

<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>19 February 2008</b>
<b>By:</b>	<b>Assistant Director (Planning, Engineering &amp; Transportation Services)</b>
<b>Status:</b>	<b>For Publication</b>

### **Executive Summary**

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

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

### **This report has the following implications**

**Area Board/ Ward:** Identified in each case.

**Policy:** Identified in each case.

**Resources:** Not generally applicable.

**Equal Opportunities:** Identified in each case.

### **Human Rights:**

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

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

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

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

**BRIAN DANIEL**

## **Assistant Director (Planning, Engineering & Transportation Services)**

### **Background Documents**

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

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

- 01      **Area Board-Ward:** Bury East      **App No.** 49341
- Location:** 5 CROMPTON STREET, BURY, BL9 0AD  
**Proposal:** CHANGE OF USE FROM FORMER POST OFFICE TO A LICENSED FOOD AND DRINK OPERATION (CLASS A4)  
**Recommendation:** Approve with Conditions      **Site Visit:** N  
**Decision & Notes:**
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- 02      **Area Board-Ward:** Bury East - Moorside      **App No.** 48946
- Location:** UNIT 1 OLD TOWNS YARD EVERY STREET BURY  
**Proposal:** INSTALLATION OF CEMENT SILO (RETROSPECTIVE)  
**Recommendation:** Approve with Conditions      **Site Visit:** N  
**Decision & Notes:**
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- 03      **Area Board-Ward:** Bury East - Moorside      **App No.** 49321
- Location:** 190 CHESHAM ROAD, BURY, BL9 6HA  
**Proposal:** CHANGE OF USE OF 190 CHESHAM ROAD FROM RESIDENTIAL CHILDREN'S HOME (C2) TO NON-RESIDENTIAL PUPIL REFERRAL UNIT (D1); PROVISION OF CAR PARKING INCLUDING DEVELOPMENT OF ADJACENT OPEN LAND AS PART OF CAR PARK; 3M WIRE MESH BOUNDARY FENCING ; ASSOCIATED LANDSCAPING AND ACCESS TO HIGHWAY.  
**Recommendation:** Approve with Conditions      **Site Visit:** N  
**Decision & Notes:**
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- 04      **Area Board-Ward:** Bury West - Church      **App No.** 48865
- Location:** OLD HOLTS FARM ROADING BROOK ROAD HARWOOD BOLTON BL2 4JD  
**Proposal:** RETENTION OF PORTAKABIN OFFICES; ERECTION OF MACHINE STORE / GARAGE AND ASSOCIATED LANDSCAPING.  
**Recommendation:** Approve with Conditions      **Site Visit:** Y  
**Decision & Notes:**
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- 05      **Area Board-Ward:** North Manor      **App No.** 49293
- Location:** LAND ADJACENT 30 BRANDLESHOLME ROAD, GREENMOUNT  
**Proposal:** OUTLINE - ERECTION OF DETACHED DWELLING AND GARAGE (RENEWAL OF PLANNING PERMISSION 43599)  
**Recommendation:** Approve with Conditions      **Site Visit:** N

