

Title	Planning Applications
To:	Planning Control Committee
On:	18 December 2007
By:	Assistant Director (Planning, Engineering & Transportation Services)
Status:	For Publication

Executive Summary

The attached reports present members with a description of various planning applications, the results of consultations, relevant policies, site history and issues involved.

My recommendations in each case are given in the attached reports.

This report has the following implications

Area Board/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

Equal Opportunities: Identified in each case.

Human Rights:

All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, I have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

BRIAN DANIEL

Assistant Director (Planning, Engineering & Transportation Services)

Background Documents

1. The planning application forms and plans submitted therewith.
2. Certificates relating to the ownership.
3. Letters and Documents from objectors or other interested parties.
4. Responses from Consultees.

FOR FURTHER INFORMATION ON THE CONTENTS OF EACH REPORT PLEASE CONTACT
INDIVIDUAL CASE OFFICERS IDENTIFIED IN EACH CASE.

- 01 **Area Board-Ward:** Bury East **App No.** 48806
- Location:** FIRST CHOICE, COOK STREET, BURY, BL9 0RP
Proposal: MIXED USE DEVELOPMENT COMPRISING CLASS B8 WAREHOUSING AND 325M2 OF CLASS A1 FOOD RETAIL
Recommendation: Refuse **Site Visit:** Y
Decision & Notes:
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- 02 **Area Board-Ward:** Bury East - Moorside **App No.** 48799
- Location:** BURY GROUND, CASTLECROFT ROAD, BURY
Proposal: ERECTION OF A NEW DIVISIONAL HEADQUARTERS POLICE STATION, INCLUDING SINGLE AND 3 STOREY BUILDINGS, CAR PARKING, LANDSCAPING AND ACCESS ONTO NEW HIGHWAYS
Recommendation: Minded to Approve **Site Visit:** N
Decision & Notes:
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- 03 **Area Board-Ward:** Prestwich - St Mary's **App No.** 48669
- Location:** BUTTERSTILE COUNTY PRIMARY SCHOOL, SCHOOL GROVE, PRESTWICH, M25 9RJ
Proposal: 2 NEW CLASSROOMS ON SOUTH ELEVATION; HEADTEACHERS COURTYARD; CONVERSION OF PART OF SCHOOL TO CHILDRENS CENTRE WITH NEW ENTRANCE ON WEST ELEVATION
Recommendation: Approve with Conditions **Site Visit:** Y
Decision & Notes:
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- 04 **Area Board-Ward:** Radcliffe - East **App No.** 48578
- Location:** LAND OFF DUMERS LANE AND MORRIS STREET, RADCLIFFE
Proposal: OUTLINE FOR MIXED USE DEVELOPMENT CONSISTING OF 8500 SQ METRES OF EMPLOYMENT FLOORSPACE (CLASSES B1 & B8); 310 DWELLINGS AND RIVERSIDE PARK INCLUDING ASSOCIATED LAND RAISING, CREATION OF NEW ACCESSES AND LANDSCAPING
Recommendation: Refuse **Site Visit:** Y
Decision & Notes:
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