1.2m.

United Utilities - No comments received

Unitary Development Plan and Policies

S2/6 Food and Drink

EN1/2 Townscape and Built Design

Issues and Analysis

Appearance and Siting - The public house is a prominent feature being on a corner plot and fronting Dumers Lane, and as such the smoking shelter would be highly visible. However, the scale of the proposed extension is very minor in comparison to the full extent of the building and is considered not to be obtrusive to the street scene. The design and use of materials to match the existing pub would also reduce the impact on the building and character of the area.

The proposed railings would be 1.2m in height and would include a new gate opening to the beer garden adjacent to the smoking shelter. The design would complement the proposed new build and enhance the frontage of the existing pub.

In design terms the structure and railings are considered to comply with Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

Residential amenity - UDP Policy S2/6 - Food and Drink is concerned with issues of residential amenity such as noise, smell, visual intrusion and hours of operation. The concerns of the objector regarding noise and disturbance are relevant and material considerations. Given the open nature of the structure there is liable to be increased noise from customers using it. However, it is considered that the level of noise and disturbance would not be serious given the size of the area concerned and the restrictions which can be imposed with regards to noise from loud speakers and hours of use of the shelter. There is also an existing beer garden adjacent to that of No 1 York Avenue which can already be used during the licensed opening hours. The proposed shelter is considered not to significantly exacerbate the situation any more than existing and would comply with UDP Policy S2/6 - Food and Drink.

Access - The shelter would be accessed from the pub via a new door opening on the front elevation and via a gate from the fore court of the building, the width of which would accommodate wheelchair users.

Objection - It is considered that the noise and disturbance generated by customers in the covered area would not be serious enough to warrant refusing the application but it is proposed to restrict the hours of use by condition until 10.00pm.

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 proposals are considered to be appropriate and in keeping with the existing Public House and should not seriously harm the residential amenity of the immediate neighbours or detrimentally effect the character of the street scene.

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 25/6/2007 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. The external finishing materials for the proposal hereby approved shall match those of the existing building.

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

4. The proposed shelter shall not be available for use by customers outside the following hours - 0900 hrs to 2200 hrs daily.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/6 – Food and Drink of the Bury Unitary Development Plan.

5. There shall be no loud speakers or amplified music provided to the external areas, including the proposed shelter, at any time.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/6 – Food and Drink of the Bury Unitary Development Plan.

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

Ward: Radcliffe - West

Item 19

Applicant: Cams Lane Sports Club

Location: LAND ADJACENT TO RUNNING TRACK, CAMS LANE PRIMARY SCHOOL CAMS LANE, RADCLIFFE, M26 3SW

Proposal: FORMATION OF CAR PARK AND SITING OF 3 CONTAINERS ALSO TO BE USED AS A CHANGING ROOM AND FOR STORAGE OF EQUIPMENT.

Application Ref: 48073/Full

Target Date: 10/08/2007

Recommendation: Approve with Conditions

Description

The site is the Nellie Halstead running track south of the Cams Lane County Primary School in Radcliffe and the applicant is seeking to share this facility by forming a football pitch within the running track.

The proposal is to use the south eastern corner of the site for a 30 space car park and the placing of 3 containers to be used for storage and changing rooms by Bury Amateurs FC and the Athletics Club. The car park is to be formed from rolled 'crusher run' and the three containers are some 12m long by 2.9m high and 2.4m wide. They would be located immediately adjacent to each other and would be screened by the existing hedgerow and the planting of 4 mountain ash trees on the southern/eastern boundary. Pedestrian and vehicular access to the site would be via the existing gates on Cams Lane.

Relevant Planning History

None

Publicity

A site notice was placed on the 25th June and immediate neighbours have been notified by post. Three letters of objection have been received from 3, 5 and 14 Cams Acre Close, Radcliffe. They have raised the following issues:

- potential disturbance from youth congregating around the containers
- loss of visual amenity from the placing of the containers
- potential damage to property from youths throwing stones from the car park
- potential loss of wildlife if the hedgerows are affected
- potential anti-social behaviour from vehicles using the car park and track for racing
- proposed trees would block views
- what are the intentions of the club with regard to future development of the site?
- will use of site be restricted to one day a week as stated in the application?
- is the proposed access suitable and would Scotson Fold be a better access?
- additional traffic on Cams Lane will endanger pedestrians using the Lane.
- can the site be adequately secured?
- the allowing of the application would create a precedent for future larger scale development
- potential disturbance from increased traffic

Consultations

Highways Team - no objections subject to the hedge on Cams Lane being regularly trimmed to maintain the maximum highway width.

Drainage Team - no objections subject to standard advisory notes

Environmental Health - no objections subject to standard conditions

Unitary Development Plan and Policies

OL1	Green Belt
OL1/2	New Buildings in the Green Belt
RT1/2	Improvement of Recreation Facilities
EN6/3	Features of Ecological Value
EN1/5	Crime Prevention
HT2/4	Car Parking and New Development

Issues and Analysis

Use - the site is located within the Green Belt and on land used for sports purposes, even though it is not designated as Protected Recreational Land. The site currently has a running track, which has deteriorated over the years, and the joining together of the Bury Armature FC and the Athletics Club should mean that a higher level of maintenance can be put into the area. Given the temporary nature of the use and the fact that it is a recreational use with the green belt the associated activities are in accordance with Unitary Development Plan Policy OL1 and as such the proposal is acceptable.

Visual amenity - The site did have a small store building when it was originally developed which has since been demolished. Recreational uses such as a running track and football pitch are acceptable within the Green Belt as are the associated parking and storage buildings providing that they do not impact adversely on the openness and character of the area. In this instance the proposed parking area will be formed from natural materials, crusher run, and the proposed buildings will be of a temporary nature only some 2.9m in height. The high hedge (3m) on the frontage to Cams Lane and the proposed landscaping mean that the car park and buildings do not impact adversely on the openness or character of the area and as such the proposal will not impact adversely on policy OL1 in the Unitary Development Plan.

Access - the proposed access is off Cams Lane which is a narrow lane that has acted as an access to the site since it was developed. The sports use on the site has been established and its use by the local amateur football club will lead to some increase in traffic but it is not considered that this would be so great as to cause a material detriment to highway safety or residential amenity. In order to ensure that the maximum highway width is maintained a condition is to be imposed requiring the hedge from the access point on the site to the boundary with Cams Lane County Primary School to be trimmed on a regular basis. As such it is not considered that the proposal will be contrary to Unitary Development Plan Policy

Residential amenity - the west side of Cams Lane is bounded by residential property. The boundary with Cams Lane is formed by a 2m high close boarded timber fence, hedge and trees. The proposed car park and temporary buildings will undoubtedly increase the traffic on the Lane but the limited use for a local amateur football club and athletics club is not considered to be so great as to create such a detriment to their residential amenities as to warrant refusal of permission.

Ecology - the site is located within a 250m protection zone to a habitat for a protected species (Great Crested Newts) and the hedgerows provide a habitat for a variety of wildlife. The site is some 180m from the pond around which the Newts are found and given the sensitivity of the location it is proposed that a condition be imposed requiring an Ecological Survey prior to the commencement of works on site and that a protective strip be formed between the car park and the hedgerow so as to protect its biological diversity.

Objections - The issues of visual and residential amenity and highways have been dealt with in the main body of the report. The concerns over potential anti social behaviour have been referred to the Greater Manchester Police Architectural Liaison Unit and their comments will be reported in the Supplementary Report.

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 temporary use for car parking and the positioning of containers is considered to be appropriate within the Green Belt and on the site given its use as a running track. The location of the car park and containers are such that they will not impact adversely on the character of the Green Belt and whilst the increase in use of Cams Lane will impact on both Highway Safety and Residential amenity this is not to an extent that would be contrary to the Policies of the Unitary Development Plan.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to the drawings received on 9th May 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. The permission hereby granted is for a limited period only, namely for a period expiring on 1st August 2010, and the containers, works and use comprising the development of the containers alone, for which permission is hereby granted are required to be respectively removed and the use of the site for storage and car parking shall be discontinued at the end of the said period and the land reinstated to its former condition to the written satisfaction of the Local Planning Authority within 3 months of the date of this decision.
Reason. The development is of a temporary nature only pursuant to policies of the Unitary Development Plan listed below.
4. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the storage containers being first placed on site. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
5. The development hereby approved shall not commence unless and until a scheme of protection for all the hedgerows on the west and southern boundary of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall show a strip of not less than 1m between the car parking hard standing and the hedgerows and the development shall not commence unless this has been confirmed in writing and this strip shall be retained during the life of this consent.
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.

6. 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.
7. Prior to the commencement of any development works on the site, the developer shall undertake an ecological survey of the land to establish whether or not any protected Great Crested Newt is present. Where species or their habitat are found to be present, a mitigation report shall be prepared and submitted to the Local Planning Authority. No development or site clearance shall take place until the Local Planning Authority has agreed the mitigation measures in writing, and these measures shall then be implemented in accordance with that agreement.
Reason: To protect the interests of any protected Great Crested Newt, which may be present on the site.
8. Prior to the commencement of development, details relating to the proposed maintenance of the boundary hedge fronting Cams Lane between the entrance to the site and the boundary with Cams Lane County Primary School shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme of maintenance shall then be implemented in accordance with the schedule of works approved, in perpetuity.
Reason - To secure the satisfactory development of the site and in the interests of the highway safety of the area pursuant to Policy HT2/4 - Car Parking and New Development.

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

Ward: Radcliffe - West

Item 20

Applicant: Victoria Public House

Location: VICTORIA PUBLIC HOUSE, 119 AINSWORTH ROAD, RADCLIFFE, M26 4FD

Proposal: SMOKING SHELTER AT REAR

Application Ref: 48196/Full

Target Date: 07/08/2007

Recommendation: Approve with Conditions

Description

The Victoria Public House is situated on Ainsworth Road on the corner with Lowe Street. There is a yard area to the rear which is currently used for storage and part beer garden. There is a 2m concrete block wall along the south and west boundary with a high brick wall and gated access from Lowe Street. The area is predominantly residential in character with residential properties adjacent to the site on Lowe Street and Ainsworth Road.

The proposed smoking shelter would be located in the rear yard at the back of the pub and adjacent with the southern boundary. It would be 6m long, 2.5m wide and 2.3m high. It would be open on all sides with a steel frame supporting a filon glass fiber corrugated sheet roof and would be set in concrete blocks. Access would be via the rear entrance currently used as access to the beer garden.

Relevant Planning History

Non Applicable

Publicity

The neighbouring properties were notified by means of a letter. (113 - 123 and 106-112 Ainsworth Road, 62 - 70 and 31 Lever Street, 2 a,b,c Lowe Street). One letter of objection has been received from No 31 Lever Street which raised the following points:

- the existing building at the rear of the pub is currently under health and safety investigation due to being unsafe
- there have been issues of noise and trouble
- young children playing in the area would be susceptible to picking up the cigarette ends or getting burnt.

Consultations

Highways Team - No comments received

Environmental Health - No objections subject to conditions.

GM Police Architectural Liaison Unit - No objections

Unitary Development Plan and Policies

S2/6 Food and Drink

EN1/2 Townscape and Built Design

Issues and Analysis

Appearance and Siting - The proposed shelter would be situated to the rear of the pub in the existing yard area and beer garden which is enclosed by a high brick wall, and would therefore not be readily visible from the public highway. It could be viewed from the upper floors of the surrounding properties on Lever Street and Ainsworth Road but would not impact adversely on their outlook given the size and scale of the structure. In design terms

the shelter has been designed as a light open structure so as not to impact on the adjacent streets and buildings and is considered to comply with the provisions of UDP Policy EN1/2 - Townscape and Built Design.

Residential Amenity - UDP Policy S2/6 - Food and Drink is concerned with issues of residential amenity in terms of noise, smell, visual intrusion and hours of operation. The concerns of the objector regarding noise and disturbance are relevant and material considerations. Given the open nature of the shelter there is liable to be noise from customers using it. However, it is considered the level of noise and disturbance would not be serious given the size of the area concerned, its location in an already existing beer garden and the restrictions which could be imposed with regard to loud speakers and proposed hours of use. Although the area is residential in character it is considered the proposed development and the potential increase in general disturbance to the immediate neighbours would not be serious enough to warrant refusing the application given the restricted hours of use from 0900 to 2200 hours as per Condition 3, and therefore complies with UDP Policy S2/6 - Food and Drink.

Access - Access to the shelter would be via the rear pub entrance which is currently used as access to the beer garden.

Objections - There is a building within the curtilage of the public house, on the rear boundary adjacent to Lever Street, which is currently under investigation by the Building Control Department due to it being an unsafe structure. This building would be approximately 8.5m from the proposed shelter. Given this separation distance and position of the shelter it is considered not a relevant issue to this planning application. The proposed structure would be within the curtilage of the pub and as such should not cause extra nuisance with the littering of cigarette ends. The noise and disturbance issues have been covered in the above report.

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 shelter is considered to be appropriate and in keeping with the existing Public House and should not seriously harm the residential amenity of the nearby occupants or detract from the character of the street scene.

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 12/6/2007 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. The proposed shelter shall not be available for use by customers outside the following hours - 0900 hrs to 2200 hrs daily.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/6 – Food and Drink of the Bury Unitary Development Plan.

4. There shall be no loud speakers or amplified music provided to the external areas, including the proposed shelter, at any time.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/6 – Food and Drink of the Bury Unitary Development Plan.

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

Applicant: Mrs L Lowe

Location: BRADSHAW HEAD FARM, WATLING STREET, AFFETTSIDE, TOTTINGTON, BL8 3QJ

Proposal: LISTED BUILDING CONSENT FOR REMOVAL OF STONE FLAGS AND REPLACEMENT WITH WELSH BLUE SLATES AND REPLACEMENT OF DEFECTIVE PURLINS

Application Ref: 47981/Listed Building Consent

Target Date: 11/07/2007

Recommendation: Approve with Conditions

Description

Bradshaw Head Farm is a Grade II listed building, which consists of a farmhouse and attached barn and there are various outbuildings in the curtilage. The building is stone with a stone flag roof and is in a state of disrepair. There is a large hole in the roof on the rear elevation, due to a failure of the roof structure and as a result scaffolding has been erected on the rear elevation. Access is gained by a cobbled driveway from Watling Street and there are mature trees along the boundary of the site with Watling Street. The application site is located within the green belt and the West Pennine Moors.

The proposal involves the removal of the stone flags and their replacement with Welsh Blue slate and the replacement of the defective purlins.

Relevant Planning History

47983 – Re-roofing of existing barn and farmhouse at Bradshaw Head Farm, Watling Street, Bury.
Received 16 May 2007.

Publicity

The neighbouring properties (Farnworth Hall Farm, Sunnybank, 106 – 110 Watling Street) were notified by means of a letter on 23 May and a press notice was published on 31 May. Site notices were posted on Watling Street on 29 May 2007. One letter of objection has been received from 108 Watling Street and has raised the following points:

- Impact of the proposals upon the listed building
- A preference that the listed building should retain all its original features including a stone flag roof

Consultations

Conservation Officer – The building is a late eighteenth century combined farm and barn. The value of the building is largely within the preservation of the external walls and king post trusses, as internally the farmhouse was subject to a 1950s update and there is little of architectural value.

The structural report on the roof states that the sub-structure of the roof is in an extremely poor condition due to insect damage and extensive rot due to dampness. The structural report states that the collapse of roof timbers and first floor timbers in the barn is a real possibility and all areas should be made safe as soon as possible. But for one purlin, the roof structure is not visible from the farmhouse rooms. The proposal is for complete replacement of the roof structure retaining only the two king post trusses. Selective repair and re-use of the timbers may be an option, but would be risky bearing in mind the previous infestation and may be a short-term and substandard solution

The substitution of one natural traditional roof covering material for another is acceptable.

The works will have some impact upon the architectural and historical value of the building but not to the point where this will be seriously detrimental to its character and appearance. No objections, subject to the inclusion of conditions relating to materials.

Unitary Development Plan and Policies

EN1/1 Visual Amenity
EN1/2 Townscape and Built Design
EN2/3 Listed Buildings
EN9/1 Special Landscape Areas

Issues and Analysis

Design and impact upon surrounding area - The listed building is not considered to be the highest quality example of its type and the value of the building is predominantly in the external walls and king post trusses in the barn. The proposed development would not impact upon the external walls and it is proposed to retain the king post trusses, whilst replacing the defective purlins.

The Conservation Officer has no objections to the proposal subject to conditional control of the materials. It is acknowledged that the proposed replacement of the stone flags with natural Welsh Blue slate would have some impact on the architectural and historic value of the building. However, it is considered that the substitution of one natural traditional roofing material for another is acceptable and natural Welsh Blue slate can be found on other buildings within the locality.

The structural survey submitted as part of the application states that the collapse of roof timbers and first floor timbers to the barn is a very real possibility and all areas should be made safe as soon as possible. It is considered that the proposal would ensure that the building would not fall further into disrepair and would not be unduly prominent within the area. Therefore, it is considered that the proposed development would not impact significantly upon the architectural and historical value of the listed building and is in accordance with Policies EN1/1, EN1/2, EN2/3 and EN9/1 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;-
Having studied the submitted documents, assessed the proposed development on site and taken into account all representations and consultation responses; it is considered that the proposed development is acceptable because it would not cause demonstrable harm to interests of acknowledged importance.
There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. This decision relates to drawings numbered TPD-283 Location Plan, 283-01, 283-02, 283-03 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. Samples of the natural Welsh Blue slate to be used on the roof shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Thereafter the development shall be constructed in the approved materials.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policies EN1/2 - Townscape and Built Design and Built Design and EN2/3 – Listed Buildings of Bury Unitary Development Plan.

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

Applicant: Mrs L Lowe

Location: BRADSHAW HEAD FARM, WATLING STREET, AFFETTSIDE, TOTTINGTON, BL8 3QJ

Proposal: RE-ROOFING OF EXISTING BARN & FARMHOUSE

Application Ref: 47983/Full

Target Date: 11/07/2007

Recommendation: Approve with Conditions

Description

Bradshaw Head Farm is a Grade II listed building, which consists of a farmhouse and attached barn and there are various outbuildings in the curtilage. The building is stone with a stone flag roof and is in a state of disrepair. There is a large hole in the roof on the rear elevation, due to a failure of the roof structure and as a result scaffolding has been erected on the rear elevation. Access is gained by a cobbled driveway from Watling Street and there are mature trees along the boundary of the site with Watling Street. The application site is located within the green belt and the West Pennine Moors.

The proposal involves the removal of the existing stone flags and the replacement of these with Welsh Blue slate as well as the replacement of the defective purlins.

Relevant Planning History

47981 – Listed building consent for the removal of stone flags and replacing with Welsh blue slate at Bradshaw Head Farm, Watling Street, Bury.
Received 16 May 2007.

Publicity

The neighbouring properties (Farnworth Hall Farm, Sunnybank, 106 – 110 Watling Street) were notified by means of a letter on 23 May and a press notice was published on 31 May. Site notices were posted on Watling Street on 29 May 2007. One letter of objection has been received from 108 Watling Street and has raised the following points:

- Impact of the proposals upon the listed building
- Impact of the proposals upon the green belt and special landscape
- Impact of the proposals upon the bats which are present in the locality

Unitary Development Plan and Policies

H2/3 Extensions and Alterations
EN1/1 Visual Amenity
EN1/2 Townscape and Built Design
EN2/3 Listed Buildings
EN6/3 Features of Ecological Value
EN9/1 Special Landscape Areas
OL1/2 New Buildings in the Green Belt
OL7/2 West Pennine Moors
PPG2 PPG2 - Green Belts

Issues and Analysis

Principle - The proposed development involves the replacement of the roof materials on a building located in the green belt and the proposal should be assessed against Policy OL1/2, DCPGN8 and PPG2 (Green Belts).

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 and provides scope for other uses which are considered to be appropriate, including the limited extension or alteration of existing dwellings.

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.

The proposed development would not detract from the openness of the green belt and would not be unduly prominent within the locality. The proposed development would not result in a detrimental impact upon the character of the area. Therefore, it is considered that the proposed development is in accordance with DCPGN8, Policies OL1/2, OL7/2 and EN9/1 of the adopted Unitary Development Plan and government guidance in the form of PPG2.

Design and impact upon surrounding area - The proposed development involves the re-roofing of the farmhouse and barn. It is considered that the proposed development would not impact upon the amenity of the neighbouring residents, as there would not be any additional openings formed and there are adequate separation distances between the properties.

The proposed re-roofing of the farmhouse and attached barn would not detract significantly from the visual appearance of the building. It is acknowledged that the proposed replacement of the stone flags with natural Welsh Blue slate would have some impact on the architectural and historic value of the building. However, it is considered that the proposed material, natural Welsh Blue slate is acceptable and would match other buildings in the locality, where Welsh Blue slate has been used.

The structural survey submitted as part of the application states that the collapse of roof timbers and first floor timbers to the barn is a very real possibility and all areas should be made safe as soon as possible. It is considered that the proposal would ensure that the building would not fall further into disrepair and would not be unduly prominent within the area. Therefore, it is considered that the proposed development would not look out of place within the locality, subject to conditional control and would not impact significantly upon the architectural and historical value of the listed building and is in accordance with Policies EN1/1, EN1/2, EN2/3, EN9/1 and OL7/2 of the adopted Unitary Development Plan.

The bat survey, which was submitted as part of this application states that there was no evidence to suggest that bats have roosted in the barn or house. An owl was seen near the site and further survey work is recommended before the work is carried out. It is proposed to secure this via a condition. Therefore, it is considered that the proposed development would not cause harm to bats or owls and is in accordance with Policy EN6/3 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 is acceptable in principle and the proposed development would not impact upon the amenity of the neighbouring residents. The proposed development would not look out of place within the locality, subject to conditional control.
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 TPD-283 Location Plan, 283-01, 283-02, 283-03 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. Samples of the natural Welsh Blue slate to be used on the roof shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Thereafter the development shall be constructed in the approved materials.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policies EN1/2 - Townscape and Built Design and Built Design and EN2/3 – Listed Buildings of Bury Unitary Development Plan.

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

Ward: Ramsbottom + Tottington - Tottington

Item 23

Applicant: Adonhill

Location: BERRY'S GARDEN CENTRE, TURTON ROAD, TOTTINGTON

Proposal: REPLACEMENT GARDEN CENTRE BUILDING & IMPROVEMENTS TO ACCESS, CREATION OF NEW FOOTWAY TO TURTON ROAD & CAR PARKING (AMENDED SCHEME)

Application Ref: 48072/Full

Target Date: 04/07/2007

Recommendation: Approve with Conditions

This application was deferred for a site visit at the meeting of the Planning Committee on 19th June 2007

Description

The application site comprises a 0.9ha site located off Turton Road within the Green Belt. The land was formerly used as a nursery/small garden centre in the past but has not operated for a number of years. Access to the site is obtained directly from Turton Road and the access point is shared by a detached dwelling sited to the east of the access point.

The site is located on a hillside and levels of the land rise progressively towards Cann Street to the south west of the site. There is a hedge along the site frontage to Turton Road and trees screening to the north west of the site. Dwellings on Cann Street overlook the application site and to the south of the site is a public footpath, that separates the site from a housing estate.

This is the third application for the use of the site as a garden centre in the past 12 months, with each scheme successively having been reduced in scale.

The difference between this current application and the last scheme is a significant change to develop only half of the site within the ownership of the applicant and to utilise only the existing hard surfaces, building footprints with the exception of a new service road.

This application is seeking to re-establish a garden centre use comprising the erection of three sales buildings to the westerly part of the site, with car parking to the southerly end of the site for 42 cars, using existing former car parking areas. Access to the car parking again would use an existing road within the site.

A new service road for delivery purposes would be created from the main access point into the site to run along the westerly side of the three new sales buildings. To the south of the site would be a growing area and outdoor sales area. The frontage of the site and westerly boundaries of the site would be landscaped. In the central part of the site would be three conjoined buildings acting as a sales area, office and refreshments area. These buildings would be set into the hillside, comprise a curved roof with composite wall panels resting on dwarf brick walls. The buildings are intended to be located generally where the former sales buildings and garaging stores are currently located on the site and would appear to 'step up' the hillside. The buildings would be 6.8m to the highest part of the roof and 4.5m to the eaves. Each building would be 12m wide and 25m long. The scheme also includes proposals to create a new foot way from Woodstock Drive along the Turton Road frontage to the entrance of the site.

Relevant Planning History

32551 - demolition and rebuilding of garden centre shop - approved - 7/11/96

32552 - erection of temporary garden centre shop - approved - 7/11/96

46787 - replacement garden centre, improvements to access and car parking - withdrawn - 4/10/06

46786 - One dwelling - refused - 22/9/07

47420 – Replacement garden centre building, improvements to access and car parking – Refused on 21/3/07 – due to the scale, design and layout of the proposed car park, hard standing areas, access roads and car parking being detrimental to the Green Belt in terms of visual impact.

Publicity

The application was publicised through site notices erected on 22/5/07 and 51 addresses notified on 17/5/07. As a result of this publicity, 26 letters/emails of objection have been received from

14c, 28, 34, 36, 38, 40, 42 Cann Street;

1, 2, 24 Woodstock Drive;

4, 9, 13, Layfield Close;

13 Bury Road;

68 Royds Street;

69, 113, 119, 141, 143, 250, 310-312, 316, Red Roof, Ferns Farm - all Turton Road.

L Hopkinson - no address supplied;

Points raised include -

- The scheme although reduced in scale the scheme is still in conflict with Green Belt status through the creation of a new access road and a s a retail operation,
- The redevelopment of car parking on land not previously developed through the widening of the entrance into the site and creating a new footpath to a seating area;
- The estimated numbers of visitors to the site exceeds the levels of car parking proposed, which will lead to parking on Turton Road;
- The site entrance would create an accident black spot and the proposals would encourage parking on the main road;
- This application is a rouse to permit the building of houses on the site in the long run;
- The annotations on the plan imply existing agreement of development boundaries when no formal agreement exists.
- What are the proposed growing areas for?
- The siting of the car park would impact upon the amenities of the residents of Woodstock Drive, Layfield Close and Turton Road.
- The proposals represent a large out of town retail development in the Green Belt.

Consultations

Traffic Team - No objections subject to the addition of conditions specified below.

Drainage Team - No objections.

Environmental Health - Land Contamination - No objections in principal subject to the addition of conditions ensuring that any land contamination is appropriately controlled.

Waste Management Services - Any response shall be reported to Members.

Environment Agency - Any response shall be reported to Members.

G M Police - no objections.

Unitary Development Plan and Policies

OL1 Green Belt

OL7/2 West Pennine Moors

EN1/1	Visual Amenity
OL1/2	New Buildings in the Green Belt
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
S4/3	Nurseries, Farm Shops and Garden Centres
S1/3	Shopping in District Centres

Issues and Analysis

Principle - The site has historically been used as a garden centre/nursery and this has been formally acknowledged through correspondence with the applicant. The current application indicates an area of operational land which is reflective of the historic operational land of the site. As such, the principal of the development is considered to be established.

The site is within the Green Belt and the application details should be determined in accordance with UDP Policy S4/3. Criterion (c) - conformity with Green Belt Considerations and is perhaps the most fundamental consideration in terms of establishing the acceptance of the proposals.

The site is also within the West Pennine Moors and is surrounded by a Special Landscape Area designation.

The proposals have indicated an area of land that is representative of the historic use of the site, where previous application have gone beyond former operational areas, even though within the applicant's ownership. The use of these additional areas of land were one of the key reasons for refusing the previous application 47420 and the withdrawal of 46787.

Visual Impacts - The scheme has been submitted with a design and Access Statement. **Impacts from Buildings** - The scheme seeks to utilise existing hard standings and access roads, without the need to develop further ones for car parking and new buildings are proposed to be located where existing buildings currently occupy the site. The cumulative extent of the former buildings are representative of the ones proposed in terms of footprint and volume and the design of the new structures incorporates curved roofs seeking to further minimise the structures.

The proposed buildings would be physically higher than the existing buildings on the site. However, to mitigate the impact, the joining of the buildings and setting them into the hillside would strike a balance between improving the appearance of the site within the Green Belt from a number of poor quality buildings on the site and by not adding to the quantum of buildings on the site.

Impacts Service Road - it is acknowledged that a new service road is proposed to run along the westerly side of the sales buildings would be a new element introduced into the site. This development would be within the historic operational area of the site and appropriately surfaced, this aspect of the development could be mitigated from creating visual intrusion. The submitted information proposed the use of 'Mastertint' which is a green coloured tarmac surface product. This has been used in other Green Belt locations which can substantially reduce the impact from a standard hard surface material within a visually sensitive area. A planning condition requiring the submission of materials should be imposed to secure that the correct materials are incorporated into the scheme.

Impacts from Car Parking - The current proposals are seeking to utilise largely existing hard standings for proposed car parking areas within the site along the southerly boundary of the site next to the public footpath and Layfield Close. There are semi-mature trees along this boundary and some of the trees do step into the site, which would mitigate the appearance of surface car parking within the site. Furthermore, the scheme does include landscaping proposals which again would further reduce potential visual impacts from surface car parking.

Other concerns have been raised following the publicity exercise of the application about the impacts of additional vehicles that may park on Turton Road, who may visit the site. There is a potential visual impact within the Green Belt from parked cars. There is a mix of walling, hedging and buildings along the northerly edge of Turton Road, which would assist to screen long distant views of parked cars. Additionally, there is also potential for Traffic Regulation Orders to be used to prevent parking in this area.

Given these issues, it is considered that the development would comply with UDP Policies EN1/1 and OL1/2 and that there would not be any undue visual impact from the development.

Traffic and Access - The scheme proposes to utilise an existing access off Turton Road. Visibility splays would be provided to specifications agreed with the Traffic Team. To facilitate this, a recently completed boundary wall to Turton Road (East of the access) would need to be and is proposed to be re-aligned to accommodate traffic and pedestrian intervisibility. A substantial hedge would need to be removed and is proposed to be replanted along the back edge of the visibility splay. The hedge is not an historic hedge under the hedgerow regulations. The proposals now include the provision of a new pedestrian foot way along the Turton Road frontage to assist to connect the site into the Woodstock Drive estate. The Traffic Team have no objections to the access position or its layout/design. Any final comments received from the Traffic Team will be reported to the Committee.

The previous proposals for a larger garden centre operations on this site were withdrawn/refused. This included the significant numbers of car parking spaces, which were up to 90 at one stage. Many residents objected to such large scale proposals and in particular the levels of car parking previously proposed and the impact of this upon traffic levels and visual intrusion. The current scheme now proposes a substantially reduced level of car parking provision and generally a much scaled down proposal. The development area substantially is representative of the historic operational area of original garden centre and proposes the car parking where it was originally located. In terms of the Council's Draft Car Parking standards, for non-food retail, the proposals accord with the document for the levels of retail proposed. As such, the scheme is considered to provide sufficient car parking provision.

The previous decisions by the Council to refuse a large scale garden centre scheme on this site has made a clear statement that expansion beyond the current proposals would be unacceptable. Should this current application be approved, the developer would have to be accept that the capacity of the site is constrained by the sensitivities of the land allocations affecting the site. Should traffic spill onto Turton Road, comments received from residents and the experiences of officers are that Turton Road would benefit from suitable forms of traffic speed control. On street car parking can assist to slow traffic speeds down without the need of physical interventions on the highway.

Four disabled parking bays have been incorporated into the scheme and are proposed to be located close to the entrance of the building. A level approach is proposed to ensure appropriate access and egress to the main building.

It is considered that the access, car parking and levels on the site are appropriate for the scale of the development and that the scheme would comply with HT5/1 and H2/4.

Hours of Operation - The application proposes 9.30am to 5pm Monday to Friday, 10am to 6pm on Saturdays and 10am to 4pm on Sundays. These hours are typical operational hours and are considered to be acceptable. Any granting of planning permission should include a planning condition to reflect these proposed hours .

Residential Amenity - The main car parking areas would be located to the southerly boundary of the site and would be separated from the properties on Layfield Close by a public right of way and panelled fences. The proposed hours of operation are reasonably conservative and can be controlled by planning condition. There is an area of land along the

westerly boundary intended to be used as a growing area. This land shares a common boundary with residential dwellings, albeit, at a lower level. There are concerns over the scale and nature of the site from residents and in terms of planning, there does need to be a balance between the historic use of the site and balancing development issues within the Green Belt location. As such, the growing areas should be conditioned so as not to become retail areas, which would ensure an appropriate relationship is maintained with nearby dwellings.

Ecology - The buildings have been assessed for their use by bats. The bat report accompanying the application confirms that no bats have been found, however, a planning condition should be imposed to ensure that during the removal of buildings, should bats be found, then the recommendations of the ecologists report are implemented.

Fencing - The site is currently accessible to the south along the existing public footpath. The scheme proposes to secure this boundary with a permeable green coloured paladin fence 1.8m high. Such a fence is used in many areas within the Borough and elsewhere. The choice of fencing would also provide opportunities to ensure that pedestrians will be visible and safe. The design and choice of fence would fit into the foliage of the site boundary and would not appear intrusive.

Response to Objectors - The site does benefit from a historic use of a garden centre/nursery, open to visiting members of the public. This proposal seeks to utilise this historic use and to develop the various elements of the site in a modern day form. The site is within the Green Belt and a judgement needs to be made as to how the scheme impacts upon the Green Belt, bearing in mind the historic use of the site and details of the proposals under consideration.

The scheme is not sufficiently large enough to qualify as an out-of-town retail proposal. The levels of car parking proposed would accord with the Council's standards for car parking. Previous decisions of the Council for a bigger garden centre use clearly indicates that the scope and scale of the use of this site is restricted due to the sensitivities of the land use allocations affecting it.

The scale of the retailing provision within the site can be controlled by planning condition. It is considered that the areas indicated for growing shall be for that purpose only, which would assist residential amenity issues and further restricts the scope and scale of the development of this site. Furthermore, it is suggested that a planning condition be imposed to restrict the sale of non-related horticultural related products, which reflects the historic use of the site and would control the scope and scale of the operation.

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 represents a significantly reduced scheme to previous proposals for a similar use and is considered to be representative of the historic use on the site. The development with appropriate conditions would ensure minimal impact upon the Green Belt and West Penine Moors location and would comply with the UDP 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 Fence type1 - 1.8m Placid fence; fence type 2 - 1.8m close board fence; fence type 3 - 1.2m rail and fence; 1280/section A-A, 3bay staggered curved roof dwg; 1280/SP/EXTRACT; SSL:9238:200:1:1; 1280/SURFACES TREATMENT; LANDSCAPE PLANTING PLAN rev.D; 1280/SITE PLAN and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. The proposed hours of opening, lighting of the site from the lighting columns and the deliveries of goods to the site shall be confined to the following hours:-
0930 hrs to 1700 hrs, Monday to Fridays;
1000 hrs to 1800 hrs Saturdays;
1000 hrs to 1600 hrs on Sundays.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EC4/1 – Small Businesses, EC6/1 – Assessing New Business, Industrial and Commercial Development of the Bury Unitary Development Plan.
4. The landscaping scheme hereby approved, including the replaced hedge to Turton Road shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan..
5. Samples of the materials to be used in the external elevations and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The approved materials only shall be implemented.
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.
6. 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.
7. Following the provisions of Condition 6 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.

8. 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.

9. 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.

10. Prior to the commencement of the development, appropriate site investigations, gas monitoring and risk assessment shall be carried out to assess any possible risks associated with the production of landfill gas or ground gas. Where required, detailed design features shall be incorporated into the development, as shown necessary by the site investigation and risk assessment, to alleviate risks to the written satisfaction of the Local Planning Authority, and; a Site Verification Report detailing the design and installation of the incorporated design features, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.

Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

11. The hatched area indicated as 'growing area' on plan 1280/SP/EXTRACT shall not be open for visiting members of the public or for the the purposes of retailing or direct sales.

Reason - To minimise the impact of the development upon the residential amenities of neighbouring dwellings pursuant to UDP Policies S4/3 and EN7/2.

12. The proposed service road from spot height 185.56 to the vehicle turning facility to the west of the sales building shown on drawing number 1280/SP/EXTRACT shall not be used for general public or staff car parking or for the storage of delivered goods.
Reason - To ensure that the development does not unduly impact upon the visual characteristics of the area and to protect the visual amenities of the site pursuant to UDP Policy EN1/1.
13. The development shall not be used other than primarily for the sale of garden products and equipment, plants and horticultural goods and other goods normally sold from a garden centre and for the ancillary sale of food and drink from the cafeteria.
Reason - To ensure that the development does not unduly impact upon the vitality and viability of Tottington Town Centre pursuant to UDP Policy S1/3.
14. The development hereby approved shall not be brought into use unless and until the highway improvements in the form of the provision of a footway on the south-westerly side of Turton Road and associated access alterations indicated on the approved plans have been implemented to the written satisfaction of the Local Planning Authority.
Reason - To ensure good highway design in the interests of road safety and pursuant to UDP Policy S4/3 - Nurseries, Farm Shops and Garden Centres.
15. The development hereby approved shall not be brought into use unless and until the shower facilities and cycle parking with a minimum capacity of 16 cycles indicated on the approved plans and outlined in the submitted Framework Travel Plan have been implemented to the written satisfaction of the Local Planning Authority.
Reason - In order to deliver sustainable transport objectives in accordance with PPG13 - Transport.
16. A Full Travel Plan shall be submitted to the Local Planning Authority within 6 months of first occupation for approval in writing as outlined in the Framework Travel Plan, including a survey of employees carried out by a member of staff who will act as the site's Travel Plan Co-ordinator. The Travel Plan shall outline measures, targets and review mechanisms that are to be put in place to ensure that the Plan and its implementation remain effective. The results of annual monitoring shall be submitted to the Local Planning Authority in writing, along with information on the measures which have been identified to improve the effectiveness of the site's Travel Plan.
Reason - In order to deliver sustainable transport objectives in accordance with PPG13- Transport.
17. The visibility splays indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m.
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety and pursuant to UDP Policy S4/3 - Nurseries, Farm Shops and Garden Centres.
18. The turning and servicing facilities indicated on the approved plans shall be provided before the development is brought into use. The service yard areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason - To ensure adequate off-street car and cycle parking provision in the interests of road safety and pursuant to UDP Policy S4/3 - Nurseries, Farm Shops

and Garden Centres.

19. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use.
Reason - To minimise the standing and turning movements of vehicles on the highway in the interests of highway safety and pursuant to UDP Policies S4/3 - Nurseries, Farm Shops and Garden Centres and HT2/4 - Car Parking and New Development.

20. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during 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 and pursuant to UDP Policy S4/3 - Nurseries, Farm Shops and Garden Centres.

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

Ward: Ramsbottom + Tottington - Tottington

Item 24

Applicant: Milbury Voyage

Location: 17 KIRKLEES STREET, TOTTINGTON, BL8 3NE

Proposal: DEMOLITION OF EXISTING PROPERTY AND CONSTRUCTION OF 8 BED RESIDENTIAL CARE HOME (CLASS C2) FOR ADULTS WITH LEARNING DISABILITIES, INCLUDING ASSOCIATED PARKING

Application Ref: 48165/Full

Target Date: 07/08/2007

Recommendation: Approve with Conditions

Description

The application site consists of a large bungalow, which has been extended and various outbuildings within the curtilage, including a garage. A long driveway is located to the eastern point of the site and there are mature gardens surrounding the bungalow including several mature trees. The site is bounded by residential properties and there are a mixture of styles including bungalows, detached and semi-detached dwellings. There is a 2 metre fence to all boundaries, except the boundary with No. 19 Kirklees Street which has a 1 metre fence.

The proposal consists of the demolition of an existing dwelling and the erection of a two storey building for use as a residential care home for adults (Class C2) with learning difficulties, including provision for parking at the front of the property. It is noted that the proposed site plan indicates that there would be a 10 No. bed care home. The agent has confirmed via e-mail that this is an error and the care home will consist of 8 No. bedrooms for adults with learning difficulties.

Relevant Planning History

No relevant planning history

Publicity

The neighbouring properties (2 – 10 Laburnum Avenue; 6 – 12 Hawthorn Crescent; 15 – 23 Kirklees Street; 50 – 58 Kirklees Street; Gringolet & Prospect Bungalow, Kirklees Street) were notified by means of a letter on 15 June. 25 letters have been received from 15, 21, 23, 25, 56, Gringolet, 58 Kirklees Street, 4 Kirklees Close, 6, 12 Hawthorn Crescent, 1, 5, 7, 11, 17, 23 Beryl Avenue, 1 Prospect Court, 1, 3, 4 Hugenden Court, 2 Laburnum Avenue, 7 Laburnum Court and 5 Rhine Close, and a petition, consisting of 92 signatures, which have raised the following issues:

- The proposal would reduce light at the rear of the properties on Hawthorn Crescent
- The proposal would result in a loss of privacy
- The proposed building is too large and out of character with the area
- The proposed business is not appropriate for a residential area
- There is no provision for loading and unloading of vehicles on site and no provision for vehicles to turn on site.
- Impact of the proposal upon the traffic and highway safety within the area

Consultations

Highways Team – No objections, subject to conditions relating to access and car parking.

Drainage Team – No objections

Environmental Health – No objections, subject to conditions relating to contaminated land

Waste Management - No response to date.

Landscape Practice – The Landscape Practice would agree with the recommendation in the Arboricultural report to retain 6 trees within the site and the Design & Access Statement

confirms this. No objections, subject to the inclusion of conditions relating to Tree protection works and a landscaping plan.

GM Police Architectural Liaison – No objections

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN6/3	Features of Ecological Value
EN8	Woodland and Trees
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
CF1/1	Location of New Community Facilities
CF3/1	Residential Care Homes and Nursing Homes
SPD6	DC Policy Guidance Note 6: Alterations & Extensions

Issues and Analysis

Principle

Policy CF1/1 states that proposals for the provision of improved community facilities would be considered acceptable where the scale and design of the development are acceptable, where suitable access and parking facilities can be provided and where there would be no conflict with other policies within the plan.

Policy CF3/1 states that residential care homes will be located in residential areas and will be permitted where they do not conflict with the amenity of adjoining areas.

The proposed development is appropriate in scale and design and would not impact significantly upon the amenity of the neighbouring residents. The proposed development would involve the relocation of the existing driveway to the centre of the frontage, which would allow for adequate parking facilities to be provided. Therefore, it is considered that the proposed development is in accordance with Policies CF1/1 and CF3/1 of the adopted Unitary Development Plan.

Design and impact upon surrounding area - The proposed development has been sited so as to minimise the impact of the proposed development upon the neighbouring residents. The proposed building has been sited further forward than the existing bungalow and would not impact significantly upon the amenity of Nos 15 and 19 Kirklees Street in terms of privacy or daylight. The position of the proposed building ensures that the aspect distances, as set out in DCPGN6, to the properties on Hawthorn Crescent and Kirklees Street are maintained as there would be 23 metres and 28 metres, respectively between habitable windows. It is considered that in design terms, the proposed development is appropriate in terms of height, form and scale. There are a variety of dwellings within the locality, including terraced, semi-detached, detached properties and bungalows. The proposed development would have a ridge height of 9.2 metres and it is proposed for the finished floor level to be 50.5 metres. The site survey states that the ridge height of No. 15 Kirklees Street is currently 59.5 metres, dropping to 58.6 metres at its lowest point. As a result, the proposed development would be approximately the same height as No. 15 Kirklees Street and approximately 1 metre higher than No. 19 Kirklees Street. Therefore, it is considered that the proposed development would not be unduly prominent within the street scene, subject to conditional control.

The existing dwelling is positioned some 8 metres from the boundary with Nos 6 & 8 Hawthorn Crescent. The proposed building would be positioned some 12 metres from the boundary with the above properties. It is considered that due to the distances between the proposed building and the existing dwellings that the proposed development would not have a significant adverse impact upon the daylight received and therefore, the proposed development would not be detrimental to the amenity of the occupiers of the dwellings to the

rear of the application site. Therefore, it is considered that the proposed development is in accordance with Policy EN1/2 and the aspect distances set out in DCPGN6.

The proposed waste recycling facilities are considered to be satisfactory. The proposed bin store would not be detrimental to neighbour amenity. The proposed wooden fencing to the boundary with No. 19 Kirklees Street would match the existing fencing at the rear of the property and is considered to be acceptable. The proposed steel railings to the boundary at the front of the property would allow for some visibility between the car park and footpath and it is considered that the proposed railings would not be unduly prominent within the street scene. Therefore, the proposed development is considered to be in accordance with Policy EN1/2 of the adopted Unitary Development Plan.

The proposed development would include level access to the ground floor at all entrance points, the internal corridors would be 1500mm wide, thereby allowing for wheelchair access. The second floor of the proposed building would be accessed by either a lift or stairs and a fully accessible bathroom and toilet would be provided. Therefore, it is considered that the proposed development would be accessible for all, in accordance with Policy HT5/1 of the adopted Unitary Development Plan.

Due to the demolition of the existing dwelling, a bat survey has been submitted as part of the application. The bat survey concludes that access to the loft space does not exist currently; there was no evidence that bats were present and providing that the demolition work is completed by March 2008, no further survey work would be required. Therefore, it is considered that the proposed development would not harm a protected species and therefore is in accordance with Policy EN6/3 of the adopted Unitary Development Plan.

Landscaping and trees - An arboricultural survey has been submitted as part of the application, which has stated that the six trees in the vicinity of the application site would be retained and the application site would be enhanced with new planting. The Landscape Practice concur with this view and have no objections to the proposal, subject to the inclusion of conditions relating to tree protection measures during the demolition and construction phases and the provision of a landscaping plan, including any further planting. Therefore, it is considered that the proposed development is in accordance with Policies EN1/3 and EN8 of the adopted Unitary Development Plan.

Highway issues - The proposed development would involve the re-siting of the access point to the proposed development from the eastern boundary of the site to a central position. The repositioning of the access point would allow for additional parking to be provided off-road, which is considered to be adequate for a care home of this size. The highways team has no objections to the proposal, subject to conditions relating to the re-positioning of the access point and the demarcation of the car park. Therefore, it is considered that the proposed development would not be detrimental to highway safety and is in accordance with Policies H2/4 and H4 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 is acceptable in principle and the proposed development would not have a significant adverse impact upon the amenity of the neighbouring residents. The proposed development is acceptable in terms of height, form and scale and would not be detrimental to highway safety.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Site plan, 351/2007-01, 351/2007-02, 261/2006-06, 261/2006-07, 261/2006-08, 261/2006-12, 7987RG 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. Prior to the development hereby approved commencing:
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas risks have been identified, a detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
 - Where remediation is required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved remediation strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
5. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site, and;
The approved contamination testing shall then be carried out and 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.
6. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out

where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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

7. The development hereby approved shall not commence 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.
8. 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.
9. The finished floor levels of the building hereby approved shall be 50.500 (as stated in the design and access statement), unless other wise agreed in writing with the local planning authority.
Reason. To secure the satisfactory development of the site and the assimilation of the new building(s) into the locality pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
10. The development hereby approved shall not be brought into use unless and until the redundant footway crossing onto Kirklees Street has been reinstated to adjacent footway levels to the written satisfaction of the Local Planning Authority
Reason. To ensure good highway design in the interests of highway safety
11. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being brought into use.
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.
12. If demolition of the building(s) permitted by this approval takes place after April 2008, a survey shall be conducted, and the survey results established as to whether the buildings are utilised by bats or owls. A programme of mitigation shall be submitted to and approved in writing by the Local Planning Authority. All mitigation measures shall be fully implemented prior to the commencement of the

works and remain in situ on the site for an agreed period of time.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and PPS7 – Nature Conservation.

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

Ward: Whitefield + Unsworth - Pilkington Park

Item 25

Applicant: Enterprise Inns plc

Location: DERBY ARMS, 277 BURY NEW ROAD, WHITEFIELD, M45 8QP

Proposal: SINGLE STOREY LOUNGE AND KITCHEN EXTENSION AT THE REAR

Application Ref: 48174/Full

Target Date: 02/08/2007

Recommendation: Approve with Conditions

Description

The Derby Arms Public House is situated at the junction of Bury New Road and Radcliffe New Road and is within the Whitefield District Shopping Centre. The area is predominantly commercial in character with the pub being in the middle of a row of shops and Elms Square opposite the main road. There is a rear access road to the rear beyond which are the residential flats of Devon mews and a warehouse. The site itself is well screened at the rear and has boundary walls to the north and east, and a particularly high wall with the adjacent property No 275.

This application is for extensions to the rear of the public house; a single storey extension to the lounge area including provision of a disabled toilet facility and a single storey extension to form a kitchen. The remaining area would be maintained as a beer garden.

Relevant Planning History

Not applicable

Publicity

The neighbouring properties were notified by means of a letter on 11th June 2007.

A letter of objection has been received from the resident at 1a Devon Avenue, which has raised the following issue:

- there are already parking issues on Devon Avenue from the existing businesses which would be exacerbated by the proposed development.

Consultations

Highways Team - No comments received

Drainage Team - No objection

Environmental Health - No objections subject to conditions

Unitary Development Plan and Policies

S1/3 Shopping in District Centres

S2/3 Secondary Shopping Areas and Frontages

S2/6 Food and Drink

EN1/2 Townscape and Built Design

Issues and Analysis

Appearance and Siting - The proposed extensions would be located to the rear of the pub and not readily seen from the public highway. They could be viewed from the upper floors of the flats on Devon Mews but being approximately 20m away are considered not to adversely impact on their outlook. In design terms, the extensions would be in keeping with the original building being constructed in brick with painted timber fascias and eaves to match the existing. The proposals would be appropriate in terms of scale and massing and

fulfill the criteria contained in Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

Residential amenity - Unitary Development Plan Policy S2/6 - Food and Drink is concerned with issues such as noise, smell, visual intrusion and parking and servicing provision associated with the proposed development. It is anticipated the additional cooking space to the kitchen and extension to the dining area would increase food trade to the pub and therefore generate more custom. This could give rise to more disturbance in terms of increase in noise, smells and comings and goings of patrons. However, the scale of the development is considered to be acceptable given the pub's location within a District Shopping Centre and the sufficient amount of usable space within the curtilage of the pub. In terms of increase in parking problems associated with the development, the public house does not have a designated car park for patrons. However, its location within a District Shopping Centre and the close proximity of the car park at Elms Square is considered to be adequate enough to accommodate the increase in trade from the proposed development. It would therefore comply with UDP Policy S2/6 - Food and Drink and H1/3 - Shopping in District Centres.

Objection - It is considered any increase in traffic and therefore parking problems which may be associated with the proposed development would not be serious enough to warrant refusing the application given the mitigating factors above.

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 proposals are considered to be appropriate and in keeping with the existing Public House and should not seriously harm the residential amenity of the immediate neighbours. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to the drawings received on 7/6/2007 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. The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The development hereby approved shall not be brought into use unless and until a detailed scheme for treating fumes and odours before their emission to the atmosphere so as to render them innocuous has been submitted to and approved by the Local Planning Authority and completed entirely in accordance with the approved scheme.
Reason. In the interests of amenity pursuant to Policies S1/3 – Shopping in District Centres and S2/6 – Food and Drink of the Bury Unitary Development Plan.

5. Maximum noise levels emitted from any ancillary equipment to be used in connection with operations undertaken in this building shall be agreed in writing with the Local Planning Authority in writing before such machinery is brought into use.

Reason. In the interests of amenity pursuant to Policies S1/3 – Shopping in District Centres and S2/6 – Food and Drink of the Bury Unitary Development Plan.

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

