

Ward: Bury East

Item 01

Applicant: First Choice (Catering) Ltd

Location: FIRST CHOICE, COOK STREET, BURY, BL9 0RP

Proposal: MIXED USE DEVELOPMENT COMPRISING CLASS B8 WAREHOUSING AND 325M2 OF CLASS A1 FOOD RETAIL

Application Ref: 48806/Full

Target Date: 28/12/2007

Recommendation: Refuse

A site visit has been requested by the Assistant Director (Planning, Engineering & Transportation Services)

Description

The application concerns a sizeable three storey formerly industrial building (2145m²) that previously formed part of a larger works. The building is attached at the north westerly end to the rest of the building complex but on the other sides it is set to back of pavement on Cook Street, Back South Cross Street East and a third back street that links the other two highways. There is 100% site coverage, however, the applicant has acquired a plot of cleared land just to the east of the building which he has laid out with 18 car parking spaces. In terms of servicing facilities there are two industrial access doors directly into the building from Cook Street.

After a period of being vacant the building became occupied about a year ago by a mixed retail and warehousing business. A large section of about 550m² of the ground floor is laid out and operated as a retail food supermarket with the rest of the building being in use for warehousing. This dual use of the building is unauthorised as there is no planning permission for this use and it is currently the subject of enforcement action to secure its cessation. This action, however, is the subject of an appeal to be dealt with by means of a public inquiry to take place on 8th January 2008. A special report on the enforcement position for this premises was provided to Committee on 17 April 2007.

It should be noted that in this application the retail element of the mixed use is stated as being 325m². The area involved is defined on the submitted ground floor plan. It is significantly less than the current approximately 550m² of such use and, within the building. There is no clear division within the building of the 325m² area from current larger retail area.

The building and site are situated at a point where a predominantly industrial area meets a predominantly residential one. Thus, there are industrial premises directly opposite occupied by Senior Hargreaves and mostly terraced houses to the south and south east across back streets.

The application is accompanied by a Retail Statement which reaches the following conclusions:

- The proposal does not conflict with the Development Plan and accords with the core principles of the Bury Community Core Strategy.
- The foodstore satisfies important local need in providing for the dietary requirements of the largest ethnic group in the surrounding area where there is an under provision of such stores that can provide the range and quality of Asian food items on offer at the store.
- It is important that the food provision needs can be met locally because of the significant levels of deprivation and in the interests of sustainability, social inclusion and community cohesion.

- The trading impact of the foodstore is well within acceptable limits, primarily because the turnover is largely derived from recapturing trade that has recently been leaving the area to be spent outside Bury.
- The absence of adverse trading impact on existing local facilities is shown by the continued trading of existing Asian foodstores nearby a year after the opening of the application foodstore as well as by the opening of a further such store in Hurst Street.
- The proposal generally accords with the sequential approach to site selection set out in PPS6 and in the policies of the Bury UDP.
- Whilst the store is outside an existing established shopping centre it is, nevertheless, centrally located in the community it is intended to serve.
- Given its location, the foodstore achieves significantly more for the local community than a location either in Bury Town Centre or the Rochdale Road Neighbourhood Centre.
- The foodstore has additional benefits for the local community by creating local employment opportunities, a community focus and the making available of a range of services and facilities to local residents, thus benefiting and strengthening the local community.
- The development contributes towards achieving a number of key aims of the Bury Community Strategy, in particular sustainable communities and equality and diversity.

Accompanying the also is a petition in support containing 652 names.

Relevant Planning History

Planning Applications -

41640/03 - Change of use to drama and theatre workshop. Approved on 29th December 2003.

44667 - Demolition of existing buildings (4, 6 and 8 Cook St); erection of 4 terraced dwellinghouses. Approved on 29th July 2005.

46392 - Alterations to windows, emergency exits at rear and entrance at front; security roller shutters to windows and entrances. Refused on 18th July 2006 for the reason that the proposed rear entrances would cause traffic, parking and activity that would be seriously detrimental to the residential amenities of residential properties.

46628 - Change of use of existing engineering workshop (Class B2) into wholesale warehouse (Class B8) with 10% retail use (Class A1). Refused on 20th September 2006 for reasons including intensified use of a site with inadequate access and servicing detrimental to road safety and free flow of traffic, inadequate servicing and car parking leading to vehicle manoeuvres on the highway, a significant retail use outside the main shopping area of Bury town centre with no demonstrated sequential approach to site selection, impact on residential amenity due to inadequate parking servicing, car parking and contradictory information provided.

46717 - Change of windows and entrance at front and security roller shutters to rear and front windows and entrances (resubmission of 46392). Approved on 5th October 2006.

47113 - Change of use from industrial (Class B2) to wholesale warehouse (Class B8) with 20% retail (Class A1) occurring on the part of the ground floor area defined as "cash and carry grocery wholesale area". Refused on 21st December 2006 for reasons including being outside the main shopping centre of Bury Town Centre and being contrary to policies protecting the vitality and viability of the Borough's shopping centres, being contrary to Area Policy BY 10 that encourages and supports Class, B1, B2 and B8 business and industrial uses in the policy area, intensification of a use with inadequate car parking and servicing arrangements, sub-standard car parking provision/arrangements and impact of the use being seriously detrimental to the amenities of the adjacent predominantly residential area.

47825 - Change of use from industrial (Class B2) to warehouse (Class B8) and construction of car park. Approved on 23rd May 2007.

Enforcement Action -

A report was submitted to the 17 April 2007 meeting advising Members of the action taken and in summary is as follows:-

- A temporary stop notice was served on the owner of the building on 2nd February 2007 requiring the immediate cessation of use of the premises as a retail (Class A1) supermarket. This notice has since expired with no further action taken in regard to it.
- An enforcement notice was served on the owners of the building on 21st March 2007 concerning the unauthorised change of use of the land and property to a predominantly retail (Class A1) cash and carry supermarket together with some wholesale sales (Class B8) without the benefit of planning permission. An appeal has been lodged against the notice and a public inquiry is due to take place into the appeal on 8th January 2008. Until the appeal is decided, the current use is still unauthorised.

Publicity

26 properties in Cook Street, Lord Street, South Cross Street and Rochdale Road were notified on 7th November 2007.

Ivan Lewis MP has written stating that he has been informed by the applicant, who is his constituent, that he has invested over £2 million in the business venture subject of the application, 20 persons are currently employed there and he has received assurance that there would be 20 more employed if planning permission is granted. He understands that his constituent wishes to regularise the use of the site for 325m² of food sales business that specialises in Asian goods and satisfies the needs and requirements for both the local and wider Asian Communities. His constituent has requested that the application be considered favourably when placed before the Committee. Mr Lewis has requested that his constituent's comments and support for the application should to be taken into account before any decision is made on the case. In his letter he has not stated any personal support or objection of his own to the development.

An objection has been received from Senior Hargreaves of Lord Street. the main concerns raised include the following:

- Constant parking occurs in disregard of the parking restrictions on both sides of Cook Street throughout the day.
- The parking problem is compounded by articulated wagons delivering to the premises.
- There is some contradiction and ambiguity in the submitted retail statement concerning the catchment area and accessibility.
- Senior Hargreaves have created a new workshop and rely on a traffic management system with access via Cook street and egress via Hacking Street. This would be in vain if they are unable to access the building.
- with the illegal parking there is an accident waiting to happen.
- The car park created by first choice is somewhat under utilised.

Letters of support have been received from eight addresses including 12 and 14 Cook Street, Islamic Centre and Mosque, Church Street, Business Solutions at Bury College, ADAB Work Centre, 14, Heywood Street, Groundwork, Fountain Street North, Independent Social Work Service, Rochdale and Bury Asian Womens Centre, 90 South Cross Street. With the Bury Asian Womens Centre letter there are 73 names supporting the application. There is also the petition in support with 652 names submitted with the application and referred to in the description section of this report. The main points being made by the supporters include:

- The project is very good for the area.
- The development creates jobs and opportunities for the community.
- The development is an integral part of the community using the Islamic Centre and Mosque.
- The retail outlet has become very popular with friendly staff and a great atmosphere.
- The outlet has dealt with the continuous problem of a shortage of Asian halaal

food stores in Bury and has take into consideration the need and demand of the local community.

- The store is ideally situated in the heart of the Asian community and benefits all other communities residing in East Bury.
- The store has helped and supported Groundwork's Healthy eating project that enables them to support the Women's centre.
- The outlet has made a huge difference to the confidence of the local ladies who feel they have been given an opportunity to be independent.
- The outlet supports local voluntary projects such as The Bury Asian Centre.

Consultations

Highways Team - Recommend that the application should be refused for the reason that the car parking provision is inadequate, thus leading to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and highway safety.

Environmental Health - Recommend land contamination conditions.

GMP Architectural Liaison - Recommend minimum 7.5mm thickness laminated glazing to the ground floor, Operation to "secure by design" standard. Exterior lighting especially to the entrance should be of an adequate and uniform level.

BADDAC - Accessibility of the entrance needs to be clarified.

Waste Management - No issues of concern.

Unitary Development Plan and Policies

EC2/2	Employment Land and Premises
S1	Existing Shopping Centres
S1/1	Shopping in Bury Town Centre
S2	Control of New Retail and Non-Retail Development
S2/1	All New Retail Proposals: Assessment Criteria
S2/5	New Local Shopping Provision
S4	New Retail Dev outside Town and District Centres
S4/1	Retail Development Outside Town and District Centres
S4/2	Assessing Out-Of-Centre Retail Development
Area	Rochdale Road/Lord Street/York Street
BY10	
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
EN7	Pollution Control
SPD11	Parking Standards in Bury
PPS6	PPS6 Planning for Town Centres
PPS1	PPS1 Delivering Sustainable Development
PPG13	PPG13 - Transport

Issues and Analysis

Principle - The previous lawful use of the building was for industrial purposes as part of a larger premises from which it has been separated. Policy EC2/2 seeks the retention of existing land and premises that are outside existing Employment Generating Areas. However, planning permission has been granted for change of use to a drama and theatre workshop in the recent past. Thus, a change from the original industrial use has already been accepted as an exception to the policy. Consideration of the principle of the development, therefore, needs to concentrate on the retail policy issues that it raises.

The retail activity in this location is considered to be contrary to the Government's objective of promoting sustainable communities and moving towards more sustainable patterns of development to reduce the need to travel and encourage reductions in the use of the car. In this regard it is considered to represent specific conflict with numerous forms of national planning policy, most notable of which are Planning Policy Statement 1 – 'Delivering Sustainable Development'; PPS6 – 'Planning for Town Centres' and PPG13 – 'Transport'. In addition, retail use in this location would also conflict with existing and emerging regional

planning policy both of which require that retail investment should not undermine the vitality and viability of any other centres or result in the creation of unsustainable shopping patterns.

In the context of retail planning policy, it is important to firstly establish the type of location occupied by the application site in relation to existing centres. In this respect, advice is provided within Table 2 of Annex A to PPS6. In the footnote to Table 2, it is specified that for the purposes of PPS6, the “centre” for a retail development constitutes the primary shopping area.

The Primary Shopping Area of Bury town centre is defined on the Bury UDP Proposals Map (Bury town centre inset) and on the eastern edge of the centre, the Primary Shopping Area basically extends as far as Angouleme Way. The application site lies outside the Primary Shopping Area of Bury town centre.

For a site to be considered to be edge-of-centre, Table 2 of Annex A to PPS6 specifies that, for retail purposes, a location that is well connected and within easy walking distance (i.e. up to 300 metres) of the primary shopping area can be considered to be an edge-of-centre location. Whichever route is taken on foot, the application site is in excess of a 400 metres walk from the Primary Shopping Area. In addition, in terms of the ease of access into the Primary Shopping Area, the town centre ring-road represents a significant obstacle. As such, the application site is considered to occupy an out-of-centre location.

It is the application site’s out-of-centre location that is of fundamental concern to the Council, particularly given that the retail use of the site could be accommodated within an established shopping centre that would still be accessible to the community which it is intended to serve. In this respect, the retail use of the application site is considered to be detrimental to the objectives of achieving vital and viable centres.

The applicant has sought to demonstrate that there are no sequentially preferable sites by seeking to eliminate specified vacant sites and premises in the general vicinity both within and outside existing centres. This has been done in terms of their suitability for the mixed retail and warehousing use. In doing so the applicant has specified that the separation of warehousing and retail elements of the business is not possible and on this basis, there are no sequentially preferable sites. However, PPS6 does specify that in undertaking the sequential test, developers should be expected to demonstrate flexibility and innovation in considering whether there are any sequentially preferable sites. It is considered that the retail use of the site could be accommodated independently from the warehousing element – a business model that most small scale food retailers operate successfully. On this basis, it is considered that there are other sequentially preferable sites and premises available within existing centres.

The fact that the application site lies in an out-of-centre location and that there are considered to be sequentially preferable sites available and capable of accommodating the retail element currently operating from the application site, means that this retail element is in direct conflict with national and regional planning policy.

From a local policy perspective, the retail use of the application site is considered to be contrary to the provisions of the Unitary Development Plan and, in particular, offers conflict with the following Policies of the Plan:

- Policy S1 (Existing Shopping Centres);
- Policy S1/1 (Shopping in Bury Town Centre);
- Policy S2 (Control of New Retail and Non Retail Development);
- Policy S2/1 (All New Retail Proposals: Assessment Criteria);
- Policy S2/5 (New Local Shopping Provision Outside Recognised Shopping Centres);
- Policy S4 (New Retail Development Outside Town & District Centres);
- Policy S4/1 (Retail Development outside Town and District Centres);
- Policy S4/2 (Assessing Out of Centre Retail Development);
- Area Policy BY10 (Rochdale Road/Lord Street/York Street);

The retail use at Cook Street is outside the main shopping area of Bury town centre as defined under Policy S1/1. As such, it is considered to conflict with both Policy S1 and S1/1 in that it undermines the aim of focusing retail development within the Main Shopping Area of the town.

Policy S2 of the Bury UDP seeks to enforce control over the type and location of retail development in the interests of protecting and enhancing the vitality and viability of the Borough's shopping centres. In doing so, the Policy seeks to channel retail investment into existing shopping centres. UDP Policy S2/1 sets out the assessment criteria used in determining all new retail proposals and the retail use at the application site fails to accord with these factors. In particular, the site is not within or immediately adjoining the main shopping area of Bury town centre, its location dictates that it does not contribute towards sustaining and enhancing the vitality and viability of Bury town centre (particularly given the availability of preferable sites and premises), nor does it encourage access by public transport. It is for these reasons that the retail use of the application site is also considered to be in conflict with UDP Policies S2 and S2/1.

UDP Policy S2/5 is considered to be relevant to this application in that it relates to new local shopping provision outside recognised shopping centres. Under this Policy, the Council will support small scale local shopping provision (within Class A1) but, in doing so, defines local shopping provision as including all shops with a gross retail floorspace of no greater than 200 sq.m. The retail element within the application site extends to approximately 325 sq.m (net) which is in excess of what can be considered to be local shopping provision in the context of UDP Policy S2/5.

Policy S4 of the Bury UDP relates to new retail development outside town and district centres. Under Policy S4, the Council will not permit new retail development outside the main shopping area of the Borough's town and district centres, unless it is to meet purely local needs, or satisfies the criteria in S4/1. The retail use of the site conflicts with criterion (a) of UDP Policy S4/1. This includes "facilities required to serve purely local needs" and is further defined as "facilities which cater for the essential day to day needs of a local community and which do not generate trips other than on foot or bicycle". The scale of the retail use is, in this case, too large to fall within this criterion. In addition, it is clear that a convenience retail store does not fall within any of the acceptable categories specified in Policy S4/1(b). These include types of retail outlet considered not to be suitable for a town centre location eg. builders merchants, car sales and nurseries.

Policy S4/2 relates to assessing out-of-centre retail development and states that such proposals (other than those covered by Policy S4/1) will be assessed according to a series of criteria. However, the application offers no particular benefit in terms of urban regeneration, it is a use that could be accommodated within an existing centre and it generates significant levels of car-borne visits. As such, the use of the application site for retail purposes is in direct conflict with Policy S4/2.

The Bury UDP subdivides the Borough's town centres into specific areas and each has a general Area Policy designed to reflect the Council's broad aspirations for that area. The application site lies within Area BY10 which covers the Rochdale Road/Lord Street/York Street area of Bury town centre. The Area Policy reflects the predominantly industrial nature of this part of the town and states that the Council will encourage and promote proposals for business (B1) and industrial (B2 and B8) uses in this part of the town. It also states that within the identified secondary shopping area fronting Rochdale Road, appropriate retail/mixed retail development will also be permitted. The application site is not situated within the secondary shopping area fronting Rochdale Road and, as such, the retail use of the application site is considered to be in conflict with UDP Area Policy.

In the submitted Retail Statement it is stated that the development would satisfy a local need and retail impact information has been provided. This is not in dispute. However, the key issue in terms of principle is the acceptability of the location for a development involving a retail floorspace size of the scale being proposed.

Traffic and Car Parking - The development involves a large three storey building without any external space for servicing. Previously, no car parking was available but recently a car park with 18 spaces has been constructed on a cleared plot of land close by on Cook Street across a back street to the south-east. This is shown on the approved details to planning permission ref.47825 and has been built as part of the consent to use the building solely as a warehouse (Class B8).

Consideration needs to be given to the adequacy of this car park to serve the needs of the proposed mixed Class A1 and B8 activity. Cook Street also serves industrial and residential properties. The former have accesses directly from the highway into the buildings and most of the road has double yellow line car parking restrictions. Taking into account the proposed split of Class A1 and B8 floorspace, the current car parking policy sets down a maximum level of provision which would be at 32 spaces. This is a considerably greater level than the actual provision of 18 spaces. The car park entrance is also some distance (about 50m) from the customer entrance and exit doors. Experience of the current unauthorised use with a somewhat larger retail floorspace indicates that there occurs, at times, a significant amount of on street car parking on Cook Street outside the premises and directly opposite, even when spaces are available in the car park and despite the parking restrictions. Issues associated with the level of on street car parking have been raised in the objection from Senior Hargreaves who occupy the main industrial premises in Cook Street. They state that they are experiencing difficulties in accessing and servicing their building because of the on street car parking associated with First Choice.

Given the above circumstances, it is considered that the car parking provision for the proposal is inadequate and that this situation is likely to lead to vehicles parking and carrying out manoeuvres on the highway which would be detrimental to the free flow of traffic and road safety.

Residential Amenity - There is no pedestrian or vehicular access to the premises from the rear where there is a back street serving mainly residential properties. The houses on Cook Street are further from the building than its new car park. There is no evidence that nearby residents are being significantly affected by activity associated with the current mixed warehousing and retail use and with less retail floorspace the potential for any adverse impact on residents is likely to be reduced.

Disabled Access - One of the two customer entrances has an almost level threshold whilst the other has a small step directly from the footway. The agent has been asked to confirm whether the almost level access can be used as both an entrance and exit by wheelchair users. Members will be updated should a response be received.

Land Contamination - The premises were last use for industrial purposes and the retail activity subject of the application involves a sensitive end use. Any consent should be subject to the contaminated land mitigation conditions recommended by Environmental Health.

Recommendation: Refuse

Conditions/ Reasons

1. The proposal involves the establishment of a significant retail use outside the main shopping centre of Bury Town Centre and is not considered to meet the criteria set down in PPS 6 - Planning for Town Centres and the following policies of the Bury Unitary Development Plan that seek to protect the vitality and viability of the Borough's shopping centres by controlling the type, scale and location of new retail

development:

S1 - Existing Shopping Centres
S1/1 - Shopping in Bury Town Centre
S2 - Control of New Retail and Non-Retail Development
S2/1 - All New Retail Proposals: Assessment Criteria
S2/5 - New Local Shopping Provision Outside Recognised Shopping Centres
S4 - New Retail Development Outside Town and District Centres
S4/1 - Retail Development Outside Town and District Centres
S4/2 - Assessing Out-of-Centre Retail Development

2. The site falls within Area BY 10 of Bury Town Centre where the Council will encourage and support business (Class B1), and industrial (Classes B2 and B8) uses. In recognition of the secondary shopping frontage that extends along Rochdale Road, the policy also specifies that retail/mixed retail developments will be permitted within this part of Area BY 10 only. The site does not comprise any part of this secondary shopping frontage and, as such, the proposal does not comply with the general aims of Area Policy BY 10 of the Bury Unitary Development Plan.
3. The proposed car parking provision for the proposal is inadequate, which is likely to lead to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety. The proposed development therefore conflicts with the following policies of the Bury Unitary Development Plan:

HT2/4 - Car Parking and New Development and the associated Development Control Policy Guidance Note 11 - Parking Standards in Bury
S2/1 - All New Retail Proposals: Assessment Criteria.

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

Ward: Bury East - Moorside

Item 02

Applicant: Greater Manchester Police Authority

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

Application Ref: 48799/Full

Target Date: 14/01/2008

Recommendation: Minded to Approve

It is requested that the Planning Committee be 'Minded to Approve' the proposals, subject to the satisfactory resolution of issues relating to flooding and flood levels. It is requested that delegated authority be granted to the Assistant Director (Planning, Engineering & Transportation Services) to make the delegated decision on the scheme by 14th January 2008 to either grant permission subject to satisfactory resolution of the flooding levels or refusal if agreement cannot be made with the Environment Agency.

Description

The application site is a currently vacant site within an extensive area known as Bury Ground or Chamberhall. The site is currently dissected at its southerly end by Carlyle Street and there are informal pathways within the site. The northerly part of the site is grassed and beyond the site still further north is a pond. To the east is Castlecroft Road.

The site is located to the immediate east of an approved access ramp highway (see planning history below), which is currently under construction, taking its access from Peel Way. The site is also a short walk from the town centre.

There is an extant outline planning permission for a new police head quarters (HQ) on the site. However, this application is seeking a full planning permission for the erection of a new police HQ. including car parking and landscaping. The building would be a substantial structure occupying most of the frontage of the site, with the car parking located largely to the rear and side of the main new building. To facilitate the development, the scheme requires the closure of Carlyle Street and the site edged red includes the approved access roadways that have planning permission already, to demonstrate a connection to existing highways.

The proposed building is modern in design terms and would be some three and four storeys in height, with the highest element fronting onto the highways within Chamberhall. Two smaller single storey ancillary buildings would be located to the rear of the main building but not visible from outside the site.

The car parking for the development would be accessed from the new northern road within the main business park site. Some 229 staff spaces, including 4 disabled staff spaces. 10 motorcycle spaces are proposed and 36 cycle spaces. 15 spaces would be provided for visitors.

Relevant Planning History

43885 - Formation of access road and bridge from Bury Ground to Peel Way - WITHDRAWN - 22/02/05 - due to lack of clarification on traffic matters.

44190 - Formation of access road and bridge from Bury Ground to Peel Way -

WITHDRAWN - 15/04/05 - due to lack of clarification on traffic matters.

44509 - Outline - Demolition of existing buildings and erection of 111 houses, apartments, garages and associated works - REFUSED - 26/07/05 - Due to conflict with adopted planning policy.

45708 - Outline Application for the erection of Police Divisional Headquarters - APPROVED - 1/3/06

47422 - Access road from Peel Way to Bury Ground; Perimeter road from Castlecroft Road to Castlecroft Road - APPROVED - 28/03/07

Publicity

Press Notice - 8/11/07; Site Notice 2/11/07. Letters sent to The Owner/Occupier William Hare Ltd Castlecroft Road Bury

The Owner/Occupier Bury North Primary Group 5 Inwood House Castlecroft Road

The Owner/Occupier Jewel In The Crown 102 Bolton Street

The Owner/Occupier Peel Lodge Castlecroft Road

The Owner/Occupier Castlecroft House Castlecroft Road

The Owner/Occupier Alliance Learning Unit 4 Castlecroft Court

The Owner/Occupier NCMT Ltd Unit 3 Castlecroft Court

The Owner/Occupier Greater Manchester Probation Service Unit 1-2 Castlecroft Court

The Owner/Occupier Bricks & Motor Insurance Brokers 84 Bolton Street

The Owner/Occupier Bury Transport Museum Off Castlecroft Road Bury

Property Alliance Group Alliance House, West Point

all on 31/10/07.

As a result of this publicity, one letter of objection has been received from Property Alliance Group (PAG), who are the owners of the former Heskeths site within Bury Ground next to the river. The points of concern are -

- Part of the development falls including the car parking and building itself, onto Carlyle Street thereby removing the only vehicular access to their site.
- No formal agreements have been reached between PAG and the closure of Carlyle Street.
- PAG are currently having difficulties concerning the potential development of their site and the financial difficulties may mean that their site does not become developed at all.
- Given these concerns, they feel it is imperative to reserve their position concerning Carlyle Street until they resolve their financial issues and what kind of access they require.
- They accept that BMBC are in the process of constructing an access road off Castlecroft Road, which may be useable temporarily), however, they understand that the access would be gated and thus not capable of being used in perpetuity to the users of their landholding.
- The access under construction would provide access to the centre of their site. They currently enjoy access to the foot of their site, which could have significant implications on whatever development they decide to put forward. This is a further reason for them to reserve their position.
- The police should revise their proposals without closing Carlyle Street and if they cannot the scheme should be refused.

Consultations

Traffic - Any response shall be reported to the Committee.

Drainage - No objections.

Waste Management - No objections.

Environmental Health :-

Pollution Control - No objections.

Contaminated Land Section - Request that planning conditions be imposed to ensure

appropriate remediation is carried out and to prevent any contaminated material being brought into the site during any construction.

GM Police Architectural Liaison Officer (ALO) - Originally, they had raised some concerns over the development proposals principally that some elements needed slight amendment to meet the ALO aims such as increasing the height of fencing, careful consideration over positioning of fencing such that the site does not become vulnerable to attack. All of the concerns have been addressed by the applicant following a meeting between the respective parties. However, some matters will require a specific planning condition to ensure appropriate measures are incorporated not just from a security point of view but also a visual one.

BADDAC - A special group meeting took place with BADDAC to explain the proposals. No objections are raised from BADDAC.

Fire Officer - No objections.

Environment Agency - The Agency have objected to the proposals on the basis of technical conflicts between their own data and the applicant's Flood Risk Assessment data and modelling. Revised data and modelling has just been issued by the Agency and this has been passed onto the applicant's to revise their information. A meeting has also taken place to ensure that any conflicts are resolved on the potential flooding of the site. An update on this shall be provided to Members within the supplementary.

Unitary Development Plan and Policies

PPS1	PPS1 Delivering Sustainable Development
PPG13	PPG13 - Transport
PPG25	PPG 25 - Development and Flood Risk
PPS23	PPS23 Planning and Pollution Control
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN1/6	Public Art
EN1/7	Throughroutes and Gateways
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
EC1/3	Land Suitable for Business (B1)

Issues and Analysis

Principle - The site is allocated under Policy EC1/3/2 - Bury Ground, which considers uses for offices, business use and hotel/conference facilities to be appropriate for the land. The scheme is considered to be akin to the main aims of the policy and as it is largely an office/institution type use and therefore would accord with the policy. Moreover, the site has an outline planning permission for the use, which is still valid. As this scheme is a full planning permission, the principle of this development on the Bury Ground/Chamberhall site has already been accepted.

Siting, Design, Scale and Layout - UDP Policies EN1/2 - Townscape and Built Design and EN1/7 - Throughroutes and Gateways seek to ensure that developments contribute positively to the Borough's townscape. The scheme has been submitted with a comprehensive design and access statement. The proposed building would be set at the levels of Chamberhall, which are significantly lower than those of Peel Way to the south of the site. The building would have a frontage to the new access ramp and also a prominent frontage to the new northern perimeter road. The main building would be 'L' shaped and would be an imposing structure. The design of the building has significantly evolved over the last 12 months during pre-application discussions, which are fully illustrated within the design statement. The building would be contemporary in design and has moved the design of older Public Finance Initiatives on markedly.

The choice of siting ensures that the building has a significant street presence and at the westerly end of the building, a corner feature tower is proposed with significant elements of glazing to provide visual interest. The materials comprise a mix glass, brick, render and cladding and would have a large glazed entrance way and canopy of such a scale to reflect the importance and clearly mark the entrance into the building.

The building is of a significant scale, that reflects the divisional HQ of the Police for the area. The development would sit comfortably within the full extent of the up and coming Chamberhall site and is of an appropriate height and scale to reflect the surroundings of the site.

The layout of the development has carefully evolved to ensure that all of the 'servicing' of the site such as staff parking, operational vehicle/horses and sensitive uses are located away from the 'public face' of the business park. The development would retain many of the trees along Castlecroft Road, which would provide an instant sense of maturity for the development and an immediate protective visual screen. The remaining topography would be utilised to further hide the extensive levels of car parking associated with the scheme.

Given the above, the scheme would comply with the policies of the UDP described.

Access - A Design and Access Statement has been submitted with the application proposals. The scheme would seek to utilise the approved access ramp into the Chamberhall site as its main vehicular access via the new northern perimeter road. Castlecroft Road would not be used as a main vehicular means of access due to potential traffic concerns connected with the junction of Castlecroft Road with Bolton Street. However, this latter connection would provide an emergency means of access should it be required.

In terms of pedestrian access, the access statement confirms level access would be provided into the site and the building. The 'journey' from the town centre is described and features that the scheme has incorporated such as lighting and vistas along Castlecroft Road and the approach to the main entrance. Guiding lighting located within the pavement would provide directional assistance and assist security along the approaches to the development. Given the above comments, it is considered that the development would comply with UDP Policy HT5/1.

Flood Risk - The development has been submitted with a flood risk assessment (FRA) following the requirements of PPS25 - Flood Risk. This is because part of the site lies within Flood Zone 2 (1 in 1000 years), defined by the Environment Agency (EA). The FRA submitted pitched the finished floor levels of the building and site 600mm above the minimum required flood levels in order to ensure that the building would not be subject to flood concerns. However, the EA have only recently completed their updated flood risk model, which now conflicts with the finished floor levels of the new Police HQ development. As such, the EA have a holding objection to the scheme.

A recent meeting between the EA and the applicants hydrologists have found some problems still exist with the EA's latest modelling as the scheme can rely on site specific influences to flooding, which the EA's model is not privy to. As such, the marginalities between the solution and holding objection have reduced significantly.

The current understanding is that an agreement is likely to be achieved between the parties shortly, however it is likely to be slightly beyond the Planning Committee meeting on 18th December 2007. As such, the recommendation is made with a request detailed at the head of this report, to be Minded to Approve to permit the resolution of levels to take place. Currently this is likely to result in levels altering between 300mm and 600mm higher.

Travel Plans, Car Parking and Transport Issues - The scheme has been submitted with a travel plan, which reflects the Home Office adopted Green Transport Plan for all of its

estates. It intends to promote sustainable development for Government groups and applies to all police and support staff to and from work, deliveries to and from the stations. It follows the aims of PPS1 - Sustainable Development.

In total, the scheme would seek to provide some 229 staff spaces, including 4 disabled staff spaces; 10 motorcycle spaces; 36 cycle spaces and 15 spaces for visitors. The levels of car parking are high for the scheme, however, this is due to the alternating shift work patterns, handovers between shifts and as such there will be times when the building would be heavily occupied.

The travel plan is generic and provides to meet the correct objectives. The scheme does lack detail of some measures but clearly identifies others such as reduced travel fare cards, car sharing and the introduction of a travel plan co-ordinator. The objectives stated can be readily supported and makes clear steps to meet the requirements of PPG13 - Transport. It is considered that a planning condition be imposed to draw out the missing details of the travel plan contained within the submitted transport assessment and to ensure continual monitoring, review and implementation on an on-going basis.

The scheme has been submitted with a transport assessment, which analyses the ability of the site to operate by predicting traffic demands, movements and impacts. The Chamberhall site has had the benefit of being assessed previously through a transport assessment. The Police site has now put forward its likely demands and whilst the assessment indicates slightly higher trip demands compared to the existing assessment for Chamberhall, the difference in trip generation is 2% higher. On this basis, the scale of the development and the likely impacts from the development in terms of transport matters and the local highway infrastructure is that the network can accommodate the development and as such, the transport issues are considered to be acceptable.

Other Sustainable Development Issues - The scheme has been submitted with a new 'Sustainable Development Checklist' encouraged through the North West Regional Development Agency. It provides an instantaneous 'ready reckoner' of sustainability matters which the scheme is to include/exclude. A graph can then be extrapolated to demonstrate strengths and weaknesses of a scheme on sustainability matters.

The scheme has incorporated a Sustainable Urban Drainage System (SUDS) through the use of the pond; reduces the 'heat island effect' through the use of shaded green space passive design for solar shading; and improved landscaping contributing to ecological diversification; contractor to use recycled and secondary aggregates, timers on showers to reduce water wastage; Police presence of the Chamberhall site would promote a safer environment and locally sourced sub contractors would be used.

Overall the scheme scores highly in terms of community, place making, transport and building development. The scheme scores less well but meets good standards for climate change, business and resources. Ecology does not score highly, however, this is due to the urban nature of the development and the proposed green roof has now had to be left off the scheme due to the concerns over the sensitive use of the building in case of roof failure.

Ecology and Trees - There are no ecologically protected designations within the application site or adjoining it. There are however, trees within the site, providing screening to the existing highways along the existing edges of the site. The development proposes to retain the tree coverage along Castlecroft Road within an extensive landscaping strip, which is to run along the easterly boundary of the site. This would provide an instant maturity of landscaping to this publicly visible part of the site. There is a pond to the north of the site, but beyond the application boundary, which is to be retained within Chamberhall. It is critical for this pond to be retained as it is to form part of the sustainable drainage system for the site and provides an outflow for surface water drainage.

Response to Objections - The response received from PAG to the closure of Carlyle Street is unusual particularly as they had not objected to the closure of this street by the creation of

the ramped access road into the site from Peel Way.

They claim that no formal agreements have been reached between PAG and the closure of Carlyle Street. The ramped access road has been specifically design to ensure that a fully serviceable access can be achieved into their site from this approved roadway. Furthermore PAG have been in many meetings discussing the whole Chamberhall site and the process that would be gone through to ensure appropriate and safe access for all into the new business site. PAG never raised concerns to this process nor objected to the ramped access. It is worth noting that the ramped access is in the process of being implemented, with the embankment materials having arrived on site. The final stages involve the road closure procedure. PAG had objected to the road closure order but did so too late for their comments to be considered by Government Office for the North West.

At the time of writing, PAG have submitted a planning application for the redevelopment of their site for office uses but currently invalid. Their plans indicate the use of Carlyle Street as it currently exists. The layout of their site does not preclude an alternative means of access into their site from the access ramp. There is no apparent derogation from using the new approved access ramp and as Carlyle Street would be severed in any event by the ramped access road, their objection to the siting and severance of this street by the proposed Police HQ development adds little weight to their arguments.

PAG could equally revise their proposals to reflect the live and evolving development site of Chamberhall. The implementation of various approvals should allow full understanding on their part as to how their site can be serviced. Furthermore, the PAG scheme seeks to utilise Castlecroft Road as the main access into Chamberhall. Whilst there is a transport assessment with their proposals, the Traffic Section have always had reservations over this means of access into the Chamberhall site and have actively discouraged this as a highway approach to the site.

Concerning the gated restriction, any gate controls can readily be erected at the entrance into their site where they can control their own access without any derogation to the rest of the site.

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, if approved, provide an important new public service facility within the town of high visual quality and sustainably located within the town. The development would comply with adopted UDP Policies and 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: A100 rev P, A101 rev P, A102 rev P, A103 rev P, A104 rev P, A106 rev P, A107 rev P, A108 rev P, A109 rev P, A110 rev P, A111 rev P, A113 rev P, White Young Green Planning Support Statement, White Young Green Planning Sustainability Checklist, White Young Green Geo-Environmental Ground Investigation Interpretative Report, White Young Green

Transport Statement all reports received 15 October 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. 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, detailed site investigation and suitable risk assessment shall be 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, controlled waters and the wider environment and pursuant to 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 actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason - To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to 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 any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason - To secure the satisfactory development of the site in terms of human health, controlled waters 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, controlled waters and the wider environment and pursuant to Planning

Policy Statement 23 - Planning and Pollution Control.

7. No development shall commence unless and until a Preliminary Risk Assessment report to assess the actual/potential ground gas / landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority.
 - Where actual/potential ground gas/landfill gas risks have been identified, a detailed site investigation(s), ground gas monitoring and suitable risk assessment(s) shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation / protection measures are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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. Following the provisions of Condition 7 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and
A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

9. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed where it is required (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) 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 in the interest of UDP Policy EN9 - Landscape

10. The car parking indicated on the approved plans specified in condition 2 above, shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being occupied and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

11. The development shall make provision for public art to the satisfaction of the Local Planning Authority. The process to secure the art work in terms of its commissioning and implementation on/in a site/location shall be approved in writing by the Local Planning Authority prior to the development hereby approved commencing. The development of art work shall then be carried out in accordance with the approved details unless otherwise agreed in writing with the Local

Planning Authority.

Reason - To secure provision of Public Art within the development and pursuant to UDP Policy EN1/6 - Public Art.

12. Details of all proposed fencing, armco barrier detail, front boundary wall and sliding gate details shall be submitted to the Local Planning Authority prior to the development hereby approved commencing. The development shall be carried out in accordance with the approved details only.

Reason - To ensure the satisfactory development of the site and pursuant to UDP Policies EN1/5 - Crime Prevention and EN1/2 - Townscape and Built Design.

13. A landscaping scheme, including hard landscaping materials, lighting and works to existing trees, 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 **Dave Marno** on **0161 253 5291**

Ward: Prestwich - St Mary's

Item 03

Applicant: Childrens Services

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

Application Ref: 48669/Full

Target Date: 08/11/2007

Recommendation: Approve with Conditions

This item was deferred for a site visit at the meeting of the Planning Control Committee on 20th November 2007.

Re-issue of Consultation Letters following the Issuing of Planning Permission

This application was reported to the Planning Control Committee on 23rd October 2007 and was subsequently approved and planning permission granted. However, since then it has become clear that only two properties on School Grove were consulted (18 and 31), who immediately adjoin the site. Whilst this consultation meets with legislative requirements, it is considered that more properties along School Grove should have been consulted, to allow a greater understanding of resident's concerns as the main vehicular entrance into the site would use School Grove. This view is also expressed by other residents along School Grove.

To address this concern, the Council has issued letters to all properties on School Grove, which were not originally informed of the application, allowing them an opportunity to make representations on the proposals. The addresses are 1 to 29 (odds) and 2 to 16 (evens) and the three ward Members. The notification letter was issued by first class post on 6th November 2007. Any observations and responses are requested to be submitted by 19th November 2007. Any responses received were reported to the Planning Control Committee at the meeting on 20th November 2007. The comments made upon this process of consultation are described within the publicity update section below.

It is critical to point out that resident representations (relating to planning issues only) are one of a number of determining factors when considering a planning proposal.

Following this additional consultation process, the Planning Control Committee is invited to express whether the permission should stand in light of any additional comments received or whether the permission should be revoked.

Revocation of planning decisions are few and far between and should only be used where a clearly errant decision has been reached. Procedures for this process would involve confirmation of the action with the Secretary of State and potential costs claims by the applicant (Childrens Services).

The development proposals described are the same in all respects to the scheme presented on 23rd October 2007 and the officer recommendation is unchanged.

Description

Butterstile Lane Primary School, a 1930's flat roofed building, is constructed in an 'L' shaped footprint and is elevated from School Grove by approximately 4.5m.

The school has along its frontage, two single storey classrooms that project out from the main body of the school.

The scheme comprises the conversion of part of the existing school buildings to form a Children's centre and to replace the lost internal school space, two single storey extensions would be built between existing classrooms at the front of the school.

The entrance to the children's centre would be from the westerly side of the school through the existing car parking area through a newly formed entrance. A new flat roofed canopy would be formed over the entrance 2.8m above the ground level.

The scheme also includes two single storey flat roofed extensions to the front of the school to accommodate displaced school space. The extensions would be 7.8m wide and 3.1m to the eaves. They would project from the main school building as far as the existing classrooms.

A play area would be formed between at the immediate front of the school between two of the existing outriggers.

Three car parking spaces would be created to service the staff of the centre and would be located parallel to the existing school driveway.

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

Planning application 48132 was submitted on 18/5/07 for a detached children's centre. However the application was withdrawn on 8/8/07 due to prohibitive construction costs.

Publicity

Letters were sent to properties on 20/9/07 including School Grove, Agecroft Road West, Barnhill Road and Sandy Lane. As a result of this publicity, 4 individual letters of objection have been received from 113 Butterstile Lane 18 & 20 Agecroft Road West and 35 Sandy Lane as well as a compiled letter from 2 addresses including 21 Sandy Lane and 8 Agecroft Road West. Issues from the objectors include -

- There does not seem to be provision for parent parking whilst attending courses at the centre and there would be additional traffic. The current situation is difficult in terms of parking.

- Rear boundaries of properties are troubled through litter and waste blowing in from the school site.
- Concerns that structural damage may occur through construction and the development would lead to additional water run off from the scheme into the gardens which are at a lower level to the floor level of the school.
- There has been no consultation with the Police concerning the building of this centre.
- There would be increased noise from the site with the centre operating upto 10pm at night.
- The school suffers from youths unlawfully entering the site. The development would attract more youths and thus create the need for more security and lighting.
- The removal of two trees should be resisted in times when more traffic and congestion occurs and their loss would impact upon wildlife.

Publicity Update

3 emails have been received on the proposals from 13 and 29 School Grove and an unaddressed correspondent; letters from 6, 14 and 19 School Grove and one letter from 117 Butterstile Lane.

Issues raised by :

6 School Grove

- Traffic problems within the street commencing at 7am and ending at 6pm and sometimes beyond when there are events on at the school.
- Visitors block the driveways of residential properties and the turning head making it difficult for vehicles to turn.
- They question the opening hours of the proposed centre, which are renowned to be different to those contained within the application details.
- The police have been called on numerous occasions to resolve parking problems.
- This centre is an accident waiting to happen.

13 School Grove include:

- Even though the school is a local facility, people still drive to the site and block driveways to drop children off at the school. Why should the new centre be any different?
- The road is deteriorating and it is only a matter of time before a child or other is injured.
- They refer to a petition which they had signed not being mentioned in the report to Committee.

14 School Grove considers:

- Residents of School Grove were not consulted and the scheme has been fully processed. This is a repeat of the previous application.
- The local Councillors were not aware of the scheme.
- These two points are a deliberate strategy to keep residents in the dark.
- Local residents have already been in contact with the Local Government Ombudsman to examine what opportunities may be open to them.
- School Grove residents have always shown consideration and patience with the parking problems on School Grove. Problems have escalated over the last 12 months with many verbal fracas occurring, aggressive behaviour shown and involving the Police and Community Support Officers.

19 School Grove considers:

- No petition has been listed as part of any of the consultation processes.
- Traffic is a serious problem. Coaches cannot turn around and there are no disabled car parking facilities.
- A meeting at the school on 12 November 2007 indicated that more than the cited number of staff on the forms would be located there. This would add to the

problems of traffic.

- There are other sites that could accommodate the centre without the same parking problems including the Phoenix Centre in St Mary's Park or Gospel Hall on Woodward Road.
- Resident's cars are damaged due to the constricted traffic arrangements.

29 School Grove considers:

- There would be a potential increase in traffic, which would affect safety of children playing in the street.
- Many requests have been submitted to implement road safety measures, but denied as no measures were considered appropriate or necessary.
- Parking is very problematic when there are events on at school or even just picking children up from the after school club.
- They are not against the proposed centre but need assurances that children will be safe.

117 Butterstile Lane considers:

- The area is too built up to accommodate the centre.
- Inconsiderate parking by users and staff of the school.
- Undesirables may use the centre thereby putting our homes at risk.
- Values of houses would drop.

Email (Mr Bolger)

- Traffic is a serious problem and parked cars block the turning head.
- Should the car park be built, parking spaces would be lost in the turning head.
- Alternative sites should be considered.
- Refuse vehicles have refused to enter the grove due to parking constraints. Should an emergency vehicle do this, there could be a real tragedy.

Response to Objections

No petition had been received to this application nor the previous application (48132) referred to by 13 School Grove. 19 School Grove says that the petition was handed to the ward Members in person at a meeting held at 14 School Grove.

Car parking by existing users of the School was recognised within the original planning officers report to Committee. A planning condition was imposed to require the existing poorly used car park within the school grounds to be properly demarcated thus improving its efficiency, which should permit more vehicles to park off the street.

The state of the highway and its deterioration is a matter for Highway maintenance to consider and is not a planning matter.

The centres are located within the area that they serve. Whilst people do use their vehicles when there is no need to, the issue is that they do not have to. Location choice is a key sustainability consideration and planning policy actually seeks to reduce provision for parking not to increase it.

The safety of children playing in the street is a matter for parents and road users alike. The Traffic team have been consulted on the proposals and raise no objections to the scheme.

The impact upon property values is not a planning matter to consider

The update within the report makes it clear why this item is being put before Members. Residential properties on School Grove were consulted in the initial processing of this application. The process that Members are now being asked to consider is to provide a proper means for additional comments to be considered and should the Planning Committee resolve that a different decision to the one made in September 2007, then a process of revocation would proceed. If however, the Committee resolves once again to

agree with the September 2007 decision this would have been made having allowed all residents of School Grove to make their views known on the proposals.

Consultations

Traffic Team - No objections.

Drainage Team - No objections.

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.

GM police - No objections.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN7	Pollution Control
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
CF1/1	Location of New Community Facilities
CF2	Education Land and Buildings
PPS23	PPS23 Planning and Pollution Control
EN8/2	Woodland and Tree Planting

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 buildings involve conservatively sized single storey extensions and the conversion of existing school space. A small extension to the headmaster's office would be located within an existing open air quad enclosure centrally located within the school. As such this element would not be visible outside the site.

The extensions would be some 70m and 90m respectively from the turning head of School Grove and there are many mature trees/shrubs separating the developments from the street, which would screen the development effectively. None of the trees are proposed to be removed as a result of the development. As such the scheme would comply with UDP Policies En1/2 and EN8/2.

Access and Car Parking - The design and access statement confirms that there would be level access into the building. The scheme would comply with UDP Policy HT5/1 – Access for those with Special Needs.

There is an existing car park within the school at the end of the access road. It has a capacity of approximately 10 to 12 vehicles, which is a typical for a primary school. The area

is not however marked out and as such, it is likely that parking problems arise through not making the best use of the space available. As the existing car parking area is within the application site, it is not unreasonable to attach a condition requiring the existing car park to be demarcated. Children's Services are agreeable to this condition.

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. It is considered to be appropriate for the scheme and this approach has been taken on other similar schemes at St Stephens, Woodbank and Sedgley Park Schools. The scheme does not preclude parking for clients in the new car parking area, but as the intention of these proposals are 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 HT5/1.

Residential Amenity - The development would be a low profiled 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. No other residential properties would have any view of the development due to the tree and shrub screening around and within the site. The scheme would also have an external play area where children with visiting parents would be able to use at the front of the building. The separation distances between the play area and the nearest residential properties is such that it is unlikely that there would be any significant impact from children playing. As such 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.

Trees - The site is not subject to a tree preservation order however there are many trees in the frontage area of the school. The scheme would require two trees to be lost as a result of the development which are both very close to the main school building frontage on the south easterly elevation. These trees are considered to have a low priority in terms of visual amenity and the existing dense tree cover around the site would not be affected. Therefore the loss of these two trees are considered to be acceptable. The parking bays would be constructed close to five trees, which are proposed to be retained. The arboricultural report confirms that the trees would stay even with this work. As such a planning condition should be imposed to ensure that tree protection measures are carried out to ensure protection of trees.

Response To Objectors - The objections received raise concerns over parking, litter and impacts from construction.

Parking is a recognised issue with the site. However in line with other similar proposals, the scheme would provide three parking spaces dedicated to the use. This has from experience proved to be sufficient. Callers are likely to be on foot as the centres are located within the heart of the area and catchment that they serve. There would not be any courses run from the centre. It is intended to be a place for providing advice. The plans do indicate potential for a detached car park, roughly where the previous children's centre was proposed. This is not being sought at this time but subject to funding, it offers possibilities to resolve many of the parking issues raised at the access into the site. Furthermore, the existing car park does have a reasonable capacity for existing staff. However, as the area is not marked out, the users are not making the best of the available space for parking. As such, a planning condition is proposed requiring the existing car parking space to be demarcated and be available prior to the children's centre use commencing. This should improve the efficiency of the existing facility and reduce on street car parking demand and in turn, improve residential amenity.

Litter - This is not a planning issue and is a matter for the school and its management to resolve. The proposed use would not generate additional waste beyond typical office waste,

which is collected from the site by the Council.

Impacts from construction are not generally planning concerns. However, Environmental Health do issue construction Control of Pollution Act (COPA) notices where construction may have a possibility of impacting upon surrounding sensitive uses, particularly where piling may be used. The notice provides guidance to developers that sensitive methods of construction can prevent possible damage to surrounding properties. In terms of water run off, the development would be connected into the existing water drainage system and as such, it is likely to reduce the levels of water run off when compared to an undeveloped site.

Trees - There would be no loss of amenity value of the site through the removal of two trees following the implementation of the development. Indeed, tree protection measures are advocated as a condition should planning permission be granted. The objector is referring to an arboricultural report submitted with the scheme, where for maintenance purposes two trees are highlighted to be removed. The site is not subject to a tree preservation order and thus permission would not be required to work or remove the trees.

Youths and Security - The Greater Manchester Police Architectural Liaison Officer has been consulted and has raised no objections to the scheme. Ongoing security is a matter for the school to consider.

Response from Applicant/Agent - A detailed response has been received from the applicant and their agent regarding the comments made by the objections.

Rainwater run-off - The rainwater that hits the roofs of the development would be collected and would discharge into the rainwater and sewer system. This should decrease the water run off from the site, not increase it. Children's Services have checked back through the school file and can find no reference to surface water comments or complaints from local residents since the last extension to the school was built approximately 10 years ago.

Increase of Cars on School Grove - Children's Services do not expect any additional traffic to be generated as a result of the new centre. A study has been carried out and a decision made to seek permission for the development to be located within the catchment area it would serve, thus minimising the need for car borne visitors.

Security - The centre would have its own entrance separate but adjacent to the main entrance of the school with a secure reception facility. Inside the building there would be a secure door between the Children's Centre and the school premises, which will ensure no unauthorised ingress into the school by users of the proposed centre. Furthermore, the local authority security officers and wardens are in regular contact with GM Police and take all security matters very seriously. The centre is intended to form part of the security provision provided for by this security service.

Noise and Centre Users - The centre would operate between 8am and 6pm. The creche can only accommodate up to 10 children at a time and would be within a school environment.

Concerns regarding Youths - The Sure Start vision is to provide for the community providing all families with young children access to high quality early years provision and other health and family support services. The centres are not designed for older children and are intended to be for those with children under 5 years old.

Removal of Trees and Wildlife - The trees to be removed have been subject to extensive pruning. Whilst the trees are quite large, their retention would be impractical due to the increasing and on-going maintenance cycle. The removal of the trees would not be detrimental to the site as a whole. nor would their removal impact upon the wildlife of the area.

Planning Authority Comments - These reasons are considered to be acceptable means

of supporting the proposals as they stand and compliment the Officer's report to Committee.

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 an adverse impact upon the amenity of the neighbouring residents. The proposed development would be appropriate in terms of design, scale and layout and the proposed development would not be detrimental to highway safety. The scheme would comply with 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 5967: PL01, PL02, PL03, PL05 and 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 including the colouration of such materials shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site, and;
The approved contamination testing shall then be carried out and validatory evidence (laboratory certificates etc) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
5. If during any works on site, contamination is suspected or found, or contamination is caused, the Local Planning Authority shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales to the approval of the Local Planning Authority.
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

6. The extended 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 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. 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 existing car parking area shall be demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the childrens centre use hereby approved commencing.
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 **Dave Marno** on **0161 253 5291**

Ward: Radcliffe - East

Item 04

Applicant: Property Alliance Group Ltd

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

Application Ref: 48578/Outline Planning
Permission

Target Date: 28/11/2007

Recommendation: Refuse

The application was deferred at the last meeting of the Committee to enable a site visit to take place.

Description

The site that is the subject of the application comprises an area of 10.5ha situated on the south-easterly side of Dumers Lane in Radcliffe and constitutes part of a wider area of predominantly employment uses in the Dumers Lane Area. The north easterly, south easterly and southerly boundary of the land is formed by the River Irwell and its embankments and there is a river meander surrounding a large portion of the land. Terraced houses are adjacent to the site on the north-westerly side. There is a back street here adjoining the site boundary, with the rear of houses on the opposite side. Morris Street, with terraced houses on both sides, is a cul-de-sac off Dumers Lane and terminates just within the site. To the south west of Morris Street there is a 0.2ha square unused open area within the site. Beyond this to the south west there is an electricity sub-station and a small industrial estate.

Land on the opposite side of the River Irwell includes the large Blackford Bridge Sewage Works to the south. On the opposite side of Dumers Lane to the north and north west of the application site are significant areas of industrial and office developments sitting within the wider area of employment uses. To the west of the application site lies an area of residential uses.

The site is currently in industrial use and prior to its closure, was primarily occupied by the Hall's confectionery works together with other industrial users, including a joinery workshop. The former industrial users have vacated their premises some time ago and the site is now occupied by the applicant who is operating an unauthorised activity, involving the importation and deposit of waste materials. This matter is currently the subject of enforcement action against which an appeal has been lodged. The industrial buildings are concentrated on the central and southerly sections with the north easterly portion largely open. A 0.2ha area near to Morris Street was originally a bowling green but has been disused for some years.

Vehicular access is at two locations. There is a main entrance on Dumers Lane next to the northernmost point on the site, adjacent to Hardy's Gate Bridge where Dumers Lane crosses the River Irwell. Morris Street provides vehicular access into the southerly part of the site.

The application is for outline planning permission for a mixed development including residential, employment (Classes B1 and B8) and a riverside park including associated land raising, creation of new accesses and landscaping with all matters of detail to be reserved

for subsequent approval. All of the current buildings would be removed. However, the application does stipulate a specific number of dwellings (which is 310) and specifies the total employment use floorspace (about 8,500sq m).

The supporting documents accompanying the application include the following:

- Planning Supporting Statement
- Design and Access Statement
- Supporting statement concerning employment land and viability issues
- Transport Assessment
- Crime Impact Statement
- Flood Risk Assessment
- Ecological Position Statement
- Breeding Birds Statement
- Bat Survey
- Noise Assessment
- Consultations Assessment Report
- Geo-environmental Desk Study
- Site Investigation/Geo-environmental Assessment and Outline Remedial Plan

The Proposed Indicative Masterplan

The Design and Access Statement includes a Proposed Indicative Masterplan that shows distinct zones of development with the commercial floorspace on the northerly side of the area to be developed and residential units on the majority of the land (5.7ha), including the central and southerly areas. A generalised layout is shown for these developments. The indicative design also shows that a lowered riverside zone up to 30m wide would be created where the existing land would be excavated to just above normal river level. The excavated material would be used to help raise the areas to carry built development above the 100 year flood level, together with other material from the demolition of the existing buildings and to be imported. The indicative plan shows a road pattern, including a main vehicular access point from Dumers Lane, at the northerly most point of the site close to Hardy's Gate Bridge. This would serve all of the employment development and most of the residential development. Morris Street is shown as providing vehicular access to a minority of the residential units.

The indicative plan shows a 2.5ha zone of employment uses in the north-easterly part of the site comprising 1438 sq m (gross) office floorspace situated close to the main access point between the access road and the riverside area. together with four blocks of single storey Class B1(C) and B8 industrial units totalling 7061 sq m (gross) also next to the riverside area and to the southeast of the offices development. A landscaped and acoustic buffer zone is shown as separating the employment and residential zones.

In terms of the residential zone, the indicative scheme shows that the majority of the development would be two storeys. However, on the southerly edge next to the riverside area there would be a number of three, four and five storey blocks, also with a three storey block at Dumers Lane on the westerly side of the main site entrance. The 310 units would comprise a range of dwelling types, including houses and one and two bedroom apartments as well as specialist accommodation. There would be a residential density of about 54 units per hectare and 25% of the proposed units would be affordable housing in line with current planning policy.

The riverside zone described as being 2.78ha would become public open space and would provide a footpath route with a range of natural/ecological areas created along its length for community use as well as providing habitat generation.

It should be emphasised that the Proposed Indicative Masterplan is provided for illustrative purposes only and not for the purpose of requiring detailed consideration as all details are to be reserved for future submissions.

Clarification Statement

It has been clarified by the applicant's agent that, as part of the permission being sought at this stage, consent is being sought to the split of uses/zones that are shown on the Proposed Indicative Masterplan. The rest of the information on the Masterplan, the letter confirms, is intended to be indicative. This is an acceptable means of considering the proposals in the application. However, in the letter the agent also expresses the expectation that any permission should be subject to a condition that requires all applications for reserved matters to accord with the parameters set out in the Masterplan and the Design and Access Statement.

The Submitted Supporting Statements

In the submitted Planning Supporting Statement it is claimed that the development would not substantially detract from the value of the area as an EGA. The reasons for this include:

- Without cross-funding from other development there is no realistic prospects of the site making any significant contribution to meeting the economic and employment requirements of the Borough.
- Nearly all of the employment buildings within the site are beyond economic repair and refurbishment. The total cost of such refurbishment would be in the order of £13.7m whilst the resulting market value would be only £4m. This potential loss means that there is no prospect of the existing buildings being used again for employment purposes and making any contribution to the area's value as an EGA.
- The land raising costs and relatively modest rentals achievable would make the redevelopment of the whole site for employment purposes not to be viable. The submitted viability appraisal shows a loss of nearly £4.9m for such a scheme.
- The site is only likely to make a significant contribution to employment creation within the EGA if commercial development is cross funded by housing development
- The number of new jobs being created is significantly more than the site supported in recent years.
- The SPD on Employment Land and Premises specifically envisages that mixed developments may be appropriate within EGA's where continued employment use is no longer viable.
- To prevent the possibility of the employment part proceeding after the housing or not at all, the applicants are prepared to enter into a s106 Agreement to tie in the number of dwellings being occupied to the completion of phases of the employment development.

The Planning Supporting Statement also includes the claim that the development would be an exception to the current housing restrictions SPD. This is because it would fall within one of the exceptions in the policy as it would fit into the third type of regeneration scheme which is that "the scheme would have significant and strategic (Borough-wide) economic environmental or regenerative benefits". These benefits are then stated as being as follows:

Economic benefits -

- Creation of 215 jobs.
- Substantial new economic investment
- Types of units to be provided are those for which there is a significant unmet demand.

Environmental benefits -

- Removal of present dilapidation and dereliction.
- Substantial environmental enhancement of the area.

- Removal of source of blight on the area.
- Opening up of the river corridor to public access .
- Creation of open spaces along the river bank.
- Provision of a major recreational resource.
- Improvement of the ecological value of the river valley as a wildlife corridor.
- Improve the amenity of existing residents by bringing residential development next to their houses instead of the present employment uses.

Social benefits -

- Provision of a range of jobs and houses appropriate for local people.
- Introduction of a wide mix of modern housing.
- Provision of 77 affordable dwellings.
- Improvement in the quality of life for people living in the area.

Regeneration benefits -

- Removal of a major area of contamination and dilapidation.
- Making a significant contribution to the physical restructuring of Radcliffe.
- Addressing the needs of local people for a better environment, more housing that is affordable and improving access to open spaces and natural areas.

In support of a contention that the benefits from the proposal would be of Boroughwide significance the Planning Supporting Statement indicates that:

- The site represents a very large complex of vacant and under used buildings on an important approach to Radcliffe, and a priority area for redevelopment in the town.
- It is one of the largest vacant building complexes in the Borough and its successful redevelopment is of Boroughwide significance bringing with it transformational benefits over a wide area.
- The amount of employment floorspace and jobs created would be of strategic importance.
- There would be major improvements to the environmental quality of the River Irwell corridor, including new recreational asset for Radcliffe and the UDP makes clear that the improvement of Bury's river corridors is of strategic importance to the Borough.

In the Statement it is indicated that the weight given to the housing restrictions SPD must be limited for the following reasons:

- It is not a Development Plan policy,
- Aspects of it cannot be said to derive from the Adopted UDP, including the boundaries of the areas given priority for regeneration.
- The whole basis of the SPD is likely to become outdated in the near future with the Emerging RSS.
- The Council has not carried out any exercise to establish whether restraint on the development of urban brownfield sites is any longer justified within the terms of the new RSS requirement.

The reports submitted with the application highlight a number of constraints that have affected the form of the proposals. These include the following:

- The majority of the existing buildings (36456sq m) are old and dilapidated and not economically viable for refurbishment
- The viability of redeveloping the site for wholly employment uses has been assessed and found not to be a viable option. The reasons for this include the high cost of the flood remediation scheme and the relatively low values of industrial and commercial property in the area.
- The site is only able to support new employment uses as part of a mixed

development where the higher value uses such as housing can cross subsidise the employment development.

In the supporting Design and Access Statement for the proposal a set of objectives of the scheme is cited as follows:

- To regenerate this redundant brownfield site with, in part, a viable commercial development bringing employment back to the area.
- To provide a mix of new housing, including integrated affordable units in line with UDP Policy H4/1 and PPG3.
- To provide a strong, vibrant and sustainable community with community cohesion between the River Irwell and the proposed development in line with PPS1.
- To provide a catalyst for the regeneration of the area.
- To maximise the opportunities afforded by the site, its context and location.
- To provide a viable and safe form of development.
- To improve the general environment of the area, particularly that of nearby dwellings.
- To increase employment and housing choice in the area.
- To enhance the recreational, amenity and ecological value of the river corridor by opening it up for public use.
- To minimise the adverse impacts of the development on the area.
- To provide a landscaped amenity area along the river bank for the benefit of the residents and users of the site.

The applicants carried out pre-application publicity which they have summarised as follows:

- A three day public exhibition at the Bridge Inn on Dumers Lane from 14th to 16th September 2006 including the opportunity for residents and businesses to speak directly with the development team and leave their comments on the proposals, including any viable ideas that could be incorporated into the development.
- The result of the exhibition was overwhelmingly positive with 96% of the respondents favouring the proposals put forward.
- There was concern about the lack of public open space in the area and this led to changes to the proposals for the riverside park, including enlarging it and making it more usable for the public.
- There was a further public consultation on revised plans carried out in July 2007 which produced very positive results.
- The layout and general design principles were generally supported by the public, in particular for minimising the amount of cars for the development using Morris Street, as carried forward into the proposals.
- There was no public support for either the site in its present state or redeveloping it entirely for employment uses.

Concerning the details of the indicative scheme the following positive features are highlighted by the applicants in their Design and Access Statement:

- The office units would benefit most from being in a highly visible position next to the main access off Dumers Lane.
- The residential zone has been kept separate from the commercial area by a dense landscape scheme to shelter it from any unwelcome visual and aural disturbance and discomfort. This zone would also benefit from close proximity to surrounding existing residential areas.
- The apartment block has been located at the edge of the riverside to afford the residents extensive views along and across the river corridor.
- With the employment element the units are concentrated within as efficient a zone as possible to maximise land use but to also provide an inward looking complex of courtyards that are flexible in subdivision and thus having the potential to thrive.
- The riverside zone, which is currently inaccessible private land, would become

public open space and would provide a footpath route with a range of natural/ecological areas created along its length for the benefit of the wider community, as well as habitat generation.

- The design on the Proposed Indicative Masterplan incorporates existing site constraints and influences into the scheme, whilst responding to the need to provide high quality commercial employment units that can meet the operational needs of the end users.

Linkage with land at Chamberhall development area

The applicants have acquired the former Hesketh Forgings premises at Carlyle Street within the Chamberhall development area where they are making a proposal for commercial development. They have written putting forward as an offer the suggestion that the residential development at Dumers Lane/Morris could be used to cross subsidise both of the commercial schemes, this linkage to be achieved through a s106 Agreement. In this way they are making the suggestion that the residential proposal at Dumers Lane/Morris Street could be treated as an exception to the housing restrictions policy as it could be regarded as an urban regeneration initiative that would have significant and strategic (Boroughwide) economic, environmental and regenerative benefits. At this stage, an application has been received for the Carlyle Street site but remains invalid at the time of writing and no a draft of a s106 Agreement has been received from the applicant.

With regard to flood risk issues at the Carlyle Street site the Environment Agency has objected to two current applications on adjacent land further from the River Irwell. However, the applicant company's land adjoins the river and the Agency's concern about flood risk there is expected to be even more serious. Nevertheless, it is not considered that a claim of strategic economic, environmental and regenerative benefits could reasonably be supported as such a description would be applied to developments on an even larger scale and with more extensive strategic implication eg. the redevelopment of the East Lancashire Paper Mill site for a school to serve Radcliffe.

Relevant Planning History

31609/95 - 12 Dwellings on land rear of 1-12 Morris Street. Refused on 16th April 1996 for reasons that there would be overdevelopment of the site, conflict with UDP Deposit Plan policies EC2/1 - Employment Generating Areas, H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, RT1/1 - Protection of Recreation Provision in the Urban Area and RT2/2 - Recreation Provision in New Housing Development, unacceptable loss of a boundary hedge, the applicant does not control and is unlikely to achieve control of a required visibility splay on Dumers Lane and the access design is substandard.

33354/95 - Outline for residential development on land at the rear of 2-21 Morris Street. Refused on 16th October 1997 for the reason of conflict with UDP policies EC2/1 - Employment Generating Areas and H1/2 - Further Housing Development. The subsequent appeal was dismissed.

33719/97 - Outline for Class B1 (Business) use on land at the rear of 2-12 Morris Street, Radcliffe. Approved on 18th March 1998.

33744/97 - Outline for residential development on land rear of 2-12 Morris street. Refused on 5th February 1998 for the same reasons as 33354/95 above.

48909 - Change of use of land to demolition contractor's yard. Current application.

Publicity

574 properties were notified on 17th September 2007 about the application. These were with addresses in the following roads: Barlow Fold Close, Nuttall Square, Manchester Road, Crossfield Street, Britain Street, Dumers Lane, Hardy's Gate, Bracken Trade Park, York street, Morris Street, Borough Avenue, Thorpe Avenue, Seddon Avenue, Whewell Avenue, Bealey Avenue, Birch Street and New Bridge Gardens. Site notices were displayed from 21st September and a press notice was published.

Two objections have been received which are from residents in Manchester Road and

Dumers Lane. The following concerns are expressed:

- Increased traffic
- The junction of Dumers Lane and Manchester Road is already hazardous for pedestrians
- Air quality has declined rapidly
- The whole purpose of buying their house was the free land behind it.

Seven letters and an e-mail of support have been received from residents in Dumers Lane, Morris Street, Manchester Road, Bradley Lane, Radcliffe, Grantham Drive and Bury Old Road, Bury and Stanway Road, Whitefield with no postal address given in the e-mail. The points raised include the following:

- Why is a mixed use development contrary to policy as it has worked well on Salford Docks, Royal Albert Dock and on various other mixed use developments?
- The Dumers Lane area and Radcliffe in general would benefit from this type of development particularly in terms of employment and affordable accommodation.
- The modifications to the river can only lower the risk of flooding in the area and residents living in Dumers Lane are already being penalised by insurance companies for living so close to the river.
- A refusal would not be in the best interests of the area.
- If the Council can create 250 jobs in Radcliffe and 500 more in Bury by granting permission for 310 houses then what is so wrong?
- Isn't the Government telling us that we should build houses on brownfield sites?
- Why must the residents of Radcliffe suffer from anti-social behaviour?
- Cannot see an argument to override the obvious advantages the development would have for the people of Radcliffe and Bury.
- Anything that provides such a well balanced plan for the regeneration of our area must be for the better.
- The development would not only provide affordable houses surrounded by river valley and open public space but industrial and office units generating business opportunities and much needed employment.
- The proposed linked development near the Chamberhall business park would also provide more jobs and houses and jobs are a real priority for most local authorities including Radcliffe and Bury.
- Common sense must prevail and permission should be granted in this exceptional case.
- The residents who live near this derelict site deserve better.
- The proposal should not be refused because the land is designated for industrial use and it is well within the powers of the Council to grant planning permission for much needed homes coupled with small industrial units and office buildings that would bring in much needed employment.
- The residents of Radcliffe always appear to be the victims and what Bury needs is hands-on Councillors who can deliver jobs and think about Bury and its residents instead of always saying no to quite clear improvements within our Borough.
- The whole site is derelict and has a negative effect on nearby housing.
- Intruders are gaining access to the site and stripping the buildings. The site is attracting unscrupulous individuals.
- The scheme meets the majority of both planning policy and employment policy.
- Officers are working to outdated policy rather than the regeneration of Radcliffe.
- A mixed development at the Bibby and Baron site has worked and continues to do so and this sets a precedent.
- The development would generate significant tax and rates.

Consultations

Highways Team - Recommend refusal or the reason that there is insufficient information submitted to enable the impact of the development on the surrounding highway network to be properly assessed. The conclusion of the submitted Transport Assessment that "the

proposed redevelopment will have no material adverse effect on the safety or operation of the adjacent local highway" is considered to be unreliable, especially given concerns about permeability for pedestrians and cyclists, forecast impact of development traffic (quantity and distribution) and, in particular, the lack of analysis of the likely impacts on the A56/Dumers Lane junction.

Drainage Team - No objections

Environmental Health - Recommend conditions concerning contaminated land and landfill gas contamination. To mitigate any potential problems of noise pollution the hours of operation for the commercial development should be restricted. A scheme should be submitted of detailed measures to ensure compliance with Class B1 usage and a survey of noise emissions should be undertaken not less than once every three years to identify the level of compliance with conditions. On the issue of Local Air Quality Management they point out that the area is one where the objectives in the Air Quality Regulations 2000 and (Amendment) Regulations 2002 are predicted to be exceeded they recommend a condition requiring an assessment of the development on local air quality to be submitted prior to the commencement of the development. If this shows that there is likely to be a significant negative effect on air quality then the condition would require a plan of action to be submitted for approval prior to the commencement of the development to mitigate this impact.

GM Fire and Rescue Service - No objections subject to compliance with current requirements, fire appliance access and specified water supply arrangements being provided.

Environment Agency - Objects on the grounds that the model used for the Flood Risk Assessment has recently been updated and the site is at a greater risk of flooding. A revised FRA is required based on the latest model.

GM Ecological Unit - Originally expressed concern that a bat roost has been identified in a small building but that there was no detailed information concerning the bat species and size of the roost. However, the situation has since been clarified by the applicant's ecological consultant and the unit is now satisfied that building is not used as a maternity roost site but most probably for foraging by bats in summer. Recommends an additional survey of the building for bats and, if consent were to be granted, that there should be condition imposed requiring approval to a method statement for the demolition of the building in question and the demolition to take place in accordance with the statement. A condition is also recommended requiring a method statement to be approved and implemented for the inspection and felling of any tree with any potential to support bats. Have expressed concerns about using of non-locally native species for the flood channel on the Proposed Indicative Masterplan. The unit is concerned about the loss of an area of woodland and dense scrub which, whilst generally of low ecological value, is still an important habitat within the wildlife corridor. The planting indicated as a screen between the commercial and residential developments on the Masterplan should be of native species to compensate for the loss of existing habitat. Any lighting scheme at the detailed stage should ensure that there would be no light pollution of the river corridor and/or flood channel. A detailed management plan should be agreed with the Local Planning Authority for the ecological works and be the subject of either conditions or a s106 Agreement. There should also be an ecological master plan for the whole scheme and not just the river corridor with biodiversity enhancements to be included.

United Utilities - The development should be drained to the nearby watercourse. They refer to existing sewers, private water mains and electricity installations within the site and requirements in connection with these.

GM Police Liaison - The police have prepared a Crime Impact Statement that has accompanied the application. In the document they list a set of good points and contentious ones. These are summarised in the crime impact part of the issues and analysis section of the report.

GMPTE - Have commented that the site is well located in relation to public transport and that future residents and employees would, therefore, have access to some choice of travel mode which should help reduce the amount of car travel otherwise generated by this development. Dumers Lane is part of the Quality Bus Corridor Network and, should the Council be minded to approve the application, it would be reasonable to ask for a financial contribution from the applicants towards the upgrading of the bus stops on Dumers Lane to

Quality Bus Corridor standard. Whilst the site is accessible by public transport it is important to influence people's travel patterns at the beginning of occupation. Accordingly, a Framework Travel Plan ought to accompany the application (this has been submitted). At the reserved matters stage Full Travel Plans (work based and residential) ought to be submitted to include commitments to measures promoting a choice of transport mode and a monitoring regime with agreed mode share targets. The development, submission, implementation and monitoring of a Travel Plan should be attached as conditions of any planning consent.

Waste Management - Have commented that further consultation will be required for the provision of waste management facilities to include the Borough's recycling services. The Design and Access Statement makes no reference as to how waste management provision would be built within the development.

National Grid Transco - Any response will be reported.

Unitary Development Plan and Policies

EC1	Employment Land Provision
EC1/1	Land for Business (B1) (B2) (B8)
EC2	Existing Industrial Areas and Premises
EC2/1	Employment Generating Areas
EC5/3	Other Office Locations
EC6/1	New Business, Industrial and Commercial
H1	Housing Land Provision
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN1/6	Public Art
EN5/1	New Development and Flood Risk
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/3	Water Pollution
EN9	Landscape
OL5/3	Riverside and Canalside Development in Urban Areas
RT1/1	Protection of Recreation Provision in the Urban Area
RT2	New Provision for Recreation in the Urban Area
RT2/1	Provision of New Recreation Sites
RT2/2	Recreation Provision in New Housing Development
SPD2	DC Policy Guidance Note 2: Wildlife Links & Corridors
SPD3	DC Policy Guidance Note 3: Planning Out Crime
SPD4	DC Policy Guidance Note 4: Percent for Art
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD7	DC Policy Guidance Note 7 - Managing the Supply of Housing
RSS 13	Regional Spatial Strategy for the North West
PPG3	PPS3 - Housing
PPG4	PPG4 - Industrial and Commercial development
PPS9	PPS9 Biodiversity and Geological Conservation
PPG13	PPG13 - Transport
PPG25	PPG 25 - Development and Flood Risk

Issues and Analysis

Employment Policy Issues - In recognition of the industrial use of the site and its function within the wider concentration of employment uses in the Dumers Lane area, the site falls

within an Employment Generating Area (EGA) as identified under UDP Policy EC2/1. In particular, the Dumers Lane EGA is specifically recognised as being suitable for Business (B1), General Industrial (B2) and Warehousing (B8) Uses under EC2/1/9. In addition, 2.74 hectares of the site is specifically allocated for B1, B2 and B8 development under UDP Policy EC1/1 (Proposal EC1/1/19).

In the context of Policies EC2/1 and EC1/1, the employment element of the mixed use proposal is clearly in accordance with both policies. However, it is the introduction of residential uses into the EGA and encroaching into the specific EC1/1/19 allocation that offers conflict with both employment policies.

The residential element encroaches into 0.23 hectares of the employment allocation (EC1/1/19) and this element of the proposal is, therefore, in conflict with policy EC1/1 which specifically identifies this part of the site for B1, B2 and B8 development.

In terms of EGA policy, EC2/1 specifies that in the defined EGAs, development will only be allowed for the uses specified (i.e. B1, B2 and B8). Other uses will only be permitted where they constitute limited development or do not substantially detract from the area's value as an EGA. In this context, the residential element would result in the loss of 5.7 hectares of the EGA. This cannot be construed as 'limited development'.

The question is then whether the loss of this part of the EGA to residential use would substantially detract from the area's value for generating employment. In this respect, the application site lies within a wider area of employment uses that has been specifically recognised by King Sturge in the Bury Employment Opportunities Study as being one of only four locations within the Borough (along with Pilsworth, Bury Ground and Townside) that offer the most significant opportunities for future employment growth. Specifically, the wider Dumers Lane area is considered to be of strategic economic importance and particularly appropriate for accommodating new and indigenous industrial growth. The loss of such a significant portion of this key employment location could set a dangerous precedent and undermine the future objectives for the Borough's local economy. On this basis, the loss of a significant part of this area to residential would detract from the area's value for generating employment. The King Sturge report has been approved by the Council's Executive Committee as a material consideration in the determination of planning applications.

In addition to the site being a constituent part of the wider strategic employment area, there is also the issue of employment land supply. The supporting statement concerning employment land and viability issues report does make reference to this issue but in doing so refers to figures from 2005. An update of the situation to April 2007 shows that the Borough has a total supply of 45.07 hectares of employment land. With an average 5 year take-up of 4.62 hectares, this equates to a 9.75 year supply which in itself represents a limited supply. However, with 31.74 hectares of this land suffering from constraints, the supply of immediately available land is reduced to just 2.88 years. This supply is extremely limited and adds importance to the need to protect all employment land.

On the basis of the above, there are fundamental policy concerns regarding the introduction of residential uses into a recognised employment area. In particular, this element of the mixed use is considered to be in conflict with UDP Policies EC1/1 and EC2/1.

Housing Policy Issues - In terms of the current housing restrictions in the Borough set down in SPD7, the site is not within any of the identified regeneration and town centre areas where the restrictions do not apply. The submitted Planning Supporting Statement refers to one of the exclusions to the policy which includes "Other Urban Regeneration Initiatives" where "The Council will consider proposals for residential developments outside the identified areas "only in exceptional circumstances and where it can be clearly demonstrated that the scheme would have significant and strategic (Boroughwide) economic, environmental or regenerative benefits." The supporting statement indicates that this exception applies to the proposed scheme and that, therefore, the restrictions do not

apply in this case. Responding to this assertion it is considered that any regenerative benefits from the development would be localised and could not reasonably be described as being significant or strategic and Boroughwide and that, therefore, the application should be refused on the basis of being contrary to SPD7.

The applicant has argued that SPD7 can be given little weight as it neither reflects current national planning guidance nor is it properly based on policies of the adopted UDP. However, SPD7 seeks to supplement Policy H1 of the UDP (as a saved policy) and it is considered to have been prepared in accordance with relevant national and regional guidance and should be treated as a significant material planning consideration with substantial weight.

Policy H1 seeks to manage the supply of housing land in the Borough and although it refers to provision up to the period 2001, it is still the main local development planning policy that relates to local housing supply. An important point to note is that SPD7 does not simply 'restrict' housing but rather seeks to manage the supply of housing land, which is entirely in line with Policy H1 (i.e. ensuring that there is a sufficient supply is a form of management, ensuring that enough land is coming forward to meet housing requirements without having a substantial housing oversupply). This is a fundamental element of both PPS3 and RSS under the plan, monitor and manage approach.

The SBD7 that supplements UDP Policy H1 takes account of up-to-date housing requirements in RSS and follows national advice that requires SPDs to be consistent with national planning policy and the RSS.

The residential density achieved on the Proposed Indicative Masterplan of 54 dwellings per hectare would be in line with the objective within PPS3 for achieving an efficient use of land,

In the Design and Access Statement it is proposed that 25% of the units would be affordable housing. This will include a range of dwelling types and sizes and fully integrated within the scheme. This is in line with the current requirements of SBD5. However, should planning permission be granted a condition should be attached to ensure that the appropriate contribution would be required in line with planning policy for affordable housing.

Recreation Policy Issues - Part of the site includes an area that was formerly a bowling green off Hassall Street. This is specifically identified as Protected Recreation in the Urban Area under UDP Policy RT1/1. However, this recreational facility has been disused for many years and the site then became used as allotments. In 1996 planning permission was refused for residential development on this land and conflict with Policy RT1/1 was included in the reasons for the decision. However, in responding to an appeal against the refusal of a similar application the Council indicated that it considered that it was no longer appropriate to apply the policy on the site and the Inspector concurred with this and dismissed the appeal for other reasons. The issue of the Protected Recreation designation has not been raised in regard to the subsequent two applications for development on this area including the approval of Class B1 (Business) development in 1998. Consequently, it is considered that this allocation ought not to be raised as an issue in regard to this current application.

The applicant would be required to provide a suitably located and usable area for recreational purposes in accordance with UDP Policy RT2/2 in order to meet the recreational needs of the prospective residents. Should this application receive permission, it should be conditioned to ensure that any subsequent reserved matters application is in accordance with this Policy.

Response on Planning Strategy Issues to the Applicant's Supporting Statements - From a planning perspective, the wider Dumers Lane/Eton Hill area has been identified in the King Sturge Employment Opportunities Study as a strategic employment area that has the potential to attract modern types of employment. As a result, the Council has, in the past, made attempts to talk to land owners and stakeholders in this area with a view to

determining their intentions and aspirations for the various sites that make up the wider area and to agree a way forward for the area.

Although little progress has been made following talks with land owners, the Council is still keen to pursue a coordinated and comprehensive approach to the area as a whole which seeks to maximise employment opportunities in the area and to consolidate the area's position as one of the Borough's four primary employment locations to reflect the findings of the Employment Opportunities Study.

The Council wishes to promote a Master Planning exercise for the wider area in the form of a Vision and Development Strategy which would ultimately set out a comprehensive and realistic framework for future growth and development in the area (an approach which has worked well for Bury town centre). Such a Strategy would include a thorough assessment of development potential and would allow for opportunities to address current conflicts between employment and residential land uses. This may, for example, involve a review of access and transportation arrangements in the area as well as accommodating some non-employment uses as a way of minimising conflict. **The Council is particularly keen for the area to be looked at in a strategic manner rather than making decisions on individual sites in an uncoordinated way which has little or no regard to wider aspirations and opportunities which could potentially give rise to even greater conflicts.**

The intention would be for the Vision and Development Strategy to inform allocations and designations in the emerging Local Development Framework.

The Indicative Master Plan - The application is submitted for outline planning permission with all matters of detail to be reserved for subsequent approval. However, consent is requested to a specific number of residential units and a specified amount of Class B1 and B2 employment floorspace. The proposal is supported by a Design and Access Statement Proposed Indicative Master Plan showing the intended zones for the intended uses with a sketch layout of roads and buildings, including access points.

The indicative details are considered to include sufficient information to demonstrate that the site would be capable of accommodating the number of residential units and employment floorspace together with the concept of the creation of a low lying parkland for flood relief.

The layout presented is an indicative illustration only and if outline permission is granted it would be at the reserved matters stage that proper consideration would be given to issues such as the extent to which the development would be integrated with the existing neighbourhood, the main access arrangements, the highway pattern within the development, the relationship of the built form to the riverside setting, the built appearance of the development, the inter-relationship between buildings both within the scheme and existing development, details of landscaping including the extent and treatment to buffer areas, public open space provision including the treatment to the riverside area, crime impact mitigation and inclusive design.

Flood Risk - All of the site is affected by either flood risk zone 2 or zone 3 with a large section of the land on the easterly side within zone 3 as well as the southerly fringe next to the river. The application is supported by a Flood Risk Assessment (FRA) and this supports the concept that a substantial riverside area would be excavated to form an amenity area acting also as a flood water retention area. Material from this riverside zone and other material would be used to raise the area for built development out of the 100 year flood extent but without creating a negative effect on flooding up or downstream of the site.

The FRA has been considered by the Environment Agency which, in response, has raised an objection to the application. This is on the basis that the model used in the FRA has recently been updated and, as a result, the proposed development is at a greater risk of flooding. The applicants are in discussion with the Agency with a view to reaching an agreed solution on this matter. However, at the time of writing the issue is not resolved and

the objection by the agency remains.

Ecology - The application is accompanied by an Ecological Position Statement, a Bat Survey and a Breeding Bird Survey. These reports have been considered by GMEU and, whilst the unit was originally concerned that a bat roost may be present in one of the buildings, this matter has now been clarified and it is evident that the presence of bats there does not amount to a roost. The unit has recommended that there should be a further survey of the building and that any consent should be subject to conditions concerning the method of demolition of the building and the method of felling of any trees identified as having any potential to support bats.

GMEU has also raised concerns about the loss of a woodland and dense scrub, the issue of compensating for this loss, the inclusion of non native species in indicative landscaping information and the need for an ecological master plan and a detailed management plan. The indicative details of landscaping presented with the application are not for consideration at this stage and the full details, including the ecological function of planting work would be the subject of a reserved matters application. However, if outline permission were to be granted, it should be subject to conditions dealing with ecological concerns such as the provision of an ecological master plan and a detailed management plan.

Public Art - It is a requirement through Policy EN1/6 and SBD4 that a development of the scale proposed would include an element of public artwork. Such a provision is referred to within the landscaping objectives of the Design and Access Statement as "Public art in the form of provision at the entrance to the development and building features such as gates, piers, railings, fences, lighting or seating as well as possible links to the Irwell Sculpture Trail". Any consent would need to be subject to a condition requiring this provision to be fulfilled in accordance with the UDP policy.

Pollution Control - The development proposals include a sensitive end use and the site has had a history of industrial activity. In addition, the proposals would include the importation of material to raise the level of the area to contain buildings. The application is supported by geo-environmental information including an outline remedial plan. Given the intended juxtaposition of employment and residential uses within the development and the presence of both types of use in the vicinity of the application, a Noise Assessment has also been submitted.

In order to ensure that any risk from land contamination is adequately mitigated any consent should be subject to the conditions recommended by Environmental Health concerning contaminated land and landfill gas. The Proposed Indicative Masterplan shows a significant planted buffer zone between the employment and residential uses and such a feature ought to be included on any acceptable detailed scheme.

Crime Impact Issues - The application is supported by a Crime Impact Statement (CIS) that has been prepared by the Greater Manchester Police Architectural Liaison Unit. This sets out general principles that should be applied in a potential development for the site to mitigate the impact of crime. The CIS also sets out a series of good and contentious points based in the indicative layout but points out that this layout is not detailed enough to provide specific risk assessment of the buildings.

As the application is for outline planning permission with Proposed Indicative Masterplan not for detailed consideration and all details to be reserved for subsequent approval the crime impact aspect would need to be considered more fully at the reserved matters stage. The principles and more detailed points raised in the CIS and any similar report supporting a reserved matters application would then need to be considered in the context of other planning objectives.

Highways Issues - The application includes a Transport Assessment (TA) but details of access are not the subject of the application. However, the scale of the development is set down and there are places along the adjacent highways where access could be gained.

The TA includes a Framework Travel Plan. The comments of the Highways Team on these matters are currently awaited and these will be reported.

Letters from the Applicant - Copies of two letters from the applicant critical of the Council, one addressed to neighbours of the development and the other to the Chief Executive, are appended to the report.

Recommendation: Refuse

Conditions/ Reasons

1. The proposed development would result in the loss of a significant amount of land identified as being within the Dumers Lane Employment Generating Area to a non-employment use contrary to the following policies of the Bury Unitary Development Plan:

EC2 - Existing Industrial Areas and Premises; and
EC2/1 - Employment Generating Areas.
2. The proposed development would lead to the loss of land allocated for Business (B1), General Industrial (B2) and Warehousing (B8) uses to a non-employment use contrary to the following policies of the Bury Unitary Development Plan:

EC1 - Employment Land Provision; and
EC1/1 - Land for Business (B1), General Industrial (B2) and Warehousing Uses.
3. Sufficient sites have been identified within the Borough to meet the Regional Spatial Strategy for the North West housing requirements and to release this site would add to the oversupply of housing in Bury to the detriment of local and regional regeneration priorities. Therefore, the release of this site for residential development would be contrary to Policy H1- Housing Land Provision of the Bury Unitary Development Plan, Development Control Policy Guidance Note 7: Managing the Supply of Housing Land in Bury, and the Regional Spatial Strategy for the North West.
4. The site is affected by Flood Risk Zones 2 and 3 and the application contains insufficient information to demonstrate that the development would not be at an undue risk from flooding. The proposals would, therefore, conflict with the advice in PPS25 Development and Floodrisk and with Policy EN5/1 - New Development and Flood Risk.
4. The application and submitted plans contain insufficient information to enable the impact of the proposed development on the surrounding highway network to be properly assessed.

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

