

Ward: Bury East

Item 01

Applicant: MELROSE DEVELOPMENTS

Location: LAND OFF, BRIDGE HALL LANE, BURY

Proposal: PROPOSED RESIDENTIAL DEVELOPMENT CONSISTING OF 24 PRIVATE DWELLINGS.

Application Ref: 49309/Full

Target Date: 09/05/2008

Recommendation: Approve with Conditions

Description

The application site lies to the north of Bridge Hall Lane and is currently vacant. To the south of the site is a newly constructed office development to the south with further industrial buildings beyond. There are dwellings to the north, east and west of the site and the site is located within an employment generating area and is allocated as being suitable for B1 business or office use.

The site is partly flat on the southern side but rises steeply and meets the level of the dwellings on Greengate Close to the north. There are a number of mature trees to the north and east of the site and these are covered by TPO 70. Access to the site is shared with the office development to the south of the application site.

The proposal involves the erection of 4 buildings to accommodate 24 two bedroom maisonnette apartments. The four buildings would be two storeys high and would be located on the northern boundary with the car park located to the south of the site, adjacent to the boundary with the offices.

Relevant Planning History

39811 – Residential development – 13 houses at land off Bridge Hall Lane. Bury. Approved with conditions – 8 July 2003

41374 – Removal of condition No. 14 “for the provision of affordable housing” on previously approved planning permission 39811/02 at land off Bridge Hall Lane, Bury. Refused – 17 December 2003

42825 – Residential development - 27 apartments with landscaping and car parking at land off Bridge Hall Lane, Bury. Refused – 6 September 2004

44252 – Residential development – 27 apartments at land off Bridge Hall Fold, Bury. Refused – 24 May 2005

44876 – Residential development – erection of 24 No. apartments at Land at Bridge Hall Lane, Bury. Approved with conditions – 18 November 2005

Publicity

The neighbouring properties were notified by means of a letter on 13 February and a press notice was posted on 21 February. Site notices were posted and letters were hand delivered to the office buildings on 22 February 2008. Three letters have been received from the occupiers of 19, 21 Bridge Hall Fold and Tetrosyl, which have raised the following issues:

- Can the infrastructure accommodate these additional dwellings
- Impact of the proposed development upon pedestrian and highway safety
- Notwithstanding the above comments, support the residential development

Consultations

Highways Team – No objections to the proposal, subject to the inclusion of conditions relating to the demarcation of the car park.

Drainage Team – No objections

Environmental Health (Contaminated land) - No objections, subject to the inclusion of conditions relating to contaminated land.

Environmental Health (Pollution Control) - No response to date

Waste Management – The proposed bin store is not sufficient for the provision of waste services. A minimum of 6 eurobins would be required for 24 dwellings.

Landscape Practice – The site is covered by TPO 70 and has been subject to several surveys over the past 4 years. Despite the fact that there are some lower category trees present, no removals should be contemplated at this stage.

It is considered that in relation to the Plant Schedule, there needs to be more consideration of what exists on site and to work with the character of the area. The tree species should be complemented and the possible future losses from disease or poor health should be offset with similar second generation trees of the same species to maintain the longevity of the nature of the site. Also, several of the species chosen would not survive in the microclimate conditions.

The proposal is not supported as there is scope for a scheme that would respect and add to the site got its long term future in a manner that respects the wider presence of the TPO.

Policy – The proposal is on land identified as being within an EGA under Policy EC2/1 and a specific allocation under EC1/2.

Previous discussions with regard to this site have sought to secure office development on the allocation in accordance with the Plan. Nevertheless, it was agreed that, if the majority of the allocation were developed for its intended use, partial encroachment of residential would be acceptable. The office development is now complete. On the basis of previous discussions, this application is considered acceptable.

GM Police Architectural Liaison – No response to date

BADDAC – Generous provision of disabled bays are welcomed. No further comment at this stage.

Unitary Development Plan and Policies

EC1/2	Land Suitable for Business (B1)
EC2/1	Employment Generating Areas
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN7	Pollution Control
EN8/1	Tree Preservation Orders
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
SPD1	DC Policy Guidance Note 1:Recreation Provision
SPD6	DC Policy Guidance Note 6: Alterations & Extensions
SPD7	DC Policy Guidance Note 7 - Managing the Supply of Housing
PPS23	PPS23 Planning and Pollution Control

Issues and Analysis

Principle - The proposed development would be located within an employment generating area and has been identified as suitable for office or B1 business use.

Policy EC1/2 states that the sites have been identified for business (B1) and office uses. Development for other uses will only be permitted in exceptional circumstances and in accordance with other policies and proposals of the plan.

Policy EC2/1 states that within employment generating areas, the Council will only allow development for the uses specified. Other uses will only be permitted where they constitute limited development and would not substantially detract from the area's value as an employment generating area.

The site forms a small narrow strip of land within the employment generating site, which due to the size, shape and topography of the land would not be suitable for large or medium scale development. The majority of the site allocated for business or office use has been taken up by the recently completed office development to the south of the site. As a result, it is considered that the proposed development would constitute limited development and would not detract from the value of the employment generating area. Therefore, the proposed development would be acceptable in principle and would not conflict with the aims of Policies EC1/2 and EC2/1 of the adopted Unitary Development Plan.

Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for housing development, including the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

DCPGN7 (Managing the supply of housing land in Bury) states that no housing development will be permitted within the borough unless it meets certain criteria, such as replacement dwellings, variations to approved schemes, or is located within a specific regeneration area.

The site benefits from an extant planning permission (44876) for 24 apartments which was granted in November 2005. As a result, the proposed development would be a variation to an approved scheme and would not add to the number of dwellings within the borough. It is considered that the adjacent office development would not have an adverse impact upon the occupiers of the proposed dwellings and the proposed development would not conflict with the surrounding land uses. Therefore, the proposal would be in accordance with Policy H1/2 of the adopted Unitary Development Plan and DCPGN7.

Design and impact upon the surrounding area - The proposed development involves the provision of 24 apartments in four buildings forming a 'u-shaped' development with a central car park.

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

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

It is considered that the proposed development would be appropriate in terms of height, form and scale. The proposed development has been designed as maisonette apartments and is similar in style to the surrounding dwellings. The surrounding buildings are predominantly two storeys in height and the proposed development would reflect this. It is considered that the proposed development would not be unduly prominent within the locality, subject to conditional control. It is considered that there would be adequate amenity space and provision has been made for bin stores and cycle storage.

The office development to the south is located 1.5 metres from the boundary with the application site. As a result, there would be 10 metres between an office building and the blank gable wall of the proposed development and 23 metres between the front elevation of the proposed development and the office building. The previously approved scheme contained two buildings, which were three to four storeys in height and would have been between 20 metres from the boundary and therefore 21 metres from the office buildings.

Therefore, as the proposed development would result in a reduction of two storeys in height when compared to the previous consent, it is considered that a distance of 23 metres to the office buildings would be acceptable and would not result in a significant loss of privacy for the occupiers of the proposed dwellings.

Due to the topography of the site and the finished floor levels of the proposed buildings being 84.5 metres, only the first floor openings would be visible from Greengate Close. There would be 22 metres between the gable elevation of No. 1 Greengate Close and the rear elevation of the building containing plots 9 – 12. There would be 12.8 metres between the gable elevation of No. 6 Greengate Close and the rear elevation of the proposed apartment building. It is considered that as the proposed development would comply with the aspect standards in DCPGN6, there would not be an adverse impact upon the amenity of the neighbouring residents. Therefore, it is considered that the proposed development would be in accordance with Policies EN1/1, EN1/2 of the adopted Unitary Development Plan and would not conflict with the aspect distances in DCPGN6.

The proposed site plan indicates that there would be private amenity space to the side and rear of the proposed buildings and it is considered that this would be of an adequate size. The amenity space would be screened by 1.35 metre railings along the western boundary with the access road and due to the topography of the land a retaining wall is required to the north of the proposed buildings. The retaining wall would be 1.8 metres in height with railings of 0.8 metres in height above. It is considered that the proposed boundary treatments would keep the amenity area secure and would reflect the existing boundary treatments in the locality. Therefore, it is considered that the proposed development is in accordance with Policy EN1/5 of the adopted Unitary Development Plan.

Pollution

There would be 10 metres between an office building and the blank gable wall of the proposed development and 23 metres between the front elevation of the proposed development and the office building. An office development would not generate a significant amount of noise and taking into account the separation distance involved, it is considered that there would be no significant adverse impact upon the amenity of the occupiers of the proposed development. The contaminated land team has no objections subject to the inclusion of conditions relating to contaminated land. Therefore, it is considered that the proposed development would be in accordance with Policy EN7 of the adopted Unitary Development Plan and government guidance in the form of PPS 23.

Landscaping & Trees - A tree survey was submitted as part of the application, as the site contains a number of trees, which are protected by a Tree Preservation Order (TPO 70). The tree survey recommends removal of trees T2, T5, T12, T13, T14, T17 and T23 for a variety of reasons. However, it is considered that as none of the protected trees are required to be removed to facilitate the proposed development, the removal of these trees should be subject to a TPO application.

A landscaping plan has been submitted as part of the application and it is considered that the plan does not take into consideration the existing vegetation on site and as a result, some of the proposed planting would not survive in the microclimate conditions. The applicant has submitted a revised landscaping plan and further comments from the Landscape Practice will be reported in the Supplementary Report.

Highways Issues/Access - The car park would be located between the proposed apartment buildings and the office buildings to the south. The proposed development would provide a total of 26 parking spaces, including 8 disabled spaces and cycle storage. It is considered that there would be adequate parking provision and the access and servicing would be identical to the previously approved application (44876). Three letters of objection have been received and have raised the impact upon highway safety as an objection. As stated above, there is an extant planning permission for 24 apartments for this site and the access arrangements for this application mirror the previously approved scheme. It is considered

that the proposal would not materially worsen the conditions along Bridge Hall Lane and the highways team has no objections to the proposal, subject to a condition relating to the demarcation of the car park. Therefore, it is considered that the proposed development would not have an adverse impact upon pedestrian and highway safety and would accord with Policies HT2/4 and HT4 of the adopted Unitary Development Plan.

Contribution - The scale of the development requires that provision should be made towards off-site recreational provision under Policy RT2/2. In view of this, the applicant has entered into a planning agreement to pay a commuted sum to the value of £9,424.32.

Summary of reasons for Recommendation

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

The proposed development is acceptable in principle and the proposed development is appropriate in terms of design, scale and layout. The proposed development would not have a significant adverse impact upon the amenity of the neighbouring residents and would not look out of place within the locality, subject to conditional control. The proposed development would not be detrimental to pedestrian or highway safety. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location Plan, S07/169, 7199:01 REV A, 7199:002, 7199:003, 7199:004, 7199:005, 7199:006, 7199:007, 7199:008, 7199:009, 7199:010, 7199:011, 7199:RW, 2457.04A, 2457.01A 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 validity 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. Details of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
10. A minimum of 5 working days written notice shall be provided to the LPA of intended commencement of the development. The notification of commencement shall include a timetabled schedule of the intended tree protection measures and tree works. Any subsequent variation of the timetable shall be subject to further written notice.
Reason - To ensure that the development is carried out in accordance with the approved plans, to protect trees which are of amenity value on the site and pursuant to Policies EN8/1 – Tree Preservation Orders and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
11. No trees subject to a Tree Preservation Order, shall be felled, lopped or topped before, during or after the construction period without the previous written consent of the Local Planning Authority.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
12. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
13. The car parking indicated on the approved plans [insert plan number(s)] 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.

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

Ward: Bury East

Item 02

Applicant: Ms S Coyne

Location: FAIRFIELD COUNTY PRIMARY SCHOOL, ROCHDALE OLD ROAD, BURY, BL9 7SD

Proposal: DEMOLITION OF EXISTING NURSERY AND ERECTION OF REPLACEMENT 25 PLACE NURSERY, SEMINAR ROOM AND ANCILLARY FACILITIES

Application Ref: 49426/Reg 3 Council's Own Development **Target Date:** 29/04/2008

Recommendation: Approve with Conditions

Description

The site comprises a single storey primary school situated within playing fields on the southern side of Rochdale Old Road. The main school building is red brick and the existing prefabricated nursery building is now in a dilapidated condition. Both pedestrian and vehicular access is from Rochdale Old Road.

It is proposed to demolish the existing nursery, which caters for 25 children and replace it with a new nursery unit, also for 25 children and an additional adult teaching facility that would cater for 20 persons. The new building would have a footprint measuring approximately 21m by 10m and extend out from the existing school building over the existing footprint.

The new single storey building would have a contemporary appearance with brickwork to match the existing school building with a powder coated metal roof, rendering and timber boarding to add visual interest and provide colour and texture appropriate to a nursery development.

The play area to the west of the building would be largely retained although the new development would require the removal of four small trees (2 Silver Birch, a Cherry and a Rowan). It is proposed to replace the trees lost within a wider landscaping scheme.

The scheme includes a new 2m high paladin weld mesh fence extending from the new building across the playing field to the western boundary where it runs down to Rochdale Old Road.

Relevant Planning History

21590/88 Detached nursery Unit - Approved 15/9/1988

34544 - Classroom and store - Approved 10/9/98

Publicity

Surrounding neighbours on Rochdale Old Road, Broad Oak Lane, Battersby Street, Fairfield Drive, Foster Court and the Brown Cow public house notified by letter and site notice posted. Two letters of objection received from the occupier of No.1 Battersby Street. Concerns relate to the proposed 2m high fence extending from the new nursery across the field to the western boundary and are summarised below:

- The palisade fence would be used to gain access to her property.
- The fence in not extending along her own rear boundary, would allow people to access the school through her property.
- The new fence and gate would be an eyesore.

Consultations

Traffic team - No objection

Drainage team - No objection.

Baddac - No objection.

GM Police - No overall objection but suggests a paladin weld mesh fence as opposed to palisade fence for increased security.

Landscape - No objection.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

CF2 Education Land and Buildings

Issues and Analysis

Principle - The principle of the nursery use has been established in the school site since existing nursery unit was approved in 1988.

Design and Appearance - Whilst the new building makes reference to the existing school building with the use of red brick, it would be of a different and more contemporary design that would not appear incongruous in the locality. Trees along the Rochdale Old Road frontage and to the west of the new building would help screen the building from views from the main road and surrounding houses.

Residential Amenity - The proposed new building is relatively modest in scale and set well back from the nearest residential properties approximately 40m to the west. As such there would be no material impact on the residential amenity of the occupiers of these houses.

Disabled Access - The scheme is designed to accord with Building Regulation Part M. Entrances have level access and internal circulation is considered to be appropriate.

Objection - It is not considered that the new fence, which is 2m high, would make the existing situation with regard to security any worse. Whilst there may be a need to erect secure fencing along the rest of the boundary of the school and adjoining properties this is a matter between the school and householders.

On the issue of the fencing being an eyesore, the fence, which has been amended to a paladin weld mesh design rather than a palisade, is not visually intrusive and not unusual in a school environment.

The proposal complies with UDP policies listed.

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 new nursery would improve facilities at the school without serious detriment to the character of the locality or the amenity of the neighbours. Complies with UDP policies listed. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2. This decision relates to drawings numbered D2, D3, D4/B, D5, D6/B, D7, D9/A and D10 and supporting tree survey and Design and Access statement the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. Prior to the development hereby approved commencing:
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas risks have been identified, 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.
5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the 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.
6. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to 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.
7. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

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

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

8. 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.

9. Following the provisions of Condition 8 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.

10. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building 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.

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

satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.

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

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

Ward: Bury East - Redvales

Item 03

Applicant: Rathbone

Location: REAR LEFT CAR PARK AT HEATON HOUSE, BRIERLEY STREET, BURY, BL9 9HN

Proposal: ERECTION OF 3.34 M FENCING AND DOUBLE GATES TO THE PERIMETER OF THE CAR PARK TO THE REAR-LEFT OF HEATON HOUSE.

Application Ref: 49445/Full

Target Date: 29/04/2008

Recommendation: Approve with Conditions

Description

The car park is a triangular piece of land and is located to the rear and left of Heaton House. Heaton House is a detached building currently in use as offices and Phoenix Works to the north of the site has recently received permission for industrial units and offices. Access to the car park is from a road to the south of the building, leading to Back Brierley Street. To the east and west of the site are residential properties, which front onto Heaton Fold and Brierley Street and there is a 2 metre wall marking the rear boundary of the residential properties. There is a 1.5 metre brick wall (measured from Back Brierley Street) marking the boundary of the site.

The proposal involves the erection of fencing (1.8 metres) on top of an existing brick wall, measuring 3.34 metres in total and double gates (3.34 metres) at the entrance.

Relevant Planning History

43991 – Change of use from photographic studio (Class B1) to education provision and ancillary offices (class D1) at Heaton House, Brierley Street, Bury. Approved with conditions – 16 March 2005

Publicity

The neighbouring properties were notified by means of a letter on 5 March. One letter of support has been received from the occupiers of No. 45 Heaton Fold and one letter has been received from the occupiers of No. 14 Brierley Street, which has raised the following issues:

- No objections to the gate
- Object to the fence, as it will still be possible to climb over the wall and fence and gain access to the car park
- The proposed type of fencing would not be appropriate to a residential area.

Consultations

Highways Team – No objections

GM Police Architectural Liaison – No response to date

BADDAC – No comment

Unitary Development Plan and Policies

EN1/1 Visual Amenity

EN1/2 Townscape and Built Design

HT4 New Development

Issues and Analysis

Design & Impact upon the surrounding area - The proposed development would involve the erection of fencing on top of the existing wall and the total height would be 3.34 metres. The proposed fencing and wall would be approximately 1 metre higher than the surrounding walls of the residential properties. However, the proposed fencing would still allow for light to pass through and therefore, it is considered that the proposed fencing would not have a significant adverse impact upon the amenity of the neighbouring residents.

The proposed development originally consisted of palisade fencing and there is a section of palisade fencing marking the boundary between the car park and Phoenix Works. However, it is considered that palisade fencing would not be appropriate in this case as it is industrial in character and would be located 4.5 metres from residential properties. The applicant has agreed to submit revised plans (which will be included in the Supplementary report) to indicate that the fencing will be paladin and it is considered that this would be more appropriate to the locality. Therefore, it is considered that the proposed development would be appropriate in terms of height, form and scale and would not be unduly prominent in the locality, subject to conditional control. The proposed development would not restrict visibility at the entrance to the car park and the highways team has no objections to the proposal. It is considered that the proposed development would not have an adverse impact upon highway safety. Therefore, the proposed development is in accordance with Policies EN1/1, EN1/2 and HT4 of the adopted Unitary Development Plan.

Summary of reasons for Recommendation

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

The proposed development would be appropriate in terms of design and scale and would not look out of place within the locality, subject to conditional control. The proposed development would not be detrimental to highway safety and is in accordance with UDP Policies EN1/2, EN1/7 and HT4.

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 28-108-01 & 28-108-02 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. Details of the colour of the fencing 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.

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

Ward: Bury East - Redvales

Item 04

Applicant: Millwood Primary Special School

Location: MILLWOOD SCHOOL, FLETCHER FOLD ROAD, BURY, BL9 9RX

Proposal: ERECTION OF 2 METRE HIGH PALADIN FENCE TO SCHOOL BOUNDARY

Application Ref: 49271/Full

Target Date: 16/04/2008

Recommendation: Approve with Conditions

Description

The proposal involves the northerly boundary of Millwood School that caters for children with a range of special needs. This boundary in the area of the application extends beyond the school buildings and encompasses a mounded grassed area with a significant number of trees. It follows the edge of Goshen Lane. Previously, the school boundary here had no enclosure but it is currently marked by temporary Heras fencing. The proposal is to install a 2m high green coloured metal paladin fence along the boundary line next to the lane.

Goshen Lane is a narrow roadway without footways that mostly runs to the rear and side of residential properties. However, it serves, a block of substantial houses located to the north east of the school on the other side of a driveway. These houses The Nook, The Crest and Manor House are sited well back from the lane behind long front garden plots and are Grade II listed buildings. Directly opposite across Goshen Lane from the proposed fence there is the side of a semi-detached house no. 9 Fletcher Fold Road.

The application is accompanied by a Design and Access Statement that explains that the need for the fencing has arisen from a risk assessment following recent extension and refurbishment work at the school that has resulted in a fire escape that allows access onto Goshen Lane. Although the children are fully supervised, the assessment has raised the possibility of a child's egress at this part of the building.

Relevant Planning History

45330 - Single storey extension. Approved on 25th April 2007.

Publicity

Nine properties were notified on 21st February 2008 including 9 and 10, The Nook, The Crest and Manor House, Fletcher Fold Road and 2 - 8 Tennyson Avenue.

Two objections have been received as follows:

The occupiers of Manor House are concerned about the appearance of the fence. They have just completed extensive renovations of their house a Grade II listed building and consider that it is very important to keep the approach road in keeping with the surrounding three properties dating back to the 1700's. A steel fence would be in the wrong place. As the fence is required for the children's safety they would not object to the fence being along the path line where it would serve the same purpose and preserve Goshen Lane in its natural form.

The occupiers of The Crest suggest a relocation of the fence line to follow the line of the new extended school building about 1.5m from the brickwork or alternatively that the fence should be wrought iron or similar to that erected recently around parks in Bury.

Consultations

Highways Team - No objections.

Conservation Officer - Although the fence is in the vicinity of listed buildings it is closely associated with the school which is a late 20th century building. The paladin is generally a see through fence that does not give a solid or dense boundary and is visually lightweight. It would, therefore, have a very limited impact on the character of the area and would not be harmful to the setting of the listed buildings.

Landscape Practice - No objections in principle but are concerned that the root plate of the trees near to the line of the fence is not damaged and that all construction is carried out in accordance with BS5837 "Trees in Relation to Construction". Suggest that further information should be provided about the location of the trees and the method of construction.

Unitary Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN2/3	Listed Buildings
CF2	Education Land and Buildings

Issues and Analysis

Need - The school has no proper means of enclosure on the area and lacks the necessary security in terms of the possibility of a child's egress at this point of the building. The fence would provide this.

Visual Amenity - The surrounding area is predominantly residential and an industrial styled palisade fence would not be appropriate visually. A green coloured paladin fence (colour specified as leaf green RAL 6002) of the type being proposed is a better alternative in terms of having a limited impact on the appearance of the area and outlook of neighbours and typically used in these situations. It is considered that the proposal would not conflict with policies EN1/1 and EN1/2.

Listed Buildings - A group of three listed buildings is situated to the north east of the fence line. The buildings themselves are on the opposite side of a roadway and have frontages from 20 to 25m deep with their own solid front boundary feature. Therefore, it is considered that the fencing, which is a visually lightweight see-through type, would not be harmful to the setting of the listed buildings and that the proposal would not conflict with Policy EN2/3 that concerns the need to safeguard the character and setting of listed buildings. However, it is important that the shade of the green colouring is approved before the fence becomes installed to ensure that its visual impact is subdued.

Trees - It is important to ensure that no damage is caused to the existing trees during the construction of the fencing as they are of amenity value to the surrounding area and any planning permission would need to have an appropriate condition to ensure that the trees and their root systems are protected. A letter has been submitted by the applicant's agent confirming a willingness to comply with a condition of this type.

The Objections - The issues raised in the objections concerning visual amenity and the impact on the character of the listed buildings are covered earlier in this section. The suggestion has been made that the fencing should be set close in to the building instead of as proposed. However, this would create a significant problem with the means of escape from the school as fencing near the school wall would be sited up to the outward opening fire exit doors and this escape route from the school would become blocked which would be in conflict with Building and Fire Regulation requirements. The proposed fence position is set well back from the building and does not raise this concern. The other suggestion is that wrought railings would be more appropriate in the location. Notwithstanding this view, it is considered that a green paladin fence would also be an acceptable means of enclosure.

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 fencing would enhance the security of the school and would not materially harm the visual amenities and character of the surrounding area. The retention of existing trees would be safeguarded.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. The 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", including a method statement, 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 and method statement 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.
3. This decision relates to drawing 6623A, the site location plan and photographic illustration of the fencing both received on 20th February 2008 and the letter dated 2nd April 2008 specifying the colour treatment to the fencing. The development shall not be carried out except in accordance with the drawings and specification hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 05

Applicant: Stannard Homes

Location: 16 MARKET PLACE, RAMSBOTTOM, BURY BL0 9HT

Proposal: NEW LIGHTING TO EXISTING RESTAURANT SIGNAGE

Application Ref: 49352/Advertisement

Target Date: 10/04/2008

Recommendation: Approve with Conditions

Description

The property is a stone built property, which is located at the end of a terraced row and is currently in use as a restaurant. The terraced row is a Grade II listed building and is located in the conservation area. The adjacent properties are in use as retail shops or offices. The adjacent chapel has been converted to apartments and is a listed building. At the rear of the site is a hardstanding and garages and is accessed through Back Bridge Street.

The proposal involves the addition of lighting (6 in total) to the existing restaurant signage.

Relevant Planning History

18581 – Listed building consent – 3 storey storeroom, kitchen and conservatory extension at rear; replacement windows at front (No 18) at 16 & 18 Market Place, Ramsbottom. Approved – 21 August 1986

18582 – Change of use: restaurant & dwelling to restaurant, wine bar and flat with 3 storey storeroom, kitchen and conservatory extension at rear at 16 & 18 Market Place, Ramsbottom. Approved – 21 August 1986

30326 – Listed building consent to alter existing basement and ground floor levels at 16 – 18 Market Place, Ramsbottom. Approved with conditions – 17 November 1994

49353 – Listed building consent for relocation of kitchen extraction fan and proposed illumination of existing restaurant signage at 16 Market Place, Ramsbottom. Received - 14 February 2008

49478 – Relocation of extractor fan and new lighting for restaurant signage at 16 Market Place, Ramsbottom. Received - 14 February 2008. Clock stopped on 19 March as the cheque had bounced. Clock re-started on 25 March when alternative payment was received.

Publicity

The neighbouring properties were notified by means of a letter on 20 February and press notices were posted on 28 February. Site notices were posted on 28 February 2008. One letter of objection has been received from the occupiers of No. 30 Market Place.

Consultations

Highways Team – No objections, subject to the inclusion of a condition relating to the lighting.

Pollution Control – No comments

Conservation Officer – Substantial alterations were carried out to the building in 2007 and some enforcement action has been taken. The proposed spot lights are less obtrusive than the current long armed versions and do not harm the character of the building.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/9	Advertisements
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings

Issues and Analysis

The proposal involves the provision of lighting to the existing signage at Ramsons Restaurant in Ramsbottom, which is a Grade II listed building and is located within the conservation area.

Policy EN1/9 states that the Council will have regard to the characteristics of the local area, including the presence of listed buildings or conservation areas; the scale and massing of existing buildings and structures and the effect on the pedestrian or highway safety.

There are existing spot lights in place, which are long-armed and project 0.8 metres from the front elevation. The proposed lighting would project 0.36 metres from the front elevation. It is considered that the proposed lighting represents an improvement on the existing lighting in place and would be more in keeping with the character of the listed building and the conservation area. The Conservation Officer states that the proposed lights would be less obtrusive and would not harm the character of the building. As a result, it is considered that the proposed development would not harm the historical and special character of the Grade II listed building or the conservation area. The highways team has no objections to the proposal. Therefore, the proposed development is in accordance with Policies EN1/9, EN2/1, EN2/2 and EN2/3 of the adopted Unitary Development Plan.

Summary of reasons for Recommendation

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

The proposed development would not have an adverse impact upon the special character of the listed building and conservation area and would not be detrimental to highway safety. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered L(01)01 A, L(03)01 B, L(03)03 B, L(03)11 B, L(03)12 B, L(03)03 B, L(03)13 B and the development shall not be carried out except in, accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
2. The direction, fixing and colour of the external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented.
Reason. To avoid undue distraction to traffic in the interests of road safety, and to protect the amenity of adjoining occupiers pursuant to policies EN1/9 - Advertisements of the Bury Unitary Development Plan.

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

Ward: Whitefield + Unsworth - Pilkington Park

Item 06

Applicant:

Location: WM MORRISON SUPERMARKETS PLC, 5 STANLEY ROAD, WHITEFIELD, BURY, M45 8QH

Proposal: VARIOUS INTERNALLY ILLUMINATED SIGNAGE

Application Ref: 49388/Advertisement

Target Date: 31/03/2008

Recommendation: Approve with Conditions

Description

The site comprises the new Morrison's Store at the junction of Bury New Road and Stanley Road in the middle of Whitefield town centre.

The proposal is for various internally illuminated signs on the exterior of the building, 15 in total including 2 clocks and a cash machine sign. All other signs will be yellow (Morrison's corporate colours) and either box signs or individual letters. A proposal for flag advertising at the entrance to the car park has been removed from the scheme by the applicants agent.

Relevant Planning History

Planning consent was granted for the Morrison's Store in 2007 (ref:42914) and the building works are now progressing.

Publicity

Immediate neighbours have been informed in the surrounding area including Stanley Road, Bury New Road, Silver Courts, Moreton Avenue and Elms Road, a total of 50 properties. One letter of objection has been received from 11 Elms Road. The objection can be summarised as follows:

- illuminated signs will affect residential amenity
- flag advertisements will be noise (these have now been removed from the scheme)
- parking will be a problem as he is disabled (this is not an issue in the consideration of this application)

Consultations

Highways Team - no objections subject to a limit on the level of illumination.

Unitary Development Plan and Policies

EN1/9 Advertisements

Issues and Analysis

The application is for advertisement regulations approval and the only two considerations for the determination of the application are amenity and public safety.

Amenity - The proposed signage is all located on the facade of the new building. Its size relates well to the general scale of the building and whilst the number of signs may seem large (15) the building itself is of sufficient size to warrant this amount of signage. The signs themselves will be limited to 600 cd per square meter as recommended in the Institute of Lighting Engineers Technical Report No. 5 which will mean that they are not so bright as to appear out of place. The nearest residential property to the signage on any face of the building is 28m and the view of the signage will be at an oblique angle from that property. Given the town centre location, the positioning of the signage and the limit on the level of

illumination it is considered that the proposed signs will accord with Unitary development Plan Policy EN1/9 - Advertisements and be acceptable.

Safety - The proposed signs are all located on the fabric of the building and will be seen in conjunction with its shop frontage and entrances. Whilst some will be viewed across a traffic junction their colour and nature will not detract motorists and as such they comply with Unitary Development Plan Policy EN1/0 - Advertisements and are acceptable.

Objection - The impact on the residential amenity of the neighbouring properties has been considered above and whilst there will be some impact, it is not considered that it would be sufficient to warrant refusal of the application. The flag advertisements have been withdrawn from the application and the impact of the overall scheme on the area and parking is not a matter for consideration with this application.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed and the reason(s) for granting permissions can be summarised as follows;-
The development proposals by reason of their design and appearance would not have any detrimental effect upon the visual amenities of the highway safety of the area. The proposals comply with UDP Policies and there are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The luminance of the signs shall not exceed 600 cd/m².
Reason. To avoid undue distraction to traffic in the interests of road safety, and to protect the amenity of adjoining occupiers pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

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

Ward: Bury East

Item 07

Applicant: Askbury Developments LLP C/O ,Ask Property Development LTD

Location: LAND IN THE NORTH EAST OF THE SITE BOUNDED BY ANGOULEME WAY, THE METROLINK, EAST LANCASHIRE RAILWAY AND KNOWSLEY STREET AT TOWNSIDE BURY

Proposal: CONSTRUCTION OF A 6 STOREY BUILDING COMPRISING 2,010 m² OF OFFICES (BUILDING 3) AND A 4,470 m², 110 BED HOTEL (BUILDING 4) TOGETHER WITH ASSOCIATED VEHICULAR AND PEDESTRIAN ACCESS.

Application Ref: 49423/Reserved matters

Target Date: 25/04/2008

Recommendation: Approve with Conditions

Description

The application site comprises a section of the Townside site comprising land between the subway access to the Interchange and the Metrolink line, extending approximately. To the west of the site will be the approved Bury MBC building and PCT building. To the east of the site is the Metrolink line and Bury Station, beyond that is the college. To the south of the site will be the approved multi level car park. To the north of the site is Angouleme Way and further beyond that is the Metrolink car park to the rear of the bus interchange.

The site is lower in level to the Angouleme Way and lower still to the east is the Metrolink line.

The application is a product of long term plans for the regeneration of Bury Town Centre, known as 'Bury but Better'. The planning application is a reserved matters proposal for the buildings 3 and 4 comprising a hotel and office development, with a coffee shop integral to the hotel development.

The buildings comprise 6 storey structure containing:

- 2010m² offices (building 3)
- 4470m² - 110 bed hotel (building 4)
- Pedestrian and vehicular access points.

The office building would sit above the existing underpass facing towards Angouleme Way, to continue the built frontage of the approved PCT building under planning ref:47200.

The hotel building would be located behind the office building as seen from Angouleme Way and would run parallel with the Metrolink line.

Relevant Planning History

47200 - Mixed use office development - Approved 25 January 2007

Publicity

The application was publicised by a press notice on 14 February 2008 and by site notices on 12 February 2008. Letters were sent directly to 78 nearby addresses on 7 February 2008 and a complete list can be found on the file. As a result of this publicity, no objections have been received.

Consultations

Traffic Team - Any response shall be reported.

Drainage - No objections.

Environmental Health - Contaminated Land - No comments to add to the original conditions imposed on the outline planning permission.

BADDAC - Some amendments were requested to ensure that the buildings were fully disabled compliant. Changes have been incorporated to the scheme and following these amendments there are no objections.

Cleansing and Waste Management - The refuse storage areas should be sufficient for the storage of waste associated with the development proposals.

Environment Agency - No objections

GM Police -No objections subject to adequate natural surveillance over the public realm at ground floor level.

United Utilities - No objections however, there is a sewer that crosses the site and a building over agreement or diversion would be required.

Metrolink - No comments received.

Fire Officer - No objections

GM Archaeology Unit - No objections

Unitary Development Plan and Policies

EC1/3 Land Suitable for Business (B1)
EN1/1 Visual Amenity
EN1/2 Townscape and Built Design
EN1/7 Throughroutes and Gateways
EN1/5 Crime Prevention
EN1/3 Landscaping Provision
Area Manchester Road/Knowsley Street
BY4
PPS1 PPS1 Delivering Sustainable Development

Issues and Analysis

Principle - The approval of the outline permission made provision for the use of the development proposals specifying, for this part of the site, as "Buildings 3 and 4 for Class B1 Business and/or Class C1 Hotel purposes". Outline planning permission was granted for these uses as part of 47200 approved 25 January 2007. Given this situation, the principle of the development is established and the permission is still valid.

Background - The background determining factor for the proposals sits within the Bury But Better Development Framework, which was approved by Executive Committee in September 2006 and the Townside Master Plan document put forward by Askbury, embodied within approval 47200.

As the site would be a key arrival point into the town centre from either public transport via the Metrolink or from the southern gateway, the layout for the site, through the Master planning exercises sought to ensure that -

- A mixed use development would be achieved to encourage activity takes place throughout the day and evening;
- There would be clear and natural surveillance achieved from building positions and fenestration particularly to the underpass to the retail core of the town centre;
- A sense of place would be created at street level and provide active frontages;
- Good links forged with public transport nodes;

Planning application 47200 achieved full planning permission for buildings 1 (Primary Care Trust) on the frontage to Knowsley Street/Angouleme Way and building 2 (BMBC offices) and a car park for 397 spaces, with outline planning for two other buildings as specified above.

The elements of the full planning part of the scheme together with illustrative information for the outline parts of the development gave clear aims and objectives to secure the full

implementation of the development framework and master plan for the site.

Layout - The last two buildings for the site subject to this application would sit fronting onto Angouleme Way (building 3 - offices) and (building 4 - hotel) would front onto the underpass spinal access route, new pedestrian square and Metrolink. Ground floors of the two buildings would have active frontages and uses particularly within building 4 would provide active uses into the evening with an ancillary coffee shop operator utilising a small part of the ground floor, together with a concierge and restaurant. These ancillary uses to the hotel would ensure that the public realm areas continually have surveillance, movement and activity.

Spaces provided between buildings 2 and 4 would be some 12m up to 20m, with windows overlooking the underpass access thus ensuring safe movement across and through the site.

The buildings within the scheme in terms of the layout conform with the aims of the approved Master plan. Given the above the development would comply with UDP Policies EN1/2 – Townscape and Built Design and EN1/7 - Throughroutes and Gateways.

Design, Height, Scale and Massing - The application is accompanied with a detailed design and access statement. In consideration of the design, scale and massing, the proposals have looked at surrounding context and also extant approvals within the site.

Design - the buildings proposed have maintained a 'grid' approach in the composition but each building has infilled the structural grids differently. The office building (3) would provide its window patternation in a grid form that would sit level with the facade of the building. The patternation would come from roof level down to the ground, however the window openings here would be larger to provide an entrance feature into the building. The scheme also includes window openings and entrance feature to the rear of the building to provide natural surveillance on the approach to the underpass, thus contributing to the safety of users of this feature.

The hotel building (4) has utilised the structural grid format and expressed this by using an 'etched' rain screen cladding. The function of the spaces within the building demand a repetitive and regular window pattern. The grid therefore becomes represented and expressed by the use of a projecting solar shading device within the etched grid. This provides a positive pattern to the design of the building.

At ground floor, the spaces within the building would be public areas comprising coffee shop, food/restaurant and concierge/reception and in order to engage with the public areas, extensive areas of glazing are proposed at ground level. The window openings to the hotel have increased in area since originally submitted and essentially all of the ground floor provides an appropriate mix of glazing to ensure interaction and privacy.

Materials - Both buildings would be clad using a rain screen system, orange/brown colour with high gloss finish. A planning condition is proposed to ensure that materials are submitted should permission be granted.

Height - The building heights would ensure a 'stepping down' would occur from the approved PCT building down towards the existing lower college building.

The overall height of the office building (3) structure would be 19.0m compared to its approved neighbour, the PCT building, at a height of 23.5 (measured from Angouleme Way). There would be a further 4.0m of the office building below Angouleme Way down to the underpass level.

The hotel building (4) would be 19.0m as measured from the underpass level, but would be some 4.0m lower in roof level from the office building (3).

These changes in height reinforce the stepping down of heights of the buildings to integrate into the townscape.

Scale and Massing - Both of the buildings represent similar scales and massing to the existing approved buildings within the site. Window and entranceways would sit within regular building forms and would maintain a dense town centre type urban form. Spaces around the buildings would ensure that their heights would be able to assimilate into the townscape whilst ensuring that the development forms a landmark development in an important arrival point into the town.

Given the above the development would comply with UDP Policies EN1/2 – Townscape and Built Design and EN1/7 - Throughroutes and Gateways.

Access & Servicing

Vehicular - The internal public realm within the site is laid out to be predominantly pedestrian and therefore vehicular access would be kept to a minimum. Access into the site would, for vehicles be from Knowsley Street. However, this would be only for service vehicles for the hotel use, refuse collection and window cleaning. These vehicles can be accommodated within the new street with sufficient provision to turn and leave the site.

Emergency Vehicles would access the site from Knowsley Street to the lower public square. From here all buildings and escape routes would be accessible.

Taxi access would largely be restricted to the car park or drop off points located on Knowsley Street. However, in the event of disabled access being required, then is proposed that the hotel/management company would activate electronically controlled bollards allowing access. No details of the bollards have been submitted but these would form part of the final outstanding Reserved Matter for the landscaping of the site.

Cycling facilities - These are required through the approved planning conditions relating to the submission of details for the travel plan. Additionally, facilities in the public realm is required through the final outstanding Reserved Matter for the landscaping of the site.

Given the above considerations, the development would comply with UDP Policies HT6/1 - Pedestrian and Cyclist Movement and HT6/2 - Pedestrian and Vehicular Conflict.

Pedestrian Access and Equal Access for All - The site is accessible from Knowsley Street, the approved car park and via the underpass. In addition to this, all buildings have active frontages onto public realm and adopted highways, where level access is proposed. The approved details (47200) permits significant re-profiling of the site, to enable access to be achieved by those with special needs.

The buildings have been amended where necessary to ensure that the internal arrangements would comply with Disability Ciseded Act requirements. This would ensure that full access within the development for mobility mpaired would be achieved. BADDAC were important consultees for this aspect and have no objections to the revisions secured.

Given the above, the development would comply with UDP Policy HT5/1 – Access for those With Special Needs.

Car Parking - Application ref 47200 provided full details for a 397 space car park intended to service the whole of the development site including the floor space proposed for the current application. As such the development would comply with UDP Policy HT2/4 - Car Parking and New Development.

Sustainability - The scheme has been designed to achieve the best layout within the site to achieve maximum use from solar gain and shading effects. Passive ventilation and low energy efficiency are all sought by the development but very little substance is provided in terms of the details of construction in terms of aims and objectives to meet good practice at

this current stage. This is largely due to the next phase of design should engage in sourcing and assessments against 'green standards'. With this in mind, the approved scheme 47200 imposed a planning condition for both the Bury MBC building (2) and PCT building (1) to provide details of pre, during and post construction objectives to meet BREEAM Environmental Assessment (for all buildings) and NEAT Assessment (for NHS buildings).

The BREEAM tools act at different stages of the construction process from the identification of materials through to the finalised implemented development. To ensure the sustainability of this significant development within the town centre, it is considered that a similar planning condition to the one used in 47200 be imposed on this scheme.

Other factors of sustainability credentials for the development such as the location, connectivity to transport nodes, parking provision and accessibility have already been considered in the master planning and in the consideration of application for the principle for the development in application 47200.

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:-

Well conceived development which would respond to the demands of the adopted Masterplan for the Town Centre. The scheme would comply with the adopted policies of the Unitary Development Plan and there are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered :

Building 3

(10) 001 rev L, (10) 002 rev L, (10) 003 rev L, (10) 004 rev K , (10) 005 rev L, (10) 006 rev J, (10) 007 rev B;
(10) 010, (10) 011, (10) 012;
(10) 020, (10) 021.

Building 4

(10) 001 rev E, (10) 002 rev C, (10) 003 rev B, (10) 004 rev B, (10) 005 rev B, (10) 006 rev B, (10) 007 rev A;
(10) 010 rev A, (10) 011 rev B, (10) 012 rev A;
(10) 020 rev A.

and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

2. Details relating to the provision of a lighting scheme for building lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall incorporate the approved lighting scheme details prior to the buildings hereby approved being occupied.

Reason - To ensure appropriate steps are taken to reduce crime and disorder pursuant to UDP Policy EN1/5 - Crime Prevention.

3. No development approved by this permission shall be commenced until a scheme for the provision and implementation, of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.
Reason - To reduce the increased risk of flooding pursuant to PPS25 - Development and Flood Risk.
4. The development hereby approved shall not be brought into use unless and until the shower, changing, locker facilities and staff cycle parking outlined in the Framework Travel Plan for the site have been implemented to the written satisfaction of the Local Planning Authority.
Reason – To secure the aims and objectives of PPS1 – Delivering Sustainable Development.
5. The foundations for any part of the proposed development shall not encroach under the adjacent existing or future adopted highways at any point.
Reason - To ensure good highway design and to maintain the integrity of the adopted highway pursuant to UDP Policy EN1/2 - Townscape and Built Design.
6. No doors to any part of the development shall open outwards onto the existing or future adopted highways.
Reason To ensure good highway design in the interests of pedestrian safety, compliance with Section 153 of the Highways Act 1980 pursuant to UDP Policy EN1/2 - Townscape and Built Design.
7. Before each phase of the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction of that phase unless otherwise agreed in writing by the Local Planning Authority.
Reason - To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to UDP Policy EN1/2 - Townscape and Built Design.
8. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters the landscaping of the site.
Reason. To ensure the satisfactory development of the site and because this application relates to the following reserved matters layout, scale, appearance and access to the site only.
9. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
10. The development shall be carried out in accordance with the provisions of the sustainability report carried out by Drivers Jonas, as part of the outline permission and details relating to the BREEAM achievements shall be submitted to the Local Planning Authority through an agreed timetable.
Reason - Pursuant to the provisions of PPS1 - Delivering Sustainable Development and to secure the sustainability principles of the development of the site.

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

